



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

**9th Session**

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

# LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

## Speaker

The Honorable Donald M. Stewart, M.L.A.  
P.O. Box 1877  
Hay River, N.W.T., XOE ORO  
Office 874-6522/2324  
Home 874-6560  
Office 873-7629-Yk.  
(Hay River)

Appaqaq, Mr. Moses, M.L.A.  
Sanikiluaq, N.W.T.  
XOA OWO  
Office 266-8860  
Home 266-8931  
(Hudson Bay)

Arlooktoo, Mr. Joe, M.L.A.  
Lake Harbour, N.W.T.  
XOA ONO  
Phone 939-2363  
(Baffin South)

Braden, The Hon. George, M.L.A.  
Box 583  
Yellowknife, N.W.T.  
XOE 2N4  
Office 873-7123/7612  
Home 920-2282  
(Yellowknife North)  
Leader of the Elected Executive and Minister  
of Justice and Public Services

Butters, The Hon. Thomas H., M.L.A.  
P.O. Box 1069  
Inuvik, N.W.T.  
XOE 0T0  
Office 873-7128/7129  
Home 979-2373 - Inuvik  
(Inuvik)  
Minister of Finance and Government Services

Curley, Mr. Tagak E.C., M.L.A.  
P.O. Box 36  
Rankin Inlet, N.W.T.  
XOC OGO  
Office 645-2866  
Home 645-2744  
(Keewatin South)

Cournoyea, Ms. Nellie J., M.L.A.  
P.O. Box 1184  
Inuvik, N.W.T.  
XOE OTO  
Office 979-3510  
Home 979-2740  
(Western Arctic)

Evaluarjuk, Mr. Mark, M.L.A.  
Igloodik, N.W.T.  
XOA OLO  
Phone 934-8823  
(Foxe Basin)

Fraser, Mr. Peter C., M.L.A.  
P.O. Box 23  
Norman Wells, N.W.T.  
XOE OVO  
Phone 587-2299  
(Mackenzie Great Bear)

Kilabuk, Mr. Ipeelee, M.L.A.  
Pangnirtung, N.W.T.  
XOA ORO  
Phone 473-8827  
(Baffin Central)

McCallum, The Hon. Arnold J., M.L.A.  
P.O. Box 685  
Yellowknife, N.W.T.  
X1A 2N5  
Office 873-7658/7659  
Home 920-4557  
(Slave River)  
Minister of Economic Development  
and Tourism

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

McLaughlin, Mr. Bruce, M.L.A.  
P.O. Box 555  
Pine Point, N.W.T.  
XOE OWO  
Office 393-2939  
Home 393-2226  
(Pine Point)

Nerysoo, The Hon. Richard W., M.L.A.  
Laing Bldg., 6th floor,  
Yellowknife, N.W.T.  
X1A 2L9  
Office 873-7113/7455  
Home 873-5310  
(Mackenzie Delta)  
Minister of Renewable Resources and Energy

Noah, Mr. William, M.L.A.  
P.O. Box 21  
Baker Lake, N.W.T.  
XOC OAO  
Hamlet Office 793-2874  
Office 793-2912  
Home 793-2716  
(Keewatin North)

Patterson, The Hon. Dennis G., M.L.A.  
Box 310  
Frobisher Bay, N.W.T.  
XOA OH0  
Office 873-5342  
Home 873-2082 - Yellowknife  
Home 979-6618 - Frobisher Bay  
(Frobisher Bay)  
Minister of Education

Pudluk, Mr. Ludy, M.L.A.  
P.O. Box 22  
Resolute Bay, N.W.T.  
XOA OVO  
Phone 252-3737  
(High Arctic)

Sayine, Mr. Robert, M.L.A.  
Fort Resolution, N.W.T.  
XOE OMO  
Hamlet Office 394-4556  
Home 394-3201  
(Great Slave East)

Sibbeston, Mr. Nick G., M.L.A.  
P.O. Box 560  
Fort Simpson, N.W.T.  
XOE ONO  
Phone 695-2565  
(Mackenzie Liard)

Sorensen, Mrs. Lynda M., M.L.A.  
P.O. Box 2348  
Yellowknife, N.W.T.  
X1A 2P7  
Office 873-7920  
Home 873-5086  
(Yellowknife South)

Tologanak, The Hon. Kane, M.L.A.  
P.O. Box 223  
Yellowknife, N.W.T.  
X1A 2N2  
Office 873-7962/7963  
Home 873-4824  
(Central Arctic)  
Minister of Health and Social Services

Wah-Shee, The Hon. James J., M.L.A.  
P.O. Box 471  
Yellowknife, N.W.T.  
X1A 2N4  
Office 873-7139/7140  
Home 873-8012  
(Rae - Lac La Martre)  
Minister of Local Government and Aboriginal  
Rights and Constitutional Development

## Officers

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

Clerk Assistant  
Mr. David M. Hamilton  
Yellowknife, N.W.T.  
XOE 1H0

Law Clerk  
Mr. Peter C. Fuglsang  
Yellowknife, N.W.T.  
XOE 1H0

Editor of Hansard  
Mrs. Marie J. Coe  
Yellowknife, N.W.T.  
XOE 1H0

Sergeant-at-Arms  
S/Sgt. David Williamson  
Yellowknife, N.W.T.  
XOE 1H0

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YELLOWKNIFE, NORTHWEST TERRITORIES

THURSDAY, NOVEMBER 18, 1982

MEMBERS PRESENT

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

ITEM NO. 1: PRAYER

---Prayer

MR. DEPUTY SPEAKER (Mr. Fraser): Item 2, replies to the Commissioner's Address. Item 3, oral questions.

ITEM NO. 3: ORAL QUESTIONS

Mr. Arlooktoo.

Question 83-82(3): Economic Development Officer, Lake Harbour.

MR. ARLOOKTOO: (Translation) This is directed to the Minister responsible for Economic Development. Once in a while, an economic development officer based in Frobisher Bay comes to Lake Harbour. I would like to know if they would hire an economic development officer to be based in Lake Harbour in the future.

MR. DEPUTY SPEAKER: Thank you, Mr. Arlooktoo. Mr. Minister.

Return To Question 83-82(3): Economic Development Officer, Lake Harbour.

HON. ARNOLD McCALLUM: Mr. Speaker, that is something that I would have to take up with officials within the department, to look at the strength that is now within the department based at the regional headquarters and whether there would be ample justification to put another person in. Perhaps if I can talk to my colleague about improving the airstrip there, we may be able to have somebody in and out of there more often.

MR. DEPUTY SPEAKER: Thank you, Mr. McCallum. Item 3, oral questions. Mr. Curley.

Question 84-82(3): Diseased Caribou, Baker Lake Area

MR. CURLEY: (Translation) I would like to ask a question of the Minister of Renewable Resources. We heard over the radio yesterday, in the Keewatin district in regard to Baker Lake -- Armand Tagoona -- that the caribou are diseased around the Baker Lake area. They wanted to get a study going in regard to this matter. Could the Minister of Renewable Resources answer if it is dangerous to humans, or is it just something that is not too serious?

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

HON. RICHARD NERYSOO: Mr. Speaker, I would like to take that as notice, and I will return to it as quickly as possible, hopefully this afternoon, and give you some indication as to the situation.

MR. DEPUTY SPEAKER: Thank you. Mr. Curley, supplementary.

Question 85-82(3): Diseased Caribou Harmful To People

MR. CURLEY: Yes, Mr. Speaker, my supplementary then is to the Minister of Health. In view of the fact that the fish and wildlife officials are advising the people at Baker Lake to be careful because of possible diseases that have been found in some caribou carcasses, could the Minister of Health indicate whether or not this particular disease is a danger to the people of Baker Lake?

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

HON. KANE TOLOGANAK: Thank you, Mr. Speaker. I as well will follow up with my colleague, the Hon. Richard Nerysoo, and provide an answer as soon as possible perhaps this afternoon.

MR. DEPUTY SPEAKER: Thank you, Mr. Minister. Item 3, oral questions. Mr. MacQuarrie.

Question 86-82(3): Years Maximum Assessable Remuneration Level

MR. MacQUARRIE: Thank you, Mr. Speaker. I have a question for the Minister responsible for the Workers' Compensation Board. Can I ask the Minister: Will the matter of the adjustment of the 1983 years maximum assessable remuneration level be brought to the Assembly for any discussion or decision?

MR. DEPUTY SPEAKER: Thank you, Mr. MacQuarrie. Mr. Minister.

Return To Question 86-82(3): Years Maximum Assessable Remuneration Level

HON. GEORGE BRADEN: Mr. Speaker, no.

MR. DEPUTY SPEAKER: Mr. MacQuarrie, supplementary.

Supplementary To Question 86-82(3): Years Maximum Assessable Remuneration Level

MR. MacQUARRIE: Supplementary to that, Mr. Speaker, then, can I ask the Executive Committee whether it has already made a decision with respect to the level of YMAR, and if so what is that decision?

MR. DEPUTY SPEAKER: Thank you. Mr. Braden.

HON. GEORGE BRADEN: Yes, Mr. Speaker, we have already made a decision. I will take the rest of the question as notice, and bring back a thorough written reply for the Member as soon as possible.

MR. DEPUTY SPEAKER: Thank you, Mr. Minister. Item 3, oral questions, Mr. Curley.

Question 87-82(3): Free Vote On Legislation To Create Boundaries Commission

MR. CURLEY: Yes, Mr. Speaker, I have a question to the Minister of Justice. This question is directed to him as the Leader of the Elected Executive Committee. In view of the fact that there was some concern raised last April when the results came in -- the fact that there was not unanimous support for the idea of dividing the Territories, because of the lack of interest on the part of the North, could the Minister take the vote yesterday on the boundaries issue question, and give it the same consideration -- that there is a lack of support from the people of the NWT? Taking that into consideration then, will the Minister assure this House there will be a free vote on this particular legislation if the Executive Committee introduces the legislation to create the boundaries commission?

MR. DEPUTY SPEAKER: Thank you. Mr. Minister.

Return To Question 87-82(3): Free Vote On Legislation To Create Boundaries Commission

HON. GEORGE BRADEN: Well, Mr. Speaker, I cannot say exactly what my colleagues will do in terms of the vote on the legislation which we will introduce early next week. Nevertheless, I would hope on this particular issue, that it would be possible to develop and present before this House amendments to the Electoral Boundaries Commission Ordinance which most Members could live with. Certainly, if there are Executive Committee Members that feel they just simply cannot live with

this, then they have the choice of voting against it. As the Member is very well aware, Mr. Speaker, there have been numerous times in this House when the Executive Committee has not voted as a bloc. It is a little bit confusing for me sometimes, but I think that in our system of government we have to make provision for a Member to vote with his conscience, or to vote to represent the interests of his constituency, even though it may be against the government position.

MR. DEPUTY SPEAKER: Thank you, Mr. Braden. Item 3, oral questions. Mr. Arlooktoo.

Question 88-82(3): Increase Of Polar Bear Quota, Cape Dorset

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker, I have a question directed to the Minister of Renewable Resources, with regard to polar bears. It was brought up at the BRC meeting that the quotas for polar bears should be increased. The people of the Cape Dorset area wanted to increase their polar bear quota. I would like to know if the request is going to be put through for the increase of polar bear quotas.

MR. DEPUTY SPEAKER: Thank you. Mr. Minister.

Return To Question 88-82(3): Increase Of Polar Bear Quota, Cape Dorset

HON. RICHARD NERYSOO: Mr. Speaker, I would just like to indicate that when we did meet with the executive of the Baffin Regional Council, there was no indication at that time to me of any proposed increase. I think that that is part of the minutes that will be forwarded to me to review and when the request in that form comes, then I will review it and respond to the honourable Member.

MR. DEPUTY SPEAKER: Thank you, Mr. Nerysoo. Item 3, oral questions. Mr. Sibbeston.

Question 89-82(3): First Ministers' Conference On Aboriginal Rights In Yellowknife

MR. SIBBESTON: Mr. Speaker, a question to the Leader of the Elected Executive Committee. What steps is this government taking to ensure that the First Ministers' Conference on aboriginal rights could be held here in Yellowknife? Mr. Speaker, I can advise you that the Assembly of First Nations meeting in Yellowknife, have apparently voted in favour of having the conference held in Yellowknife.

---Applause

With this amount of support, I am wondering, is the government taking any extraordinary steps to try to have the conference held here?

MR. DEPUTY SPEAKER: Thank you, Mr. Sibbeston. Mr. Braden.

Return To Question 89-82(3): First Ministers' Conference On Aboriginal Rights In Yellowknife

HON. GEORGE BRADEN: Yes, Mr. Speaker. Since the subject arose about a week ago we have made arrangements to have representatives of the privy council office, Prime Minister's office and the conference secretariat, I believe it is called, come to Yellowknife to examine the facilities which we have here. They were here yesterday and I believe have just left a few hours ago to return to Ottawa. We ensured that they were given a thorough tour of all the facilities that we do have available in terms of the private sector, for example, with hotels. We also showed them the capacity and capability that we have at Sir John Franklin Territorial High School, the museum and other places we have in town. As I understand it the number of people who could be coming to Yellowknife is in the order of 500 to 600 and the one area now where we are attempting to address a possible concern is in terms of accommodation. As I understand it the representatives of the federal government were very impressed with the facilities that we have here and, of course, I think the track record that we have in the past, dealing with the Commonwealth parliamentarians demonstrates that we are capable, not only in Yellowknife, but in other parts of the Territories, of handling large groups of people.

There are a few other items that were examined in the area of communications, links for the press to the South and to a certain extent, security. So I think we have done quite well so far in showing the representatives of the federal government what facilities are available in the capital city. We also gave them a commitment that we would be prepared, as soon as we have some

confirmation, to get the wheels turning immediately so that we can be fully prepared for this conference. Mr. Speaker, I will advise Members further of anything that comes up during the course of this session. Of course, if the decision is made to have the First Ministers' Conference here, they will be notified immediately. Thank you.

MR. DEPUTY SPEAKER: Thank you, Mr. Braden. Mr. Sibbeston, a supplementary.

Question 90-82(3): Communications Network For First Ministers' Conference

MR. SIBBESTON: Mr. Speaker, in the event that the government and the people of the North are successful in making it possible to have the First Ministers' Conference here, I wonder if this government would make special provision to make sure that all people of the North are informed? Usually, I am aware that any time there are conferences of this nature, they are televised throughout all of Canada in the English Language, but I wonder could this government take special steps, if this conference is held in the North, to persuade or influence CBC or, perhaps, even provide its own communications network for the purpose, so that all people of the North, whether they speak the English, Slavey or Inuit language, can understand what is happening at what would be a very important conference?

HON. DENNIS PATTERSON: Hear, hear! Good idea.

MR. DEPUTY SPEAKER: Thank you, Mr. Sibbeston. Mr. Braden.

Return To Question 90-82(3): Communications Network For First Ministers' Conference

HON. GEORGE BRADEN: Mr. Speaker, I am not quite sure, in terms of procedure, how much of the deliberations will be public. There are, though, times slotted in any First Ministers' Conference where public statements are made by the Prime Minister of Canada and the premiers and I will give the Member my assurance that in further follow-up and planning with the secretariat responsible for organizing the conference that we will introduce the subject of having Inuit and Dene language interpretation. I am not quite sure how successful we will be in terms of getting it on television, but I think certainly via the radio and perhaps to a certain extent some television hook-up; we should be able to pull something off. I would thank the Member for bringing this to the attention of the House.

MR. DEPUTY SPEAKER: Thank you, Mr. Braden. Mr. Curley, Item 3, oral questions.

MR. CURLEY: Mr. Speaker, I would like to have the permission of the Assembly here to bring in the Commissioner for a question.

MR. DEPUTY SPEAKER: A request to bring the Commissioner into the House. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

MR. DEPUTY SPEAKER: While the Commissioner is on his way in, I would just like to recognize in the gallery Winnie Tarraq, returning officer for the constituency of Keewatin North and Trudy Gibson, from the Chief Electoral Officer's office in Ottawa.

---Applause

Mr. Curley, Item 3, oral questions.

