



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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YELLOWKNIFE, NORTHWEST TERRITORIES

WEDNESDAY, NOVEMBER 24, 1982

MEMBERS PRESENT

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

ITEM NO. 1: PRAYER

---Prayer

SPEAKER (Hon. Don Stewart): Orders of the day for Wednesday, November the 24th. Item 2, replies to the Commissioner's Address. There do not appear to be any replies this morning.

Item 3, oral questions. There do not appear to be any questions this morning.

Item 4, questions and returns. Are there any returns this morning?

Item 5, petitions. Item 6, tabling of documents.

ITEM NO. 6: TABLING OF DOCUMENTS

Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Speaker, I want to table the following document, Tabled Document 39-82(3), 1980 Annual Report, NWT Housing Corporation, a copy in both English and Inuktitut.

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

Item 7, reports of standing and special committees.

Item 8, notices of motion.

Item 9, notices of motion for first reading of bills.

Item 10, motions. Motion 19-82(3), Mr. Curley.

MR. CURLEY: Mr. Speaker, I wish to stand this down until tomorrow.

MR. SPEAKER: Thank you, Mr. Curley. Motion 21-82(3). Mr. Pudluk. He is not in the House. Motion 32-82(3). Mr. Kilabuk is not in the House. Motion 37-82(3), Mrs. Sorensen. She is not in the House. Motion 38-82(3). Mr. Patterson is not in the House.

---Applause

Item 11, introduction of bills for first reading. Item 12, second reading of bills.

ITEM NO. 12: SECOND READING OF BILLS

Mr. Braden.

Second Reading Of Bill 24-82(3): Electoral District Boundaries Commission Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 24-82(3), An Ordinance to Amend the Electoral District Boundaries Commission Ordinance, be read for the second time. The purpose of this bill is to amend the Electoral District Boundaries Commission Ordinance to allow the Commissioner to establish electoral district boundaries commissions in the future.

MR. SPEAKER: Thank you, Mr. Braden. To the principle of the bill. Are you ready for the question?

SOME HON. MEMBERS: Question.

MR. SPEAKER: All those in favour? Opposed, if any? The bill has had two readings.

---Carried

Second reading of bills. Mr. Patterson.

HON. DENNIS PATTERSON: I would like to ask if the House might consider going back to motions. My car died on the way here and that is why I am late.

HON. ARNOLD McCALLUM: When is the funeral?

HON. GEORGE BRADEN: Agreed.

MR. SPEAKER: The concern at the moment is not whether your car died but whether your motion is liable to die. That is the question.

---Laughter

Do we have unanimous consent?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Agreed.

---Agreed

ITEM NO. 10: MOTIONS

Proceed Mr. Patterson.

Motion 38-82(3): Hudson's Bay Company Witnesses To Appear Before The House

HON. DENNIS PATTERSON: Thank you very much, Mr. Speaker.

WHEREAS representatives of the Hudson's Bay Company appeared before this Assembly in May, 1981, in Hay River, on the subject of its pricing and other policies in its northern stores;

AND WHEREAS it appears that certain policies announced at that session are not being applied in certain northern stores;

AND WHEREAS it is desirable that the Hudson's Bay Company be called upon to publicly account for any inconsistencies between its current practices and its stated policies, as of May, 1981;

NOW THEREFORE, I move, seconded by the Member for High Arctic, that this Assembly invite a representative or representatives of the Hudson's Bay Company to appear as a witness or witnesses before the committee of the whole, at our next session, to discuss pricing and other policies in northern Hudson's Bay Company stores.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Thank you, Mr. Patterson. Your seconder is not in the House. Do you have someone else as your seconder? Mr. Curley. Your motion is in order.

SOME HON. MEMBERS: Question.

Motion 38-82(3), Carried

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

---Carried

On motions. Anybody else with a motion now? We will go on then to Item 13 on the orders of the day, consideration in the committee of the whole of bills, recommendations to the Legislature and other matters. Tabled Document 25-82(3), Aboriginal Rights and the Constitution; Bill 18-82(3) Public Sector Compensation Restraint Ordinance; Bill 2-82(3), Income Tax Ordinance; Bill 5-82(3), Student Financial Assistance Ordinance; Bill 19-82(3), Council Ordinance; Bill 6-82(3), Public Service Ordinance; Bill 12-82(3), Education Ordinance; Bill 24-82(3), Electoral District Boundaries Commission Ordinance; Bill 25-82(3), Guarantee Authorization Ordinance, 1982-83; 17th report of the standing committee on finance; 18th report of the standing committee on finance; 19th report of the standing committee on finance; Tabled Document 20-82(3), Statement by James Wah-Shee, Government's Land Valuation Policy; Tabled Document 22-82(3), Resource Development Policy; Tabled Document 23-82(3), Energy and Resource Development Guidelines and Criteria; Motion 35-82(3) Adoption of the First Report of the Standing Committee on Rules and Procedures. Mr. Curley.

MR. CURLEY: Mr. Speaker, I could not find this notice of motion that I would have wanted to ask for unanimous consent to proceed with. It is a short one.

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Are there any nays?

---Agreed

Item 8, notices of motion.

ITEM NO. 8: NOTICES OF MOTION

Proceed, Mr. Curley.

Notice Of Motion 43-82(3): New Sound System For The House

MR. CURLEY: Mr. Speaker, I would like, at an appropriate time, to move the following motion, and I will be asking for unanimous consent to proceed. I move that this House recommend to the Speaker and the Members' Services Board that the present sound system be replaced in time for the winter session of the Legislature.

MR. SPEAKER: Thank you, Mr. Curley. Then I presume that you are asking for unanimous consent, then, to go back to Item 10, motions? Is there unanimous consent?

SOME HON. MEMBERS: Agreed.

---Agreed

REVERT TO ITEM NO. 10: MOTIONS

MR. SPEAKER: Proceed, Mr. Curley.

Motion 43-82(3): New Sound System For The House

MR. CURLEY: Mr. Speaker:

WHEREAS the present sound equipment used in the Assembly chamber is outdated and provides a very poor sound quality to Members and interpreters;

NOW THEREFORE, I move that this House recommend to the Speaker and the Members' Services Board that the present sound system be replaced in time for the winter session of the Legislature.

MR. SPEAKER: Your motion is in order, Mr. Curley.

MR. CURLEY: Yes. Mr. Speaker, very briefly, often we have a technical breakdown which probably contributes to a number of hours, if not days, you know, throughout the sessions that we have, so I think it is time that the Members' Services Board and you, Mr. Speaker, not only investigate the possibility, but actually replace the equipment, so that we can proceed with the business of the House without having any more disruptions and continuing crackling and noise that we normally receive through the transistor receivers. So I would urge Members to support it.

MR. SPEAKER: Thank you. To the motion.

MR. FRASER: Question.

Motion 43-82(3), Carried

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

---Carried

We are on motions. Pardon me, Mr. Curley. For the record, who was your seconder? Ms Cournoyea. That is who I thought it was, Mr. Curley. Thank you. We are back on motions now. Your motion was called when you were not here, Mrs. Sorensen. Do you wish to proceed with yours now? Motion 37-82(3).

MRS. SORENSEN: Mr. Speaker, I am sorry that I was not in the House. I was on a very important telephone call at the time. I would like to stand down my motion. I am awaiting some important information that will have a bearing on the motion, and I expect to have it later this afternoon, so I will deal with it tomorrow if that is fine with you.

MR. SPEAKER: Tomorrow. Thank you, Mrs. Sorensen. 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

Consideration in committee of the whole, with Mr. Fraser in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 18-82(3), PUBLIC SECTOR COMPENSATION RESTRAINT ORDINANCE; BILL 2-82(3), INCOME TAX ORDINANCE; BILL 5-82(3), STUDENT FINANCIAL ASSISTANCE ORDINANCE; BILL 19-82(3), COUNCIL ORDINANCE; BILL 6-82(3), PUBLIC SERVICE ORDINANCE; 17TH REPORT OF THE STANDING COMMITTEE ON FINANCE

CHAIRMAN (Mr. Fraser): The committee will come to order, dealing with Bill 18-82(3). We were still on general comments when we reported last night. Mr. Butters.

Bill 18-82(3), Public Sector Compensation Restraint Ordinance

HON. TOM BUTTERS: Thank you, Mr. Chairman. I wonder if I might have the agreement of the House to return the witnesses that were admitted yesterday, Mr. Lal of Justice and Public Services, and Mr. Nielsen of Finance.

CHAIRMAN (Mr. Fraser): Is it agreed the Member bring the witnesses in?

AN HON. MEMBER: Agreed.

---Agreed

HON. TOM BUTTERS: While they are coming into the House, I would just like to also clarify, if clarification be required, that the restraint bill is not in any way a roll back on wages. The word "roll back" was used yesterday, and it is certainly not descriptive of what is occurring here. In fact, it is used incorrectly and improperly. Increases are and will still be allowed under this bill. The only change in the past patterns is that the rate of increase is to be reduced. Members of this House know that we as MLAs have received -- and this has been the case for some six years -- an increase in our stipend of some eight per cent a year. That arrangement was legislated by a previous House. So that the increases we received have been eight per cent. Earlier, when discussing a motion, I gave some indication of what the increases had been for public service employees and teachers in the past years, and they ranged from 10.16 per cent to

8 per cent, 7.5 per cent to 8 per cent, 7.5 per cent, and it is only in the last two years in which the increases have been in some cases almost double that, to 14.5 per cent and this year 12.5 per cent. So that the legislation is not rolling back anybody's wages. It is just limiting the increase of those wages.

As was suggested yesterday, the government, I would expect, will have flexibility in dealing with situations where hardship situations can be identified and corrected. We do not wish to impose difficulties on employees of any agency that we may be related with to a degree which puts them in financial jeopardy. So we are willing to look at the anomalies in the situation, not only in our wage restraint package, but in our price restraint package, will be examined and changed as required to meet the specific needs of the economic situation.

I would point out too, as I indicated at the very outset, this is not pleasant legislation to bring forward. It is not legislation any one of the Executive Committee Members examined with a lightness of heart. We wrestled with it. Every Member of the Executive Committee wrestled with these decisions for over a month before we came out with the total package that we have now. I welcome any comments from my colleagues in areas where they feel that I have been slow to touch on, or have omitted, in my explanations to the House. I will probably get some more opportunities to discuss the matter of increases, but I do not want to leave anybody thinking that we are rolling back, or we are not permitting or providing increases to these various categories that have been identified here. We will look at special situations and on top of that, in areas where there is a performance element, as the federal government has done, where performance is justified and recognized to be of value, that performance will be rewarded. So we are certainly not rolling back anybody's wages.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. Have the witnesses got anything to add to that? Mrs. Sorensen.

Territorial Government's Method Of Dealing With Restraint

MRS. SORENSEN: Thank you, Mr. Chairman. When the Executive Committee had a briefing from Minister Bussi eres, the Minister of State for Finance at the time, Mr. Butters was kind enough to invite me to attend as the chairman of the standing committee on finance. During the briefing I was most impressed with the way that the Minister handled the delicate relationship that exists between the federal government and the territorial government. He did not come to that meeting and say to the Executive Members, "You have no choice, and we are going to legislate restraint on you." What he did was explain to us why it was necessary to practise restraint within our government, and asked us to do our part for Canada.

We have acted accordingly, we as a government. The Executive looked at the things that it could do to restrain its spending, and have since come up with this bill. Now, I can accept that the government would restrain very quickly its own employees, and would move very quickly on the six and five program with its own employees, but where I begin to have difficulty is when it begins to say, "All of those groups and organizations that receive money from us must also be legislated in terms of restraint." I wonder why the government decided to legislate instead of attempt to bring these community organizations, like the housing associations, the housing authorities and the school boards onside as Bussi eres dealt with us -- by saying, "Restraint is clearly an issue that is very important; the mood of restraint is a positive one in the country. How about doing your part as a school board to exercise, with your employees, the same kinds of things that we as a government are doing?" Instead you chose to legislate the school boards, for instance. I am wondering why you felt that you had to go that far, instead of giving those elected groups the opportunity to come onside, and to do their part for the national concern? Mr. Butters, I wonder if you could give me an indication of why that was important to the Executive?

CHAIRMAN (Mr. Fraser): Thank you, Mrs. Sorensen. Mr. Butters.

HON. TOM BUTTERS: Thank you, Mr. Chairman. As the chairman of the standing committee on finance has indicated, Mr. Bussi eres did indicate to us that the federal bill did not apply to the territorial governments. He said, in summary, "The program of restraint will work if governments show leadership, the business community shows leadership, the unions show leadership." He also added, "We would like to see concrete measures taken by your government in the Territories in order to show the country that you are making efforts to pave the road to recovery."

I would also agree with the Member that the program has had very positive results and we are seeing, in recent days, a marked turn-down in the inflationary factor. Now, the Member correctly points out to us that we had the option to make this decision. It was not forced upon us. In one way we did have the option, in that we could have decided that we would not move in the area of six and five. We could have worked out with some other figures and proceed on our merry way, but realistically, any expectation of operating or managing in a productive sense, had we taken that option, would be impossible. So we determined that we would support the federal government's approach in its attack on inflation and we have moved to restrict or restrain not only salaries in the territorial public service, but outside of that service, in the public sector at large. As I mentioned yesterday, that approach is not unique. British Columbia used it and has developed public sector legislation.

Reasons For Method Of Dealing With Restraint

There are a number of reasons why we adopted the approach we did, one of them is that we are a government. Some of the associations and some of the professions which we are affecting are not governments and it is our responsibility to affect those elements in our society if at all possible and in our case it is possible, because we are the second tier of a provincial-type government -- and we have done that. We did consult, once we knew what our package would be, with those individuals and those agencies that would be affected, to the best of our ability. We may not have had the time we would have liked, but we did carry out a consultative process.

We found that generally municipalities supported the six and five approach. We found, too, general support in the other organizations, not necessarily the union-type organizations. Our approach to school boards was also very positive. There is a difficulty, obviously, in dealing with some of these other agencies or organizations in that they are under dual pressure. They are under a pressure to provide services and they are under pressures that would come to them from their staff members for increased wages. I guess our reasoning was that providing the umbrella of legislation for a short period of time would allow them to continue to operate without the development of management-labour problems within these small organizations. There is also the other matter which I referred to very briefly yesterday -- was that we have experienced in the past a situation where some of these organizations that work at a third level removed or fourth level removed from this government but use moneys that are provided them through this government through grants and contributions. We have found that sometimes their management is not the best and in those cases I think the experience in the past has shown us that a supplementary estimate comes before this House and we approve that overexpenditure. I think that this situation will continue in the future. So what do you do when you are dealing with such organizations? Do you say that this is all the money you have and if you spend more, then that is too bad, we cannot come to your assistance? We have in the past and I imagine we will continue to do so to ensure that government at the local level and programs at the local level are provided and continued to be provided.

I do not know whether some of those reasons are of any value to the Member, but I think those were some of the considerations which motivated us when we looked at the total package which is produced here. I might ask if Mr. Nielsen, who did act in co-ordinating this program, if he feels I have missed areas or if there are areas which should be touched on further. Likewise, I would also call on any Executive Members who feel I have not properly or adequately responded to the Member. I would wish them to corroborate or supplement anything I have said.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. Mr. Nielsen, do you want to add to those comments?

Reason For Method Differing From Federal Government

MR. NIELSEN: Mr. Chairman, only to add that in the informal discussions with the Minister of State for Finance, subsequent to the formal meetings, it was clear that the expectation was that this government would, to the extent practical, legislate all those bodies over which it did have the opportunity to do so. There is a point that I think is relevant here, in considering what the federal government can or should do, and that is that the Government of the Northwest Territories is a very minor part of a very large federal budget. In passing its legislation it was fully aware that the Government of the Northwest Territories could also pass legislation with respect to public sector employees. The creatures of this government do not have that luxury. They cannot legislate. They also form a very, very substantial part of this government's budget and I think this was one of the major considerations in the difference between this government's action, perhaps, and that of the federal government. Those are my comments.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Nielsen. Mrs. Sorensen.

Problems With Legislating

MRS. SORENSEN: So what I think I have heard the government respond to the issue of why legislate to the lowest level was that everyone you were able to consult with was positive, such as school boards and the municipalities were positive. To me that first response does not tell me why it was necessary to legislate those two bodies. If they were positive to your dealings with them on restraint, then obviously they were onside and did not need to be legislated, except maybe as a way of avoiding their own collective agreements and their own difficulties with their own staff. So that this became a protection for them, for those elected people on the school board and those elected people in municipalities. So that as Mr. Braden points out, we as the Legislature, then, become the bad guys -- because the school board will say, "Well listen, we had no choice. The government legislated us", instead of saying, "We believe that we have to restrain ourselves. We believe that teachers have to do their part." -- not, "We cannot help it. The government made us do it." So I have a fundamental difficulty with that, because I know that that is already being said.

With respect to the municipalities, the difficulty I have there is the two major municipalities, Yellowknife and Pine Point, are exempt from this legislation and from federal restraint. They are laughing. So they can basically do what they like with their own employees and I have difficulty with that as well, because I have not heard statements from our mayor in Yellowknife that say, "I believe in restraint and my employees are going to be kept six and five." He is waffling. He is waffling considerably.

AN HON. MEMBER: He is negotiating.

MRS. SORENSEN: Yes, he is negotiating. So from that perspective, I have difficulty with those two clauses, the one with respect to the boards of education and the one with respect to municipalities. I think that we should expect these people to come onside and I think that they should do it because they believe in restraint.

Now, the other response that I got was: "Some of those groups and organizations and associations and societies out there are not fiscally responsible, so we had to go so far as to legislate this." Well, you know, at some point we have to demand responsible fiscal arrangements at the community level. We have to make sure that they are fiscally responsible and I do not know that you do that through legislation. I think you do that more by persuasion and by giving them enough of a grant so that they can pay their people good wages, comparable wages to what they would get if they were doing the very same job but were called a civil servant, working for this government.

So again I guess I have problems with legislating because people maybe are not fiscally responsible. How many supps, and how many communities, have come back to us in the last few years because they had deficits, tremendous deficits? I mean, prove, prove to me that we have a big problem, a big fiscal problem out there. Give me the figures that back up that reason for legislating down to the lowest level. To me, perhaps the approach should be one of legislating our own employees, those who we clearly know are civil servants and saying to all the groups that we fund, boards of education, municipalities, societies: "You are only going to get a six per cent increase on that part of the grant that we deal with as compensation for employees, but you work out with your budget what you have to, and please come onside with us in terms of six and five." We expect them to demonstrate restraint, but let us give them that opportunity to show that they are responsible, and that they want to do their part. Now, I am still soft on this, so convince me, Mr. Finance Minister, that the action that you are taking is the best action because I am not at all sure or convinced yet that it is, but I am willing to be persuaded that way.

CHAIRMAN (Mr. Fraser): Thank you, Mrs. Sorensen. Mr. Butters.