Question 91-82(3): Assurance To House Of Free Vote On Boundaries Commission Legislation

MR. CURLEY: Yes, Mr. Speaker. The Leader of the Executive Committee, Mr. Braden, was not too clear whether or not he would give assurance to the House that there would be a free vote on the bill which the government will be introducing to create a boundaries commission. Could the Commissioner, as chairman of the Executive Committee, tell this House that there, in fact, will be a free vote from the Members of the Assembly, even though the bill will be presented, as I understand it, as a government policy? Could the Commissioner indicate whether or not he will be in favour of that and if not, why not?

MR. DEPUTY SPEAKER: Thank you, Mr. Curley. Mr. Commissioner.

Return To Question 91-82(3): Assurance To House Of Free Vote On Boundaries Commission Legislation

COMMISSIONER PARKER: Mr. Speaker, the Executive Committee will bring forward the necessary legislation, because the House has considered this matter and directed that this take place. The Executive Committee, in advancing the legislation, I believe must be in favour of it. However, whether or not the individual Members will speak, remain silent or speak in opposition is not something on which there has been a final discussion within the Executive Committee. I would say that the early indications are that such a bill would be supported by Executive Committee Members, with the view that the debate on the principle has already taken place and the debate that remains to occur is on the details of the bill, as to the best and most proper way of implementing the decision that has already been taken by this House.

MR. DEPUTY SPEAKER: Thank you, Mr. Commissioner. Supplementary, Mr. Curley?

Supplementary To Question 91-82(3): Assurance To House Of Free Vote On Boundaries Commission Legislation

MR. CURLEY: Yes, Mr. Speaker. He still did not quite answer my question. I really was asking a very simple question, whether or not the vote and the debate would be a free vote and a free debate. The practice has been, as I understand it, that once the Executive Committee has adopted a policy, that they must stick to the government policy or they would have to resign. Would that be the case if a Member of the Executive Committee opposes a bill? Would he then have to resign as a Member of that committee?

MR. DEPUTY SPEAKER: Thank you, Mr. Curley. Mr. Commissioner.

Further Return To Question 91-82(3): Assurance To House Of Free Vote On Boundaries Commission Legislation

COMMISSIONER PARKER: Mr. Speaker, I think it is quite obvious that this is a very difficult question that has been posed to me. The general contention that when the Executive Committee advances a policy which has the stamp of approval of the Executive Committee, that the Members are bound to support that policy, that, as a general contention, is true, but the matter that has been discussed for the last three days is a very unusual and different matter, and I would not necessarily expect that exact same support or perhaps those same procedural rules to apply in the case of the bill on constituency boundaries. However, having said all that, I say again that I anticipate the support of the Executive Committee Members.

MR. DEPUTY SPEAKER: Thank you, Mr. Commissioner. Item 3, oral questions. Shall we thank the Commissioner for his time, or do we still wish him? Thank you, Mr. Commissioner. Item 4, questions and returns.

ITEM NO. 4: QUESTIONS AND RETURNS

Are there any returns? Mr. Braden.

HON. GEORGE BRADEN: Mr. Speaker, can I have the consent of the House to give one return and I have a couple of statements to make under the returns section. Is that agreeable?

SOME HON. MEMBERS: Agreed.

---Agreed

MR. DEPUTY SPEAKER: Proceed.

Return To Question 8-82(3): Tuktoyaktuk Power Plant

HON. GEORGE BRADEN: Okay. Mr. Speaker, the return is to oral Question 8-82(3), asked by Ms Cournoyea on November 4th, 1982, and concerns increased power generating capacity at Tuktoyaktuk. In normal circumstances power for Tuktoyaktuk is supplied from the Northern Canada Power Commission's Inuvik generating plant and transmitted to Tuktoyaktuk via a land line which is 90 miles long. The current generating capacity in Inuvik is 15.6 megawatts.



The NCPC power plant in Tuktoyaktuk has a power generating capacity of 1.5 megawatts and this power is used when there is a problem with the transmission line or there is a problem with the Inuvik generating plant. The current generating capacity in Tuktoyaktuk is sufficient to meet the community's needs and there is a surplus which can be fed back to Inuvik via the land transmission line. The Northern Canada Power Commission has advised that they are planning to increase the power generating capacity in Tuktoyaktuk in 1983-84 to 1.9 megawatts as a safeguard for the communities of Tuktoyaktuk and Inuvik.

Minister's Statement On Draft Ordinance On Civil Emergency Measures, Tabled Document 34-82(3)

Mr. Speaker, my first statement concerns a document that I will be tabling under Item 6 of the orders of the day, and it is a draft bill respecting civil emergency measures. Mr. Speaker, it is a philosophy held throughout Canada today that the immediate responsibility for dealing with civil emergencies rest with those directly affected. However, where the capacity to do so is inadequate and government action is required, it is provided at the appropriate level. Normally, responsibility would first be assumed by the municipal government, then, if required, by the territorial government and finally by the federal government.

It is within this philosophy that the proposed ordinance has been drafted. Our existing ordinance was passed in 1966 at the second session of the territorial Council, when there were very few municipalities within the Northwest Territories. The proposed ordinance recognizes the role of municipal governments in planning for and dealing with emergencies which affect or threaten their communities, by giving the municipal councils the authority to act.

Key elements of this ordinance include the provision of powers to the Executive Member to enter into agreements with the federal, Yukon territorial or provincial governments on emergency measures matters; to review and approve emergency plans and programs; to make surveys and studies to identify hazards which may cause emergencies; to make financial arrangements with local authorities for operating emergency measures and conducting public information programs on emergency response and preventive measures.

The duties and responsibilities of local authorities are identified, and provision is made for disaster expenditures. Further, the Executive Member is empowered to declare a state of emergency, and the ordinance outlines his emergency powers which provide for all acts and proceedings required to deal with a disaster. Similarly, there is a provision for declaration of an emergency by a local authority, and the powers of the local authority are identified. The ordinance provides for arbitration should dispute arise concerning compensation payable under this legislation. Finally, the ordinance empowers the Commissioner to make regulations concerning all aspects of emergency measures. Mr. Speaker, I believe that the proposed ordinance will enable the government and municipalities to properly develop emergency plans, and to deal with emergencies as they arise.

Mr. Speaker, I am tabling the draft bill later on today to give the standing committee on legislation the necessary time to conduct a thorough and comprehensive analysis of the proposed bill, and we could hope that we could consider it and pass it in the next session.

Mr. Speaker, my second statement has to do with another document that I will be tabling under Item 6 of the orders of the day, and it is a draft bill respecting liquor in the Northwest Territories.

Minister's Statement On Draft Ordinance Respecting Liquor, Tabled Document 35-82(3)

Now, my statement reads, Mr. Speaker: In an area of the law as important to the Northwest Territories as the law concerning liquor, it is wise not to attempt wholesale revision to our ordinance without a great deal of thought and input. After much consideration by myself, officials of my department, other representatives of public and private agencies, we have proposed a new Liquor Ordinance for the Northwest Territories. In many respects, we have left many of the provisions of the old law unchanged. However, in other areas we are proposing major changes, and I will just briefly summarize these for this House, Mr. Speaker.

In respect of the administration of the new ordinance, we are proposing that the administration be divided into two general areas. There would be one Executive Member charged with administering those provisions of the ordinance that deal with the Liquor Licensing Board, the local option provisions, and liquor stores. There would be another Executive Member charged with responsibility for administration of the liquor licensing system. In addition, we are proposing the deletion of

a statutory provision of general manager, and we are assigning his statutory responsibilities to the Executive Members. In respect of the Liquor Licensing Board, Mr. Speaker, the allowable size of this board has been increased from five members to 12. We believe this will allow more regional representation on the board, especially since their quorum has remained unchanged at three. In addition, there will no longer be a general manager of the system to sit on the board. The proposed new Liquor Licensing Board will now be subject to policy guidelines issued by the Executive Committee from time to time. Without interfering with individual situations, the board's decisions will have to be in accordance with these policy guidelines.

With respect to the role of the Executive Member, Mr. Speaker, the proposed bill, in accordance with the general trend of ordinances of this Assembly, decreases the role of the Commissioner in favour of an increased role for the Executive Member. Mr. Speaker, as the Executive Member who would now appoint members to the Liquor Licensing Board, the Executive Member would have the power to appoint an executive secretary to the board. The Executive Member would recommend regulations to be made by the Commissioner. The Executive Member is responsible for regulations concerning opening and closing of liquor stores. The Executive Member is responsible for the conduct of liquor plebiscites and regulations bringing plebiscites into law. The Commissioner, because of the provisions of the Northwest Territories Act, will have power to issue import permits, wine permits, and special permits for the purchase and use for medicinal, scientific, and special purposes.

#### Statutory Base For Local Options

The fourth area, Mr. Speaker, concerns the local option. The proposed ordinance provides for a continuation of the local option system for the Territories. In addition, we have given a statutory base to the various systems that have been adopted throughout the Territories. Further, we will be giving statutory recognition to other systems that communities can devise, and there are a number of areas which I will just briefly mention, Mr. Speaker: a) unrestricted system in which only the general liquor laws of the Territories apply; b) restricted hours system, in which hours of operation of licensed premises would be limited; c) restricted quantities system, in which the quantities of liquor that may be purchased are limited; d) committee system, in which a locally elected alcohol education committee decides who can possess or consume liquor in the community; and e) prohibition system, that prohibits the consumption, possession, purchase, sale, or transport in a community.

Another area, Mr. Speaker, concerns the cancellation and suspension of licences. Licences can now be suspended by the board for up to 48 hours, pending a Liquor Licensing Board hearing. Provisions dealing with the cancellation or suspension of licences have been altered to provide additional protection as required for licensees. Where proceedings for cancellation or suspension are begun, the licensee must now be informed as to whether proceedings are for cancellation or are for suspension. In addition, the substance of the allegations against the licensee must now be specifically set out in the notice initiating the proceedings. Finally in this subject area, Mr. Speaker, in proceedings against a licensee, the board is now given the power to levy a fine of up to \$5000 and suspend a licence pending payment of the fine.

The sixth area, Mr. Speaker, concerns measures to discourage impulse sales of liquor. The proposed ordinance is also designed to discourage these sales in the Territories, and as such, off-premises licences for the sale of beer in licensed premises for consumption off premises are no longer a feature of this ordinance. There will be no off-premises sales in the Territories.

AN HON. MEMBER: Hear, hear!

---Applause

HON. GEORGE BRADEN: In addition, there are provisions in the regulation-making power that provide, in appropriate situations, that liquor ordered at a liquor store not be delivered for up to 24 hours after it is ordered. This regulation-making power would only be invoked in communities where impulse buying has been creating a serious problem. With respect to the Liquor Control System, Mr. Speaker, it will now be administered independently from the rest of the Liquor Ordinance. An Executive Member will now be responsible for reporting to the Legislative Assembly on the Liquor Control System. An eighth area, Mr. Speaker, concerns the delivery of liquor in the Territories. This will also be affected by the new Liquor Ordinance. It will now be an offence to complete a false or misleading mail application for liquor. In addition, the delivery of liquor to a common carrier on consignment will now be subject to the additional requirement that a bona fide list of purchasers be filed with the liquor store operator.

Penalty Provisions Changed

With respect to penalties, Mr. Speaker, they have been changed. Our penalty provisions have been changed in the following ways: Interdicted people convicted of drinking or persons under 19 convicted of drinking can now be given community work orders, at the discretion of the court. In addition, we have added forfeiture provisions to the ordinance. In appropriate cases, vehicles -- and this includes aircraft -- or articles, if used in relation to an offence under the ordinance, can be ordered forfeited by a judge.

Now, in conclusion, Mr. Speaker, except for the major provisions outlined above, the liquor laws have been largely unchanged. I emphasize, however, that this particular body here, and your constituents, still have ample time to voice their concerns about the liquor ordinance, and I indicate again that the government, in attempting to co-operate with this House, and to co-operate with the chairman and Members of the standing committee on legislation, is giving that committee much more than six weeks time, as required under their rules, to consider this major piece of legislation. I expect, Mr. Speaker, that the standing committee on legislation will do an excellent job of reviewing this particular ordinance. It is going to require a lot of work, and a lot of careful thought, and I expect that they will provide the government with thoughtful recommendations for changes, just as they did with the Mining Safety Ordinance. I would ask in return, Mr. Speaker, that the standing committee on legislation consider that from time to time the government is not always in a position to give draft bills to the committee, and that this committee...

MR. CURLEY: What about the boundaries commission -- it has six weeks?

HON. GEORGE BRADEN: Well, this committee has the chance to review it -- and that this committee will recognize that the government, from time to time, has to bring in legislation underneath that six week time frame. Thank you.

---Applause

MR. DEPUTY SPEAKER: Are there any further returns? Mr. Patterson.

Return To Question 47-82(3): New School For Pond Inlet

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. This is a return to written Question 47-82(3), asked by Mr. Evaluarjuk, November 10, 1982, concerning a new school for Pond Inlet. A school addition consisting of four classrooms, industrial arts and home economics classrooms is planned for Pond Inlet as follows: 1986-87, site investigation; 1987-88, design and tender; 1988-89, construction. The department's assigned capital targets for 1983-84, 1984-85 and 1985-86 from the Financial Management Board do not allow for the moving ahead of this project without the delay of another project in Baffin region or elsewhere in the Northwest Territories.

It is recognized that enrolments in the kindergarten to grade nine program are generally increasing, with the result that the present school is at or near full capacity. In lieu of moving this project ahead to 1984 as requested by the education committee, my officials will review the possibility of building a single or duplex classroom unit in the fiscal year 1984-85 or 1985-86. This would meet the need for classroom space as soon as possible within our capital restraint and may somewhat alter the required spaces now noted for the future addition. Thank you.

MR. DEPUTY SPEAKER: Thank you, Mr. Patterson. Mr. McCallum. Item 4, returns.

Return To Question 65-82(3): Electrician For Pangnirtung Housing Association

HON. ARNOLD McCALLUM: Mr. Speaker, I have a return to written Question 65-82(3), asked by Mr. Kilabuk on November 15th, concerning an electrician for the Pangnirtung housing association and questions as to who would pay the wages. Minor electrical repairs that are required are included in a housing association's maintenance budget and a housing maintenance serviceman may undertake such repairs. If, however, major repairs or rewiring are necessary, the Housing Corporation will consider additional funding through the extraordinary maintenance program. Such work would require a journeyman electrician, whose wages, travel, expenses and material would be covered under this extraordinary maintenance program. If the Pangnirtung housing association has identified a major electrical problem they should apply for extraordinary maintenance funding through the district office in Frobisher Bay.

MR. DEPUTY SPEAKER: Thank you, Mr. McCallum. Item 4, returns. Mr. Wah-Shee.

Return To Question 12-82(3): Pipeline Survey In Baffin Area

HON. JAMES WAH-SHEE: Mr. Speaker, I have a return to oral Question 12-82(3). This is in reply to a question asked by the Member for Baffin Central, Ipeelee Kilabuk, and it is about the water supply system at Clyde River. Since Mr. Kilabuk asked the question I have had my Local Government officials talk to the hamlet council and the hamlet foreman who looks after the water supply. The project to build a truck loading place at the water lake has not been seen as a priority in the community and it was, therefore, not shown in the capital plan until 1986. However, I have arranged for the environmental health officer to investigate the quality of water at Clyde River and I will make sure that Mr. Kilabuk gets a copy of his report. If the report shows that something has to be done more quickly, the capital plan will be changed. I have asked my staff in the region to keep me informed on this matter so that I can give a further reply to the honourable Member.

MR. DEPUTY SPEAKER: Thank you, Mr. Wah-Shee. Are there any further returns? There being no further returns, we will go to Item 5, petitions.

ITEM NO. 5: PETITIONS

Ms Cournoyea.

MS COURNOYEA: Mr. Speaker, I have Petition 2-82(3), a petition from the community of Holman Island, from three organizations, the settlement council, health committee, and social services committee, requesting that a meeting be arranged with the zone director and Ms Joan Crawford, RN, to discuss health programs and procedures.

MR. DEPUTY SPEAKER: Thank you, Ms Cournoyea. Item 5, petitions. Item 6, tabling of documents.

ITEM NO. 6: TABLING OF DOCUMENTS

Mr. Braden.

HON. GEORGE BRADEN: Mr. Speaker, I would like to table the two documents I made reference to under Item 4: Tabled Document 34-82(3), A Draft Ordinance Respecting Civil Emergencies in the Territories, and Tabled Document 35-82(3), A Draft Ordinance Respecting Liquor in the Northwest Territories.

MR. DEPUTY SPEAKER: Thank you, Mr. Braden. Item 6, tabling of documents. Mr. Butters.

HON. TOM BUTTERS: Mr. Speaker, I wish to table the document that I sought unanimous consent to table yesterday evening and that is Tabled Document 36-82(3), Auditor General of Canada, Report to the Council of the Northwest Territories on the Comprehensive Review of the Government of the Northwest Territories Financial Information Systems Project, November 15, 1982, and I would move, seconded by the honourable Member for Yellowknife North, that this document be referred for the consideration of the standing committee on finance of this House.

MR. DEPUTY SPEAKER: To the motion.

AN HON. MEMBER: Question.

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

---Carried

Item 6, tabling of documents.

Item 7, reports of standing and special committees.

ITEM NO. 7: REPORTS OF STANDING AND SPECIAL COMMITTEES

Mr. MacQuarrie.

Report Of The Standing Committee On Legislation

MR. MacQUARRIE: Yes, Mr. Speaker, I have the report of the standing committee on legislation to the ninth session of the Assembly. Mr. Speaker, the standing committee on legislation met from August 24th to 27th, on September 17th and 18th, and on November 4th, 13th, 15th and 16th, to examine the legislation being introduced at this session and to consider other matters falling within the scope of its responsibility. The committee is pleased -- and I would say very pleased -- to note that the very large Mining Safety Ordinance and five other bills were ready for consideration by the committee when it met in August, and they were ready for the committee because they had been tabled at the Inuvik session. The committee appreciated that very, very much, and the committee is again happy to note that the Minister is following that same procedure with respect to the revised Liquor Ordinance.

As Members are aware, the committee has taken the general position that legislation must be in its hands six weeks prior to the beginning of the session at which it is to be introduced to allow adequate time for careful and meaningful review, and also to enable those who are going to be impacted by legislation to be aware that such legislation is proposed, all with a view to trying to ensure that whatever legislation is passed in this House is the best possible legislation that it can be. So the committee has established that six week requirement, but it has also agreed that this position will be waived with respect to legislation which responds to a specific request of the Legislative Assembly on the one hand, or deals with a particular matter of urgency on the other.

Immediately prior to and during this session, Mr. Speaker, a total of 17 additional bills were referred to the committee. The committee found, on examination, that many of these bills did, in fact, respond to specific requests of the Assembly or deal with matters of urgency. It was not, however, satisfied that all 17 bills were in either category. In any event, Mr. Speaker, the committee was once again placed in the position by the administration of having to meet in the evenings and the mornings while other meetings and the sessions were going on, in order to try and carry out its responsibilities. This continuing situation places undue pressures and demands on committee Members and committee staff, but much more important is the fact that the committee is required to give inadequate and superficial consideration to legislation which is placed before it on short notice, and, of course, there is also the difficulty that people who will be impacted by that legislation will not have any prior knowledge at all that such legislation is proposed.

Your committee, Mr. Speaker, was not satisfied that Bill 15-82(3), An Ordinance to Amend the Wildlife Ordinance, is truly urgent, nor does the bill respond to a specific request of this Assembly. The committee, therefore, by adopting a motion, agreed that it would not examine this bill, and recommended to the Executive that it not be proceeded with at this session. Subsequent to discussion of this matter with the Minister of Renewable Resources, in response to his request, the committee reaffirmed its earlier position. The committee's restated position that the bill not be proceeded with, has been transmitted to the Executive. With respect to Bill 17-82(3), Fine Option Ordinance, the committee noted that the bill does not respond to a specific request of the Assembly, nor does it deal with a question which, in the committee's view, is urgent. Recognizing, however, that there is a serious need in some areas for action in this respect, the committee agreed that the bill could go to the committee of the whole. The committee agreed not to review it in detail, and to draw to the attention of the committee of the whole that there should be consultation with affected communities before it is enacted, because of the serious implications for them.

Mr. Speaker, the balance of the committee's report will deal specifically with the bills which the committee did review in detail, and with your concurrence, sir, I will present these comments and observations in committee of the whole when the bills referred to are being discussed.

MR. DEPUTY SPEAKER: Thank you, Mr. MacQuarrie. Item 7, reports of standing and special committees.

Item 8, notices of motion. I let something go by me -- you are pretty slick -- a while ago. My advisers were talking to me when Mr. Butters got a motion in there...

---Laughter

...and I do not want to have it happen again. You are talking advantage of a new Speaker. This is where he should have given notice of his motion, and then gone through the proper channels. I did stop Lynda on that the other day. Sorry about that. Item 8, notices of motion.

ITEM NO. 8: NOTICES OF MOTION

Mr. Braden.

Notice Of Motion 30-82(3): Workers' Compensation Board Appointments

HON. GEORGE BRADEN: Mr. Speaker, at the appropriate time today, I will be asking for unanimous consent to proceed with the following motion: Now therefore I move, seconded by the honourable Member for Pine Point, that this Assembly recommend to the Commissioner that Mr. Mike Zubko of Inuvik and Mr. Arnold Hope of Fort Simpson be appointed to the Workers' Compensation Board; and further, that this Legislative Assembly recommend to the Commissioner that Mr. Willy Adams of Frobisher Bay and Mr. W.R. Hargrave of Pine Point be reappointed to the Workers' Compensation Board when their present terms of appointment expire.

MR. DEPUTY SPEAKER: Thank you, Mr. Braden. Item 8, notices of motion. Item 9, notices of motion for first reading of bills.

ITEM NO. 9: NOTICES OF MOTION FOR FIRST READING OF BILLS

Mr. Braden.

Notice Of Motion For First Reading Of Bill 24-82(3): Electoral District Boundaries Commission Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I give notice that on Monday, November 22nd, I shall move that Bill 24-82(3), An Ordinance to Amend the Electoral District Boundaries Commission Ordinance, be read for the first time.

MR. DEPUTY SPEAKER: Item 9, notices of motion for first reading of bills. Item 10, motions.

ITEM NO. 10: MOTIONS

Motion 23-82(3), Mr. MacQuarrie.

Motion 23-82(3): Global Referendum On Disarmament

MR. MacQUARRIE: Thank you, Mr. Speaker.

WHEREAS arms production and the maintenance of armed forces are costly endeavours that limit government spending on programs vital to the welfare of human beings;

AND WHEREAS the present arms build-up is a threat, not only to the safety and security of the lives of millions of people, but is a threat to the very existence of mankind;

AND WHEREAS, in the matter of disarmament, the voices of the common people everywhere in the world should be heard directly by their governments;

AND WHEREAS the organization, Operation Dismantle, is taking thoughtful, fair and eminently sane steps to bring about a global referendum on disarmament;

NOW THEREFORE, I move, seconded by the honourable Member for Frobisher Bay, that the Legislative Assembly of the Northwest Territories endorse the concept of a global referendum on disarmament, as proposed by Operation Dismantle, and that it urge the Government of Canada to endorse the concept as well, and begin taking steps to bring about such a referendum in Canada as well as in all other countries of the world;

AND FURTHER that copies of this resolution be forwarded to the Prime Minister of Canada, the Minister of External Affairs, the Minister of Defence, the Leader of Her Majesty's Loyal Opposition, and the leader of the New Democratic Party;

AND FURTHER that a copy of this resolution be sent to the secretary general of the United Nations.

MR. McLAUGHLIN: What about the uranium mining industry?

MR. DEPUTY SPEAKER: The motion is in order. Proceed.

MR. MacQUARRIE: Thank you, Mr. Speaker. Everybody is for peace, everybody is for motherhood.

MR. McLAUGHLIN: Not yesterday!

MR. MacQUARRIE: I am sure that that is what is running through some Members' minds. They would see this as an insignificant motion, a nothing motion, a motion that should be dispensed with as quickly as possible -- vote yes and get it out of the way. But I would say that if that is the attitude that Members have, that it is simply a meaningless resolution, I would as soon that they vote no and get it out of the way. If they are going to support it, I would ask that they support it with enthusiasm, with conviction.

I presented the motion and I ask Members to support it because I believe that the approach to disarmament that is advocated by Operation Dismantle, and Members will have had the opportunity to find out what that approach is, since Operation Dismantle provided all of us with information on what they were attempting to do, I feel that that approach is both sensible and significant. I say that it is sensible, first of all, because there really is a problem in the world, and it is a problem that is not at the moment being solved.

The world is an armed camp. There are scores of thousands of human lives lost every year to military action. There is a great deal of money spent on arms, when dams and factories and food and transportation systems are awaiting development in order to enhance living conditions for millions of people everywhere, and money spent on arms while there are the hungry and the sick who go wanting, while we are still producing the means to kill one another. There is a problem, because there is now an enormous stockpile of nuclear weapons that -- and I do not think it is an overstatement and the statement is not intended to be alarmist, but a simple truth -- there is a stockpile of nuclear weapons that has the potential to destroy human life on this earth. So there is a problem and it is not being solved. I think all of us have to say if the kind of approach that is being advocated by Operation Dismantle is not the answer, if it will not contribute to the solution, what will? I think all of us have to remind ourselves again that there is a problem and then ask ourselves "What are we doing to try to solve it?" I know that when I ask myself that question the answer is "Virtually nothing", unless, perhaps, I restrain myself once in a while from striding across the floor and lambasting another Member or something like that.

---Laughter

#### Operation Dismantle Takes Sensible Approach

I do, in my personal life, try to live in a peaceful way, but that is not solving the world's problem of arms, and I suspect that that is true for most other Members as well -- that we see it as a problem and do not really do anything about it. This approach is trying to do something about it. I say it is a sensible approach, because it addresses the problem in a sensible way. It is absolutely not -- and I am relying on the material that was provided to me; I do not profess to know all of the ins and outs of this association -- but based on the information that was provided to me and other Members I can see clearly that it is not a flower power approach or what used to be called a "peacenik" approach -- the type where, you know, sort of, "Hey, man, let us expose ourselves and everybody will love us" and that sort of thing. I believe that is extremely naive and sentimental and if this were a naive and sentimental approach, then I certainly would not support it, because we do live in a very complex world where there are arms, where there are difficult social and political problems. We live in a world where there are sometimes threats to things that are very meaningful to us, to our homes and to our freedoms, and so I am one who believes that some things are worth fighting for, if there are those who try to take them from you. That has been the situation in the history of the world. So long as there is a situation where arms are required I am not a sentimentalist then.

I in fact respect the profession of arms. In fact, I am the president of the Army Cadet League of the Northwest Territories and that is not a military organization in the ordinary sense, but by being associated with it what I am saying is that if some young men and women decide to join the Canadian Armed Forces, I respect that decision. I think there is a situation in the world now where armed forces are needed and, therefore, I would be the last to belittle anyone who took up the profession of arms in this situation and was willing to risk his life for the kinds of things that we hold dear. So I am certainly not sentimental about it at all.

### Sequenced And Staged Disarmament Advocated

One reason I like this approach very much is because it does not call for unilateral disarmament. It does not call for any government simply to throw down its arms and then rely on the good will of the rest of the world. If that were the approach that were adopted, again, I could not support it, because given the history of the world that would be very naive. Rather, the approach that is advocated by Operation Dismantle -- at least in the information they provided to us -- is that there should be sequenced and staged disarmament; that there should be balanced disarmament, that is, never one side disarming before there is an agreement by which another side will disarm as well.

They advocate global referendums and certainly it would be appropriate for one country to hold such a referendum before another country did. That would help to put pressure on other countries, but it does not call for one country to disarm before other countries do. In addition to sequenced and staged disarmament and balanced disarmament, it calls for disarmament under such strict and effective control as would provide for assurances that all parties are honouring their obligations and this I quote from some of the material that was provided to us from Operation Dismantle. Its approach is not naive, it is not sentimental, but it is serious and it simply calls on people everywhere to rise up and to say to their governments, "We want to get out of the business of killing one another. We know it is not easy; we know it is not simple; we know that it is not straightforward, but we do want to begin."

What it is calling for is a ground swell of the support of common people to make their governments make every effort to make disarmament work -- not just to allow them to say they are for peace, but to begin doing something about it. Again I say it is an approach that I can accept. When I began to speak this afternoon, the honourable Member for Pine Point made reference to the production of nuclear power and he did that because he knows that although I have not made a final decision, I am rather inclined to accept the production of electrical energy through nuclear reactors. So I am a person, on the one hand, who can accept that and yet I do support this approach for disarmament here, because this approach is not merely an alarmist antinuclear approach, in my opinion, it is thoughtful and it is careful.

The other point that I made when I asked Members to support it, is because it is a significant motion. It is a motion that is supporting a significant purpose. Some Members might say, "Can it work?" You know, "Is it too idealistic? Can it work?" Well, I suppose we do not know whether it can or not, but I know if we refer to other times in history -- who would have thought, for instance, in the 16th century that the abolition of slavery would become a reality around the world? The sceptics would not have thought so. They would have said, "There are too many vested interests; it just will not work." But it did work, by and large, by pressure from one country to the next. Who would have thought in the 19th century that there would be pressure on governments everywhere to respect equality of rights for women and that victories are now being won in country after country, although there is much work yet to be done? In the 19th century the sceptic would not have thought so. He would have given you a million reasons why that would never happen. So today there may be sceptics who would give a million or more reasons why this would not work, but I say, who would think that in the 21st century, that disarmament and peaceful settlement of disputes might be a reality? It might be and it is worth while working to bring to reality.

### This Approach Better Than Doing Nothing

I say that this approach has a chance of succeeding and, in any event, it is at least nine times better than doing nothing and I am afraid that that is what most of us do most of the time. Can it work? Well, one thing is sure -- it cannot happen if we do not even try. I think we need some means to break the pattern of arms build-up that has developed everywhere in the world and perhaps that means is the constant and very visible pressure from ordinary people everywhere, like you and I, who want nothing so much as to be allowed to live our lives in peace. That is generally what we want for ourselves and that is what we want for others and so if there are enough of us, let us act to make our governments understand that.

MR. DEPUTY SPEAKER: Thank you, Mr. MacQuarrie. Before I ask the seconder to speak, I would like to recognize Letia Kayak from Pond Inlet in the gallery, the wife of a former RCMP special constable at Pond Inlet.

---Applause

Thank you. Mr. Patterson, seconder to the motion.



Issue Should Not Be Confused With Issues Of Nuclear Power And Uranium Mining

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I should have known, when I agreed to second this motion, that I could not possibly add anything to the eloquence and forceful presentation of Mr. MacQuarrie, but I do rise to endorse entirely his presentation, and to state that I agree that this motion should not in any way be confused with the nuclear power issues, or the issue of uranium mining and exploration, although I do believe that it is particularly appropriate that a motion should come from this House supporting a global referendum on disarmament because these are the very Territories which produced uranium which was used in the first nuclear bomb which was exploded in war, in the world's history. I do not believe that this motion should be confused with any of the other issues that we are considering with reference to uranium mining or nuclear power, on which we all may well have different views. We are talking here about the principle and the ideal of disarmament, not merely nuclear disarmament but weapons disarmament. I agree with Mr. MacQuarrie that there may be Members here, and other people, who feel this is naive, but I say, what else can we do?

We cannot hope to directly influence the negotiations between the world's superpowers on arms reduction, but we must do something to show our concern. I sense that this is a movement which is growing at the municipal level and will soon become a provincial and a national issue in this country and in other countries. I think we have here in this motion an opportunity to take a lead that has not yet been taken by another comparable jurisdiction in this country. I urge all Members to support this motion. Thank you.

MR. DEPUTY SPEAKER: Thank you, Mr. Patterson. To the motion. Mr. Sibbeston.