Canada In Grave Financial Difficulty

HON. TOM BUTTERS: Just to correct the record, I do not think I indicated that we had consultation with the municipalities. I said that we had discussed our program with them. My indication that the municipalities were onside has been from the press, and general motions that are being passed by municipal bodies. We had very, very little time to do the consultation that would have been necessary. If this were not a matter which is approaching a national emergency -- you know, Canada is in bad shape. I heard somebody mention the fact that wage and price controls did not work in 1977 and 1978. Well, the reasons they did not work were twofold. One was that increases that were being permitted by the board were, I think, equal to, or greater than the inflation factor and the second thing, we did not control profits and costs. This time around,

when there is an attempt to control wages there certainly are very few profits. What we are seeing in Canada today are bankruptcies, and fortunately the Northwest Territories has not yet been touched by that situation. I do not know how many of you took cognizance of the Minister of Economic Development's statement of what has occurred, and what he is projecting to occur next year.

The country is in economic difficulty, very serious difficulty, and the Member here is talking about government by persuasion. I can recall when Mr. Trudeau felt that there was an insurrection in Quebec and he instituted the War Measures Act. Certainly he did not think of persuasion at that time, because he foresaw that there was a situation approaching a very serious emergency. Now, you know, if the Member can convince Pierre Trudeau to use government by persuasion I am all for it.

MRS. SORENSEN: Whoa, whoa! He used persuasion on us.

City Of Yellowknife Employees

HON. TOM BUTTERS: I would just like to respond to the concern she raises with regard to Yellowknife. She is absolutely correct, and we agonized over the fact that we were not able to influence directly, through legislation, the city of Yellowknife. We have indicated to the city our concerns with this regard. In my letter dated November 17th, I advised the mayor of Yellowknife -- I imagine this has been tabled with his council -- I advised the mayor of Yellowknife that, "While this legislation will apply to persons employed by municipal councils, many city of Yellowknife employees are excluded by virtue of their certification under the Canada Labour Code. While the legislation does not include most city of Yellowknife employees, the program announced by the Executive Committee will apply to the city of Yellowknife as follows: Non-salary components of municipal funding will be held to a six per cent growth in 1983, unless further growth can be specifically justified. Municipalities will be expected to demonstrate positive restraint action. Grants in lieu should not be expected to make up funding deficiencies, for example, for salary settlements in excess of six and five. Individual municipal increases in salary expenditures in excess of six per cent will not be funded. The Government of the Northwest Territories expects that tax-based municipalities will also exercise internal restraint, and administer price increases within the six and five restraint guidelines. The Executive Committee is appreciative of the positive action taken by the council of the city of Yellowknife over the past few years to reduce government growth, and to limit property taxes for Yellowknife residents. This letter is to invite your continued support."

The Member, in her remarks, referred to something that Mr. Braden had said, that we are the bad guys. Well, I guess this is the problem of responsible government. If you are responsible, you are the bad guys. You cannot help but bring in legislation or practices that some people do not like, and I understand where the Members are coming from, they are representing their constituencies. I am just saying that we are the bad guys because we are seeking to be a responsible government. You know, it is often said that one of the things that turns a radical into a conservative overnight is responsibility, and we are seeking to be a responsible government. We are seeking to meet the economic problems of the Northwest Territories and co-operate with the Canadian approach and initiative, and I guess that is what we think this is all about.

AN HON. MEMBER: Hear, hear!

---Applause

CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. Mr. Curley, next.

Smaller Municipalities Are Being Neglected

MR. CURLEY: Yes, thank you, Mr. Chairman. I wanted to make some opening general comments. I think I have reminded the government, that there were disparities in terms of wages with municipalities and local organizations. I have continually, pretty well every session, tabled major funding requests from these organizations. I remember trying to even suggest to the government that they should assist municipal workers in organizing themselves into a union, because they do not have funding to try and gather to incorporate and so on. They need that kind of assistance, but these requests the last two years did not go anywhere. They have been a waste of time as far as the Assembly's time is concerned. I have a number of resolutions from

housing associations that call for more funding; they want more funding for their administration so they can pay decent salaries, decent wages, so that the work requirements, the demands in municipalities for servicing the public housing units in the communities can be served properly. I had better let them talk for a while, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Curley. Mr. Butters.

HON. TOM BUTTERS: Well, Mr. Chairman, the Member refers to concerns and motions that he has raised in this House over the last three years, and I agree that has occurred. I also recognize that there is a major anomaly, a major problem, a catch-up problem in the Keewatin. I am advised that similar matters in the Baffin area and the Eastern Arctic have been addressed over the time period that he has indicated and there has been an equalization occurring in that area, and a much improved situation, but I do recognize that further examination of the Keewatin situation will have to occur.

CHAIRMAN (Mr. Fraser): Supplementary, Mr. Curley.

MR. CURLEY: Mr. Speaker, I was going to continue for a while. I think the hamlet employees are probably a little better off comparing them with housing association staff. Certainly their working conditions are better. I think that is probably one area that we can acknowledge that their office space and facilities have improved, possibly comparable to government facilities. But when you look at the housing associations, who are carrying out major responsibilities, they do not even have decent office facilities, working conditions, comparable to government and municipal workers. So they have been neglected. Although the Minister and the Commissioner are trying to give assurances that they will do that, that is not convincing. The government has said they will look into it, they will make every effort to try and correct the anomalies, but to me that is not good enough. That is not acceptable. When you are legislating them to six per cent in this wage restraint bill, Bill 18-82(3), and when you are legislating them to the fact that they will never possibly become part of the civil service, unlike the hospital boards, which are independent, I say there is something wrong.

Government Response To Wage Disparities In Communities

So to me the assurances that the Commissioner and the Minister try to give me are just repeating what they have said every session when we present a bill -- they say they will look into it. So my question is, what kind of assurance will he give, and what kind of back-up is he prepared to make here, and who is going to study those? Which person? How are we going to see that the government actually carries out and attempts to correct these wage disparities in those areas? Unless I think that is tabled in the form of a major statement of the government, I could not be convinced that they will do anything different than they have said they would do. Thank you.

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

HON. TOM BUTTERS: I would just like to possibly call on my colleagues who have responsibilities in the areas identified by the honourable Member for Keewatin South. I am not as suspicious or pessimistic about changes that can be made. I think that the Executive Committee, operating from a consensus House, has probably put into place 80 per cent of the recommendations that -- and I am guessing -- but a great number of the recommendations and directions of this Assembly. So that our record is one of recognition and an attempt to implement on a realistic basis the directions we are given from this House. We are receiving direction from the House at this present moment, and I would like to maybe ask my colleagues in Housing, Local Government and maybe Education to speak to this matter, speak to the concern that has been raised by Mr. Curley.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. I have next on the list Mr. Patterson.

Immediate Restraint Necessary To Preservation Of Jobs

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. I just wanted to comment rather generally at this point, and just to explain to Members that I echo the feelings of the Minister of Finance, that this has been a very difficult decision for me to take as a Member of the Executive Committee, because I too have constituents who are affected by this bill. In fact, I have a very high proportion of constituents in Frobisher Bay who are public servants or who are going to be otherwise affected by this bill. I think generally in the Northwest Territories there are a very large number of people who are dependent on this government for their very jobs. Now, I heard from a series of federal cabinet ministers, not just the message from Mr. Bussières, but also a number of cabinet ministers -- it was Mr. Axworthy, there was Senator Austin in particular

who gave a very clear message to me that the country is in a very severe economic crisis. The federal government is in a severe deficit position, and this is the government on which we depend for our deficit grant.

Now, Mr. Chairman, I think it would have been very desirable if we had had the time to sit down and negotiate with the various groups that are the subject of this legislation, but the sheer multiplicity of the organizations and the pressure of time made it regrettably impossible to have exercised the sort of persuasion that Mrs. Sorensen suggested should have been the course we could have taken. I have talked to constituents about this, and I have talked to the union locals in Frobisher Bay, and I do believe that the average person does understand that the purpose of all this is to try to save the country from a very severe economic situation, and it is also designed to keep prices from rising, and more important, I am very convinced as a result of the meetings that I have had with federal ministers, that our total government funding for this coming year hangs on this bill. I am personally convinced, as Mrs. Sorensen indicates, from Mr. Bussi eres there were no direct conditions imposed on our government to follow the six and five program or else. I am personally convinced that if we are to achieve a decent measure of growth in our total government grant in the coming year, to somehow, in addition to covering the increased costs that we all are aware of in the North, to cover some of the growth items that are being demanded by this Assembly, and I can think particularly in my own field of education, that if we do not demonstrate by fairly drastic action in this bill that we are prepared to use our legislative authority to persuade and indeed impose restraints on increases, then what we are going to be talking about in the coming year, if we do not do this, is not simply the amount of increases but how we are going to preserve jobs. I think it is going to come down to that, that if we do not take this kind of action to restrain increases in incomes, existing jobs that we are all concerned about are going to be threatened.

I think we all are aware that in other parts of the country, and our neighbouring territory to the West, people in public sector employment are being asked to either cut back their work week, cut back their incomes, or indeed are being laid off. I sincerely believe that this bill is crucial to the success of our negotiations with the federal government in the coming year. I think Mr. Butters knows about this better than I do, and it is difficult to offer concrete evidence of this, but I am persuaded personally, as a result of the meetings that I have had with the federal government, that unless we take this action, we are likely to be faced with the kind of arbitrary rules that the government has imposed on agencies that it finances through grants. If we get a six per cent increase in the coming year, if this were to happen, and I do not think for a minute that we are going to be faced with this, but if we were only to get a six per cent increase in the coming year, I think we would have to talk, not about restraining increases and jobs, but about preserving jobs, and about cutting jobs.

Response From The General Public

So I support this bill with a great deal of reluctance and a great deal of concern. I think we really have no alternative. I would mention, Mr. Chairman, that I think there is some appreciation of this on the part of the public, and some understanding that if we do tighten our belts as a nation and in the Northwest Territories that we may be able to prevent the spiralling increase in prices that have plagued us. I think there are a lot of ordinary people who are willing to say, "I will accept an increase of six per cent instead of 10 or 12 if there is some promise that the food bills and cost of airline tickets and the cost of telephones and power and gasoline will also stay at that level." I think that is also fundamentally what this bill is all about. It is an attempt to keep prices down by restraining government spending overall, and I sincerely hope that it works.

I would also just like to mention briefly, in response to Mrs. Sorensen, that it is true that we do not have complete control over some of the employees that do not fall within the purview of this bill for various reasons. In the case of the school boards in Yellowknife, they are not employees of the government, they are employees of the boards. Indeed one of the public school boards, just signed a rather generous two year contract. I guess as proof of my conviction that the average person understands the -- I guess teachers are not average people -- but I guess it is part of my proof that the general public does have some basic understanding of what this is all about. I would observe to the House and to the Member in whose constituency many of these public school board teachers live, that that union voluntarily, without any pressure from the government or indeed their employer, volunteered to accept the six per cent restraint in the second year of their contract.

MRS. SORENSEN: Hear, hear! That is exactly the point.

---Applause

HON. DENNIS PATTERSON: I think this is an illustration of the kind of responsibility and sense of necessity that we would hope all persons affected by this bill would exhibit. I do agree that it would have been desirable if we had been able to sit down with all of these various groups; lawyers, employees of housing associations, and community education committees all across the Northwest Territories, and explain the situation as we have been only able to explain to a limited number of interest groups. But with all respect to Mrs. Sorensen, Mr. Chairman, I really believe that we have run out of time already, and indeed the crisis that was visited on us this summer with the federal government's own action gave us as a government very little time to do that. I wish we had had the time to do it, because I am confident we could have persuaded the various unions and employees affected to accept that there was a real reason for this. It was not an attempt to hit the little guy, but in fact, as I see it, an attempt to preserve jobs and an attempt to restrain prices. So maybe I have rambled a bit, Mr. Chairman, but those are my general comments. Thank you.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. We will take a 15 minute coffee break and then recognize Mr. McCallum.

---SHORT RECESS

I will call the committee back. Mr. McCallum.

Housing Association Employees

HON. ARNOLD McCALLUM: Mr. Chairman, I just want to respond to some of the comments or the concern that has been raised about housing association employees. The Legislature itself created the Housing Corporation. The Legislature appoints the members, in essence, to the corporation. We recommend people to the board of directors and the Commissioner simply, by letter, then appoints them. The corporation has jurisdiction over the associations and the federations that are out in the field. The people who make up these associations are by and large tenants. Housing associations are by and large associations of tenants, now, not in all cases, but predominantly. They are able to hire people to do maintenance work on particular homes that the corporation provides and the corporation provides that money. But the amount of money that is paid to employees of these associations is tied, in fact, to the amount of rent that is collected.

Now, the corporation does top up particular amounts by grants to them -- and in some cases, where associations have a difficulty in collecting rent -- Members will recall what I indicated in response to questions, as to the percentages that are now being collected. I know there was a concern from the Member for Keewatin South and I do not mean to refer to him, sir, when he is not here, but I recall him talking in some of his opening remarks to this particular Assembly, that he was against the idea of trying to enforce by a piece of legislation that we in fact okayed -- to make sure that rents are collected.

MR. MacQUARRIE: Hear, hear!

HON. ARNOLD McCALLUM: If you recall the comments that I made back pre-1980, we were collecting 20 per cent of the rents owed. We, as a corporation of the government, are subsidizing utilities, heat and electricity. We are subsidizing, to a great extent, some of the operational costs of the associations, and whom they hire to do this work. In the past year and a half, I indicated that we are now able to get up to 90 per cent of those rents, and that we are attempting to go back and try to pick up past rents. I think the corporation, as well, are in the midst now of reviewing what can be done to enhance the capability of the association to pay or provide moneys for more employees of the association itself -- and to suggest that these people should not be subjected to a particular kind of restraint -- we have to put some kind of restraint on the abuse that has taken place in particular communities, for example, with using an excessive amount of electricity. There is a classic case, Mr. Chairman, of an individual in a particular community who built a shelter for his skidoo, used a hair blower to keep the skidoo warm and during the particular time ran up an electric bill of approximately \$3000.

Now, you know, it is a fact that employees of the associations are paid because of the amount of rent they collect and we provide funding as well. These people are employees of an organization set up by the tenants themselves and blessed, if you like, by this particular Legislature. We have to provide the funding, if we do not provide funding, it means they either have to continue to collect more rent -- and in some cases in the past year, communities have collected as much as 110 per cent of the rent, which means that they were going back collecting back years. In some other communities, the amount of rent collected is as low as 75 per cent of what is owed.

I think it is an indication that if we are to be responsible for the expenditures of money, then we have to be responsible. We have to make other people responsible. The employees of these associations have to be responsible in their duties, and they have to be responsible in terms of what the government has to do.

Government Cannot Continue To Subsidize Housing Association Employees

As Mr. Butters has indicated, it is not always pleasant to put forth legislation but nobody promises a rose garden at all. We are going to go up through a lot of thorns. Times get tough, no matter where we are, and if we do not get the amount of money that is supposed to be collected through rents, then the associations cannot hire as many people to do the work. We cannot continually subsidize the salaries of the associations' employees, subsidize the electricity or utility cost, subsidize the rents in fact, and pay off the existing kinds of interest charges and capital that is required to provide housing in the first place.

So, Mr. Chairman, I would simply indicate to you that in terms of employees of a housing association or a housing authority, we were the people who set up these -- this Housing Corporation, we hold the corporation responsible. They, in turn, have to hold these other people responsible. I do not believe, in the travels that I have done around -- that have been extensive in the Territories -- that our employees of the housing associations and federations, are all that hard done by. So I think that the piece of legislation that is being proposed is a realistic piece of legislation, in light of the economic conditions that we are in. I think as well, if we continue to have people who work with the associations who are responsible, then it drops down and they will be able to look after their funding requirements to be able to attract people to do the work and to either hire them on as permanent employees within the association itself or by contractual arrangements or on an hourly basis. I think that they should be subjected to the same kinds of constraints as anybody else in the public sector. Thank you.

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

Six And Five Restraint On Municipal Employees

HON. JAMES WAH-SHEE: Thank you, Mr. Chairman. In regard to the restraint of six and five, in regard to the municipal employees, if the ordinance is passed then the salaries of the municipal employees will be restricted to six per cent in the first year and five per cent in the second year. At the present time the arrangement is that the municipalities set the salaries of their own employees. At the same time, we also have a Municipal Employees Benefit Ordinance label, which at the present time has a membership of eight hamlets and two tax-based municipalities. This is a plan which was set up by the government, which allows the hamlets to join the plan if they so wish. However, it is required that all the municipal employees have to join in order to make the plan work and this is a plan that has been set up for municipalities. The restraint will not apply to reclassification of wages or salaries set by the municipalities. In the case of reclassification, the Department of Local Government would be prepared to work, in co-operation with the various hamlets and settlement councils, if they want to reclassify the salaries being paid to their employees. In the area of salaries, disparities in comparison to the territorial government public service -- I agree that there are some disparities between the wages being paid to some of the municipal employees. However, Members have to keep in mind that we do give outright funds to hamlets and settlement councils; they in turn set their own wages and salaries. In some cases it is not comparable to the salaries that we are paying the public service; however, that is the decision that is left up to the various municipalities.

There is one thing that I would like to indicate to the Members, however, that the present funding levels that are being made available to all the municipal councils has been set for the last three years and it is time now to do a review of the existing funding levels, to see where the disparities are, to ensure that the municipal councils have sufficient funds to provide the kinds of wages that they would like to pay their own employees. What I intend to do is to do a review by the end of this fiscal year, because the present rate of funding has been set for the last three years, and I believe it is time to take a look at the funding levels and I would hope to come up with a proposal for my colleagues to consider. Thank you.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Wah-Shee. I have next Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, I am tempted to use some very vivid language; however, I will try to restrain that, because I have never heard so much bullshit in all my life. First of all...

HON. ARNOLD McCALLUM: On a point of privilege, Mr. Chairman. To whom is the Member referring to, to have been verbally throwing that kind of material around?

MS COURNOYEA: The statements that have been made.

HON. ARNOLD McCALLUM: By whom, Mr. Chairman?

CHAIRMAN (Mr. Fraser): Ms Cournoyea. The language you used -- will you indicate to whom you used your language?

MS COURNOYEA: Perhaps if I go through this, I can identify the different statements that are being made.

HON. ARNOLD McCALLUM: Well, why not say it now?

MS COURNOYEA: Well, to all of you. First of all...

HON. ARNOLD McCALLUM: Mr. Chairman, I take exception to that. Any remarks that I made in this House dealing with the housing association were in no way verbal diarrhea or bullshit, as that particular Member is saying. So I am not going to sit here and listen to her talk to me about what I am saying.

HON. TOM BUTTERS: Mr. Chairman, I second that. I think if the Member has criticism or a complaint, be specific. It is all very well to cast aspersions and destroy reputations, as the Member is very able to do, but I think she had better be specific in her remarks and make them clearly so that we understand exactly what it is she is referring to.

CHAIRMAN (Mr. Fraser): Ms Cournoyea, do you wish to proceed and be specific?