MR. SIBBESTON: Mr. Speaker, Mr. MacQuarrie has convinced me too, that I should vote for his motion. You know, I thought that it was just a bunch of hippies in the South that were for things like peace, and free love, and other things like that, but it seems the movement has spread to people like Mr. MacQuarrie, who is anything but a hippie...

MR. McLAUGHLIN: They have just got older.

---Laughter

MR. SIBBESTON: ...so I am glad that he has raised the matter, and I am glad to lend my support to such an honourable movement.

---Applause

MR. DEPUTY SPEAKER: Thank you, Mr. Sibbeston. To the motion, Mr. McLaughlin.

MR. McLAUGHLIN: Thank you, Mr. Speaker. I would like to speak in favour of the motion as well. I think a more valid point than the fact that we may have been the producers of the original uranium used in World War II's nuclear bombs, more valid for Canadians in general and for us in particular, is that it would be above our heads that the light show occurs when the various missiles and aircraft collide if any nuclear confrontation takes place between the Soviet Union and the United States, so I would request Members to support this motion.

MR. DEPUTY SPEAKER: Thank you, Mr. McLaughlin. Mr. Butters, to the motion.

Danger Lies With Uncontrollable Nations

HON. TOM BUTTERS: Mr. Speaker, I too will support the motion. I would recognize, though, that since Nagasaki the world has probably enjoyed the longest period of peace for many, many years. Admittedly, this peace may be the result of a balance of terror, but we do have a situation where there is a balance, and while I can support the initiative and suggestions that have been made in the motion, I look very much forward to the day when this type of debate, and these types of suggestions, can be made in the USSR and Poland...

AN HON. MEMBER: Hear, hear!

HON. TOM BUTTERS: ...and that cannot occur at this time. Unlike my colleague, I do not expect that there will be a light show overhead; I think that the major powers in the world -- the USSR and the United States -- are not going to be pushing buttons that will take the whole human race into oblivion. I think our danger lies not with the major powers, but with the Iraqs, and the

South American countries, with Israel, or some of these uncontrollable nations that may have this bomb and use it for their own particular nationalistic purposes. So as I say, I support the motion, but the chances of getting some of the citizens of these other nations to support this referendum -- or to even hear of it -- are probably very remote.

MR. DEPUTY SPEAKER: Thank you, Mr. Butters. Mr. Curley, to the motion.

MR. CURLEY: (Translation) Mr. Speaker, I would like to say a few words in Inuktitut, because I do not want to mislead anybody. I feel that what it really means is that the only time that peace will come to the world is if nobody were to kill each other, and producing poison -- coming up with poison -- there are a lot of pills now that cause death. If these things were not produced, that is the only time, I think, that peace will come to the world. Even if we were to come up with a motion, or whatever, that peace come to the world, to destroy all firearms, etc., if the Northwest Territories were to get into a war, or even if the outsiders were to try to take control over the world -- I think if they are going to be doing that, I would say that I would be protecting the Northwest Territories. Would we just surrender? We know that in the world firearms will never be dissolved at the same time. I just wanted to make clear that I will not be supporting this motion. Thank you.

MR. DEPUTY SPEAKER: Thank you, Mr. Curley. Mr. Appaqaq.

MR. APPAQAQ: (Translation) Thank you, Mr. Speaker. Just a short comment to the motion. I would like to be in support of the motion. It says here that they used so much money in nuclear weapons -- it should be better used for the people that are starving -- and I see here that a lot of people are killed by bombs, and some of them get sickness for the rest of their lives. We have heard this many times; and myself, I am a member of a group which meets every year to try to help out people who have been hurt by bombs. We raise money for this.

I would like to state, right now, in the rest of the world, we hear about this all the time, through the news, but somebody has finally made a motion on this in the Assembly. We have to really stress for the information of disarmament -- because I believe in this. Every year we try to raise money for those people that have been hurt with bombs, and I will be in support of the motion. Thank you.

MR. DEPUTY SPEAKER: Thank you, Mr. Appaqaq.

SOME HON. MEMBERS: Question.

MR. DEPUTY SPEAKER: The question is being called. Mrs. Sorensen, to the motion.

Amendment To Motion 23-82(3)

MRS. SORENSEN: Mr. Speaker, I have an amendment to the motion, and that is in the third line of the "now therefore" clause to remove the words, "as proposed by Operation Dismantle".

MR. DEPUTY SPEAKER: We will take a 10 minute coffee break to check the amendment.

---SHORT RECESS

MR. DEPUTY SPEAKER: We will call the House back to order. We are dealing with Motion 23-82(3), and there is an amendment by Mrs. Sorensen. Mrs. Sorensen, I wonder if you could just read the amendment again?

MRS. SORENSEN: Yes, thank you, Mr. Speaker. My amendment is simply to remove the words "as proposed by Operation Dismantle" in the third line of the "now therefore" clause.

MR. DEPUTY SPEAKER: Thank you. To the amendment. Mrs. Sorensen.

MRS. SORENSEN: Yes. Thank you, Mr. Speaker. I, like Mr. MacQuarrie, have reviewed the material presented by Operation Dismantle to all Members of this House, and like Mr. MacQuarrie, I certainly admire and respect the position that they have taken. I, too, think it is thoughtful and fair. The problem is, Mr. Speaker, I am not sure I have all the information, and I only have had 48 hours to look at this motion, so that is the first problem that I have.

I am also not secure in feeling that next week Operation Dismantle might not change their position, and therefore tying our position in this House to the proposal of Operation Dismantle is somewhat risky, and by saying that I certainly do not mean any disrespect to the organization, but I ultimately feel that the objective of Operation Dismantle is to have this House pass a motion supporting global disarmament, or a referendum on global disarmament, and certainly that objective will be achieved, as I see that probably most Members are going to vote in favour of this. Many of you will realize that a number of my constituents do belong to Operation Dismantle, and they are a group of caring people who are genuinely concerned about the whole subject of disarmament and the possibility of a referendum on that topic, and I mean no disrespect to them either, but I simply feel that the motion, without those words, stands alone and stands as our position, and our position then would be that we endorse a global referendum on disarmament. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you, Mrs. Sorensen. To the amendment. Mr. MacQuarrie.

MR. MacQUARRIE: Yes. Thank you, Mr. Speaker. I have no difficulty with that amendment, and will support it, simply because I am not asking the Assembly to support a particular organization...

MR. DEPUTY SPEAKER: I am sorry, Mr. MacQuarrie. Do you have a seconder for that...

MR. McLAUGHLIN: I will second it.

MR. DEPUTY SPEAKER: Seconded by Mr. Bruce McLaughlin. Proceed, Mr. MacQuarrie. I am sorry.

Endorsement Of Concept Of A Global Referendum On Disarmament

MR. MacQUARRIE: Yes. As I was saying, Mr. Speaker, I will certainly support the amendment because it was not my intention to have this Assembly endorse a particular organization which, if I were asked all the ins and outs of it, I would not be able to tell you. It is the concept of a global referendum on disarmament that I ask Members to endorse, and if these words are deleted on the side of caution, as some Members may wish, then I can completely accept that. It still leaves us with the kind of endorsement that I would like to see, so I will support the amendment, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you, Mr. MacQuarrie. To the amendment. Mr. Patterson.

HON. DENNIS PATTERSON: Mr. Speaker, I just wanted to say that it was with some regret that I heard that Mr. Curley would not support this motion, in that I think that anyone who believes that the only way to achieve peace is through arms and increased military capability is expressing the viewpoint which has led us into the dilemma that we are now in, in the world, where we can kill thousands -- oh, this is on the amendment. I am sorry. I am not speaking to the amendment.

MR. DEPUTY SPEAKER: To the amendment.

MR. MacQUARRIE: Question.

Amendment To Motion 23-82(3), Carried

MR. DEPUTY SPEAKER: Question being called. All in favour? Down. Opposed? The amendment is carried.

---Carried

To the motion as amended. Mr. Braden.

HON. GEORGE BRADEN: Mr. Speaker, I would like to speak in support of this motion. However, I think we must consider a number of factors that are of some relevance to this motion.

First, in response to what Mr. MacQuarrie said a little earlier on about arms reduction, as being an honourable objective of all nations in the world, I would suggest to Mr. MacQuarrie that this country started on the process of arms reduction in 1968 when it elected Pierre Trudeau and the Liberal government to power, and I think that government has a lot to answer for, when we look at the sorry state of our armed forces. A further factor we have to recognize here, Mr. Speaker, is that we as a western nation have commitments to our NATO allies, and I believe that our nation has the responsibility to assist in the protection of the western world from Russia and communist aggression generally.

#### Referendum Should Not Force One-Sided Disarmament

Now, we must not be naive in this particular motion, as Mr. MacQuarrie mentioned. I would like to see our western leaders use the positive results of a referendum. I think that it would be considered positively as a strong bargaining tool to force nuclear disarmament between the eastern and western camps. I do not think that we should be using the positive results of such a referendum to force our nation's leaders, or the leaders in the United States, to take a one-sided approach and do nothing in respect of forcing disarmament on the part of the eastern camps, because I think if you look at the legacy of the Carter administration in the United States, you see that they were weak and did not do enough to indicate to Russia, to the communist Chinese, that they were prepared to take hard measures as required. What we have had as a result, Mr. Speaker, in the United States is a shift in the other direction. It is to right-wing extremism, and I think that is dangerous, and that is what we see in certain elements of the current regime in the United States.

So I think we have to recognize that there will be positive results to this referendum, but that we must not use it as some kind of tool to force just one-sided disarmament. "Well, you know, if you cannot get the Russians to do it, you guys had better do it here in Canada and the United States." That is not going to work.

In short, and in conclusion, Mr. Speaker, I indicated I would support this motion, but I think we have to recognize we do not live in an international environment of trust and co-operation. Our armed forces in Canada, I believe, must be given greater priority, although I am not advocating, at all, that we become a nuclear power. Thank you very much.

---Applause

MR. DEPUTY SPEAKER: Thank you, Mr. Braden. To the motion as amended. Mr. MacQuarrie. Will you wind up the debate?

MR. MacQUARRIE: Thank you very much, Mr. Speaker. There were a couple of points raised by other Members that I concur with absolutely. Mr. Butters said that it would be a difficult matter to get people in some of the east European countries -- the USSR, Poland, and so on -- to even hear that such a move was under way. I agree that that is probably true, and that there would have to be extraordinary attempts to try to make sure that they do hear that it is under way. But if they heard it was under way, I do not quite agree with Mr. Butters that it would be difficult then to get them to support this kind of move, because I deeply believe that, while governments have difficulties with one another and these do arise sometimes out of very deep interests of a nation, by and large most ordinary people, in all countries of the world, would like to settle disputes in some way other than having to go to war, in some way other than having to sacrifice their sons and fathers and brothers in battles where we kill one another, when there are other means to settle disputes.

When there are deep divisions among people based on interest, I know that sometimes even I almost despair of ever resolving them in a reasonable and thoughtful way -- and, just on a very small scale, I would point to the debate that we had for the past three days in this Assembly. There really are different interests in the world, and it is really difficult for us, with all our intellectual weaknesses and so on, to figure out ways to resolve them in a manner that is just and acceptable to everybody -- and in that kind of circumstance it is so easy to turn to anger, or to violence, or to arms, in order to resolve it finally -- but I think that it is worth the attempt to try, and I think that most common people in the world would like to see that attempt made.

Present Government's Attitude To Armed Forces

The point that Mr. Braden made, with respect to the present government's attitude to the armed forces in this country -- I can only endorse that. I say that that is the worst kind of arms reduction, if you like, because what has happened is simply that a government has weakened itself incredibly, but still relying on someone else to do the difficult work for it. I think that that is not proper or right at all, and I also agree that it is most unfortunate that that approach has been taken -- so that members of our armed services are neither equipped properly nor regarded with the kind of respect that people in this country should regard them with -- but that situation is necessary because of the world picture today, and all I am asking for is that we really take seriously the attempt to try and change that situation, so that we will not have to have need for this means to resolve disputes.

Again, with Mr. Curley's point, I was not quite clear on his point. I thought he felt that it even referred to disarmament of ordinary citizens having weapons for hunting purposes and so on. I can assure everyone that is not what is intended in this motion. People in many, many countries of the world have arms for that purpose, and it is a legitimate purpose and probably always will be, so long as we have sufficient foresight to maintain our natural resources so that things like hunting will always be a possibility.

At any rate, I will state then what Mr. Patterson did not have the chance to state. That is, it is the kind of attitude that believes you must have arms in order to have peace that has brought us to the impasse that we are in, and I hope that a ground swell of popular opinion everywhere could maybe begin to make changes in that.

I finally just want to say that I know, as politicians -- and all of us are -- we have many issues to deal with, and some people may be cynical. They may say, "Okay, they are het up about it today, and then they forget about it, because they go on to something else." That, I am afraid, is true. Not everybody can have the same interest and the same opportunity to do all of the things they would like to do; and so I have not been a leader in that kind of effort, but because I have not, it does not mean I do not think it is important. At this moment I would like to say thank you to those people who do make it one of their principle concerns, and who bring to our attention, again and again, the fact that there is a problem, and who spend a great deal of time and effort to try to do something about that problem. I say thank you to them, and to all Members. Finally, I would urge you to support the resolution. Let us do ourselves a favour. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you, Mr. MacQuarrie. To the motion as amended. Are you ready for the question?

SOME HON. MEMBERS: Question.

MR. MacQUARRIE: Recorded vote.

HON. DENNIS PATTERSON: Recorded vote.

Motion 23-82(3), Carried As Amended

MR. DEPUTY SPEAKER: To the question. All those in favour, stand. Mr. Clerk.

CLERK OF THE HOUSE (Mr. Remnant): Mr. Evaluarjuk, Mr. Patterson, Mr. Pudluk, Mr. Appaqaq, Mr. Tologanak, Mr. Sibbeston, Mr. Sayine, Mr. McCallum, Mr. Wah-Shee, Mr. Braden, Mr. Butters, Mr. Nerysoo, Mr. McLaughlin, Mrs. Sorensen, Mr. MacQuarrie.

MR. DEPUTY SPEAKER: Opposed?

CLERK OF THE HOUSE (Mr. Remnant): Ms Cournoyea.

MR. DEPUTY SPEAKER: Abstentions?

CLERK OF THE HOUSE (Mr. Remnant): Mr. Arlooktoo, Mr. Kilabuk.

MR. DEPUTY SPEAKER: The motion is carried as amended.

---Carried

---Applause

Motion 24-82(3), Mr. Pudluk.

MR. PUDLUK: Yes, Mr. Speaker, I would like to defer this motion until Friday, tomorrow. It will need some rewording. Thank you.

MR. DEPUTY SPEAKER: Thank you, Mr. Pudluk. Motion 24-82(3) is being deferred. Mrs. Sorensen.

Motion 26-82(3): Tabled Documents 20-82(3), 22-82(3) And 23-82(3) To Committee Of The Whole, Carried

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MRS. SORENSEN: Mr. Speaker:

BE IT RESOLVED that the Land Evaluation Policy, and the Resource Development Policy, and the Resource Development Guidelines and Criteria, be moved into committee of the whole as items for discussion following bills.

MR. DEPUTY SPEAKER: Thank you, Mrs. Sorensen. Your motion is in order. Mrs. Sorensen, to the motion.

MRS. SORENSEN: Question.

MR. DEPUTY SPEAKER: Question being called. All in favour? Down. Opposed? Motion 26-82(3) is carried.

---Carried

Motion 28-82(3), Mr. McLaughlin.

Motion 28-82(3): MLA Serving On GNWT Boards And Committees

MR. McLAUGHLIN: Thank you, Mr. Speaker.

WHEREAS it is the responsibility of Members of this Assembly to represent their constituency by participating in the standing and special committees of this House;

AND WHEREAS it is not in the long-term best interests of the people of the Northwest Territories to have Members of this Assembly serving on other committees and boards of this government;

NOW THEREFORE, I move that the Members' Services Board be requested to consider the necessary legislation to prohibit Members of this Assembly from serving on committees and boards of the Government of the Northwest Territories.