Small Communities Have Been Restrained For Years

MS COURNOYEA: Yes, I will be. First of all, there is an indication in this House that the communities are going to be restrained for the first time -- that communities and housing associations are going to be given a wage restraint. It is not the first time that the communities have restrained. They have been working under restraint for many years. First of all, I am not against wage restraint for those people who can afford it. First of all, in the government there are 3300 established positions and about 3000 of those are unionized, with 700 or so being in the teachers' association and the rest in the NWT Public Service Association. Of those NWT Public Service Association employees, 600 earn less than \$20,000 in salary, with many at the base salary of \$17,700. The \$1000 to \$1200 increase these people get under the restraint program will not even bring them up to a level where they have any disposable income. On the other hand, a person employed in the high income bracket will and could receive an increase in annual salary of approximately \$3600.

Mr. Chairman, in the housing associations at the community level we are talking about a group of people who range at an hourly rate of \$5.40, \$6.50 and \$9.25 an hour and these people are employed on a seasonal basis, whereby they are only part-time, and indicating that these people should be penalized because they live in low rental housing and bringing up circumstances such as the Hon. Mr. McCallum brought up -- for instance, of one person using an electric hairdryer -- this may be one instance, Mr. Chairman, but there are many others who try very hard to live under those tight conditions in those communities and each time that the small housing associations make an attempt to better their community, these restraints are always upon them. They have also been said that the management has not been the best. To me, that is insulting to the communities who are really trying to run their housing association under very difficult conditions. Management is not at its best, and why is that? How much can you get at \$6.25 an hour, \$5.40 an hour, \$9.25 an hour? Which Member of the Executive Committee will be willing to work on a part-time basis for those wages, and live in a low rental house which is most of the time inadequate?

I believe that the same applies to the people who work on the education committees. For many years people have tried to put through language programs within the community on a part-time basis. Their salary is \$6.50 an hour, at most times. It has only been recently that the language program will be giving a little more to those communities.

Now, these are the people that you say should be included in wage restraints. As far as I am concerned, they are already included and they have been for many years. For people who can afford it, fine, but I do not like to see disparaging remarks aimed at people who are trying their very best at a community level and not even receiving \$850 a month, with no benefits, and lots of times at a disadvantage because there is no back-up when they run into a lot of problems, and that is because there is not any money. Now, Local Government says, "Well, we all agree there are disparities and it is time to do a review." Well, that is fine, because that has been going on from the very first time that I sat in this Legislative Assembly -- that they are going to do a review and they are going to take a look at it.

Housing Association Employees Cannot Be Compared To Other Public Servants

I would like to say something further in regard to the prices that these communities have to pay. In Sachs Harbour it is \$5.60 for a dozen eggs. Now, if you are only getting \$9.00 an hour for three or four hours work a day, what can you buy? That is where it hurts at the community level, and I do not believe that people who receive a fairly good salary and who can afford to be represented at local unions and in terms of bargaining agencies should be treated the same as these people. They do not have any recourse to upgrade themselves. Now, perhaps Mr. McCallum would like to also have his salary based on how much rent he collects.

MR. CURLEY: Hear, hear!

HON. ARNOLD McCALLUM: No, I own my own house.

MS COURNOYEA: You are responsible, however, for a housing association, but maybe that is the way the job should go, as well, and that has been indicated in many of the communities...

MR. CURLEY: On a performance basis.

MS COURNOYEA: ...that a person hired should be paid according to a commission. Is that not restraint? We have not got a criteria for the commission. So I feel it is very unfair to make a dramatic gesture, saying that we are going to recover anything at a community level. As well, it has been indicated from the Finance Minister, "Well, we will have to look at those things and maybe we can do something about it." Now, if in fact we look at a positive approach, and say that he will do that -- how will he do that if they are restricted to six and five? Because, obviously, if you are going to treat them the same as any other public servants, you would have to raise their salary much more than six and five, because these people are far below a standard level of payment as compared to other civil servants, and we all know that. So I feel it is very unfair at this Legislative Assembly to even try to compare those people to other public civil servants who have all the benefits, and who operate at even \$17,000 a year, because these people are not getting that. Thank you.

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

Flexibility In The Total Wage Base

HON. TOM BUTTERS: I will repeat, I think, maybe for the fourth time, what I said yesterday in my opening remarks, and that is we recognize there are groups of people in the Northwest Territories who are not receiving the same type of pay and benefit package as are enjoyed by others. We recognize this. We recognize there are disparities. This bill as I understand it, and maybe I will ask Mr. Lal to either correct me, but this bill as I understand it reflects on the total wage base that we will have to distribute during the two next years. We are not indicating that this group or that group necessarily will be held to that. We will look at the situation where there are disparities, and as a Member, I too have people who work for housing associations. I recognize that they have very legitimate concerns. I will work with them as best as I am able to develop equitable benefits and wages in their particular situations. I did not think I said that this is going to be inflexible, where there are anomalies and where there are disparities.

The Executive Committee is not some group of people who live in Ottawa or live a long, long way away. We live in the communities, too. We know the situation in the communities. As Mr. Patterson so very eloquently described, we have to address this because of the economic situation at the national scene, but we hope that we will address it equitably. We intend to look at the anomalies, and I cannot say what we will do, because I do not know what we will do,

but we will address them with sincerity. I am suggesting to you that in the past we have implemented the desire and direction of this House, and I am convinced that we will do our best to implement an equitability which all Members seem to require. Mr. Wah-Shee said, in reinforcing my statement, that he too would look at the situation with regard to hamlets and settlements. So I do not know how many times we have to say it, but I believe there is flexibility in the total wage base that we will have to operate with in 1983 to 1984, and 1984 to 1985. Maybe Mr. Lal could correct me if I am wrong.

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

MR. MACQUARRIE: Thank you, Mr. Chairman. I had first asked to speak, and put my name on the list, before Mr. Patterson spoke, and he said a number of the things, and said them very well, that I would have wanted to say, but I have maybe one or two comments in addition to that. I really believe that the country is in a very serious economic situation, and I think the government has a responsibility, not only the federal government, but ours and other governments too, to try to set a pattern that will break the kind of psychology of inflation. In order to do that unfortunately a kind of blunt instrument has to be used -- and I think it has to be used -- and I regret that very much as well, but I think it is necessary and I will support it. That is not to say that I do not appreciate the kinds of arguments that Ms Cournoyea raised. They are serious. I also am disturbed at the great disparity that exists between compensation for different kinds of jobs, and I have been disturbed at that for a long time. I think that there is too big a difference in our society made in the compensation that is given to managers and finance officers on the one hand, and carpenters and secretaries on the other hand. I do not like to see that at all, and, although I have many, many public servants in my constituency, I will say publicly that I believe that some of the benefits that they have won through collective bargaining are in my opinion excessive. I do not know how you turn that around. I just feel that at the moment that is a serious issue, and it has to be addressed. I think that at this moment we cannot address it by altering this bill. I believe, as I said earlier, that we have a crisis and we have to act unpopularity, maybe, but directly, in order to alter that psychology of inflation that has taken hold of the country. So I will vote in support of the bill.

Public Sector Employees

I just have one question. Could I ask either the Minister or his advisers to clarify whether the federal government has not also -- I know the Minister mentioned that they are following a pattern in BC, but I notice that the bill that was introduced in federal parliament is called "An Act Respecting Compensation in the Public Sector" -- they use that word as well -- "of Canada". As I read it, it did not apply only to their own employees directly, but I see that section 3(1)(b) talks about boards, commissions or corporations set out in schedule two, and when I look at that I see that it does include very many other things like Air Canada and the Bank of Canada, Canada Post Corporation, the Foreign Credit Corporation, Petro-Canada, and so on. Did they not also apply it much more broadly than to their own employees directly?

CHAIRMAN (Mr. Fraser): Thank you. Does one of the witnesses want to answer that? Mr. Butters, did you get the question?

HON. TOM BUTTERS: I did hear the question. I do have the particular section of the British Columbia legislation which defines "public sector employees", and it means: a) the government; b) a corporation or an unincorporated board, commission, council, bureau, authority, or similar body; a municipality, including a municipality, a regional district, an improvement district, as defined in the Municipal Act; a board of school trustees as defined in the School Act; a university, an institution as defined in the College and Institute Act; community care facilities, defined in the Community Care Facility Act; a hospital, as defined in the Hospital Act -- so that it is quite a large umbrella taking in many people that are employed in providing services to the public at large. Was that the answer the Member required? If not, Mr. Lal could...

CHAIRMAN (Mr. Fraser): Thank you. Mr. Lal.

MR. LAL: Mr. Chairman, Mr. Nielsen will answer that question if that is okay.

CHAIRMAN (Mr. Fraser): Thank you. Mr. Nielsen.

MR. NIELSEN: Mr. Chairman, without running down all the sections in the act, the program applies to the entire federal public service. It applies to all senior executives, to the armed forces, the Royal Canadian Mounted Police, the judiciary, and most crown corporations. It applies to cabinet ministers, all Members of Parliament and senators. The federal legislation has two schedules attached to it, which run in the order of six or seven pages identifying all the agencies that fall in that description.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Nielsen. Mr. Curley.

MR. CURLEY: Yes. Mr. Chairman, I just want some clarification from the Minister responsible for the Housing Corporation. He seemed to indicate to me, that he is feeling that the housing associations were not that bad, you know; they were pretty well off, and in order for them to justify their wages they would have to perform and collect more rent and so on. Is this really the policy of the government, that the managerial and essential staff people who must maintain electrical, plumbing and so on -- carpenters who work there must be subjected to the kind of rent that is collected in a community? Is that how you were tying it up, that the more rent they collect the more the worker is going to get paid?

CHAIRMAN (Mr. Fraser): Thank you, Mr. Curley. Mr. McCallum.

Housing Associations Set Their Own Budgets

HON. ARNOLD McCALLUM: Mr. Chairman, I said that in terms of employees of an association, because the associations are made up primarily of tenants -- not in all cases, but primarily tenants -- the associations hire their own employees. They set their own budgets. Each association submits and develops its own budget. Some of them have developed benefits. Some of them have only developed salaries. The amount of money that goes to operate an association is made up primarily of the amount of rent that is collected, as well as funding from the Housing Corporation itself to top up that particular amount. That is where I was tying it in.

There were some associations that in fact do work well, but there are some associations where we have back rent in particular areas that we had to write off, or we will have to write off approximately 90 per cent or more of this back rent. I made the statement that the rents that are collected go toward the operation of the association, therefore go toward the paying of -- whether it is contract, whether it is a full-time employee, whether it is an hourly wage paid to an association's employee, the amount of rents do reflect how many employees they could have. When there were difficulties experienced by associations in getting qualified people to do work, the corporation has responded -- as I did in a reply during this session to Mr. Kilabuk, I think it was, where I said that we would be putting in a tradesperson, a journeyman, to help a particular association get some work done.

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

HON. TOM BUTTERS: I notice that it is almost time to recess. In examining the debate that has taken place in the last hour, it would appear to me that the major concern has been focussing on the matter of employees of the housing association. I would just indicate that I have been discussing this with some of my colleagues and I will try and have a look at it over the lunch hour to see whether or not some of the concerns being raised by Members can be addressed under this legislation or by taking other action.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. Just before we break for lunch, I have a brief announcement, that there will be a meeting of the subcommittee of the special committee on division in room 211; chicken à la king will be served. Also, a meeting of the standing committee on legislation in Katimavik A. Thank you -- you are going to have ravens. Recess to 1:00 o'clock.

---LUNCHEON RECESS

CHAIRMAN (Mr. Fraser): I call the committee back to order. We are still on general comments on Bill 18-82(3). I have Mr. Curley, I think, next. General comments.

HON. TOM BUTTERS: Clause by clause.

CHAIRMAN (Mr. Fraser): Mrs. Sorensen, general comments.

Sliding Scale Of Percentage Increases

MRS. SORENSEN: Mr. Chairman, when the standing committee on finance was reviewing the bill, we asked the government whether the bill allowed for a sliding scale of percentage increases in wage compensation, and the government indicated that the bill did provide for that opportunity if the government wished to do so. When I say a "sliding scale" of wage compensation, particularly for civil servants within the public service, I mean a scenario such as: we could provide, for instance, for no percentage increases for those civil servants earning over \$50,000, and there are some 95 of those in the civil service. We could perhaps provide for a two per cent, or a three per cent increase, in wages over the next two years to civil servants in the 35 to 50 thousand dollars a year range, and there are some 845 civil servants in that area. Perhaps we could then begin to up the rate for those between 25 and 35 thousand dollars to seven and six, or six and five per cent, and then those who are paid under \$25,000 a year -- and we have 1156 civil servants who are in that category -- perhaps then we could give them COLA increases, cost of living increases. We know that the cost of living is somewhere around ten per cent, and it appears that it may even fall to somewhere between six and ten per cent in the next year or so. In support of those in the \$25,000 range and under, receiving cost of living allowance increases, I have to say -- and I know the Minister for the Status of Women will agree -- that most civil servants who work in this area are women, and many of them are single women who are attempting to raise and support a family on that very meagre allowance. I am wondering if the government has considered such a formula, or one similar to it, and if so, has it accepted it or rejected it? If it has rejected such a formula for wage increases why have they rejected it? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you, Mrs. Sorensen. Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, I think there were a couple of questions. The first one dealt with legislation, whether the legislation would permit the application of such a schedule, as our legislation currently exists. I am not quite sure on the provision or where it would come, but I wonder if I might just refer that specific question to Mr. Lal?

CHAIRMAN (Mr. Fraser): Thank you. Mr. Lal.

MR. LAL: Thank you, Mr. Chairman. Subclause 5(2) provides that: "Where the compensation plan is extended pursuant to this section, the increase in compensation shall not exceed six per cent of the wage base" The wage base is defined as meaning the wages paid to an employee in a compensation plan. As long as the total wage base does not exceed six per cent, I believe that it would be permissible to make the kind of adjustments that Mrs. Sorensen is referring to. Could I ask Mr. Nielsen if he has any comments to make on this issue?

CHAIRMAN (Mr. Fraser): Thank you. Mr. Nielsen.

MR. NIELSEN: Mr. Chairman, my interpretation of the ordinance is the same. The only additional comment I would like to make is that in addition to the points that were identified, the ordinance allows for incremental and merit increases, so that I believe there is a latitude, not only for the six per cent, but for the merit increase as well, within categories. So I do not believe any adjustment to the legislation is required to accommodate the kinds of concerns you have.

CHAIRMAN (Mr. Fraser): Thank you. Do you wish to go clause by clause? Mr. Butters.

Consideration Of Formula For Variations In Wage Increases

HON. TOM BUTTERS: I think the Member is still waiting for the second part of her question, which asked if the Executive Committee had considered establishing a formula by which certain variations in increases might occur within the overall wage package. The consideration given to that aspect was very minimal. We did not look at it in depth. We felt that there would be very great difficulties in applying such a formula across various groupings and, as I say, we did not pursue it. So the answer to her second question is that we did not give it the consideration which would allow me to answer some of the specifics of her question.

CHAIRMAN (Mr. Fraser): Mrs. Sorensen.

MRS. SORENSEN: Mr. Chairman, when this issue was raised in the standing committee, some of the reasons that were presented to the standing committee, for not providing for such a formula within the wage increase package, I felt were very reasonable. The first was the fact that by giving some of our civil servants no increases, others minimum increases, and others larger increases, we were compressing the differences that now exist between the workers, management, and upper management. At that point you begin then to have an effect on the morale of your civil service -- and I think that that certainly would be a very real consideration for the Executive Committee, were it to seriously consider operating under this kind of scenario. But I think that in the spirit of restraint, the Executive Committee should seriously consider implementing such a formula. I am easy on the percentages, because I also recognize that the bottom line should be the same as now exists -- giving everyone a six per cent increase this year and a five per cent increase next year -- so I think the numbers can be manipulated to come up with the same basis.

Now, the reason that I say -- and strongly support -- no increase for those civil servants earning over \$50,000 -- and many of them live in my constituency -- is because those same people also get a wage increase independent of the yearly increase that they get, on an anniversary date, or on a specific date. They get an incremental raise anyway and that can be anywhere from six to twelve per cent, and that remains intact. That has not been taken away by this legislation, so that, in effect, someone earning \$50,000 a year, under this legislation, will receive an automatic six per cent increase, or close to that increase and it could be more. But in addition to that they will also receive an incremental raise. I know that you will correct me if I am wrong, but that is what I have been led to understand. In addition to that, they also receive special benefits that other civil servants by virtue of belonging to the union, or being middle management, do not receive. I think that at least the ones that I have talked to, with the exception of maybe one -- and it is not my husband...

HON. ARNOLD McCALLUM: Careful, careful.

MRS. SORENSEN: ...do support the fact that they are willing to give up a six per cent increase so that those women who are earning less than \$25,000 a year -- and there are some men in that category, too, who I consider equally in dire straits -- can get at least a cost of living allowance and I do not see that as imposing a hardship on those individuals who are earning more than \$50,000. Could I have an indication of whether the Minister is prepared to look seriously at a formula along those lines?

CHAIRMAN (Mr. Fraser): Thank you, Mrs. Sorensen. Mr. Butters.

HON. TOM BUTTERS: Before I answer the Member's question, I would like to, if not correct, at least clarify a couple of points she has made. She said they get an incremental raise anyway, as though it is automatic. It is not automatic and it is, as I understand it, a performance increment and I am telling you, as we have told our staff, that we are going to be looking a lot more stringently at the performance of our staff to ensure that performance increments are very well deserved if they are provided to them. Secondly, I believe, the bill says that increases in this area would be up to six per cent and not necessarily six per cent. That is not the incremental raise; that is the ordinary increase would be up to six per cent.

Senior Management Salaries No Longer Competitive

On the whole matter of our senior staff, I can address that because this was one of the concerns of the federal government. I think there is a feeling among many members of the federal bureaucracy that the people that work in the senior management positions of the Government of the Northwest Territories are overpaid and underworked. To determine just exactly how our wages compare with southern jurisdictions and with similar responsibilities in the provinces, we have a very helpful mechanism available to us. This government is part of what is called the Hay Plan and the Hay Plan itemizes or categorizes the various senior management jobs in the areas of difficulty and responsibility. A number of southern provinces and some of our large municipalities belong to the Hay Plan system. So we were able to compare on a point system, which is equal across the board, the type of responsibility and service we are expecting from our senior administrators and to determine whether or not we are at the present time providing them with a competitive salary schedule. Interestingly, while we may have, three or four years ago, been competitive with the outside jurisdictions, we are not today. That is the reality of the assessment that I had done and which I provided to the federal government. The area where we are ahead and where there is not only a competitive, but a quantitative improvement

over southern situations, is in the medical area. Generally speaking, we are no longer competitive with the southern jurisdictions. In some cases I am looking at -- without naming the jobs -- we are 28 per cent under, 15 per cent under, three per cent under, seven per cent under. So that that situation we enjoyed a few years ago no longer exists.

In answer to her question, yes, I certainly would be willing to look at it and I think my colleagues have heard the arguments she has made and I am sure that they would be willing as well to give her initiative consideration.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. Are we ready to proceed clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 3, application. Ms Cournoyea.

Motion To Amend Clause 3 Of Bill 18-82(3)

MS COURNOYEA: Mr. Chairman, I make a motion that under clause 3 the following subparagraphs be deleted: 3(1)(b)(ii), 3(1)(c)(ii), 3(1)(c)(iii) and paragraph 3(1)(h). Mr. Chairman, I believe the proper wording would be, I move that this bill be amended by leaving out those parts which I indicated.

CHAIRMAN (Mr. Fraser): Thank you, Ms Cournoyea. To the amendment. Mr. Butters.

HON. TOM BUTTERS: I would just query whether these amendments are acceptable. Are they in order, Mr. Chairman -- every one of them? I have not examined each one in detail. I am just wondering whether they meet with the requirements of the NWT Act.

CHAIRMAN (Mr. Fraser): Could we just maybe take a five minute break, until we check this out?

---SHORT RECESS

I call the committee back to order. The amendment is in order. Ms Cournoyea.

Responsibility For Decision At Community Level

MS COURNOYEA: Mr. Chairman, I will not again repeat myself on my feelings about these lower wage scale groups and their responsibility at a community level. In regard to subparagraph 3(1)(b)(ii), I have already made the argument concerning a housing association and the problems that they have to overcome at that level. In regard to subparagraph (c)(ii), community education society, these people already have a limited budget and they have the same issues and problems to deal with at that community level. In regard to subparagraph (c)(iii), a community education committee, they have the same arguments in regard to their political restraint and the problems they face in their own community. In regard to paragraph (h), I would like to say that one of the issues of this territorial government is to foster the political development of agencies at a community level. I believe that part of that political development and responsibility is to allow them to make decisions as it relates to larger government agencies and concerns at a larger political level. To try to make and legislate constraints at a community political level denies the privilege of those people to make their own decisions, weighing and evaluating their position.

I am sure that if this government has the confidence that their past programs of educating the communities are indeed working, they will have no fear in allowing them the benefit of making the decision. As it is, with the community associations and corporations, these are the people that have the most to lose and the most to gain in terms of how the Northwest Territories moves, and their involvement in it. I believe that it is basically a situation whereby on one hand you want them to have responsibility and on the other hand you do not have confidence that they can make responsible decisions.

Many of the major hamlet councils have a very difficult time in coping with impacts that are coming on their communities, and oftentimes have to spend a great deal of time convincing regional governments and the Yellowknife bureaucracy of their needs. These people live at that community level, and they are answerable to their people on a day to day basis for the decisions they make. Many of us who do not have to live day to day with our political decisions have a break from time to time away from those community decisions, and away from the pressures of that community, from your family and relatives. So I believe if this government wants to give to the community councils responsibility, then I insist -- and I hope they will understand -- that in terms of wage constraints, that they should make those decisions in the best interests, and with the knowledge that they have of their communities, and what has to be done to keep them alive at that level. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you, Ms Cournoyea. To the amendment. Mr. Curley.

MR. CURLEY: Mr. Chairman, very briefly, I sought some assurance from the government to us that they would do something about protecting the communities, hamlet employees, and housing association employees, and education committees employees, from the imbalance that we have, with respect to the wages and benefits. I think this amendment to those three items would do just that. If you want to show good faith, as you said you would, to try and do something about the anomalies that we have with those salaries and wages, why not, since they are not part of the public service, why not exempt them from this bill? I think that is the best assurance that you can give to these communities, since you are already going to be legislating through Bills 6-82(3) and 12-82(3) that they will never, as long as these bills go through, be part of the public service, and therefore they will never be entitled to all the benefits and housing subsidies that are provided to the government employees. So if you are going to do that, why not at least show some effort by attempting to establish a good faith as to what you would do, by supporting the amendment? Thank you.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Curley. To the amendment. Mr. Patterson.

Exemptions And Adjustments Permitted Under Clause 11

HON. DENNIS PATTERSON: Mr. Chairman, with regard to what Mr. Curley has just said, I believe that that is precisely why clause 11 was put in this bill, to allow the government to exempt various groups of employees, if we find the resources to do so, from this rule. Clause 11 allows the Executive Member to make adjustments where it is considered to be in the public interest to do so, and I would like to state very clearly on the record that I am particularly concerned, in my responsibility for Education, to see that the maximum resources are provided within our means to do so...

AN HON. MEMBER: Hear, hear!

HON. DENNIS PATTERSON: ...through community education societies and committees. That is all I hear, when I have travelled in all parts of the Northwest Territories, the need to provide more funds, not just to the employees but also to programs -- to develop curriculum materials, and provide increased support. I certainly am going to be working hard to accomplish that through the Executive Committee. The point I wanted to make at the beginning of this discussion, which I will try to make again, is that unless I am convinced, unless we demonstrate an intention to apply restraint provisions equally to all sectors of employment supported by the government, we are simply not going to have the resources from the federal government to have the flexibility to do anything, and that is why I support this ordinance, and will have to vote against this amendment.

I would really suggest, Mr. Chairman, that we have the means to do that already, in clause 11. If clause 11 was not there in the bill, the amendments might have more reason for being supported, but clause 11 allows us to do precisely what the amendment suggests. It would give the discretion to the Executive Committee and the Executive Member. I may say that while I am now not able to announce any kind of plan to enhance the resources provided to education committees and societies, I think that there has to be a bit of a trust relationship between this Assembly and the Executive Committee -- because we do not even know yet what our level of funding is for the coming year, and as I said earlier, I think the level of funding is very much dependent on our success in persuading all Members to support this bill. Once we get what I am confident will continue to be a significantly increased level of funding over cost and price increases, then we can look to redressing these inequities.

I would like to state to the honourable mover of the amendment, and supporters, that I am certainly well aware of the need to redress problems that they have alerted us to, but I hope there will be a bit of trust that the Executive Committee will in fact be addressing this, once we know how much money we have got to work with in the coming year. Thank you.

AN HON. MEMBER: Hear, hear!

CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. To the amendment. Mrs. Sorensen.

Convincing Defence Of Bill

MRS. SORENSEN: Mr. Chairman, on the basis of Mr. Patterson's commitment and on the basis of the commitments made by Mr. Butters earlier to look seriously at the disparities that do exist, I am not going to support the amendment. I am going to support the government's bill. In addition, I do see an out under clause 11 to redress some of the disparities, and I do believe and do have trust in the government, and particularly in the Minister of Finance, that he will take whatever measures are necessary in the second year, as this clause allows him, to give special consideration to those who are, some of them certainly, in dire straits because of the amount of dollars that they are receiving at the community level.

It pleases me to see the passion with which Mr. Butters defended his bill, because I think it is important that when the government brings a bill in, that they do defend it. This is a public forum and they should not sit back and let us backbenchers take pot shots at them without defending themselves in a way that will address the questions. When we ask questions and bring up concerns, we want to hear the government respond and respond with facts and figures and information that will help us go back to our constituencies and defend the government's position. If you do not tell us why you made these decisions, if you do not defend your bills and your positions, then we have no option but to go back and say, "Well, you know, it probably was not a good idea and we defeated it on this basis." So I am pleased to see that the government responded in the way that it did to the questions and concerns that I have and I feel confident that I can go back to my constituents and say I am solidly behind this bill and these are the reasons. Thank you, Mr. Chairman.

MR. CURLEY: They can afford it. They can afford it.

CHAIRMAN (Mr. Fraser): Thank you, Mrs. Sorensen. Mr. McLaughlin.

Enacts Federal Government Intent

MR. McLAUGHLIN: Thank you, Mr. Chairman. When I first saw the bill I was pretty apprehensive, especially in the area of paragraph 3(1)(h), which the amendment addresses. The federal government did not legislate this level of government into the six and five per cent program, so I was kind of apprehensive about this government legislating six and five per cent to the third level of government, which is our municipal governments in the Northwest Territories. But in reality and in fact, Executive Members have alluded to the fact that it is important for our future budget. There is no doubt in my mind that the federal government expects us to do this little six and five per cent trick and I think in reality it is more honest on our part than it is on the federal government's part to just come right out and tell these other levels of government and agencies of this government that they are going to have the six and five per cent program. So I am going to vote against the amendment. I really think it is a realistic situation that the federal government expects us to have six and five per cent and I think it is just honest for us to come right out and tell these other agencies that they are going to have six and five per cent and that is all there is to it. So I would like to speak against the amendment and I will be voting against it. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you, Mr. McLaughlin. Mr. Curley.

MR. CURLEY: Mr. Chairman, I just wanted to reiterate my position on this. I am glad to see some members of the PC party at least putting their full support to the six and five per cent program.

---Applause

---Laughter

MR. McLAUGHLIN: Very reluctantly.

MR. CURLEY: I think, you know, they ought to be commended for that...

--Laughter

...but at the same time, Mr. Chairman, although the chairman of the finance committee certainly has no problem establishing a trust relationship with the Executive Committee and the government -- I would probably do so too if I was able to have lunch with the Minister of Finance and have dinner with the Commissioner and maybe breakfast with the other Ministers of the government, since they are right in my constituency...

MRS. SORENSEN: You pay, I will go, Mr. Minister.

MR. CURLEY: ...since they are living right in my constituency and if I was representing them in my constituency, but that is not the case in places like Rankin Inlet and with people of the Eastern Arctic.

I had a phone call from Coral Harbour and they said it seemed that the government is just interested in protecting and serving themselves. I said, "What makes you say that?" He said that he sees how legislation prevents them by law from ever joining the public service, if that were possible -- because I think it is possible to amend the bills...

AN HON. MEMBER: Hear, hear!

MR. CURLEY: ...to include them in the public service. If we want to do that, we can do it. If we can do it for the hospital boards, surely we can do it for the other departments. I certainly would like to see a fair trust developed between the people in the Eastern Arctic and the Executive Members and that cannot...

CHAIRMAN (Mr. Fraser): Can you get to the amendment, Mr. Curley?

MR. CURLEY: ...that cannot happen unless it is practised, not just by words, but by deeds. So I think the amendment is trying to protect the interests of those people that have no means of controlling their own budget, who will be restricted to that six and five per cent. With all the good will that has been expressed, how can you establish a trust relationship with them when you have not seen any evidence that they will in fact, do that, because clause 11 says the Executive Member "may", "he may or may not", so that is going to be somewhere along the line, I suppose. I would urge at least those people who have sympathy for the people with less...

CHAIRMAN (Mr. Fraser): Thank you, Mr. Curley. Mr. McCallum. To the amendment.

HON. ARNOLD McCALLUM: Mr. Chairman, I just want to speak in relation to subparagraph 3(1)(b)(ii), dealing with employees or persons hired by housing associations, and indicate to Members that the amount of money that has been allocated for administration as well as maintenance in particular communities over the last while, to the employees for their salaries and for their benefits -- those particular amounts range for half a man year in a particular community in the Western Arctic from \$9.25 an hour to \$13.50 an hour, and that there are other benefits that give them travel assistance as well. Salaried people range from \$20,000 to \$22,500 a year. That is in 1982. The amount of money that was granted in particular communities for administrative purposes -- that is for managers or secretaries, not for maintenance work -- was 75 per cent, three-quarters of the money that was requested by those communities was given to the associations for administration work; and 70 per cent of what was asked for by communities was given to the associations for maintenance.

Substantial Funds Provided For Administration

In the budget that is being prepared now, for administration -- that is, the managers, secretaries of housing associations -- there is I would think a fairly large, substantial amount, and without going into particulars, if any Member would want to ask about any one community I would be able to provide the information, and that includes salaries and wages, not just for the man years that have been allocated to them, but for casual employees as well. In some instances, but not all, municipal employee benefits are part of a package, and other benefits such as travel assistance, housing assistance, subsidies, are substantial as well. I think that in relation to the comments that I made this morning about the amounts of money that are being allocated to particular housing associations, I have the facts and figures for past years and for the next year to back up what I am saying. I do not have to use other particular

means to bring this about. I have the facts and figures, and that is not just for the West, but for the East and Central Arctic regions as well, Keewatin, Baffin -- these particular communities have substantial amounts of money to operate their particular housing associations. I will refer to one, to Eskimo Point. They are asking for \$65,000 -- over \$65,000 for administration, for salaries and wages, and they have one man year. They have extra benefits, close to \$12,000 for employees, whether it is a permanent employee or it is a casual employee. They have money in their association administration account that allows for municipal employee benefits. The amounts of money that are being provided in administration are substantial. So I do not agree with the amendment to delete as proposed because what I was saying this morning is borne out by the facts and figures that I have given you.

CHAIRMAN (Mr. Fraser): Thank you, Mr. McCallum. To the amendment. Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, when we vote on this subject I would very much like to call for a recorded vote. Before we do, I am sure that Mr. McCallum can provide all kinds of facts and figures, and we probably could go over that. He said one community had a 70 per cent increase, but I suppose we can take the time and ask, "70 per cent of what?" In terms of this discussion that we had, I understood that the Minister of Finance said that they would go out and see if they could make some amendments to take care of these matters, but obviously they must have left and said that they were doing quite a fine job.

Local Employees Need Encouragement

First of all, at the community level, when people are becoming involved, they need a lot of encouragement to make decisions at that level, which I have said before. Now it is fine for certain Members from Pine Point and Yellowknife to all of a sudden praise the government for making their plan, because they are not really involved anyway, because both their city councils are quite well taken care of because they are exempt. If there was such a plan, or the government actually had a plan of action, perhaps I could have that confidence in the government, but we have been talking about this for a long time. I am not prepared to select a few communities that have probably a very large population, like Eskimo Point, which has a number of good houses that they have to look after. Perhaps if we broke down that \$65,000 you would probably find it was going to a heck of a lot more than just salaries, but in terms of the involvement in a community. You take a look at a housing association secretary manager, who might have a half time position in a large community, a half time clerk, who probably does not have a lot of training, trying to collect rents, applying a criterion for collecting -- a criterion that is developed from the Housing Corporation level -- creating an educational understanding within that community on why those rents should be paid in the first place because after all, many years ago, when the whole issue of public housing, Eskimo housing as it was called at that time, was promised to people, they were told "If you get into this package, you can have it for two dollars a month."

I have a long history of fighting the whole public housing philosophy, and I have stated it here many times, but the thing does exist in the community, and everyone who is working on a board of directors of a housing association, and as an employee of a housing association, many times has to dig back into the past to try to explain in order that they may collect the rents. There is a lot of concern in certain people's minds at a community level that they own property at a certain time. They seem to have had certain promises from this government and the federal government, and the individual people who are working at a secretary manager level in a housing association, trying to collect rents, have to be apprised of those issues and try to explain at a community level why they must pay rent.

Now, it may not be very important to the Minister of Housing because he does not have to deal with that, but when you want to dig sense out of a person, and he has all kinds of concerns which have never been answered, that is a very difficult position to put an individual in, where most of those people he is dealing with are relations and his own particular family. So as far as I am concerned, you may talk about even \$20,000 a year, although most of my communities are not receiving that. However, I believe that if you are really concerned about those people being involved, and evolving from that very low class political stage to finally becoming councillors or MLAs or working up in the bureaucracy, I think that is where the political development and awareness begins. If we cannot and will not recognize that -- because, after all, maybe they do not have to work as long hours as the honourable Minister McCallum -- those fundamental decisions that have to be made at that community level are very restraining on each individual, and it is very hard to keep those people working. If we do not, then we have no one to do that job, and we have to hire from the South.

Salaries Raised To Attract Outside Expertise

Now, let us talk about salaries for settlement councils. Those salaries go up, not when you hire your own people but when you come to a point whereby the problems become so intense you have to hire a more technical person in order to deal with the southern idea of conducting business, deal with oil and gas industry explorations. Then those wage scales that we put out at community level are to compensate technical people, because at most times the people in our communities do not want to, or feel uncomfortable many times, in dealing with a very professional oil impact area. Those salaries and those salary scales, Mr. Chairman, I venture to guess, are not paid to native people hired in the community; they are paid to people brought in in order to assist the community.

Now, each community, whether it is a municipal council or a housing association, are going through a certain amount of political development in order to accommodate their communities, and here the Executive Committee is not even willing to recognize that. They are not even willing to recognize the fact that those people have no access to public service unions which will protect them or bargain for them. In many instances they do not even know what a union is.

So, Mr. Chairman, if in fact the Government of the Northwest Territories is saying that clause 11 is going to take care of all those matters, then why do they not give their stamp of good will and eliminate those certain sections that they feel very strongly about -- and certainly agree with me -- have to be taken care of? Thank you.

CHAIRMAN (Mr. Fraser): Thank you, Ms Cournoyea. To the amendment. Mr. McCallum.

Allocations To Communities For Maintenance And Administration

HON. ARNOLD McCALLUM: Mr. Chairman, the Member for Western Arctic was on the Housing Corporation. So much for being concerned about how bad things were, she was in a position to do something, but she resigned. Now, if the Member wants some facts and figures from her constituency, I will give them to her. Tuktoyaktuk, last year, requested for administration and maintenance \$258,300. They were supplied with \$205,000. Now, in simple arithmetic, that is 80 per cent of their budget. That is for administration and for maintenance, and they have three maintenance people, one of whom makes \$11 an hour, two of them who make \$10 an hour; a manager, and a secretary. Each of them gets travel assistance.

In Paulatuk they requested \$82,800. They received over \$63,000. In Paulatuk they have one man year for maintenance, and they have a part-time, a half man year, for a manager. The maintenance man gets \$12 an hour, the manager gets \$9.25. They again get travel assistance. In Sachs Harbour, they requested for administration and maintenance last year \$74,000. They received over \$64,000. They had three people -- two of them on maintenance work, who are half man years. They get \$10 an hour and they get travel assistance as well. In Sachs Harbour, they have a manager part time, a half man year, who gets \$600 a month and gets travel assistance as well. In Holman Island, they requested close to \$225,000, and they received well over half of that. They have two maintenance people, one of whom gets \$13.50 an hour, the other gets \$12.50 an hour. They have travel assistance. They have a manager full-time and a secretary full-time. The manager gets travel assistance in addition to a \$20,000 salary. So if you want facts and figures I can supply them for all over. They are not for anything else except for salary and wages -- and not for anything else except to do the maintenance work. The maintenance money comes from the amount of rents that are collected in those communities, and I need not have to tell the Member -- I read it out in a reply -- of the amount of back rent. I had nothing to do with housing during the federal takeover. I had nothing to do with housing until about the end of the time that the Member was on the Housing Corporation. For her to sit there and say that we do not care about what is going on, and we are trying to give people a hard time, is not in fact true.

CHAIRMAN (Mr. Fraser): Thank you, Mr. McCallum. To the motion to amend. Mr. Wah-Shee.

HON. JAMES WAH-SHEE: Mr. Chairman, I was just going to indicate that, in terms of salary scales for municipal employees, I think it has to be right across the board in terms of the maximum, and I find it difficult at this time, Mr. Chairman, to have a higher scale of wages being paid to municipal employees in the impact zones, in comparison to other regions of the Territories, and that is what I wanted to clarify at this point, Mr. Chairman.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Fraser): To the motion to amend. Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, I find it very admirable that all of a sudden we are facing figures and, and like I say, figures are certainly something that can be very astounding. At the same time, if we are talking about the total figure, and total number of hours, we can get back and say, "Okay, how many hours does that maintenance man get? How much is paid toward stationery? How much is paid toward telephone, telecopier, postage?" You know we can go on and on about that, but I believe that, if in fact the honourable Minister feels that people are overly well-paid at the community level, well, that is his problem. As for the Housing Corporation, when I was there I worked hard. I did as much as I could, and when I left I was able to secure a person who also had some experience in Housing Corporation business. The reason I resigned, as he should full well know, is because I wanted to be able to make statements such as I am making today without conflict of interest.