MR. DEPUTY SPEAKER: To the motion. Mr. McLaughlin.

MR. McLAUGHLIN: Thank you, Mr. Speaker. In making this motion, Mr. Chairman, I realize that there are some Members who are presently on government committees and boards, and that other Members in this Assembly have served on government committees and boards. I realize that in some particular cases -- my colleague here, Mrs. Sorensen, from Yellowknife South, is presently acting chairman of the Labour Standards Board and is doing an excellent job on that board -- and this government is, I think, being well served by her in that position. I also would like to note, though, that when this Assembly thought that by appointing Ms Cournoyea to the Housing Corporation board of directors, it would be advantageous to us to have that contact with the board, but in actual fact we found that Ms Cournoyea had to declare a conflict of interest when the debate occurred in committee of the whole on the main estimates of the Housing Corporation. So therefore the input we would have liked to have had, as an Assembly, was not achieved, I think.

Also, in the long run, I think when different departments and divisions of the government have committees and boards, they are creatures of the government, not of this Assembly, and that it is not proper for Members to be, possibly, compromised in this area. I do not think it would

help us if they had to declare a conflict of interest because they were trying to serve the Legislative Assembly by being on a board. In making this recommendation, I would like the Members' Services Board to consider an alternative method, which might be appointing Members of the Assembly to attend such board and committee meetings on behalf of the Assembly or possibly even serve on these committees as non-voting ex officio members, so that the communications we desire could be achieved, but also, this would prevent Members from being in a position of not being able to debate issues concerning the government boards that they are connected with. So in no way am I intending to discredit any of the Members that are serving on these boards, because it is a practice that has gone on in the past and in particular, some of these Members are doing an excellent job on these boards, but I do not think we are achieving by this what we really probably intended in the first place, which would be to have a communications link between the Assembly and some of these committees. So although I am in favour of having some sort of a link between this Assembly and some of the government boards, I do not think that in the long run the Assembly will be best served by continuing this practice. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you, Mr. McLaughlin. Mr. Sibbeston.

MR. SIBBESTON: Mr. Speaker, I wonder if this House can have some advice from the Law Clerk in respect of this matter, because it seems to me I recall, a number of years ago when I was reviewing either the Council Ordinance or the Elections Ordinance, that there was a provision in there where elected Assembly Members could not be on any body that was not independent of this government. I think this advice should be gotten, because it has a definite effect on this motion; because if there is already an ordinance and law to the effect that Members cannot sit on any committees or boards and derive money from the government for this, then this motion here would be redundant because it would be the case already. I seek that advice.

MR. DEPUTY SPEAKER: Thank you, Mr. Sibbeston. Mr. Law Clerk.

LAW CLERK (Mr. Fuglsang): I wonder if I might, Mr. Speaker, have Mr. Sibbeston clarify for me that concern again? Is he concerned about existing conflict of interest legislation as it relates to Members? I will consult the Council Ordinance and check that point. Thank you.

MR. DEPUTY SPEAKER: Could we take a short recess and have him consult? We will take five minutes, please.

---SHORT RECESS

I call the House back to order. Mr. Fuglsang, do you have the answer for that question?

Law Clerk's Opinion

LAW CLERK (Mr. Fuglsang): Mr. Speaker, I have "a" answer. The Council Ordinance is silent on that matter, except that any obvious conflict of a pecuniary nature must be declared to the Council when any discussion comes up involving the potential conflict of interest. I think what my friend -- in fact I am sure; I have discussed it with Mr. Sibbeston -- is referring to is that under the Elections Ordinance a person may be ineligible as a candidate under certain conditions. In the case of being a member of the board or anything of that nature, it says in section 19, paragraph (1)(e): "Every person who accepts or holds any office, commission or employment, permanent or temporary, in the service of the Government of Canada or of the Territories to which any salary, fee, wages, allowances, emolument or profit of any kind is attached, during the time he is so holding any such office, commission or employment;" so, he is not eligible to run as a candidate if he is perhaps on a board, like the Workers' Compensation Board.

Now, it is not clear whether if he were appointed to that board after he were a Member -- I do not think that would necessarily eliminate him as a Member of the House, but there is also provision that for those boards to which this Council makes recommendations as to the members, such persons would not be ineligible to run as candidates. I think that is about as far as it goes. Subsection (2), of that same section, says that paragraph (1)(e) which I just read to you, does not render ineligible any person by virtue of the fact that he is a member of the Executive Committee of the Territories or holds any office, commission or appointment to which he was appointed on the recommendation of the Council. So there are two kinds of boards obviously; those that are recommended by the Council and other boards that are not, and I think if the Council -- if it is the kind of a board, like the Workers' Compensation Board, there is no difficulty in a Member holding that or even being ineligible at the next election and I think that is the only area that Mr. Sibbeston was concerned about and was perhaps referring to. I hope that assists. Thank you very much.

MR. DEPUTY SPEAKER: Thank you, Mr. Fuglsang. Mr. Sibbeston, are you satisfied? Mr. Sibbeston.

MR. SIBBESTON: Yes, sir, I am satisfied.

MR. DEPUTY SPEAKER: Thank you. To the motion.

SOME HON. MEMBERS: Question.

Motion 28-82(3), Carried

MR. DEPUTY SPEAKER: Question is called. All those in favour? Down. Opposed? Motion 28-82(3) is carried.

---Carried

Motion 29-82(3). Ms Cournoyea.

Motion 28-82(3): Financial Assistance For Adult Vocational Training And Educational Upgrading

MS COURNOYEA: Mr. Speaker, Motion 29-82(3), Financial Assistance for Adult Vocational Training and Educational Upgrading:

WHEREAS development of the Beaufort region is increasing the demand for a skilled and educated work force;

AND WHEREAS there remains a widening income gap between educated southerners and uneducated local people in the region;

AND WHEREAS both federal and territorial governments have systematically removed financial help for adult vocational training and educational upgrading;

NOW THEREFORE, I move that this Assembly recommend to the Executive Committee that special financial assistance be made available to adults wishing to take vocational training or educational upgrading.

The motion is seconded by Mr. Pete Fraser.

MR. DEPUTY SPEAKER: Thank you, Ms Cournoyea. To the motion. Ms Cournoyea.

MS COURNOYEA: Mr. Speaker, as you know, the issue of adults wanting to upgrade themselves within the community has come under many discussions here in the Assembly, as well as at the community level. At one time allowances...

MR. DEPUTY SPEAKER: Ms Cournoyea, I am informed by the Clerk that when I seconded your motion, I was not the Speaker, and now that I am the Speaker you have to get another seconder.

MR. SIBBESTON: I will second it.

MR. DEPUTY SPEAKER: Ms Cournoyea, seconded by Mr. Sibbeston.

MR. SIBBESTON: Yes, I will second it, third it, fourth it -- whatever is necessary.

MR. DEPUTY SPEAKER: Agreed. Proceed, Ms Cournoyea. I am sorry.

MS COURNOYEA: I will not speak too long on this subject, because I believe that all of us in our own constituencies realize that there is an increasing number of young adults who have dropped out of school and who are presently in the community, and many of them have families and are concerned that they receive the upgrading necessary to carry on in higher subject matters. However, the concern is that they are hooked to the communities and at the present time they cannot leave as easily as when they were going to a regular school system. Many of them are the basic backbone of the communities because they are staying there and they are raising their family within that community.



### Allowance As An Alternative To Social Assistance

There has been a challenge to us about the involvement of more people taking jobs in the wage economy. However, most of those jobs require at least a grade 10, and the young people who are seeking help and an allowance to take part in upgrading themselves are now at an age level of 18 to 25, and skills are necessary for them to move on and seek wage employment. In the special committee on education hearings, many concerns were expressed at the community level that the allowances were very, very important to help the individual out in terms of a sitter at home or just in trying to survive in that environment. I believe that it would be much more honourable for us to find the funding to give an adult education student an allowance rather than them seeking welfare when that particular person should not be put in that position, as I do not believe that most of the community people like to receive social assistance when they are pursuing a vocation. I believe that some of the subject matters that are taught at a community level now go beyond the basic upgrading courses. In many communities these courses are very, very successful and the students wish to pursue an education, so I urge all Members of this Legislative Assembly to support the motion.

MR. DEPUTY SPEAKER: Thank you, Ms Cournoyea. Mr. Sibbeston, as seconder. Mr. Sibbeston, to the motion.

MR. SIBBESTON: Mr. Speaker, I am in great support of this motion because I do feel that there is a need for this government to pay special attention to adults and young people who leave school and find themselves, after a number of years of being out in the work force, needing more education. I am aware that in respect of higher education as we know it, for university and technical schools in the South, this government has a generous program, and I think we have talked about that the last couple of years. I feel that perhaps the government is perhaps not as generous -- or not cognizant of the necessity of having sufficient funds for adults and young adults who want to go back to school, or just simply take upgrading.

### Program Of Upgrading In Fort Simpson

I am aware of the situation that exists in Fort Simpson this year, where this government has an adult educator. However, there were simply no funds to assist any of the young adults or persons who wanted to take upgrading this fall in Fort Simpson. As the result of two or three meetings, we sent messages to the capital here in Yellowknife, to Manpower and the Department of Education, and Manpower did eventually make moneys available for, I believe, six or eight adults to take upgrading in Fort Simpson, so I am happy to say that there are a number of adults now that are taking upgrading in Fort Simpson this fall. It is a bit of a funny situation, in that we have the territorial government spending a great deal of money on adult education but apparently no funds for young adults or older adults to be given a bit of an allowance while they attend school. The money that would normally be provided should not necessarily be seen as pay for attending school, but more as an allowance to make it possible for the person to attend school, as otherwise he would have to be out working, either in town or out in the bush. So a bit of an allowance to help him pay for food and so forth while he goes to school is the way that it should be seen.

Mr. Chairman, I just feel that it is absolutely essential for this government to have well-devised programs and funds to help people who want to take vocational training and educational upgrading. I guess we are at a period of our history in the North where, in the past, a great number of people did not go to school; many native people did not realize the importance of it, but now in the last few years we are seeing industries coming to the North, and these industries saying that you have to have so much education, otherwise you simply do not get any work.

### Request For Statement On Available Financial Assistance

So in thinking about this and in dealing with it, I would like to hear from the territorial government as to precisely what they do have in respect of moneys for adults who want to take vocational training and upgrading. I am aware that there is Thebacha College in Fort Smith, and people are, sometimes, able to go. I am aware that there is Manpower, and sometimes they are able to fund people who want to take vocational training, but I think there is need to have this government clearly state precisely what types of programs, what type of financial assistance there is for adults. If we knew this, maybe we would be in a better position to make wise decisions and talk further on the subject, because I have the general feeling that there is not very much money for adults who want to take training and upgrading. Perhaps I am wrong, but I certainly would like to hear.

MR. DEPUTY SPEAKER: Thank you, Mr. Sibbeston. Mr. Patterson, to the motion.

Cutbacks Not Due To Policies Of Territorial Government

HON. DENNIS PATTERSON: Yes. Thank you, Mr. Speaker. I would just like to say, in supporting the motion, that I do feel that there has been a misrepresentation of the territorial government's position in the third "whereas" clause, where it suggests that the territorial government has systematically removed financial help for adult vocational training and educational upgrading. I would like to say very clearly to the mover of the motion -- and to this House, Mr. Speaker -- that I have been around to communities in the Delta, and I have been around to many other communities at public hearings over the last couple of years, and I know full well that this kind of training is precisely what people want. Basic upgrading is the most fundamental need, currently, in really all parts of the Northwest Territories. I also fully recognize -- as does this government -- that people who have families cannot afford to go to school and to attend courses operating out of adult education centres without some help, but I would like to make it very clear that it is true that funds have been cut back for allowances in recent years, but this is the result of policies of the Canada Employment and Immigration Commission, and certainly not policies of this government.

National Training Act

Recently, as the honourable Member from Fort Smith, the Minister of Economic Development and Tourism, announced in this House I believe last week, we have concluded lengthy negotiations with that commission and the Minister of Employment and Immigration, Mr. Axworthy, which have led to a new agreement between the territorial government and the federal government under the recently proclaimed National Training Act. I am happy to say that, notwithstanding the fact that the National Training Act did emphasize national objectives and particularly national training priorities in the high-technology, high-skill areas, the agreement that was signed with the Northwest Territories as a result of strong positions taken by the territorial government, will allow training funds to be allocated to our primary area of need in the Northwest Territories, which is adult upgrading with allowances provided to trainees.

Now that the agreement is signed, we will be working out details in the very near future with a joint federal-territorial committee which has been established. Details of exactly what programs can be offered will be announced shortly. So I feel very confident, Mr. Speaker, that not only can I support this motion, but that this government through the new agreement under the National Training Act will be able to respond substantially to the Member's concern. I recognize that the Beaufort area is an area of particularly high impact and particularly great need for this kind of training, but I also know that there are strong concerns about upgrading in the Kitikmeot region that we have not met as well as we should have in recent years, and indeed in all regions of the Northwest Territories. But I am confident that the recently concluded agreement will allow us to respond in a better manner, and indeed will see the federal government providing more funds precisely where they are needed in this field in the Northwest Territories. So I am happy to support the motion, with the qualification that I do not think we have been responsible for the erosion of training funds and allowances that has taken place in recent years. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you, Mr. Patterson. Mr. Pudluk, to the motion.

On-The-Job Training Happier Environment Than Classroom

MR. PUDLUK: (Translation) Mr. Speaker, I am in favour of this motion, but I may have something that might cause a problem to this motion. I know that having to be upgraded is really required, because after being upgraded people will be able to find proper jobs. However, when a young drop-out quits school at an earlier age, at around the age of 16 to 24 his education will be a lot slower. I am totally in favour of this motion, to help these drop-outs or unskilled people to find employment. In my constituency, there are two mines in my area. I know for sure that they would like to hire a well-skilled person, and there are a few people that do not have very high skills, so they are paid less. I also have seen the apprentices do get more employment. They also have good high pay, and they have proper jobs, on-the-job training. They seem to be a lot happier when there is on-the-job training, rather than in a classroom environment.

So in this case I would like to have this program in my community. I have seen a person who has finished his education, but he was a casual worker, and he was a casual for about three years. He finally wanted to quit his job, because his wage was always different from payday to payday. So I will be in support of the motion for the reasons that I have stated, and I would

like to see this program being implemented in my area because there are going to be two programs for adult education and on-the-job training, and I will be in support of the motion for these reasons. Thank you.

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

MR. EVALUARJUK: (Translation) Thank you, Mr. Speaker. Before the mover of the motion makes her final comments I would like some more clarification. Is this directed to all the residents of the Territories, or is it just directed to her community area? It just seems that it is directed only to her area. If it is going to be directed to all the Territories, I will be in support of the motion. That is what I wanted to say. Thank you.

MR. DEPUTY SPEAKER: Thank you, Mr. Evaluarjuk. Ms Cournoyea.

MS COURNOYEA: Mr. Speaker, I used our area as an example, but the motion is in response to the needs of the whole Northwest Territories.

MR. DEPUTY SPEAKER: Thank you, Ms Cournoyea. To the motion.

SOME HON. MEMBERS: Question.

Motion 29-82(3), Carried

MR. DEPUTY SPEAKER: Question has been called. All in favour? Down. Opposed? Motion 29-82(3) is carried.

---Carried

That concludes the motions for the day. Mr. Braden.

HON. GEORGE BRADEN: Mr. Speaker, I indicated earlier on under notices of motion that I would be asking for unanimous consent to proceed with the motion that I had introduced concerning appointments to the WCB.

MR. DEPUTY SPEAKER: Are you seeking unanimous consent, Mr. Braden?

SOME HON. MEMBERS: Agreed.

MR. DEPUTY SPEAKER: It is agreed, Mr. Braden.

---Agreed

Motion 30-82(3): Workers' Compensation Board Appointments, Carried

HON. GEORGE BRADEN: Thank you, Mr. Speaker.