Bill Restricts Local Decision Making

Now, there are many things that he has to judge when he talks about community level funding, and he has to judge those things according to his own conscience. If he feels that they are satisfactorily paid, and if he feels that \$9.25 an hour maybe for five hours a day or whatever is taking care of it, that is his problem. I feel that they are not taken care of, and I believe that this bill is restricting them as well in making their own decisions and they are at the bottom of the scale, they do most of the work, and they are the ones that have to face the consequences of whether something works at a community level or not. Now, I cannot answer for Mr. McCallum's conscience.

HON. ARNOLD McCALLUM: Do not bother, do not even try.

MS COURNOYEA: No, I will not.

HON. ARNOLD McCALLUM: Good, do not even mention it. I have got enough problems without having you.

MR. CURLEY: Why do you not resign?

HON. ARNOLD McCALLUM: Why do you not go for a walk, Tagak? Dink.

MS COURNOYEA: As for the problems at a community level, I think that there is one fundamental issue that I mentioned before and that is in regard to people taking responsibility at a community level, and also being allowed to make the decisions at that level, and I would like a recorded vote if we are voting on these sections.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Fraser): Are you ready for the vote?

SOME HON. MEMBERS: Question.

Motion To Amend Clause 3 Of Bill 18-82(3), Defeated

CHAIRMAN (Mr. Fraser): Question is being called, a recorded vote being requested. All those in favour, please stand.

CLERK ASSISTANT (Mr. Hamilton): Mr. Evaluarjuk, Mr. Arlooktoo, Ms Cournoyea, Mr. Curley.

CHAIRMAN (Mr. Fraser): Down. Opposed, please stand.

CLERK ASSISTANT (Mr. Hamilton): Mr. Patterson, Mr. Tologanak, Mr. McCallum, Mr. Wah-Shee, Mr. Braden, Mr. Butters, Mr. Nerysoo, Mr. McLaughlin, Mrs. Sorensen, Mr. MacQuarrie.

CHAIRMAN (Mr. Fraser): Abstentions, please stand.

CLERK ASSISTANT (Mr. Hamilton): Mr. Pudluk, Mr. Sibbeston.

CHAIRMAN (Mr. Fraser): The motion to amend clause 3 has been defeated, 10 to four.

--Defeated

Clause 3. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, I would like to return, very briefly, to clause 2, and make an amendment which I think Members will recognize will provide a little bit more flexibility to the bill, in giving consideration to particular and special needs and requirements, if I may.

CHAIRMAN (Mr. Fraser): Is it agreed that we go back to clause 2 to make a brief amendment?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Proceed, Mr. Butters.

Motion To Amend Paragraph 2(1)(f) Of Bill 18-82(3), Carried

HON. TOM BUTTERS: I am going to be referring specifically to paragraph 2(1)(f), so Members may direct their attention to that. Mr. Chairman, I move that Bill 18-82(3) be amended by deleting the word "an" in paragraph 2(1)(f) and changing the word "employee" to "employees". So there are two changes there, a deletion and the addition of "s" to the word "employee".

CHAIRMAN (Mr. Fraser): A point of order, Ms Cournoyea.

MS COURNOYEA: The Minister is introducing this bill. Can he make amendments to his own bill?

CHAIRMAN (Mr. Fraser): Yes, apparently he can, Ms Cournoyea. To the motion.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Fraser): Question being called. All in favour? Down. Opposed? The motion is carried.

---Carried

Clause 2, definitions, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 4, extension of plans. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 5, where plan has increase after December 1, 1982. Mr. Butters.

Motion To Amend Paragraph 5(2)(b) Of Bill 18-82(3), Carried

HON. TOM BUTTERS: Thank you, Mr. Chairman. I have an amendment to clause 5. I indicated when I introduced the bill that a number of amendments had been suggested during discussion of the legislation in the standing committee on legislation and I would like to move the first one. I move that Bill 18-82(3), An Ordinance Respecting the Restraint of Compensation in the Public Sector of the Northwest Territories, be amended by adding the word "increased" prior to the phrase "wage base" in paragraph 5(2)(b).

CHAIRMAN (Mr. Fraser): Your motion is in order, Mr. Butters. To the motion.

HON. TOM BUTTERS: Question, sir.

CHAIRMAN (Mr. Fraser): Question being called. All in favour? Down. Opposed? The motion is carried.

---Carried

Clause 5, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 6, where plan has no increase after December 1, 1982. Mr. Butters
Motion To Amend Paragraph 6(2)(b) Of Bill 18-82(3), Carried

HON. TOM BUTTERS: Yes, sir. Again, another amendment. I further move that this bill be amended by adding the word "increased" prior to the phrase "wage base" in paragraph 6(2)(b).

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Fraser): Your motion is in order. Question is being called. All in favour? Down. Opposed? The motion is carried.

---Carried

Clause 6, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 7, expired plans. Mr. Butters.

Motion To Amend Paragraph 7(2)(b) Of Bill 18-82(3), Carried

HON. TOM BUTTERS: Mr. Chairman, I further move that this bill be amended by adding the word "increased" prior to the phrase "wage base" in paragraph 7(2)(b).

CHAIRMAN (Mr. Fraser): Your motion is in order. To the motion.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Fraser): Question being called. All in favour? Down. Opposed? The motion is carried.

---Carried

Mr. Butters.

Motion To Amend Paragraph 7(2)(c) Of Bill 18-82(3), Carried

HON. TOM BUTTERS: Again in clause 7, I further move this bill be amended by adding the word "increased" prior to the phrase "wage base" in paragraph 7(2)(c).

CHAIRMAN (Mr. Fraser): Your motion is in order.

HON. KANE TOLOGANAK: Question.

CHAIRMAN (Mr. Fraser): Question. Question is being called. All in favour? Down. Opposed? The motion is carried.

---Carried

Mr. Butters, have you another amendment to clause 7?

Motion To Amend Clause 7 Of Bill 18-82(3) By Adding Subclause 7(3), Carried

HON. TOM BUTTERS: Yes. I further move that this bill be amended by adding the following subclause immediately after subclause 7(2), and this would be subclause 7(3) and the description would read: "lawful termination unaffected". Subclause 7(3) would read: "Nothing in this section shall be deemed to extend the provisions of a compensation plan of an employee who ceases to be an employee through lawful termination."

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

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Fraser): Question being called. All in favour? Down. Opposed? The motion is carried.

---Carried

Clause 7, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 8, terms and conditions continue in force. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 9, powers, duties and functions of Executive Member. Mr. Butters.

Motion To Amend Subclause 9(3) Of Bill 18-82(3), Carried

HON. TOM BUTTERS: I move that this bill be amended by changing the word "it" to "he" in subclause 9(3).

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

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Fraser): Question being called. All in favour? Down. Opposed?

---Carried

Clause 9, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 10, amending tariff of fees or medical care plan. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 11, orders. Mr. Curley.

Motion To Amend Clause 11 Of Bill 18-82(3)

MR. CURLEY: Yes, Mr. Chairman. I have an amendment. I move that Bill 18-82(3) be amended by deleting the word "may" and replacing it by the word "shall" in clause 11, the first line.

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

MR. CURLEY: Thank you, Mr. Chairman. That certainly is a lot better assurance than the government's unsubstantiated assurance that they would attempt to try and rectify the problems involved in the wage disparities. So I would think if we replace the word "may", because the word could mean "may not" or "maybe", by the word "shall", then at least the government is obligated to correct those problems where they exist. Thank you.

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

Executive Members Given Discretionary Powers

HON. DENNIS PATTERSON: Mr. Chairman, it is my view that Executive Members are appointed by the Commissioner on recommendation of this House to conduct the business of the House with the government between sessions of the Assembly and in order to do that Executive Members are given discretion. This clause, as I see it, is designed to give the Executive Member discretion and I am satisfied that the Executive Member has stated that he will use his discretion favourably if it should become financially possible to do so. I would suggest that by binding him to take action and thereby removing his discretion, if this amendment were to be approved, this Assembly would be fundamentally altering the relationship of the Executive Members to the Assembly. So I feel that while the amendment is undoubtedly well-intended, in fact, it goes to the discretion of the Executive Member and, also, it is a little bit meaningless, because the last clause still gives the Executive Member discretion in that he may not make a decision unless he considers it to be in the public interest, so he still would retain a discretion there. I think we have to understand that these are decisions that have to be dealt with by the Executive Member in his discretion and that discretion should not be tampered with by the House, unless, of course, the House wishes to remove the Executive Member or the Executive Committee. I think fundamentally Executive Members are elected with an understanding that they shall use discretionary powers in between the sessions of the House. So I think the section should be left as is, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. To the motion. Mr. Sibbeston.

Assembly Gives Direction To Executive Members

MR. SIBBESTON: Mr. Chairman, I do not agree with the analysis or the opinion of Mr. Patterson in this regard. I think Executive Members must remember that they are there because of the Assembly, and that wherever possible they should take direction and instructions from the Assembly. It is not always possible to specifically instruct the Executive Committee Members, but wherever possible I think this Assembly is perfectly free and ought to be able to instruct the Executive Committee Members, and in this case should have "shall" there. I think it is perfectly in order if this Assembly wants to pass an ordinance which says "The Executive shall". I think that is its prerogative and it ought to do so. It is just that in the matter of fact and the matter of practice it cannot always do this. It cannot direct the day to day activity of the Executive Committee Members, and it gives them discretionary powers for most of the day to day activities. But wherever the Assembly feels strongly about a matter, I feel it is perfectly in order for the Assembly to say "The Executive Committee shall do this." On this basis I certainly disagree with Mr. Patterson. I certainly do not think Members should be left with the impression that once the Executive Committee Members are elected, then they have to simply operate on their own discretion. Wherever possible, they must seek direction from this Assembly, and if we could order the lives and work of the Executive Members on a daily basis, so much the better, because then the Executive Committee Members are doing precisely what the Assembly wants them to do. It is democracy -- we are all elected, so those in charge do what we tell them to do.

So I disagree with Mr. Patterson on that point, but on the point as to whether that should be a "shall" or a "may", I do agree that it simply ought to stay as "may", because there are other factors. Whether they are able to do something partly depends on whether there are moneys available, so to bind them, I think, might be impractical or might make it impossible for them to carry out our instructions. I agree that it ought to remain as "may", with, of course, notice to them that wherever possible they ought to be cognizant of what has been said here and will take appropriate -- they will listen and do what they are told, if possible.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Sibbeston. To the motion. Mr. Patterson.

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. Yes, I certainly get the message loud and clear that the Assembly wishes to have us do whatever we humanly can, financial resources

permitting, to help the people in the lower end of the wage spectrum. I certainly take that as direction for which we will be held accountable at the next session of this Assembly. The other thing that I would like to say is that I certainly fully appreciate that Executive Members are creatures of this House, are appointed at the pleasure of this House, and I did not wish to in any way imply that Executive Members would go against the wishes of this House. I just did want to make the same point Mr. Sibbeston made, that it depends on financial resources, but having heard all the arguments advanced by him, and mindful of our responsibility to take direction from the House, I think my position on this amendment would be to abstain and to follow direction from the Assembly. Thank you.

CHAIRMAN (Mr. Fraser): To the motion. Mr. Curley.

MR. CURLEY: Mr. Chairman, I really then wonder why some of us Members are here. Maybe just to play a role, just to provide a quorum? In respect of trying to assure some guarantee that there will be some correction, I would want to ask the Commissioner, what is the sense of putting in clause 11 if it is going to be meaningless, if the word "shall" shall mean it is meaningless, then why is it there? Just to show you are trying to do some good will and not going to follow it up? Is this a trick so that we can adopt the bill so that it is really doing great things? When you said that the Minister may not be able to do it if he considers it not being in the public interest, because the public interest may not be in the interest of the regions; it may mean the interests of the people in Yellowknife, around headquarters, the Laing Building particularly, so why leave that section there when it is meaningless, Mr. Commissioner?

CHAIRMAN (Mr. Fraser): Thank you. Mr. Commissioner.

COMMISSIONER PARKER: Mr. Chairman, the clause is not meaningless. The clause is clearly there for a purpose, and the purpose permits the Executive Member, more than likely after consultation with his colleagues, to take effective action in cases where there is a clear need to do so, and therefore I just simply reiterate that this clause is not a meaningless clause, it is an important clause. If the Member is more comfortable with "shall", I do not particularly see any problem with that. I am not speaking as a lawyer, but just as a layman I do not see any difficulties with putting "shall" in there.

CHAIRMAN (Mr. Fraser): To the motion. Mrs. Sorensen.

Minister To Act In The Public Interest

MRS. SORENSEN: Thank you, Mr. Chairman. I am going to vote in support of the amendment because I feel that discretion is still allowed in the last two lines, because the clause says "where he considers it to be in the public interest to do so", so it is clearly a judgment basis on the part of the Minister, and it deals only with the public interest.

Now, the difficulty that he might have is this Legislature does not always direct the Executive to do what is in the public interest. Sometimes it is the other way around, and I think this amendment is really quite fair. I think that we should make decisions based on the public interest, and that if it is right for the public interest, then Mr. Butters should do it, there should not be any leeway. In terms of spending the tax dollar, I think that this strengthens up the resolve of the Minister of Finance to get on with the job, and if he finds that five per cent is too much to give in the second year, and it is in the public interest -- because the economy is continuing on a downward spiral -- to only give three per cent, then he shall do it. That strengthens his position. Rather than abstain, you guys, I think you should all stand up and support this, because it gives you more power and more strength.

CHAIRMAN (Mr. Fraser): To the motion. Mr. Sibbeston.

MR. SIBBESTON: Well, I do not want to get into a side argument, but Mrs. Sorensen says that this Assembly does not always do what is in the best interest, and I really object to that, because obviously -- I can only speak for myself -- but I do think that I make decisions and vote in a way that I think is in the best interests of my constituents, who are the public. For her to suggest that this Assembly does not always do things in the public interest sounds as if we are doing things for our own personal reasons, so Mrs. Sorensen ought to speak for herself in this regard, because I certainly....

MR. CURLEY: Hear, hear! Hear, hear! She means Yellowknife.

CHAIRMAN (Mr. Fraser): I see about four hands, so we will just break for 15 minutes.

---SHORT RECESS

CHAIRMAN (Mr. Pudluk): Now this committee will come back to order. To the motion. Mr. Butters.

HON. TOM BUTTERS: Just to say, Mr. Chairman, that the direction provided in the debate to this amendment is accepted by the Executive Committee, and Members will support the amendment.

CHAIRMAN (Mr. Pudluk): To the amendment to the motion. Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, I would like a clarification on what this means; for example, if Eskimo Point indeed is getting \$65,000, I think Mr. McCallum says it covered one administrative employee. In fact, it covers two; but, taking the broad side of it, we take, say, \$10,000 off for administration, and we are ending up with \$55,000, and given that maybe the senior official would get \$25,000, how would this...

CHAIRMAN (Mr. Pudluk): Ms Cournoyea, maybe you can talk that way, after we deal with the amendment first. Ms Cournoyea.

MS COURNOYEA: ...but if the Minister shall do this, you know, what would it mean? If he shall do -- and take \$25,000 and he shall implement clause 11.

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

HON. TOM BUTTERS: I do not follow the Member's reasoning. I think the clause is quite clear that it would act -- as the Executive Member considers is in the public interest. I do not know that the situation that the Member has raised -- which seems to be hypothetical -- it would not necessarily be in the public interest. Maybe there is something of a legal nature which Mr. Lal could address, but I do not understand the rationale being advanced here by the Member.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Butters. Mr. Lal.

Amendment Would Delete One Discretionary Element

MR. LAL: Thank you, Mr. Chairman. The way this section is worded presently, it contains two discretionary elements. The first one is that the Executive Member "may" do this, this, or this; "may" by order, substitute etc. The second discretionary element is where he considers it to be in the public interest to do so. If Mr. Curley's amendment were to pass, the effect of that would be to delete one of those discretionary elements. In other words, the Executive Member would still have the discretion to decide whether or not a certain situation is in the public interest to remedy, but once he has made up his mind that it is in the public interest to do so, the discretionary element will not be there for him to decide whether or not he will take any action subsequent to that; if the word "shall" is substituted for the word "may".

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

MS COURNOYEA: Mr. Chairman, I may not have made myself quite clear, but it says "a percentage different from the five per cent provided for in" the paragraphs which follow. As an example, I put \$25,000. If the Minister decided to, or should have to -- what would that mean? You know, I am not quite clear on what that might mean.

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

MR. LAL: Mr. Chairman, what it means is that instead of being bound to an increase of five per cent, if the Executive Member thinks that in a particular case it is in the public interest to give, for instance, 20 per cent, he would have the authority to allow an increase of 20 per cent as opposed to five per cent.

MRS. SORENSEN: Or three per cent.

MR. LAL: Or three per cent, indeed.

CHAIRMAN (Mr. Pudluk): Thank you. To the motion. Are you ready for the question?

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Pudluk): Question has been called to the motion. All those in favour, please raise your hands.

AN HON. MEMBER: To the amendment.

Motion to Amend Clause 11 Of Bill 18-82(3), Carried

CHAIRMAN (Mr. Pudluk): To the amendment, yes. Down. Opposed? The motion is carried.

---Carried

Clause 11, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 1, the 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): Now Bill 18-82(3) is ready for the third reading, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Thank you. Now we are going to go to Bill 2-82(3), Income Tax Ordinance. Opening remarks. Mr. Butters.

HON. TOM BUTTERS: Thank you, Mr. Chairman. I think we could excuse Mr. Lal and Mr. Nielsen, if you might...

CHAIRMAN (Mr. Pudluk): Yes, I would like to thank Mr. Lal and Mr. Nielsen for appearing in the House. Thank you. Mr. Butters.

Bill 2-82(3), Income Tax Ordinance

HON. TOM BUTTERS: Mr. Chairman, I might have been a little too quick to let Mr. Nielsen go, because this deals with income tax, but I believe I have sufficient information to provide to the committee and indicate that the amendment being offered here is necessary. When it was considered at the finance committee level a number of questions were asked of me, and I will attempt to respond to them at this time, as I was not able to then.

The purpose of the change is that in 1979 and 1980 the federal government made minor changes to the Income Tax Act to clarify how companies were to make tax payments on instalments. Now, under the terms of our tax collection agreement with the Government of Canada, we must keep our legislation consistent with the federal act, in terms of collection procedures and dates of such collections. Although the federal government made the changes in 1979 and late 1980, we were not informed of that fact until 1981. Possibly it should have been brought in sooner, but as the change is very minor and it does not impact on our rates, it has not been considered a priority.

The 1979 and 1980 dates do not retroactively affect the taxpayer, as they have been required to follow the new federal legislation since it was approved. As I mentioned earlier, the federal government is collecting the tax on our behalf and I do have for the chairman of the finance committee a schedule of the instalment payments by companies if she would like to have this for herself and her Members.

CHAIRMAN (Mr. Pudluk): Bill 2-82(3). Mrs. Sorensen.

MRS. SORENSEN: Thank you, Mr. Chairman. Yes, we would like that information. Mr. Chairman, the finance committee did review this bill, and have agreed to recommend the passing of the bill by the Legislature. We have no further comments.

CHAIRMAN (Mr. Pudluk): General comments. Mr. MacQuarrie.

MR. MacQUARRIE: Thank you. The standing committee on legislation reviewed the bill, heard the government's case, and agreed that the amendment was in order, and agreed to refer it to the committee as it is.

CHAIRMAN (Mr. Pudluk): Clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 2, when subparagraph (1)(a)(i) to apply. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Bill 2-82(3), ready for third reading. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Thank you. Now we are going to go to Bill 5-82(3), and that is Mr. Patterson's. Mr. Patterson, general comments. Opening remarks. Bill 5-82(3), Student Financial Assistance Ordinance.

Bill 5-82(3), Student Financial Assistance Ordinance

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. The first purpose of Bill 5-82(3) is to extend the present loan limits in the schedule of the Student Financial Assistance Ordinance as these are projected for the individual fiscal years and for the aggregate amounts. The reason for this is that the present limit for the 1982-83 fiscal year is inadequate to meet the loan requests for this year. The second purpose is to correct in the schedule the sectional reference to the ordinance. A correct reference should read, "Section 7(9)(c)".

Briefly, Mr. Chairman, the shortfall of funds requested in the schedule as amended is the result of too low an estimate for the number of applicants that would apply for a loan. I may say that I think this can partly be explained by a general trend in the country, and certainly in the Northwest Territories, on the part of students, to go back to school in light of the hard economic times and uncertainties that are faced in the job market. We had increased numbers of students applying to go back to school, and therefore increased numbers that were applying for a loan that we did not foresee in introducing this schedule originally. Secondly, there was an oversight on the part of the Department of Education to consider the loan eligibility of the students who were grandfathered into the Student Financial Assistance Ordinance. For cost projections in the original schedule we assumed there would be 125 loan applications; to date we have had 276 applications; 110 students were grandfathered into the present ordinance with the grant benefits which they were eligible for under the previous ordinance in the tuition, transportation, book allowance and living allowance, and this group has now been declared eligible for a student loan as well. So that is a general explanation of the purpose of the bill, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Thank you. Bill 5-82(3), general comments. Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. The standing committee on legislation reviewed the bill and, again, after hearing the Minister's case, agreed to recommend referral of the bill to committee of the whole as presented.

CHAIRMAN (Mr. Pudluk): Thank you. Bill 5-82(3). Mrs. Sorensen.

Comments From Standing Committee On Finance

MRS. SORENSEN: The standing committee on legislation also referred this bill to the standing committee on finance, by letter, because of the financial implications. The standing committee on finance was concerned about the information that was provided, and felt that it was somewhat inadequate. In other words, we found it difficult just by looking at this to understand what it meant, and the government has agreed that in future more information will be given to us as part of the explanatory note. You will notice that that page is really not very complete at all.

Contract To Provide Protection For The Government

We also asked about the contract that is signed by the student who takes out a loan. We asked for a copy of that contract, and we have received a copy of the original contract that was drawn up, but which has since then been withdrawn. The government, as I understand it and Mr. Patterson could correct me if I am wrong, is now working on a more detailed or better contract which will be signed with the students. Our concern here was that we make sure that the students who obtain the loans understand and agree that they are going to either pay the loans back or, under the formula, come back to the Northwest Territories and work them off. We have heard some of the horror cases that take place in the South, where students obtain the loans from the government over a series of years and then basically walk away and either do not pay them back or pay them back partially; we would not like that to happen. We would like to see this become, eventually, a type of revolving fund where four or five years down the way money is coming back into the fund from students who have graduated from university or college or technical school, so we felt that there should be provision within the contract to provide that protection for the government.

We did also consider and ask the Minister why he did not make an arrangement through a bank, because banks are better collection agencies -- as we understand it -- than governments are. The response that we got was that banks would force the government to guarantee any loans that were made that were not paid back, in the final analysis, anyway. The issue of being a better collection agency, I think, still is outstanding, but I think that -- I do not know about the committee, but I was prepared to stay with the expertise of the Minister, who says clearly the government is the better agency to administer this program.

I do have copies of information in more detail for individuals who are interested. I could get it copied but, having reviewed it, I am satisfied that this bill is proper and the finance committee does recommend that it proceed and that we pass it. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Thank you. General comments? Clause by clause? Clause 1. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Schedule. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Bill 5-82(3), ready for third reading. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Thank you. Now we are going to go to Bill 19-82(3). Mr. McCallum, opening remarks.

Bill 19-82(3), Council Ordinance

HON. ARNOLD McCALLUM: Mr. Chairman, the amendment is to the Council Ordinance to allow Members to receive an indemnity for committee meetings, to restrict increases in indemnities to six and five per cent, and to allow the Commissioner by regulation, to vary living allowances for Members, upon the recommendation of the Members' Services Board.

I have, Mr. Chairman, two further amendments that I would like to propose to the bill as well, and if I may at this time just mention them as a means of explanation and we will come to them. I think that they have been fairly well looked at, certainly by the Members' Services Board.

In the clause 4 proposed subsection (3) would simply change the word immediately following the word "Saturday" from "or" to "a" and, further, change the period following "Sunday" to a comma, and add the following words: "a general holiday or on any day on which, for any reason, the Council session stands adjourned". An additional subsection would be added immediately following subsection (3), including a marginal note "idem", and numbered subsection (4): "For the purposes of subsection (3), a general holiday means a general holiday as defined by the Labour Standards Ordinance, and includes Easter Monday and Boxing Day."

I would, as well, when it comes to it, Mr. Chairman, add a new clause 6, which I will read at that time. I do not think it is necessary to read it at the present time. There is also a further amendment to clause 3. So with those basic comments, when we get to them I will indicate where I would like to amend the bill.

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

MR. MacQUARRIE: Thank you, Mr. Chairman. The standing committee on legislation reviewed this bill and, as it stood at that time, the committee certainly recognized that most of the substance involved in the changes were things that a majority of Members seemed to desire, and therefore the standing committee on legislation agreed to refer the bill as it is, but I note that the Minister is recommending certain changes since that time. I am not in a position to comment on those, and I must say I have not got a copy of them, and would like to see them before we proceed any further.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. MacQuarrie. Mr. McCallum, I wonder if we could have coffee. I think all the Members would like to see those amendments before we start dealing with it. I think they are working on it right now. If you stick to general comments at the moment, until you get the copies, I would appreciate it. General comments. Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, I apologize. I thought that they had been passed around to Members. The further amendments, Mr. Chairman, come from the Members' Services Board and simply take into account some of the concerns that were presented from caucus. I think, in terms of the additions to the bill itself. I was under the impression, rightly or wrongly, that Members knew of these. I knew you did and I thought everybody did. Mr. Chairman, I cannot add anything more to the general intent of the bill.

CHAIRMAN (Mr. Pudluk): Let us take a two or three minute break, before we get the copy. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Thank you.

---SHORT RECESS

Now the committee will come back to order. Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, I did not want to cause confusion on this particular bill. I will be amending the proposed subsection (3) in clause 4, to change those things that I indicated and adding subsection (4), where it now only goes to (3). So I would suggest there should not be any difficulty. I think most people know of that and we could go clause by clause.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. McCallum. Does this committee wish to go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 1, "election". Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 2, increase in living allowance. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 3, indemnity. Mr. Curley.

Motion To Add Paragraph (d) To Clause 3, Bill 19-82(3), Ruled Out Of Order

MR. CURLEY: Yes, Mr. Chairman. Mr. Chairman, I have an amendment to clause 3 and I move that Bill 19-82(3) be amended as follows: Under clause 3, insert paragraph (d): "is in transit between his constituency and the place where a session of the Council is held immediately prior to the session for the purpose of attending such a session or returning to his constituency immediately following a session".

CHAIRMAN (Mr. Pudluk): Mr. Curley, your amendment is dealing with money and that amendment has to come from the government Members. Mr. Curley.

MR. CURLEY: Can I speak to what the intent of the motion is? If they want some information, I could give it, on what it is trying to accomplish.

CHAIRMAN (Mr. Pudluk): That motion has to come from the government and you cannot speak to it at the moment unless somebody from the government moves that amendment. I think we are going to take a few minutes. Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, I recognize the intent of the amendment to the bill. The only difficulty that I have with it is that it is supposed to come in a recommendation. We have not looked at it in Members' Services Board and whilst I personally do not have any difficulty with it, I cannot speak on behalf of other Members of the Members' Services Board, on which there are four other Members. If we agreed to it, we would have to get it from the Members' Services Board and if we deal with the process by which things occur, according to the legislation committee, it would go through with it. I am not trying to stall on it. I just do not want to indicate that we would go ahead and do these things, without getting into more difficulties. Certainly I think that I would be prepared to bring it to the Members' Services Board and bring it in in the January session. I do not know how else; perhaps we can get somewhere faster than that, but I do not know the process for doing it any quicker.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Curley.

Compensation For Days Of Travel

MR. CURLEY: Mr. Chairman, that is the way things should be; always dealt with and analysed for financial implications, but we do not always do it here. You know, we had an electoral boundaries commission that is going to be created, never analysed by the government. It was never really considered in terms of what kind of financial impact it will create on the government. Where are we going to get the bloody money from? You know, things like that.

This proposed amendment is really to be able to compensate Members of the special committees, whether they be the standing committee on legislation, finance committee Members from the Eastern Arctic who travel; they do not get paid for the time they leave, because of the way the air line schedules and everything else are set up. They lie there for three, four days en route and they do not get indemnities for these days. That is what the amendment tries to do and I would think that is not a very hard imposition on the Legislative Assembly. We must be our own authority, not just the one Member of the permanent committee of the Legislature. It is all right for the people in this part of the area, where they can just drive and attend a special committee meeting in one of the hotel rooms here in town, but it is not like that in the Eastern Arctic, where they must travel. I am not a Member of any special committee, so I do not have any stake in it, but there are people who are from further east, like Baffin Island, who have to spend a few days en route and cannot be compensated for the days they travel.

HON. ARNOLD McCALLUM: Mr. Chairman.

Committee Members Paid While In Transit

CHAIRMAN (Mr. Pudluk): There is no motion on the floor yet, so you cannot discuss it right now.

HON. ARNOLD McCALLUM: Mr. Chairman, then, may I just make a comment, not on the bill or the amendment, but just simply to indicate that Members now are paid while they are in transit to and from committee meetings? That is already the case, so it is not a question of dealing with committees. Any Member of the House who is a Member of a committee is paid in transit, that is, the time to come to the meeting, wherever, and the time that it takes to get back to their community. Now, that is already in place. Without referring to any kind of an amendment that you have now ruled out of order, I can only suggest to the committee that it is possible for the Members' Services Board -- and, again, I cannot speak for the board, because I am only a Member -- but it is possible they may look at additional payments and recommend those. But at the present time there is no reason for Members to believe that they are not paid while they are in transit to and from their community to a special committee meeting and from the locale of the committee meeting back to their home. That is already in place.

CHAIRMAN (Mr. Pudluk): Thank you. Clause 3, Mr. Patterson.

HON. DENNIS PATTERSON: Yes, thank you, Mr. Chairman. I believe the purpose of the amendment was to deal with the problem of Members who are travelling a great distance to attend sessions of this Assembly. While I do believe that this amendment should be introduced, in that the present law does discriminate against Members who live some distance away, and have to spend some days...

CHAIRMAN (Mr. Pudluk): I am a little confused right now. There is no motion, or amendment, at this time. We were just discussing clause 3, directly.

HON. DENNIS PATTERSON: Well, Mr. Chairman, I was just going to say that I would be pleased if the Members' Services Board would consider this matter as an issue that remains to be dealt with that is not addressed by the present amendment to section 20. Thank you.

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 4, exception. Mr. McCallum.

Motion To Amend Clause 4, Bill 19-82(3), Carried

HON. ARNOLD McCALLUM: I would want to amend clause 4, in the proposed subsection (3), by changing the word immediately following the word "Saturday" from "or" to "a", and further, change the period after the word "Sunday" to a comma, and add the following words: "a general holiday or on any day on which for any reason the Council session stands adjourned", and further -- well, I can deal with that, Mr. Chairman, when I introduce a new subsection (4). So subsection 3 will read: "Members shall not be paid an indemnity pursuant to subsection (1) during a Council session, unless the attendance or performance of duties occurs on a Saturday, a Sunday, a general holiday, or any day on which for any reason the Council session stands adjourned."

CHAIRMAN (Mr. Pudluk): Your amendment is in order. To the amendment.

AN HON. MEMBER: Question.

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

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Pudluk): Okay, question has been called. All those in favour, please raise your hands. Down. Opposed? The amendment is carried.

---Carried

Clause 4. Mr. McCallum.

Motion To Amend Clause 4 By Adding New Subsection (4), Bill 19-82(3), Carried

HON. ARNOLD McCALLUM: Mr. Chairman, I would like to propose an amendment to clause 4, and number it subsection (4), with a marginal note, "idem". It would read: "For the purposes of subsection (3), general holiday means a general holiday, as defined by the Labour Standards Ordinance, and includes Easter Monday and Boxing Day."

CHAIRMAN (Mr. Pudluk): Your amendment is in order. To the amendment.

AN HON. MEMBER: Question.

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

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Pudluk): Question has been called. All those in favour, please raise your hands. Down. Opposed? The amendment is carried.

---Carried

Clause 4 as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 5, limitations on indemnities. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): The bill as a whole. The honourable Member for Mackenzie Liard.

Motion To Amend Number 6, Schedule A, Council Ordinance, Ruled Out Of Order

MR. SIBBESTON: Mr. Chairman, I would like to add a further clause. It would be clause 6, which would read: "The ordinance is further amended by changing number 6 of Schedule A of the Council Ordinance to read Deh Cho instead of Mackenzie Liard."

HON. DENNIS PATTERSON: Mr. Chairman, a point of order.

CHAIRMAN (Mr. Pudluk): A point of order, Mr. Patterson.

HON. DENNIS PATTERSON: Mr. Chairman, there is a bill before this House, Bill 24-82(3), which provides for the naming of constituencies, and it is therefore, I would suggest, out of order to introduce an amendment dealing with the subject of another bill in this ordinance. I in no way disagree with the suggestion advanced by Mr. Sibbeston for renaming his constituency, but we have just, at great pain, decided to initiate, hopefully, an independent boundaries commission, which will make recommendations to this Legislature.

CHAIRMAN (Mr. Pudluk): Mr. Patterson, the amendment proposed by the honourable Member for Mackenzie Liard is out of order. That section is not in front of the committee. We are on the Council Ordinance at the present time. The honourable Member for Mackenzie Liard.

MR. SIBBESTON: Mr. Chairman, are you suggesting that we are restricted to the clauses that are being placed before us, in any of the consideration?

CHAIRMAN (Mr. Pudluk): It is in our rules, yes. The honourable Member for Mackenzie Liard.

MR. SIBBESTON: Mr. Chairman, you are referring to Rule 69(2) of the rules, which says, "Speeches must be strictly relevant to the item or clause under discussion."

CHAIRMAN (Mr. Pudluk): Rule 69(2), that is part of it; but if you want to deal with something like that, it has to be in the clause.

MR. SIBBESTON: Mr. Chairman, with due respect, what about the amendments that are made by Members on the other side to an ordinance that is brought forward? I see other Members making amendments and adding on to certain sections. I do not see why I am not permitted to make amendments likewise, just like anybody else. I do not think this rule here covers this. I think that a person is able to make any amendments to an ordinance that is before us, even if we are not specifically dealing with any of the clauses that are before us -- you can add to it -- surely you are not restricted. You can add to the clauses that are before you.

CHAIRMAN (Mr. Pudluk): Honourable Member for Mackenzie Liard, I do not really know how I am going to clear this up for you. Those amendments which are passed -- the clause is already there to amend, in those bills. If the clause is on your table, bills can be amended, but a new clause...

MR. SIBBESTON: Mr. Chairman, are you suggesting that a Member of this House is not able to add clauses when an ordinance is before it? Are we restricted? Surely, as Members of this Assembly, we can make amendments and add on, if the ordinance is before us to be dealt with. With due respect, I do think that your advisers are suggesting a very limited and restricted interpretation of the rules.

CHAIRMAN (Mr. Pudluk): The honourable Member for Mackenzie Liard, my ruling still stands.

MR. SIBBESTON: I challenge.

CHAIRMAN (Mr. Pudluk): Thank you.

MR. MacQUARRIE: Point of order.

CHAIRMAN (Mr. Pudluk): Point of order, Mr. MacQuarrie.

MR. MacQUARRIE: Yes, with respect to the challenge, I believe that what should have some bearing is what happened in the House in the past and I believe if references are checked you would find that where amendments to certain ordinances have been brought in, that indeed certain other clauses have been added or deleted.

CHAIRMAN (Mr. Pudluk): Well, Mr. MacQuarrie, I have already been challenged. I am going to report progress.

MR. SPEAKER: Mr. Pudluk, please.

REPORT OF THE COMMITTEE OF THE WHOLE OF BILL 19-82(3), COUNCIL ORDINANCE

MR. PUDLUK: Mr. Speaker, your committee has been considering Bill 19-82(3), Council Ordinance. The honourable Member for Mackenzie Liard wanted to make an amendment to put in a clause 6 and I ruled it out of order and I was challenged.

MR. SPEAKER: Thank you, Mr. Pudluk. We will recess for 15 minutes and we will come back here. We might as well use this as a coffee break.

---SHORT RECESS

Speaker's Ruling

MR. SPEAKER: I call the House back to order. The question put before the Chair -- Mr. Sibbeston's amendment was to amend Schedule A to the Council Ordinance. Rule 69(2) of our House states: "Speeches must be strictly relevant to the item or clause under discussion." Speeches in the House mean debate and in this case Mr. Sibbeston's amendment was not relevant to any clause contained in Bill 19-82(3), under debate. The admissibility of amendments to bills in committee is outlined in Beauchesne's, citation 773, section 8(b): "An amendment may not amend sections from the original act" or in the case of the Northwest Territories, ordinances "unless they are specifically being amended in a clause of the bill before the committee". Therefore, Mr. Sibbeston's motion to amend Schedule A of the Council Ordinance is out of order, as Schedule A is not before the committee of the whole. I therefore uphold the chairman's ruling.

Resignation Letter From Mr. W.H. Remnant

Because there has been a news release made in Winnipeg, Manitoba, I feel at this time that you should hear in this House and not by way of radio, I have received the following document within the last hour, and it is from Mr. Remnant and it reads: "Mr. Speaker, I have been offered and have accepted the position of Clerk of the Legislative Assembly of Manitoba. The purpose of this letter is to convey to you my resignation as Clerk of the Legislative Assembly of the Northwest Territories. I will take up my new duties in Winnipeg effective January the 1st, 1983. Therefore, I will continue in my present duties until the latter part of December. My exact departure date has still to be worked out."

---Applause

"I would like also to mention that the process leading to my decision to resign began early in August, when I was invited to apply for this position." Signed, W.H. Remnant.

I will speak further on this matter prior to the closing of this Assembly. In the meantime we will...