WHEREAS there is one vacancy on the Workers' Compensation Board;

AND WHEREAS the Workers' Compensation Board Ordinance provides for the appointment of additional board members;

AND WHEREAS the terms of office of two Members now serving on the Workers' Compensation Board will soon expire;

NOW THEREFORE, I move, seconded by the honourable Member for Pine Point, that this Assembly recommend to the Commissioner that Mr. Mike Zubko of Inuvik and Mr. Arnold Hope of Fort Simpson, be appointed to the WCB;

AND FURTHER, that this Legislative Assembly recommend to the Commissioner that Mr. Willie Adams of Frobisher Bay and Mr. W.R. Hargrave of Pine Point be reappointed to the Workers' Compensation Board when their present terms of appointment expire.

MR. DEPUTY SPEAKER: Thank you, Mr. Braden.

SOME HON. MEMBERS: Question.

MR. DEPUTY SPEAKER: Question is called. All in favour? Down. Opposed? The motion is carried.

---Carried

Item 11, introduction of bills for first reading.

Item 12, second reading of bills. Mr. Nerysoo.

HON. RICHARD NERYSOO: Yes, a point of order. I would like to ask unanimous consent to return to oral questions and respond to a question asked by Mr. Curley.

SOME HON. MEMBERS: Agreed.

MR. DEPUTY SPEAKER: Unanimous consent is requested.

SOME HON. MEMBERS: Agreed.

---Agreed

MR. DEPUTY SPEAKER: Item 4, questions and returns.

REVERT TO ITEM NO. 4: QUESTIONS AND RETURNS

Proceed, Mr. Nerysoo.

Return To Question 84-82(3): Diseased Caribou, Baker Lake Area

HON. RICHARD NERYSOO: Yes, it is oral Question 84-82(3), asked November 18th by Mr. Curley, with regard to caribou diseases in the Keewatin region.

Studies in 1966-68 indicated that brucellosis was present in four per cent of the Kaminuriak caribou tested. Although we have had two recent positive cases of this disease in caribou from the Coppermine area, no confirmed cases have been reported from the Keewatin region in recent years. However, we did have a positive identification of brucellosis in a musk-ox from Garry Lake in February 1982, indicating that the disease is present in wildlife in the region. One of the symptoms of brucellosis is swelling of the leg joints, but other diseases and injury can also cause such swellings. Brucellosis was not present in 15 caribou leg samples collected in July 1982, all of which indicated an arthritic condition.

The wildlife service has prepared two public releases describing the various diseases and parasites of caribou. These releases describe the effects of the disease on both caribou and humans, and cautions people on proper procedures for handling meat, and what unusual things to look for. The wildlife service is initiating a study, in co-operation with the local hunters, on the current incidence of brucellosis in the caribou.

MR. DEPUTY SPEAKER: Thank you, Mr. Nerysoo. Item 13, consideration in committee of the whole of bills, recommendations to the Legislature, and other matters.

ITEM NO. 13: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS, RECOMMENDATIONS TO THE LEGISLATURE AND OTHER MATTERS

Bill 1-82(3), Bill 3-82(3), Bill 10-82(3), Bill 13-82(3), Bill 14-82(3), Bill 16-82(3), Bill 18-82(3). I understand the government is not ready to proceed at this time with Bills 6-82(3) and 12-82(3). We will proceed into committee of the whole, with Mr. Pudluk in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 1-82(3), APPRENTICES AND TRADESMEN ORDINANCE; BILL 3-82(3), TRANSPORTATION OF DANGEROUS GOODS ORDINANCE; BILL 10-82(3), SOCIETY OF MANAGEMENT ACCOUNTANTS ORDINANCE; BILL 13-82(3), MARRIAGE ORDINANCE; BILL 14-82(3), VITAL STATISTICS ORDINANCE; BILL 16-82(3), MINING SAFETY ORDINANCE; REPORT OF THE STANDING COMMITTEE ON LEGISLATION

Bill 1-82(3), Apprentices And Tradesmen Ordinance

CHAIRMAN (Mr. Pudluk): Now this committee will come to order. (Translation) We are going to be dealing with this matter of education, Bill 1-82(3). (Translation ends) To the bill.  
Mr. McCallum, opening remarks.

HON. ARNOLD McCALLUM: Thank you, Mr. Chairman. The bill is a new bill that will replace an existing bill, the Apprentices and Tradesmen Ordinance of 1976. The ordinance indicates that we will provide for the regulation, training and certification of apprentices and tradesmen. I do not believe, Mr. Chairman, there are any contentious clauses of the bill. The bill has been before the standing committee on legislation and if there were amendments to be made or suggestions to be made during the course of that review, those changes have been incorporated within the bill that is before the committee. I would be prepared to deal with questions, should they arise. Mr. MacQuarrie may have further comments to make on it, but I have no further ones at the present time.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. McCallum. Mr. MacQuarrie, do you wish to speak to the bill, please?

Comments From Standing Committee On Legislation

MR. MacQUARRIE: Thank you, Mr. Chairman. The standing committee on legislation reviewed Bill 1-82(3) in August and noted that the purpose is to provide for regulation, training and certification of apprentices and tradesmen. One of the first questions that occurred to the committee was why a new bill was brought in instead of an amendment, as the changes were apparently minor, and the committee was advised that this action was recommended by the legal division, in order to produce clean and clear legislation; and in its examination the committee learned that the only substantive changes are in increases in the membership of the Apprentices and Tradesmen Qualifications Board and the trade advisory committees, from five to seven in both cases, I believe. In a clause by clause review the committee also noted certain other things; that subclause 4(2) is to ensure that both labour and management have a significant voice on the Apprentices and Tradesmen Qualifications Board; and that those trades that are being taught in the NWT are represented on the trade advisory committee. The composition of the trade advisory committee was altered by deletion of a person from the public and the committee was advised that a person having no knowledge of a particular trade could prove embarrassing to that committee. The standing committee on legislation also noted that the wording of subparagraph 9(1)(a)(iii) has been expanded and was advised that this will resolve the present situation whereby any certificate from a province had to be accepted, regardless of standard, and the expansion will provide the government with more effective control in this area. Paragraph 18(h) might be interpreted to require all businesses to employ apprentices, but on questioning the committee was assured that this is not the case. There was also a concern expressed at one time that students who do not speak English would not be included in the program, but it was advised that there is an Inuktitut heavy duty equipment program for persons experienced in that field. The situation with respect to certificates issued under the old ordinance was not immediately clear, but again the committee was assured that these will continue in force under the new ordinance. A matter that was raised during the committee meeting was received favourably by the government and that is that the printing of certificates in the Inuktitut and Dene languages should be considered. The committee received the Minister's commitment to do that.

The committee agreed to recommend the bill to committee of the whole for consideration, as amended by the incorporation of paragraph 18(h) and of the existing ordinance as paragraph 18(1) in the bill, as it had been inadvertently omitted, I believe, at that time. Those are my comments, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Thank you. General comments. Mr. Curley.

MR. CURLEY: Are we going to have a coffee break?

CHAIRMAN (Mr. Pudluk): Thank you for reminding me. Let us take 15 minutes for coffee break.

---SHORT RECESS

CHAIRMAN (Mr. Pudluk): The Chair recognizes a quorum. Bill 1-82(3). General comments and questions. I believe Mr. Curley had a general question, but he is not here at the moment.

HON. GEORGE BRADEN: Clause by clause.

MR. MacQUARRIE: I think he just wanted a coffee break. No, he wanted a question.

CHAIRMAN (Mr. Pudluk): General comments? Any questions? Does this committee wish to go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 3, supervisor of apprenticeship programs. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 4, board. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 5, duties of board. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 6, trade advisory committees. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 7, per diem allowance. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 8, Mr. Curley.

Legislation Appears To Pre-Empt Special Committee On Education Recommendations

MR. CURLEY: Clause 8. Mr. Chairman, I would like to be given an opportunity just to make a short general statement, if you will permit me, and then we will get on. I have no opposition at all to this particular bill, but my question really concerns why the Executive Committee would at this time feel it was important to make some changes and introduce this bill now, when some of the recommendations, I think, concern certain things that were being dealt with by the House, to introduce new legislation to bring together all the other components that require training and manpower services. If the Minister would just respond, that will be my last question. Thank you.

CHAIRMAN (Mr. Pudluk): Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, the requirement to bring forth a new piece of legislation came about basically because of the demand from our various advisory boards and the Apprentices and Tradesmen Qualifications Board. They wanted increased representation to better reflect regions of the Territories. The committees did not, I think, have prior knowledge in terms of what would be recommended by the special committee on education. It in no way -- and I am not suggesting that the Member is alluding to this -- it in no way tried to pre-empt any of the recommendations of the special committee. I recognize that there is a recommendation dealing with higher education -- or adult education and this deals with training on the job apprenticeship tradesmen. I think we were trying to bring it in line, as well, with other jurisdictions. We wanted to be able to ensure that we would be able to designate new trades and the advice that we received -- rather than go through amendments of the present legislation, as Mr. MacQuarrie has indicated -- was to come up with a new bill. I want to indicate it was in no way meant to pre-empt anything that the special committee on education would want to recommend and, in fact, if those recommendations now are accepted by the Executive Committee and the government in legislation, we could incorporate this in it as well.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. McCallum. Clause 8, local apprenticeship advisory committee. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 9, powers of the Executive Member. Mr. MacQuarrie. Clause 9.

MR. MacQUARRIE: Yes, just to point out, Mr. Chairman, that this was one area where there was a change and, as I said, it was expanded to resolve the present situation whereby any certificate from a province had to be accepted, regardless of standard, and it tends to give the government more control over the situation. I think it is particularly the last phrase in subparagraph 9(1)(a)(iii), "that has been recognized by regulation".

CHAIRMAN (Mr. Pudluk): Clause 9. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 10, duties of supervisor of apprenticeship programs. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 11, contracts of apprenticeship. Ms Cournoyea.

#### Contracts Of Apprenticeship

MS COURNOYEA: Mr. Chairman, just a clarification. Perhaps someone can explain what the process is in regard to making out a contract of apprenticeship. If a private company wanted to bring on an apprentice into their particular business, what is the process to do that and where do the requirements fit in?

CHAIRMAN (Mr. Pudluk): Mr. McCallum.

HON. ARNOLD McCALLUM: An individual who wants to enter into a contract of apprenticeship would apply to the supervisor of an apprenticeship program. The supervisor may refuse to certify a contract or if, in fact, the contract has been agreed to, because of certain particular situations that may arise, that contract can be cancelled or terminated. It may even be transferred to another individual, but if the original individual is not satisfied, there is an appeal process that the person taking on the apprentice can appeal to the Apprentices and Tradesmen Qualifications Board who would confirm or reverse the decision and that decision would be final. So the process is that an individual applies to the supervisor of apprenticeship programs, then the arrangement is carried out within house. I think one of the things that we would be hoping to do -- because we have been able to now certify, for example, small engines as a trade -- we hope to see many more smaller businesses taking on apprentices. It can be just one

apprentice, whereas in the past I think there was a great deal more difficulty in doing that. So you apply to the supervisor, you work out an arrangement, a contract is drawn up, and all the other requirements then are brought together. I think that if you cannot work out an arrangement with the supervisor that there can be an appeal made to the board to try to get such a program going.

CHAIRMAN (Mr. Pudluk): Thank you. Clause 11, contracts and apprenticeship. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 12, supervisor may require information. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 13, form of contract. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 14, termination and cancellation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 15, labour dispute. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 16, offence. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 17, grants and loans. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 18, regulations. Mr. MacQuarrie.

MR. MacQUARRIE: Yes. Paragraph 18(h) says, "providing for compulsory registration, compulsory certification and compulsory participation in apprenticeship programs, of tradesmen working in all or any of the designated trades in the Northwest Territories." At the committee there was the concern expressed that this might be interpreted to require all businesses to employ apprentices, but the committee was assured that this is not the case at all and so we agreed to it.

CHAIRMAN (Mr. Pudluk): Clause 18, regulations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 19, existing certificates. Agreed?



SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Pudluk): The honourable Member for Mackenzie Liard.

MR. SIBBESTON: There are just two little letters missing, and it is at the very end, the last line of clause 19. It should read "...ordinance had not been enacted " -- instead of "...be enacted."

HON. ARNOLD McCALLUM: I think Mr. Sibbeston is correct, but I do not think it requires an amendment. I think it is just a typographical error.

CHAIRMAN (Mr. Pudluk): Honourable Member for Mackenzie Liard, are you agreed?

MR. SIBBESTON: Sure am.

CHAIRMAN (Mr. Pudluk): Thank you. To clause 19, with the letters "en" in. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 20, repeal. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 1, short title. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Report this bill ready for third reading.

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Thank you. Now we are going to go on to Bill 3-82(3). Mr. Braden.

Bill 3-82(3), Transportation Of Dangerous Goods Ordinance

HON. GEORGE BRADEN: Thank you, Mr. Chairman. This bill has been prepared as a result of a perceived need on a national scale for legislation dealing with the transportation of dangerous goods. Accordingly, this legislation has been drafted in a form that parallels the federal Transportation of Dangerous Goods Act and provincial legislation. This approach provides continuity of what we call legislative standards across the country, thus making compliance by the transportation and packaging industries much less complicated. The ordinance also addresses road transportation only. It does not apply to handling or transporting dangerous goods in vessels within the meaning of the Canada Shipping Act, nor does it apply to transportation by air. These fall under federal jurisdiction.

The bill is essentially a piece of public safety legislation which provides for the establishment of standards concerning type of vehicle used, packaging standards, quantity limits, proper shipping documentation, and the display of applicable safety markings. The ordinance also provides for the appointment of inspectors with appropriate enforcement powers. I would just conclude by saying that considerable discussion has taken place over the last two years between government agencies concerned with the administration of the proposed regulation, and also with industry which would be affected by the proposed legislation. I might add, Mr. Chairman, that

this has taken place by and large at the national level, with the federal government attempting to get this input from the private sector. Those are my opening remarks, Mr. Chairman. I would ask the permission of the committee to have Mr. Hewitt at the witness table to answer detailed questions.

CHAIRMAN (Mr. Pudluk): Is this committee agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Sergeant-at-Arms, could you invite Mr. Hewitt? Thank you. Mr. MacQuarrie, do you have any opening remarks? Mr. MacQuarrie.

#### Comments From Standing Committee On Legislation

MR. MacQUARRIE: Thank you, Mr. Chairman. This committee also had the chance to review this bill in August, and it attempted to make people aware of the possibility of the bill being passed. It did not receive any submissions with respect to it, but studied the bill quite thoroughly by itself and along with government representatives. The committee was advised that this bill is particularly concerned with the establishment of controls over the transportation of dangerous goods on highways. It was noted that where the provisions of this ordinance conflict with those of any other ordinance, the provisions of this ordinance will apply, because public safety is the prime concern of the ordinance -- and during its clause by clause review, the committee noted certain other things. I said earlier that the bill does not refer to the transportation of dangerous goods by air or water, but it was advised that these modes of transportation fall under federal jurisdiction, although in connection with the above it was also informed that federal jurisdiction has been challenged on the grounds that provincial air transportation is a local matter.

Paragraph 3(b) provides for exemption from the application of the ordinance, and it was advised that exemption from its permits under clause 5 were included for emergency situations. In other words, the committee was a little concerned that there could be exemptions to what seemed to be a policy that was in the interest of public safety, and the government explained that occasionally there could be genuine situations of emergency which arise where it would be necessary to deal with them more quickly than the ordinance allowed for, and that therefore these exemptions were in order, and the committee then agreed that that was the case.

Clause 12 dealt with inspectors, but made no reference to qualifications, and, in pointing this out, the committee was advised that people would be trained for these positions, and that the Commissioner would designate the qualifications. It was stressed by the committee that the employment of incompetent or ignorant inspectors could result in a form of harassment to people who were involved in the industry. So the committee felt it was important to have standards of qualifications for inspectors, and an amendment was subsequently made to provide specifically for that in the regulations. So subclauses 14(1) and (2) were to be amended to indicate that regulations may be made by the Commissioner on recommendation of the Executive Member -- that was simply a minor matter. Those latter words had been omitted in the bill that was brought to us. Also, another amendment was that the qualifications of inspectors in subclause 12(1) will be designated by the Commissioner, and such a change has been incorporated in the section on regulations, and so the committee recommended the referral of the bill, amended as previously noted, to the committee of the whole.