HON. TOM BUTTERS: Mr. Speaker, I imagine other Members will have an opportunity to speak at that time as well with regard to Mr. Remnant's resignation.

MR. SPEAKER: That would be my purpose, to allow the Members to speak at that time. We will resume in committee of the whole, with Mr. Pudluk in the chair.

MR. McLAUGHLIN: Mr. Speaker.

MR. SPEAKER: Mr. McLaughlin.

MR. McLAUGHLIN: While you are in the chair, could I ask for unanimous consent by Members to return to motions, so that I can then ask for unanimous consent to deal with my motion to allow for the changing of hours by the Speaker?

MR. FRASER: Nay.

---Laughter

MR. McLAUGHLIN: Thank you, Mr. Fraser.

MR. SPEAKER: Unanimous consent has been requested to go back to motions. Are there any nays?

SOME HON. MEMBERS: Agreed.

---Agreed

MR. SPEAKER: Mr. McLaughlin.

MR. McLAUGHLIN: Amazing. Surprise, surprise! Now, if I can just find it.

MR. SPEAKER: Mr. Fraser, I presumed you said that you agreed to this?

MR. FRASER: I voted "yea".

MR. SPEAKER: "Yea". That is what I thought you said. Thank you.

---Applause

MR. McLAUGHLIN: Mr. Speaker, now that we are back at motions, I would like to ask unanimous consent to proceed with my motion dealing with the sitting hours of the House.

SOME HON. MEMBERS: Agreed.

---Agreed

REVERT TO ITEM NO. 10: MOTIONS

Motion 39-82(3): Additional Sitting Hours, Ruled Out Of Order

MR. McLAUGHLIN: Thank you, Mr. Speaker.

WHEREAS there are many items of business still to be considered at this session;

AND WHEREAS the regularly scheduled sitting hours remaining may not provide enough time to adequately consider the business still to be dealt with;

NOW THEREFORE, I move, seconded by the honourable Member for Yellowknife South, that this Legislative Assembly authorize the Speaker to set such additional sitting hours as he may consider necessary in order to ensure that the items of business scheduled for consideration at this session can be dealt with.

Thank you, Mr. Speaker.

MR. SPEAKER: Mr. McLaughlin, your motion is out of order. It was asked for yesterday; if the wording had been changed in the body to denote specific times, rather than giving the job to the Speaker...

MR. FRASER: I knew that.

MR. SPEAKER: ...then your motion would have been in order, but it is not in order in the present form, because unanimous consent was refused yesterday. We will resume committee of the whole, with Mr. Pudluk in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 19-82(3), COUNCIL ORDINANCE; BILL 6-82(3), PUBLIC SERVICE VEHICLES ORDINANCE; 17TH REPORT OF THE STANDING COMMITTEE ON FINANCE

Bill 19-82(3), Council Ordinance

CHAIRMAN (Mr. Pudluk): Now this committee will come back to order. The bill as a whole. Agreed?

AN HON. MEMBER: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Thank you. Now we are going to go to Bill 6-82(3), Public Service Ordinance. Mr. Butters.

Bill 6-82(3), Public Service Ordinance

HON. TOM BUTTERS: Mr. Chairman, I wonder if I might be permitted to ask the House if I could have as a witness, Mr. Lal of Justice and Public Services to speak to some of the legal questions that may arise. It seems to be a very simple amendment, but there is a number of legal questions and ramifications.

CHAIRMAN (Mr. Pudluk): Does this House wish to invite Mr. Lal to be a witness?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Sergeant-at-Arms. Mr. Butters, opening remarks.

HON. TOM BUTTERS: Thank you, Mr. Chairman. I would also point out, before I provide my opening remarks, that I am the Member who speaks in the House for Personnel, and that the Executive Member responsible for the Department of Personnel is Commissioner Parker, so that I would ask the indulgence of the committee should the Commissioner wish to speak from time to time that he be permitted to do so with some frequency, in view of the fact that he probably has specific and detailed information which I myself may lack.

This bill, over the last few weeks, has been before the standing committee on legislation, and it has also been examined by the standing committee on finance. I have appeared before both committees, and I guess have addressed most of the Members here on the bill, but I will again go over some of the background.

The present legislation was first approved in 1965. At that time the Commissioner was Ben Sivertz. The territorial government then, I think, consisted of some 12 or 14 employees, most of whom dealt with or were responsible for providing legislation to the Council of the Northwest Territories. The situation in 1965 was that the North was administered, in effect, by the Department of Indian Affairs and Northern Resources. The Council of the day was in the main constituted with a number of elected Members, but the appointed Members were obviously in control of the situation. The Commissioner of that time, Ben Sivertz, as probably his last major act, moved to relocate the Government of the Northwest Territories where it should be, which was in the Northwest Territories, and to do that there was required a Public Service Ordinance to identify and define how the public service or the Government of the Northwest Territories would be constituted and set up, and who would be the members of that organization.

In the early days, in those days, the bill which currently exists in our ordinance was taken from the Public Service Ordinance of the Yukon, and that legislation that we used at that time still is current in the Yukon. Subsequently, as the Government of the Northwest Territories evolved, it reacted to the direction from successive Assemblies and Councils to devolve and decentralize as much as possible the decision making and program functions to the communities. In that endeavour and toward that objective we saw the growth of municipal governments at the community level, with settlement councils, local education authorities, of housing association bodies, and each of those bodies, when established under our ordinances, were provided with as much managerial autonomy as possible so that they could carry out the functions which they have been charged with or had been charged with.

Lately, there has been a suggestion that employees of these organizations, that function and operate in the communities, are in effect and are in fact civil servants of the Northwest Territories. This suggestion has been opposed by the government for the simple reason that employees in those situations do not meet the criteria that are usually put to the employer-employee relationship. As I understand it, the questions one should ask and answer in determining those criteria are: Who hires the individuals, who fires the individuals, who has the authority to discipline the individuals, and whose responsibility and authority is it to direct the work or the activities of those individuals? In the case of the employees of all of those agencies and organizations that I have described, the answer is certainly not the Commissioner of the Northwest Territories, and that is the position we have taken and we believe to be the proper and legal response to the request.

Purpose Of Bill To Define "Public Service"

The bill before you would more precisely define the intent of the original ordinance, and that was to identify the servants of the Government of the Northwest Territories. As I say, there has been some suggestion that these people who work and serve in the communities and work for community organizations are members of the public service of the Northwest Territories. We maintain that if this indeed were the case, then the autonomy and the management discretion which is currently enjoyed by those organizations would be forfeited and turned over to, in effect, the Commissioner of the Northwest Territories. We do not believe that is currently the case, and we do not believe

that is desirable from either the point of view of the settlement organizations or this government, so that, basically, these amendments are being brought forward in order to clarify this government's position on the question of who is and who is not subject to the Commissioner's control and supervision as public servants.

As I mentioned, for a long time now this Assembly has advocated that local authorities throughout the Northwest Territories be given more power to control their own affairs. Wherever possible, efforts have been made to ensure that decision making powers be decentralized so as to allow meaningful input from the regional and local bodies. It is now being suggested that the employees of many of those local bodies should be brought under the direct control, supervision, and regulation of the Commissioner.

Subject To Supervision And Control Of Commissioner

Let us for a moment consider what would happen if suddenly the employees of all these groups were subject to the supervision and control of the Commissioner, instead of the local groups themselves. Where a settlement council, for example, wants to hire a new worker, it would be the Commissioner's Department of Personnel, not the local group, which will actually do the hiring. There is a distinct possibility that positions would have to be filled by way of competition between existing public servants. Once the work forces of these groups are made subject to the control of the Commissioner, they are effectively opened up to anybody, anywhere, seeking a job. The Commissioner, by virtue of the Public Service Ordinance, is required to establish and classify all positions in the public service. If the employees of these groups are determined to be under the Commissioner's supervision, then such a classification procedure could be made mandatory.

Presently, the Commissioner does not keep track of the people whom these local groups employ, but in such a case it is quite likely that many of the jobs currently existing under the auspices of various local groups in question would have to be eliminated for lack of necessary funding. All of the work these people are currently doing would suddenly come under very close scrutiny by departmental officials of the government. There is also the possibility that the employees in question would be absorbed into existing government departments, and could be required to report to government departmental officials, rather than to the local authorities they presently work under. All in all, effective control would no longer rest with these local bodies, but with the Commissioner instead. This government does not presently control the local councils, committees, and associations in their hiring practices.

The fact is that some of these groups are hiring people and this government really knows nothing about it. However, if the Commissioner were forced to take control, he might have to eliminate many of the current jobs on the basis that there was no authority to hire in the first place. It is true that the Commissioner controls the purse strings of these groups. However, it is also true that bodies such as the Rae-Edzo School Society, and housing associations, are separately incorporated bodies. What this means is that they have separate corporate status apart from this government. They have their own power to contract and to act in legal matters. If the employees of these local groups are not receiving the pay they should be receiving, then this government must initiate steps to see to it that they do receive such recompense and benefits -- but to say that the only solution is for the Commissioner to move in and take control under the Public Service Ordinance is unwarranted. The problem must be dealt with by the government and the parties through the negotiation process when the groups submit their budgets. In this manner, the various local groups involved will receive adequate funding to pay their employees more satisfactorily, while not relinquishing control over their work forces. That is the approach which must be taken, and that is the course I suggest that we embark on.

Local Councils, Committees And Associations Should Retain Control

The legislation before you was designed to ensure that local groups retain control over the directions in which they wish to go. If these groups cannot truly control and direct their own work forces, how can they control and direct their own destinies? If it is the Commissioner deciding who shall be employed by these groups, and what their jobs shall consist of, and whether they should be kept on or let go, then who will these workers look to as their boss? Certainly not the local groups who largely control them now. It will be the Commissioner who will hold the power over them, and it will be to him they look for their leadership and direction.

MR. CURLEY: Terrible.

HON. TOM BUTTERS: The legislation, far from being discriminatory, ensures that control will continue to rest with local groups, and that their work forces are not overrun with persons from outside the communities. The question of whether or not these workers are receiving fair payments and benefits is actively being considered by this government. If it is determined that they are not receiving their fair share, then I assure you that we will take such steps to see to it that these groups are provided with funds necessary to compensate their employees adequately. As I mentioned, the process for determining this and developing such agreement on the adequacy of funding is the current budget negotiation process. This is what I would recommend that such groups follow in their attempts to obtain better working conditions for their employees. Therefore, I would suggest that Members support the legislation that is before you, and I would defer to both standing committee chairmen -- the chairman of the standing committee on finance and the chairman of the standing committee on legislation.

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

Comments From The Standing Committee On Legislation

MR. MacQUARRIE: Thank you, Mr. Chairman. The standing committee on legislation, in its review, noted that the clear purpose of the bill is to exclude from the definition of the term "public service" various categories of employees that generally are under the settlement organization. The committee was assisted in its consideration of the bill by the appearance of the Minister of Justice and Public Services, of Finance, and of Education, and also of Mr. Fred Lamb, the president of the Public Service Association in the Northwest Territories. There was quite a lengthy discussion that ensued at the committee meeting, and there were a number of points that were brought to the attention of the committee and thought over carefully.

One of them was that the employees of these settlement organizations do not have an employer-employee relationship with the Government of the Northwest Territories, in the government's view. They maintained that that is the intent of existing legislation, and that if it needed to be clarified, that they would clarify it -- but that in the view of the Public Service Association, because of the extent of the Commissioner's authority over settlement organizations in many other respects -- that indeed there is an employer-employee relationship.

It was also noted that if, in the government's view, employees of settlement organizations became public servants they would come under the control of Personnel department rules and regulations and -- as Mr. Butters just pointed out a moment ago -- that that would seem to have the effect of communities losing control over such things as the right to employ local people, to hire and fire, and to grant individual pay increases. But it was the view of the NWTPSA that although communities would perhaps lose the degree of control they now have -- but some organizations such as Stanton Yellowknife Hospital still have the right to hire and to recommend dismissal to the Commissioner. In other words, the employees have come under the direct employer-employee relationship with respect to the Commissioner, yet it is the board of that hospital that in effect makes decisions with respect to that sort of thing. The PSA therefore felt that when jobs are being advertised the hiring of local residents could be ensured by the inclusion of such things as stating that there is no accommodation provided, or that a knowledge of the local language is required, or by setting certain conditions in the job requirements that would virtually ensure that local people were employed, but it was stated at the committee meeting in the government's view that that type of restriction, stating various job qualifications that would restrict employment opportunities to local residents, might very well be in conflict with the charter of rights.

It was also noted that the question of whether or not employees of settlement organizations are public servants has been under arbitration. The question first arose in 1980, but it was noted that although it was a question raised as a grievance and to be placed before an arbitrator that the issue was not before the courts -- that distinction was made very clearly -- and the government stated that notwithstanding this fact that an arbitration proceeding had been started that the government does in fact still have the right to bring in legislation.

It was noted that the bill is retroactive to June 12, 1965, the date on which the ordinance came into force, and the committee was advised by the government that it is deemed to have come into force on that date, but is not retroactive in effect, so the government stated, in that it does not take away any rights that people have at the present time.

It was also noted that passage of the bill would prevent employees of settlement organizations from becoming members specifically of the Northwest Territories Public Service Association, but that these employees could be organized into locals by other unions. For example, janitors in

Yellowknife Education District No. 1 are organized -- to form a local of the Steelworkers' union, I believe, so that the net effect is that passage of the bill would not deny the right of local workers to organize, to form themselves into unions and to try and improve their work conditions. It would simply prevent them from joining a particular union, which is the Northwest Territories Public Service Association.

It was also noted that if the bill did not pass, and it were decided that employees of settlement organizations were to be classified as public servants, that there could be significant additional costs accruing to the government. When we inquired as to what this might be, we were informed that the figure was difficult to arrive at because of many considerations, but that it might amount to approximately four million dollars per year. Similarly, in the event of non-passage of the bill, the committee noted that the government considered that they may have to reduce salaries or drop programs to make the required funds available, and that is the point again that Mr. Butters alluded to in his opening remarks.

The committee heard all of these concerns and recognized that several Members -- perhaps many Members -- would have concern with respect to the bill, but nevertheless the committee, by motion, voted to refer the bill to the committee of the whole as it stands. Apart from my report, I can say that I am one of the Members who has such concerns, and later I would like the opportunity to address them.

CHAIRMAN (Mr. Pudluk): Thank you. General comments. Mrs. Sorensen.

Comments From The Standing Committee On Finance

MRS. SORENSEN: Mr. Chairman, on behalf of the standing committee on finance, I would say that the finance committee reviewed very carefully with the government and had as a witness, in addition to the Minister of Finance and his officials, Mr. Fred Lamb, who is the president of the NWT Public Service Association.

As with Bill 16-82(3), we spent a fair amount of time hearing both sides, and eventually came to the conclusion that although the bill did have broad financial ramifications, particularly if the bill is rejected and the union wins its arbitration case which is now about to go to arbitration, and these people are deemed to be employees of the government, we felt that the decision to more closely define who is in the public service had developed into a political decision. The finance committee did not want to be caught in the middle of a struggle between the union and the government, because that appears to be what this situation is shaping up to be. While it does have serious ramifications financially, we felt that it was much more important that the whole Legislature take part in the debate on the issue, and in keeping with that we decided to recommend that we take no position on the bill and that it be debated in the Legislature. Thank you, Mr. Chairman.

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

MS COURNOYEA: Mr. Chairman, just for clarity, as Mr. Butters stated that the autonomy would be lost out of the communities, I just want to express my understanding of how a community council makes up their budget each year. If I am wrong, then I could be told, saying that they do not have a direct relationship with the government.

In any settlement council, the process normally is that an agent from the regional office proceeds to a community; a budget is set according to a criterion; the criterion oftentimes designates one position for a settlement manager and perhaps a secretary, depending on the size of the town. A stated budget would identify an amount that you would pay for a secretary-manager, an amount that you would pay to a secretary, whether it is part time or full time; this is directly set up by an agent of the regional office coming to the community. Once that has been established, that agent returns once more to his regional office, and if the request is above the normal budget line, or a position that is not a usual position is asked for, then it is discussed, to find out where it would fit in the criterion. Now, if that is not a relationship and a controlling mechanism to the communities, and not really giving them autonomy, then I am wondering how you could say that they do not have a relationship and a controlling mechanism from the Commissioner vis-à-vis the regional office.

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

Employer-Employee Relationship

HON. TOM BUTTERS: I said they do not have an employer-employee relationship, and I indicated the four criteria which make up that relationship. I will repeat them again: Who hires, who fires, who directs and who disciplines the employee of the particular organization. While I agree the budgetary process which the honourable Member has outlined would appear to be correct to me, I do not see that as being an employer-employee relationship.

CHAIRMAN (Mr. Pudluk): Supplementary, Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, in that budgetary process also, if the community is having a difficulty with a secretary-manager, the normal chain of action would be to contact the agent from the regional office to discuss whether indeed there could be something done so that you would not have to fire the individual. It is not normally done from that community council without consulting with the regional office.

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

MR. CURLEY: Yes. Thank you, Mr. Chairman. Well, if the government and the Commissioner is so clear -- the fact that these groups, municipal workers and employees of the housing associations have no employer-employee relationship, then why is this bill necessary? You know, if you are so clear that there is no possibility that an employer-employee relationship exists and never has been, why are you trying to get me again -- use me as a decoy or use this bill as a decoy to try and really get maybe what is not told here? I want to ask the Commissioner: Is the intent of this bill not really that you will not have to pay for housing subsidies to those employees and you will not have to pay for travel assistance, overtime pay; that you will not have to pay for sick leave with pay and you will not have to contribute to their retirement pay, superannuation; that the government will not have to pay death benefits for employees' estates, death and dismemberment insurance and settlement allowances? Are these particular sets of categories that I have mentioned in terms of employee benefits really the contention of this bill, because I think I can be convinced of that if the bill really has a double purpose. Thank you.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Curley. Mr. Commissioner.

COMMISSIONER PARKER: Mr. Chairman, the reason that the bill is before the House today is because there is a lack of clarity in the original bill in the definition of a public servant. It was the government's view, when the original bill was drawn up, that the government knew who its employees were. There was no question at all in the government's mind as to who were its employees. However, you have to look back to that time and at that time many of the organizations that are named in the bill and that the Members have been describing did not exist or else were in the very early stage of development. In other words, the situation was not the same at that time. We moved along assuming that the government had the right to say who its employees were and who they were not.

The simple fact of the matter is that the Northwest Territories Public Service Association has come to us and said, "We challenge that position. We say that the employees of housing associations and hamlet councils and so forth are indeed members of the public service and, therefore, should be paying union dues", and we have said, "Well, they are simply not our employees." However, under existing ordinances, the union has a right to challenge us on this point and at the present time we have not yet gone to arbitration, but each side -- that is, the NWTPSA and the government -- are preparing their arguments as to whether or not it should go to arbitration and I would expect that it probably would go to arbitration if that trend continues. The government has decided that it indeed knows who its employees are and in order to bring complete clarity to the situation has introduced these bills. It is just as simple as that. We wish to define who our employees are.