CHAIRMAN (Mr. Pudluk): Thank you, thank you. General comments and questions. Ms Cournoyea.

#### Private Versus Commercial Vehicles

MS COURNOYEA: Mr. Chairman, regarding the schedule of dangerous goods at the back of the bill, is this legislation only applicable to licensed carriers, or commercial carriers, or does it relate to private vehicles transporting their personal purchases, say from Whitehorse to Inuvik? Then, another general question is that when the ice roads are in and the DPW designates the ice road between Inuvik and Tuk as a highway, and private vehicles are hauling gasoline or substances such as that, does that apply to the private sector, or the individual?

CHAIRMAN (Mr. Pudluk): Thank you. Mr. Braden.

HON. GEORGE BRADEN: Mr. Chairman, I will have Mr. Hewitt comment on that, please.

CHAIRMAN (Mr. Pudluk): Mr. Hewitt.

MR. HEWITT: Thank you, Mr. Chairman. To answer the honourable Member's question, there are two issues. One is that the intent of the bill is to be applied to commercial carriers. Secondly, on all of these substances there are quantity limits. There is a minimal quantity provided for, below which the regulation simply would not apply. So it is primarily directed toward commercial carriers. However, to be explicit, if a private individual were to rent a huge truck to do their hauling, then they would be, I presume, regarded as being any other vehicle that is hauling in bulk. It is primarily bulk hauling.

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

MS COURNOYEA: What are the minimal quantities that are specified?

CHAIRMAN (Mr. Pudluk): Mr. Hewitt.

MR. HEWITT: Mr. Chairman, thank you. I am afraid, Ms Cournoyea, I simply cannot give you that figure offhand, because they run into the hundreds, but that information will be very readily made public, and in fact we are trying to compress that information. For the commonly used substances, there are minimum quantities which are provided and that have been generally agreed to across the country.

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

MS COURNOYEA: Would you say that a truck hauling eight drums of 45 gallons of gas each would fit into or below the minimum standards?

CHAIRMAN (Mr. Pudluk): Mr. Hewitt.

MR. HEWITT: Thank you, Mr. Chairman. That is just over 300 gallons of gasoline. I honestly cannot answer your question, although I would think that that would not be covered -- that would not be required to conform. I think when it is gasoline, you are talking about tankers, highway tankers.

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

MS COURNOYEA: Perhaps, then, the shipment of ammunition would not be in bulk, but what would be the quantity of ammunition that you could carry on the highway in a private vehicle?

CHAIRMAN (Mr. Pudluk): Thank you. Mr. Hewitt.

MR. HEWITT: I think I can safely respond to the honourable Member by saying that any quantity of private ammunition that you can carry in a domestic car would be considerably below the limits that I seem to remember being imposed on the hauling of munitions of that nature. So in other words, the amount of ammunition that I could pack into my car certainly would be below the standards at which these regulations would apply. It simply is not intended for the domestic, private individual quantity that you would normally find.

CHAIRMAN (Mr. Pudluk): Thank you. General comments and questions. Mr. MacQuarrie.

Winter Highways

MR. MacQUARRIE: Yes, the question of winter highways was raised and not answered as well, and I would be interested in the answer to that. I believe it was if an area is designated as a highway in the wintertime, is that subject to this ordinance?

CHAIRMAN (Mr. Pudluk): Thank you. Mr. Hewitt.

MR. HEWITT: Thank you, Mr. Chairman. In response to the honourable Member, I believe the highway in this ordinance is a highway as defined under the Vehicles Ordinance, and I stand to be corrected, but I do believe the winter roads that we have are classed as highways in the Vehicles Ordinance.

CHAIRMAN (Mr. Pudluk): Thank you. General comments and questions. Are you ready for clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 3, where ordinance does not apply. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 4, application to Crown. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 5, exemption. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 6, offence. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 7, penalty and time limit. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 8, defence. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 9, offences by employee or agent. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 10, officers, etc. of corporation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 11, certificate or report of inspector or analyst. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 12, designation of inspectors. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 13, powers of inspectors. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 14, regulations. Mr. MacQuarrie.

MR. MacQUARRIE: Yes, it was in this section that the committee had recommended that there be provision for regulations for the qualification, training and examination of inspectors, and that was included. It is now paragraph 14(1)(1).

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Pudluk): Clause 15, agreements respecting enforcement. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 16, conflict. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 17, inconsistent provisions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 18, commencement. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Schedule. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 1, short title. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Ready for third reading?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Thank you Mr. Hewitt for appearing in this House. We are going to go on to Bill 10-82(3). Mr. Braden.

Bill 10-82(3), Society Of Management Accountants Ordinance

HON. GEORGE BRADEN: Mr. Chairman, I will speak to this bill very briefly. It is listed as Mr. Butters' here. Very generally we have been approached by management accountants to establish an ordinance for their registration and licensing within the Northwest Territories, and basically this bill has been developed in conjunction with the management accountants in the Territories. I understand that Mr. MacQuarrie had them look at the bill and that basically the one area that they had concern about was the appointment of someone who is not a member of the society to the council, and we have accommodated that in subclause 7(7).

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Braden. Mr. MacQuarrie.

Comments From Standing Committee On Legislation

MR. MacQUARRIE: Thank you, Mr. Chairman. The purpose of this bill is not one that has far-reaching implications for many people in the Territories. It was simply to provide for the registration and licensing of management accountants in the Northwest Territories. There is already legislation governing chartered accountants and legislation governing certified general accountants, and so this accounting society wanted legislation of its own providing for registration and licensing of their management accountants.

All three accountant societies were informed that the bill was being considered, and Mr. Terry Brown, chairman of the NWT Society of Management Accountants, and Mr. Jim Nelson, Territorial Treasurer, appeared before the committee as witnesses, both of whom are members of the Society of Management Accountants, and also the committee received a letter from the Society of Certified General Accountants.

During the clause by clause review of the bill, the committee noted that at present there are about 15 registered members of this society in the Territories. It was called to the committee's attention by the letter from the Society of Certified General Accountants that there was no provision to include a person from the public on the managing council of the society, and both of the other accountant organizations have a member of the public on their managing councils. So when this point was raised by the committee, the witnesses indicated that there was no problem at all from their point of view in accepting a member of the public on their council as well, and the committee recommended such a change and, as Mr. Braden pointed out, it was incorporated into the bill which we see before us now.

There was some question over the designation that members might use, and generally the members of this society in the Northwest Territories will use the designation, Registered Industrial Accountants -- RIA. Because the designation was a concern to the other accounting organizations, we questioned at one point the wording "a Member may use the designation" rather than "shall use", and on being advised that "may" is used in other professional association ordinances, the committee agreed to retain that designation.

Clause 28 deals with witnesses in certain appeal proceedings within the society and in that clause a question of fees came up and the committee inquired into that matter and learned that it would be the society that pays the fees in that case, which was acceptable to the committee. Clause 30 deals with proper representation of all parties involved in disciplinary proceedings and the committee felt that this fact should be made known. The committee agreed to recommend referral of the bill to committee of the whole for consideration, amended by the addition of subclause 7(2) and subclause 40(2), which had been omitted inadvertently. That is it, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Thank you. General comments and questions. Are you ready for it clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 2, interpretation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 3, establishment. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 4, powers of society. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 5, head office. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 6, objects. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 7, the council. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 8, powers of council. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 9, by-laws. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 10, general meetings. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 11, membership. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 12, designation of members. The honourable Member for Mackenzie Liard.

Designation Of Members

MR. SIBBESTON: Mr. Chairman, I am just wondering, is there a distinction made at all as to the various types of accountants? Is this an ordinance just for management accountants as such, or does this cover the whole realm and types of accountants ever known to mankind?

CHAIRMAN (Mr. Pudluk): Mr. Braden.

HON. GEORGE BRADEN: Yes, Mr. Chairman. It is just for certain types. I understand that chartered accountants have their own ordinance.

CHAIRMAN (Mr. Pudluk): Clause 12. Mr. MacQuarrie.

MR. MacQUARRIE: Yes. With clause 12, I see that there is possibly a difficulty. I wonder if we could recess for about five minutes while I check the minutes of the committee meeting, because I see in the bill that we were presented with, that the designation is different from the designation that appears in this bill now and since that was a matter of contention between various groups, I would like the time to check that out carefully, if I may. May I have the agreement of Members to recess briefly, in order to do that?

CHAIRMAN (Mr. Pudluk): The honourable Member for Mackenzie Liard.

MR. SIBBESTON: Just one more matter that maybe can be dealt with by the committee, and this is with respect to clause 13. It appears that a person may not necessarily be a member of the Society of Management Accountants -- usually when any society, as this, for certain professional people is established, usually that professional group covers and deals with all persons who are professionals and who want to practise as such a professional in the jurisdiction of the Northwest Territories. It seems under this ordinance here it is possible for other persons who are not members of the society to still continue practising in the North. So I just would want clarification or the thinking on this and maybe it is something that the committee could deal with while they are away for a few minutes.

CHAIRMAN (Mr. Pudluk): Is this House agreed that we should take a short break?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Let us take a few minutes break.

---SHORT RECESS

The Chair recognizes a quorum now. Mr. MacQuarrie.

MR. MacQUARRIE: Yes, Mr. Chairman, there is a concern. I have checked the ordinance that we dealt with at our August meeting, and in subclause 12(2) the words that we agreed to go with at that time are not the words that appear in 12(2) now. So I would ask for a deferral of some sort. I will ask the Minister to address that, if he would.

CHAIRMAN (Mr. Pudluk): Thank you. Mr. Braden.

HON. GEORGE BRADEN: Mr. Chairman, I think it is apparent that Mr. MacQuarrie is a little bit confused. I am confused, along with my staff, about this particular section of the bill, as to whether it was or was not amended. I think it is also quite apparent that I do not know very much about the accountant business, so what I would like to do is withdraw consideration of this particular bill until tomorrow, and what I will do is ensure that Mr. MacQuarrie and I get things straightened out as to what happened at this meeting, that we have the proper section in the bill, and that we have a witness who can answer Mr. Sibbeston's questions about the accounting profession.

CHAIRMAN (Mr. Pudluk): Is this House agreed to defer this bill until tomorrow?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Now we will go to Bill 13-82(3).

Bill 13-82(3), Marriage Ordinance

HON. GEORGE BRADEN: Mr. Chairman, the purpose of this bill is to allow the fee for a marriage licence to be determined by regulation, rather than set out in the ordinance. Similarly, the amendment allows for the distribution of that fee to be decided by regulation.



CHAIRMAN (Mr. Pudluk): Thank you. Mr. MacQuarrie, would you like to make a sort of general comment?

MR. MacQUARRIE: Brief remarks, yes. The committee generally approved of marriage under certain circumstances, and it...

---Laughter

There were no problems. It recommends this bill to the committee.

CHAIRMAN (Mr. Pudluk): General comments and questions. Are you ready for the clause by clause?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Pudluk): Clause 1. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): This bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Ready for the third reading?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Bill 14-82(3). Mr. Braden.

Bill 14-82(3), Vital Statistics Ordinance

HON. GEORGE BRADEN: The purpose of this bill is to change the amount of fees payable out of the consolidated revenue fund to the subregistrar and the district registrar for the registration of births, marriages, and deaths. It also allows a similar payment to be made to clergy if the registrar general requests their records.

CHAIRMAN (Mr. Pudluk): Mr. MacQuarrie.

MR. MacQUARRIE: Again, Mr. Chairman, the standing committee, when it reviewed this, found no difficulties with it at all, and agreed to refer it to committee of the whole.

CHAIRMAN (Mr. Pudluk): General comments and questions.

HON. GEORGE BRADEN: Clause by clause.

CHAIRMAN (Mr. Pudluk): Are you ready for the clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 1. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): This bill as a whole. Agreed?

---Agreed

CHAIRMAN (Mr. Pudluk): Ready for third reading.

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Thank you. Now, Bill 16-82(3). Mr. Braden.

Bill 16-82(3), Mining Safety Ordinance

HON. GEORGE BRADEN: Mr. Chairman, it has now been over a year since the review and amendment procedure of the Mining Safety Ordinance was undertaken, and during that time my department has entered into extensive and exhaustive discussions with labour, management, and other interested parties, in attempting to develop a piece of legislation that will truly address the needs of the mining industry. About one year ago, I made a firm commitment that every effort would be made to upgrade not only the legislation but also the programs that are administered under the legislation, and it therefore gives me a great deal of pleasure to state that I believe the ordinance before the Assembly is not only progressive, but that it by and large has the support of management, labour, and government. The process of consultation by which this concept was achieved -- which involved a number of Members of this Legislative Assembly -- proved most successful, and is one that we must repeat again in the future. As I noted earlier on, we are doing this with the tabling of another major bill respecting liquor.

Basically, the overall philosophy of this ordinance is the insistence that management, labour, and government work together, and not at odds with each other. There is significant emphasis on joint consultation, co-operation between management and labour -- and rightly so, because they are the prime participants in the mining industry, and without their support for health and safety awareness no safety program could hope to succeed.

Key Elements Of The Ordinance

Now, the key elements of this ordinance, Mr. Chairman, include the following: creation of a mine occupational health and safety board, which will act in an advisory capacity to the Minister on matters concerning this ordinance and occupational health and safety generally in the mining industry. A second major feature, Mr. Chairman, is the creation of occupational health and safety committees in every mine, with equal representation from both labour and management. Now, under the ordinance, these committees will play an important, and what we feel is the critical role in occupational health and safety in the mines. The third feature, Mr. Chairman, is a new requirement for shift bosses to hold an approved certificate of competence, to ensure that what is the most vital person in any safety program -- that of the first line of supervision -- is properly qualified. A requirement that all workers be trained to do the job he or she is required to perform is also another step forward. Fifth, there is a new requirement for hoist operators to hold a certificate of competence.

Finally, the right is given to every worker, through this ordinance, to refuse to perform any task which would place them in a situation of unusual danger. This is known as the right to refuse. It is a unique step in the ordinance, Mr. Chairman, and I understand it has been welcomed by both management and labour. Last, Mr. Chairman, there are provisions for establishing monitoring programs appropriate to each mine's needs, which will ensure that the working environment will be free of elements which can cause occupational diseases of one kind or another.

I sincerely feel that this ordinance is as progressive as any ordinance in Canada, and with the continuance of co-operation received so far from all concerned it can only result in a safer, healthier and more productive mining industry in the Northwest Territories. Those are my introductory remarks, Mr. Chairman. I just would note for the committee that when we get into clause by clause there are three or four additional amendments that I wish to move for clarification purposes, primarily. There is one of some substance -- and I would request that Mr. Hewitt, who is the assistant deputy minister who has done a great deal of the work on this ordinance, and who has the detailed background, be invited into this chamber to assist me in the presentation.

CHAIRMAN (Mr. Pudluk): Thank you. Is this House agreed that Mr. Hewitt appear at the witness table?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Sergeant-at-Arms, could you invite Mr. Hewitt in? Thank you. Mr. Hewitt, welcome back. Mr. MacQuarrie.

Comments From Standing Committee On Legislation

MR. MacQUARRIE: Thank you, Mr. Chairman. Mining safety, of course, is something that deeply concerns a lot of people in the Northwest Territories. Mining is, as is commonly said, the second industry, after government. It is an important industry and safety in employment is always important and I would say I would agree with Mr. Braden that we have a very progressive and sound piece of legislation before us. The process of consultation that brought it about began long before the standing committee on legislation became involved. I know that the government took the trouble, over the past year and a half or two years -- ever since a motion was passed in the Assembly calling for an extensive revision of the ordinance -- the government took the trouble to bring together people who were directly concerned -- workers and management -- and attempted to draft a bill that the government felt would address the concerns that were expressed by both management and workers in that process.

I believe that in major pieces of legislation that kind of prior consultation is necessary, but I also feel that there is a second step that is too often missing -- and Members may remember last week, that I mentioned that with respect to the recommendations of the special committee on education -- that it is certainly one thing to ask people what their concerns are and then to draw up recommendations or legislation that a government feels will address those concerns, but I say that is where the next important step in consultation comes in. Once a proposed solution, by way of recommendations or legislation is proposed, then I think it is important to give people a chance to say what they think about those proposed solutions. They may not entirely agree that the solution that the government is proposing is the right one and so I think that in major pieces of legislation it is important to give people that chance to respond and that is the role of the standing committee on legislation.

So after the bill was tabled in Inuvik the standing committee distributed that bill as far and wide as it reasonably could, to people who would be concerned in this area, and informed them that the standing committee would be holding meetings near the end of August and that if they wished to participate to inform the committee. Indeed, we had quite a number of participants from both management and labour at the standing committee on legislation meetings and I would say that at those meetings we had excellent co-operation from government staff, from the assistant deputy minister, Mike Hewitt, particularly, and from the government's legal counsel, Deborah Meldazy, who both did an excellent job and were very co-operative in the whole process. I believe the process of bringing together labour representatives and management representatives at one time, in one room, along with the committee was also very desirable.

As a result of that process, on many occasions management, labour, government representatives and the standing committee Members all agreed that certain changes should be made to the proposed bill. That was very rewarding when that happened and it happened on many occasions. After all deliberations, there were still obviously at least a dozen outstanding issues where management and labour had not agreed on what was in the proposed legislation, and that left it up to the committee to make a recommendation in respect of those matters. Needless to say, when we made our recommendations -- I am sure that in some points management will be disappointed with the final decision and in some points labour will be disappointed with the final decision. That is simply because it was impossible to please everybody, but I believe government and the standing committee have tried very hard to do what would be in the best interest of workers and the mining industry as a whole. So the standing committee made many, many recommendations and we are pleased to report that in every major case the government has accepted the recommendations of the standing committee. There were certain instances where they chose other wording than what we had recommended, and so on, and we certainly understand and accept that.

As we go through the bill, I will want to point out, in many instances, where issues arose, a little bit about what discussion took place, and what the final resolution was so that Members and the public at large will be aware of what issues there were in this piece of legislation and so, with that, Mr. Chairman, I am ready to proceed clause by clause.

CHAIRMAN (Mr. Pudluk): General comments and questions, before we go on to clause by clause. Are you ready for going clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

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

Definitions

MR. MACQUARRIE: Yes. There are a couple of items in clause 2 which I would like to call attention to. One is the inclusion of paragraphs (d) and (f) particularly. Hoist operators in a mine occupy a very important position and it was felt that they should be separately certified and examined medically to be sure that they are fit and the definitions are here. Later on there are clauses which deal specifically with hoist operators' certificates and medical certificates.

Also, in clause 2 it was recommended that the term "unusual hazard" be defined in the section of definitions, where it was not before -- it occurred internally before and that does occur now in paragraph (v). Then, not with regard to specific recommendations to changes in the ordinance, but in areas surrounding this, the committee recommended to the government that regulations be written so as to ensure that at least two of the inspection staff, in addition to the chief inspector, be professional engineers and the government, I am informed, has that in mind and it also recommended that the Minister responsible for mine safety consult with the industry before making regulations that pertain to diamond drilling for exploration purposes, particularly uranium exploration, and I know the Minister himself had earlier given an undertaking that that would be done. Those are my comments on clause 2, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. MacQuarrie. Clause 2, definitions. Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, I wonder if Mr. Hewitt can refer to the size of the mine -- when does it constitute a mine or a quarry, particularly in relationship to quarries -- that a small operator would have to abide by the regulations?

CHAIRMAN (Mr. Pudluk): Mr. Hewitt.

MR. HEWITT: Thank you, Mr. Chairman. In response to the honourable Member's question, the definition of a mine, according to a legal opinion that we recently obtained, indicates that a quarry wherein the rock which is being obtained is not being changed, other than being crushed to a smaller size -- in other words, it is still leaving the rock in its natural form; you are not trying to extract a mineral from it -- that that would not fall under the jurisdiction of this ordinance. The ordinance would not apply. So, it would exclude borrow pits at the side of highways and the small quarries that we find in the municipalities. Does that answer your question?

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 3, appointment of inspectors, etc. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 4, duties and powers of inspectors, etc. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 5, powers and duties of inspectors. Mr. MacQuarrie.

Comments From Standing Committee On Legislation

MR. MacQUARRIE: Thank you, Mr. Chairman. First, with respect to paragraph 5(1)(c), an issue had arisen early in the meetings, in that the proposed bill continually made reference to the labour representatives on the safety committee, and to the management representatives on the committee. It was management's point that that distinction should not be continually made, that it was a safety committee, that it should act as a committee. The Members of the standing committee agreed that that was a valid point, and here and throughout the ordinance, then, you will find that we always refer just to "members of the committee".

With respect to five copies being provided, we wanted to make sure, always, that all members of that safety committee are aware of whatever is going on, because it was a contention of labour that too often they did not know what was going on because they were not provided with copies, and so here we are making sure that all are provided with copies.

With respect to paragraph 5(1)(d), there was a little point of contention here, in that the proposed bill was allowing an inspector to enter, inspect and examine the mine without notice, and of course the idea is that an inspector should have the right to come to a mine without prior notice and see the mine operating as it really is. It was pointed out to us that that could involve some danger to the inspector, in fact, if he simply entered the mine and was not aware of certain hazardous circumstances. So management simply asked that when he first arrived at the mine that he notify the manager or supervisor or shift boss so that he can be alerted to that kind of thing, and union representatives did not disagree with that, and so that has been incorporated into the bill as well.

I will not deal wherever there were just word changes or whether we should use "Executive Member" or not; there were instances like that.

With respect to paragraph 5(3)(a), the question arose on the part of management -- they felt that the bill as it was proposed by the government had too many different reporting relationships, the line of relationship and authority was never clear, and so there were times, for instance, when certain things were deemed to be -- well, say a report that should have been given to the inspector, they felt it should have been to the chief inspector, and so on, to keep a line of authority clear. The committee generally agreed with that, and that is reflected in 5(3)(a); that is, that he will "submit a report thereof to the chief inspector who shall submit a copy to the Executive Member." There was a similar concern with subclause 5(4).

On subclause 5(5), a question arose with respect to giving notice, pursuant to paragraphs 1(b) and (e), and management felt that in view of the kinds of circumstances that exist with respect to transportation, weather and so on, that occasionally the notices that were being demanded in the ordinance were of too short a duration, and they asked for a slight extension. So with respect to subclause 5(5), the committee recommended that oral notice be given within seven days -- that was the figure that appeared in the original bill -- but that within 14 days they should give written notice to the Executive Member and to each member of the committee. So we just made a slight distinction between oral notification and written notification, and the government has accepted that recommendation.

With respect to subclause 5(6), management also felt that when certain decisions were required from the Executive Member, that if they were under obligation to respond within a limited time period, such as seven days, that they would like to see a return response from government within a limited time. So the committee agreed, again, that that was fair, and recommended that "Upon receipt of the written notice of objection the Executive Member shall, within seven days" respond. That is one area in which the government came back to us and said that it was a little too binding for the Executive Member, who may have other business and who may be travelling. So they recommended that it be written as it is now, that a time be specified for the Executive Member to respond, but if he is unable to, that he shall do so "as soon as is practicable", and that was acceptable to the committee, and that appears as well. So, with respect to clause 5, that was the substance of the discussion and decisions, Mr. Chairman. The committee is satisfied with the way things appear now.

CHAIRMAN (Mr. Pudluk): Powers and duties of inspectors, clause 5. Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, just a general question to Mr. Hewitt. In the quarry act and the Canada mines act, and land use regulations, there are some specifying quantities and qualities of operation. Is this safety ordinance under or subordinate to the general laws of application as it refers to the other general Canada laws?

CHAIRMAN (Mr. Pudluk): Thank you. Mr. Braden.

HON. GEORGE BRADEN: Generally speaking, Mr. Chairman, every ordinance that this Legislature makes is subject to any federal legislation, so yes, it does not have paramountcy.

CHAIRMAN (Mr. Pudluk): Ms Cournoyea, does that answer your question?

MS COURNOYEA: Yes.

CHAIRMAN (Mr. Pudluk): Thank you. Clause 5. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 6, powers of Commissioner. Mr. MacQuarrie.

MR. MacQUARRIE: Yes. In this one, Mr. Chairman, this was the type of section where administrative lines were sometimes in question, and those have been clarified now, as to who has the right or the duty to do what, and the committee is satisfied with the way it is written now.

CHAIRMAN (Mr. Pudluk): Thank you. Clause 6.

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 7, suspension by chief inspector. Mr. MacQuarrie.

MR. MacQUARRIE: Yes. Again, very briefly, this was a section sorting out whether it would be the chief inspector or an inspector or the Commissioner or the Executive Member who would do various things, and the committee is satisfied with the way in which it is written now, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Thank you. Clause 7.

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 8, powers of manager. Mr. MacQuarrie.

Comments From Standing Committee On Legislation

MR. MacQUARRIE: Yes, in subclause 8(1), the previous ordinance put a limitation on the mine manager to make rules in his own mine, in addition to rules and regulations that are provided by the government. It used to say, I believe, "upon the approval of the Commissioner, the mine manager may make rules", and so on, and management pointed out that there is already a clause in the ordinance which forbids management from making rules that would be in contravention of this ordinance. So that it was sort of an unnecessary bureaucratic step, and the committee agreed, and had proposed an amendment that dropped the wording at the beginning of 8(1), and simply started with the words, "The manager of the mine may make rules...", and that is the way that appears now. With respect to clause 8, again, there was simply the question of him making every member of the committee aware of the rules that have been promulgated in the mine, and that has been taken care of as well, and the committee is satisfied with the way in which clause 8 is written now.

CHAIRMAN (Mr. Pudluk): Thank you. Clause 8, powers of manager. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 9, mine occupational health and safety committee. Mr. MacQuarrie.

Comments From Standing Committee On Legislation

MR. MacQUARRIE: Yes, this section deals with the establishment of occupational health and safety committees. There was no contention at all over the establishment of these committees. Workers agreed, management agreed, the government agreed, and so it was simply a question of the best manner in which to establish them. In this connection the initial bill had proposed four members, two of whom would be elected by worker representatives, and two of whom would be appointed by management. It did not make any further provision than that, but in discussion it was noted that from time to time the people who might be on these safety committees would not be thoroughly familiar with certain aspects of the mining operation. In order to try to accommodate that and also to accommodate the fact that the ordinary committee members may not be available all the time, the committee recommended that there should be an alternate member representing each of management and labour, and that has been incorporated into subclause 9(3).

With respect to paragraph 9(4)(a) the words "at least" had appeared before "once a month", and our own mining adviser -- and I should say that because the committee felt that this was a very important piece of legislation, the committee engaged the services of Steve Homulos as its mining adviser. Mr. Homulos had a great wealth of experience in the mining industry, had been a mining inspector in the Yukon and the Northwest Territories for many, many years, had been the chief federal inspector of mines for many, many years, and I believe, wrote large parts of the original ordinance. So at his recommendation -- he felt, for ordinary inspections, that you need not have the words "at least once a month", that "once a month" was fine, and the government agreed to that change.

At this point, there is also a clause that did not appear in the original, and this is paragraph 9(4)(b) to "conduct an inspection of any conditions that could result in serious injury or loss of life;" and this relates to the later section on the right to refuse work. If a worker refuses to work in a place that he considers to be hazardous, the committee may be called in to examine that situation and to make a determination as to whether, in its opinion, it is hazardous or not, and so this is included specifically under its duties.

Also, we had recommended that the ordinance specifically spell out, where there is accident or serious injury or loss of life, that the committee will have the right to examine the circumstances surrounding that accident, and to make a report that deals with occupational health and safety matters, and makes recommendations in that regard, but not an investigation of the type that the inspector is empowered to make. Again the ordinance has been written in that way, and at the committee hearings both labour and management representatives agreed to that.

Under what is subclause 9(7), there was a slight change there. The previous bill had simply said "The owner shall reimburse labour representatives on the committee," and management pointed out that it should be reimbursing all members of the committee, and that change has been made. The standing committee on legislation reaffirmed that while they are doing their duties as a safety committee, that they should be paid at the same rate of pay as they receive while at work, and that is in the ordinance. It was in the proposed one, and it is still there. That is it with respect to clause 9, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Clause 9, mine occupational health and safety committee. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 10, mine occupational health and safety board. Mr. MacQuarrie.

MR. MacQUARRIE: Well, it is -- yes, it is close to time, Mr. Chairman, so perhaps we should recognize the clock.

CHAIRMAN (Mr. Pudluk): I wish to report progress.

MR. DEPUTY SPEAKER: Mr. Pudluk.

REPORT OF THE COMMITTEE OF THE WHOLE OF BILLS 1-82(3), APPRENTICES AND TRADESMEN ORDINANCE; BILL 3-82(3), TRANSPORTATION OF DANGEROUS GOODS ORDINANCE; BILL 10-82(3), SOCIETY OF MANAGEMENT ACCOUNTANTS ORDINANCE; BILL 13-82(3), MARRIAGE ORDINANCE; BILL 14-82(3), VITAL STATISTICS ORDINANCE; BILL 16-82(3), MINING SAFETY ORDINANCE; REPORT OF THE STANDING COMMITTEE ON LEGISLATION

MR. PUDLUK: Mr. Speaker, your committee has been considering Bills 1-82(3), 3-82(3), 13-82(3) and 14-82(3), and wish to report these bills ready for third reading. Also, Mr. Speaker, your committee has been considering Bills 10-82(3) and 16-82(3), and wish to report these bills for further consideration in committee of the whole tomorrow. I wish to report progress.

MR. DEPUTY SPEAKER: Thank you, Mr. Pudluk. Mr. Clerk, announcements and orders of the day.

HON. KANE TOLOGANAK: Mr. Speaker, I seek consent of the House to return to questions and returns in order to reply to an emergency question that was raised about caribou diseases.

SOME HON. MEMBERS: Agreed.

---Agreed

REVERT TO ITEM NO. 4: QUESTIONS AND RETURNS

MR. DEPUTY SPEAKER: Mr. Tologanak.

Return To Question 85-82(3): Diseased Caribou Harmful To People

HON. KANE TOLOGANAK: Mr. Speaker, as the Minister of Renewable Resources has indicated, there are presently no cases of brucellosis in the caribou herd in the Baker Lake area. Wildlife services are distributing information regarding the diseases that can affect caribou and the effects that they may have on humans. Brucellosis can have very serious effects on human health, and therefore all advice and warnings should be carefully followed. I have asked the regional environmental health officer to review the situation with local wildlife officials. For those interested, further information can be obtained from the regional environmental health officer or infectious disease unit, medical services, in Yellowknife. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you, Mr. Tologanak. Mr. Clerk, announcements and orders of the day.

CLERK OF THE HOUSE (Mr. Remnant): Mr. Speaker, there will be a meeting of the Members' Services Board at 11:30 tomorrow morning in room 211.

ITEM NO. 14: ORDERS OF THE DAY

Orders of the day, Friday, November 19, at 9:30 a.m.

1. Prayer
2. Replies to the Commissioner's Address
3. Oral Questions
4. Questions and Returns
5. Petitions
6. Tabling of Documents
7. Reports of Standing and Special Committees
8. Notices of Motion
9. Notices of Motion for First Reading of Bills
10. Motions
11. Introduction of Bills for First Reading
12. Second Reading of Bills



13. Consideration in Committee of the Whole of Bills, Recommendations to the Legislature and Other Matters: Tabled Document 25-82(3); Bills 10-82(3), 16-82(3), 18-82(3), 2-82(3), 4-82(3), 5-82(3), 7-82(3), 8-82(3), 9-82(3), 11-82(3), 15-82(3), 17-82(3), 19-82(3), 20-82(3), 23-82(3)

14. Orders of the Day

MR. DEPUTY SPEAKER: This House stands adjourned until Friday, November the 19th, at 9:30 a.m.

---ADJOURNMENT

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