Issue Of Pay Rates And Benefits

Now, Mr. Chairman, if I could just continue in a slightly different direction, because the honourable Member has -- I would say very correctly -- raised the real issue that is before the House today and I do not think there are any of us who wish to avoid the issue that is begging to be brought forward, and that is strictly the issue of pay rates and benefits. That is the issue that is before the House today, at least it is the issue that has been hanging around the edges of this. I can state emphatically, that the government did not advance this bill or Bill 12-82(3) with the view to getting out of any of its obligations or to reduce or to avoid expenditures. If the various groups and organizations who do receive government support through grants do not

have the adequate level of finances to look after their employees in an acceptable fashion, then I join with the Members in saying that that is a subject that has to be addressed. If that is the problem, then let us turn our attention to that and solve it. But let us say we must, in fact, then review the actual situation surrounding each of the groups that are named in here. In working with those groups, because they are separate groups, if it is necessary for us to revise the financial arrangements, then that is something that this government has to address and we will address it. We have not been ducking that issue, but we are being persuaded, we are being advised that the benefit and pay packages for these people are not adequate, but the way to ensure that they get fair treatment is not to make them government employees, because they are not government employees. They work for hamlet councils and if you want to improve their financial situation, let us go at it in the right direction, you know, and let us not try and make them something that they are not.

There has been a great deal of discussion over the years over devolution -- devolution of responsibility. It seemed to me that the Legislature has led this direction to make hamlet councils meaningful councils -- to make municipal councils masters in their own houses -- but if we turn around and say, "Well, you are master in your own house, but you all work for the government," I think that that is stepping back from devolution. If you want to correct anomalies in the pay and benefit structure, well, let us address that as the issue that it is, but let us not address it by trying to make the people government employees. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Commissioner. General comments. Mr. MacQuarrie.

Members Of The NWT Public Service Association

MR. MacQUARRIE: Yes. I would like to ask a question first and then make some general comments. The question is: Supposing in some way it were determined that employees of hamlets were public servants and, therefore, properly members of the Public Service Association and formed a local of that association in a community, would it be my understanding that that local could ask for decertification and choose to belong to another union? Would that be a possibility? Who could enlighten me on that?

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

MR. LAL: Thank you, Mr. Chairman. I believe not. As I understand it, Mr. Chairman, under the provisions of the NWT Public Service Ordinance all employees of the public service of the Northwest Territories, except those who fall in the excluded category or those that fall under the Hay Plan program or managerial category, have to belong to the NWT Public Service Association.

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

MR. MacQUARRIE: Yes. That is a problem, because certainly in the case of local communities I would not want to take away choice, if people chose to belong to certain unions rather than others. Yet, notwithstanding that, I have problems with this bill and I am going to vote against it, because I do not agree that pay and benefits is the major issue. It is a major issue, without question, but it is not the major issue in this bill. I feel that legislation at this time is premature and it is intended -- because a question has been raised about where these employees properly belong, it is intended to forestall a process that is already under way, namely, an arbitration process to try to determine that.

Legislation Is Premature

I feel very much like Mr. Curley, that if the government is so confident in its interpretation of the ordinance, that these people do not belong, and that it is confident when it defines what makes an employer-employee relationship -- that is, who hires, who fires, who directs, who disciplines -- if they are so confident that it is not the Commissioner in these cases, then I believe that the government could make a cogent case to the arbitrator. That is where those arguments should be put and let the arbitration process take its course; and once a determination has been made with respect to that, if there is a serious problem, then, which the government identifies and informs the House about, let us deal with the problem at that time. But it is, in a sense, a little ironical that at this one session we have two bills, one of which seeks to control the compensation benefits for all of these people and another which chooses not to acknowledge them as public servants. I understand the difference between public sector and public service, but there is some irony in that and it is as though we do not wish to acknowledge paternity and there is little question here if that is the case. The government is denying paternity and refusing support payments.

I think that the bill generally is premature. I would really like to see the matter of the grievance dealt with, see what the results of it are. After all, as I said earlier, if the government's case is strong, it still has the right to make legislation afterwards, if it felt that the results of the arbitration were not satisfactory. At any rate, I think it should not so fear that process that it does this in haste, because it seems to have some good arguments with respect to employer-employee relationships, and we already have an example of where a whole category of employees, namely teachers, belong to a different union, and I am sure the arbitrator would take that into account in deliberation. So, just generally, I do not like the bill having come in at this time, and I will oppose it.

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

COMMISSIONER PARKER: Mr. Chairman, I have the feeling that the honourable Member would just like to see these processes go on and on. The government knows who its employees are, but some other people do not seem to understand that, and so we are moving to make it abundantly clear who it is that we have hired and who it is that we have not hired. So we have not proceeded yet to arbitration, but the first steps have been taken -- why should we put an issue before an arbitrator that properly should be decided by this House? The Legislature is supreme. The Legislature is the place where laws are made. The arbitrator is not a judge. The arbitrator weighs the arguments of two sides, in a certain style of an argument, and comes back and renders an opinion. Now, if that process were to proceed, the honourable Member suggests that we then, if we do not like the decision, as a government, well, we will just come in with legislation at that time.

If you think that we are in trouble now, what kind of trouble would we be in if we came in after an arbitrator had ruled? I can just see the sympathy around the House. So we are coming completely up-front with you. We are saying, "This is the situation." We are not hiding anything. We are saying, why do we go through this long drawn-out process of arbitration on a false issue. We would like to clarify it, once and for all, make it clean and proper, and that is the purpose in taking this action at this time. I am speaking just now to the time limits of the action.

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

Delay In Government Action

MR. MacQUARRIE: Mr. Chairman, what the Commissioner had to say would be more forceful if in fact that had been the government's position from the very beginning, but as I understand it they did entertain the arbitration to begin with, and some steps have been taken already. If it were totally a false issue, it should have been stated right at the time the grievance was first received. I may, again, be wrong about that, but I understand that some steps have been taken.

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

COMMISSIONER PARKER: Mr. Chairman, I understand what the Member is getting at, but I do not believe that the choice was ours. I believe, since we did not initiate the action, and since the action is proper under existing ordinances, we acted about as soon as we could. Now, we might have acted in May -- I am not sure, I doubt it -- but in any event I believe we have acted about as quickly as we can. Perhaps Mr. Lal could clarify the point much more concisely than I have done.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Commissioner. Mr. Lal.

MR. LAL: Mr. Chairman, just to confirm the Commissioner's remarks. The arbitration, or the grievance in question, was initiated by the Public Service Association, as is contemplated under the collective agreement between the government and the Public Service Association. As I understand, at present the parties have agreed to submit written arguments to the arbitrator in that matter, but the arbitrator has not decided on the issue. Indeed, one has not been appointed. There was one who was originally appointed, but I understand that he is now to deal with another arbitration, and not the one involving the question of the status of the employees listed in the bill before you.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Lal. General comments on Bill 6-82(3). Ms Cournoyea.

MS COURNOYEA: I have a question, Mr. Chairman. The Legislative Assembly approved the recommendations of the special committee on education to set up or establish school boards, and I was wondering if this bill would make it more difficult to move employment of teachers in the NWT to the boards. Would that make it more difficult?

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

MR. LAL: Mr. Chairman, I believe this provision would not affect that situation either way. It would not make it easier or more difficult. Employees of boards of education are not public servants. They are employees of those boards.

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

Employees Of Education Committees And Societies

HON. DENNIS PATTERSON: Mr. Chairman, I would just like to say generally that I do recognize that there are proper concerns about the pay and benefits that are provided to employees of education committees and societies. Indeed, I have been attempting, in my period as Minister of Education, to find means of improving their pay and benefits, but through grants to the societies and committees as employers -- and I shall continue to try to effect this. I even believe that the debates surrounding this bill will indeed help to see such changes effected in the government. I am confident that, within the limits of our financial resources available to us, there will be measures that we can take -- undoubtedly not going so far as to give them all equivalent benefits of public servants, but at least to improve their status. I would like to say here now that this has been something I have been working on prior to this issue being raised in this House, and I will continue to work on it.

Another small point I would like to mention is that this bill would in no way, as I understand it, prevent employees who are said not to be part of the public service and therefore not part of the Public Service Association of the Northwest Territories, prevent them from becoming organized under another union. While I do realize that it may well be a difficult problem to organize employees widely scattered, that option certainly has been and will be open to those employees. I would like to say that I think it would be desirable that such classes of employees be represented collectively, so they can bargain for wages and benefits in the same manner that public servants can bargain. I am quite certain that this will be inevitable, and I think it will be a good thing. In the meantime, at least for the employees in the education field, I think we have responded already over the years to improve the wages and benefits payable to them, but I think there is a lot more work to be done in the future. I would just like to mention that if this bill is passed, as I think it should pass, I would certainly in no way feel that that challenge now lies at some other level, to meet.

I would just also like to say, Mr. Chairman, that I agree that the principle of devolution is involved here, and that the autonomy of committees and societies would be questioned if this bill was not to be passed. I do believe that this is a direction that this House has particularly moved in, and I think the amendments to the proposed recommendations of the committee as adopted by the Assembly which would amend the Education Ordinance substantially in future, are in keeping with that move toward further full autonomy for local persons who should be publicly elected to take responsibility for the operation of schools. So I do not see this amendment or this ordinance as jeopardizing that general trend. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Patterson. Mr. Curley.

Legislation Will Create Permanent Discriminatory Wages

MR. CURLEY: Yes. Thank you, Mr. Chairman. I can understand the government's predicament in this particular situation, and I think they have to understand too that this bill is really going to be creating -- whether the government accepts it as a fact or not -- permanent discriminatory wages and benefits to employees in the public sector. I call it the public sector including the municipal workers, housing association employees, who have no control over their funds. Possibly the impact will likely be pretty significant because as a result of bringing this into the public forum, I think it is going to be evident that the government serves only to serve its membership. It will be perceived as that, and I did receive a telephone call, so I have a resolution here from the housing association conference from Rankin Inlet, which specifically requests at least to the Public Service Association that they are in full support for your attempt to have the right to bargain for them, because they have no control over their budget; let us say that. They have no control over as to their administrative core funding. The regulations or the legislation that allows them to operate does not give them that freedom to really establish their own funds, so on that basis I think unfortunately that is going to be the case, and if you were going to do something about it, I think it is going to have to be shown, not only by somebody sitting in Yellowknife and studying the wages. There is going to have to be some action out in the field that the people will see that you are actually trying to do something.

The other point that I wanted to ask the legal adviser, and maybe even the Minister of Finance could state, in one of the categories under clause 2, there are already some employees who are presently members of the public service, employees of the school society, like Eskimo Point education community association, education committees. Their employees are members of the public service presently, right now, but the question is why are you now trying to eliminate them from that membership as a public service of the government? I want to know exactly under what sections are they covered right now. I believe it should be under (B) and (C) in clause 2. I might be corrected on that.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Curley. Mr. Patterson.

Eskimo Point Education Society

HON. DENNIS PATTERSON: Mr. Chairman, I believe that the honourable Member is referring to the adult education positions in Eskimo Point, which have been in effect seconded to the Eskimo Point Education Society by the government. It is true that such an employee is a member of the public service and is represented by the NWT Public Service Association in collective bargaining. I think the intention of that move in Eskimo Point was to allow that particular person to be accountable to the local education society for the purpose of taking direction from them on programs and priorities for adult education in that particular community; but I believe it was clear to this society, and it certainly is clear to the government, that that person continues to be a public servant on loan or seconded to the society.

I would say that other employees of education societies in the Northwest Territories are not public servants. We do not have personnel files on them, for example, in the Department of Personnel, nor are they hired through the Department of Personnel. Their positions are not advertised throughout the Northwest Territories. They were hired by the education societies because the government does not want to meddle with the societies' affairs. They want to give the discretion over hiring, and indeed firing, those employees to the education societies. I think that is also the direction that we want to move in in establishing divisional boards, although it has been pointed out in the debate on the education report that it would be desirable that teaching personnel in particular should retain their territorial-wide membership in the existing collective bargaining unit, and should negotiate territorially for very practical reasons. I hope that clarifies the Eskimo Point situation. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Patterson. Mr. Curley.

MR. CURLEY: Mr. Chairman, although I do believe that even some of the employees of the education society, secretary-managers of societies that are existing, for instance, in Eskimo Point, and janitors and whatnot are members of the Public Service Association, I believe also within that bill under (D) of clause 2, settlement council employees, secretary-managers, are presently members of the public service. Now, I do not have any difficulty with the government tightening its belt to those bodies that have no direct employer-employee relations with the government, but where there already exists a clear membership to some of these employees directly with the federal and territorial public service, why are you now eliminating them from your membership? That is what I could not understand. Why are you actually taking them out of these packages? Was it because you have not been fulfilling your responsibility as employers to provide benefits like you have with other members of the territorial public service?

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Curley. Mr. Commissioner.

COMMISSIONER PARKER: Well, Mr. Chairman, I would just like to ask the honourable Member a question, if I could. Could he clarify just exactly which units or groups he feels that we are taking out of membership in the public service? We do not think that we are doing that and I wondered which ones he is referring to.

CHAIRMAN (Mr. Pudluk): Mr. Curley.

MR. CURLEY: I said settlement council secretary-managers are members of the local, they are hired by the Department of Local Government and they are, I believe, members of the territorial public service. I believe there are some staff members -- Dennis knows that -- presently employed by the education societies that belong to the public service who are now going to be eliminated in disguise -- I know Dennis can confirm that to me -- who are presently members of the public service and are now going to be disqualified as a result of this bill. If you really want to be honest with us, tell us why you are doing that.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Curley. I think Mr. Lal is going to answer that.

Present Public Servants Will Not Be Affected

MR. LAL: Thank you, Mr. Chairman. Mr. Chairman, the bill does not specifically exclude those individuals that Mr. Curley is referring to. If those people have been appointed by the Department of Local Government, they would continue, as I understand, and I would be subject to any correction by Mr. Butters -- they would continue as public servants. In fact, the bill takes specific note of a situation that has not been addressed in the bill by giving the Commissioner the authority under clause 3, by order, to exempt any person or persons from the operation of subparagraphs 2(1)(j)(A), (B), (C) and (D) and such exemption may be given retroactive effect. So that if there is any individual who, as a result of this bill, is excluded and the Commissioner feels that that person ought not to be exempt or ought not to be excluded from the public service, he has the authority, by order, under clause 3, to ensure that that person does not lose his status and, further, to ensure that that status of a public servant is given to him retroactively, so that there is no such danger.

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

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. Yes, in looking into the matter of employees of the education societies and committees I did discover that there are certain schools in the Northwest Territories where the government, in effect, provides janitors through the Department of Personnel, to clean the schools. In many other communities the janitors work for the local education authorities. I think, in effect, that in some places they are actually seconded from the -- well, they might be considered to be provided by the government to the school and it has caused some confusion in some people's minds, because janitors are often thought to be employees of the local education authorities but, in fact, in some situations they actually work for the government and the local education authorities are not involved in their hiring. I think it is quite clear from what Mr. Lal said that any persons who are in that situation will not be affected by this ordinance and I certainly agree that if they are working in schools as public servants, that in no way would it be intended that we would take any rights that they now enjoy as public servants away from them. Thank you.

CHAIRMAN (Mr. Pudluk): Thank you. General comments. Bill 6-82(3). Ms Cournoyea.

Direct Relationship Between Community Councils And Territorial Government

MS COURNOYEA: Mr. Chairman, I would just say one thing finally, because I look around the floor and I think -- it would not matter what I thought -- the bill will be passed, it appears, but I would like to comment on who hires, who fires, who directs and who disciplines once more. The circumstance that we operate under at a community level -- from what the Commissioner has said and some of the other Executive Members -- is really not as free as they lead us to believe here today, neither is it autonomous, and I will tell you what really happens oftentimes. Even though the Commissioner says that we make the laws here I, as an individual, represent a certain group of people that I would have liked to have discussed this bill with, because some of them may think that they should be public servants and they should be able to challenge whether they are or whether they are not. So I really do not know or have not had the opportunity to really delve into that in detail with the communities. But I can see from your arguments that I am more convinced than ever that the community council employees indeed have employee relationships with the government. If a settlement secretary has a problem, they oftentimes go and see the regional director and if the mayor of the community or the chairman is out of line, sometimes that regional agent actually disciplines the council on their behaviour and their treatment of that settlement manager and their employees. That happens quite often.

So I cannot see, if those are the circumstances, how you cannot say that there is not an employee-employer relationship with those communities and then proceed to say in legislation that they are not. In fact, the employee of a settlement council sometimes has even more power than the mayor, because he has some place to go and some administrative direction and a series of resource people at a regional level or he has the department of regional government. If the kind of community councils were set up from the people, at the beginning maybe it would be set up a little differently but those settlement councils are creatures of this government -- of the bureaucracy and how they saw was best for the communities to gradually involve themselves in learning about administration and handling a few garbage trucks and roads and maintenance and stuff like that and when they do that, then they will politically develop. These are creatures of this government and those chores are done at that level and there is a direct relationship between that community council and this government, whether we are being led to believe that is true or not today.

AN HON. MEMBER: Clause by clause.

CHAIRMAN (Mr. Pudluk): Does this committee wish to go clause by clause? Mr. MacQuarrie.

Arbitration Process Should Be Allowed To Go Ahead

MR. MacQUARRIE: Yes. If I could, Mr. Chairman, just a couple of comments more. At one point the Commissioner said that the government knows who its employees are and I would say perhaps it could have been stated, "the government knows who it would like its employees to be", but it is not as clear that it knows who they are...

HON. ARNOLD McCALLUM: No, no.

MR. MacQUARRIE: ...that in fact over the years it has taken certain actions which have created certain bodies and employment has resulted. In fact it is an open question as to who the government's employees are, because we know that there are certain employees of certain agencies throughout the Territories who, contrary to the government's claim, are saying, "I am really one of your employees," and that is why I think that the arbitration process is a desirable one. It would be carried out objectively and I think that I have faith in that process arriving at a reasonable and fair answer to the question. I only said later, that if there were still a problem -- I do not think there would be a major problem, but if there were, of such proportions that the government felt itself compelled to introduce some legislation to rearrange things, that may have to be done and I guess that is what we are here for. I would be prepared to make such a decision at that point, but I think that because there is really a question as to who our employees are, an arbitration process, objective and independent, should be allowed to go ahead.

I just have one question with respect to the clause pertaining to exemptions. Does it not seem that if such a clause is included, that the government is maybe acknowledging that there is an employer-employee relationship in some of these categories? At least that is a question and I would appreciate an answer to it.

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

MR. LAL: Mr. Chairman, with the greatest of respect to Mr. MacQuarrie, I would not agree that that is necessarily the reason why such a clause was incorporated. I would say, instead, that it is there out of abundant caution, just so inadvertently we do not trample on anybody's rights. The provision is there so that the Commissioner can use it if it is required. Thank you.

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

Reasons For Excluding Principal And Teaching Personnel

MR. CURLEY: Yes, I had a question here. I would like the Commissioner or the Minister responsible for the bill to answer why there are certain exemptions for the principal and teaching personnel, as defined by paragraph 2(m) of the Education Ordinance -- particularly, Rae-Edzo School Society, and other education societies. Why exempt some of them?

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Curley. Mr. Lal.

MR. LAL: Mr. Chairman, since it is a technical question -- if Mr. Curley has no objection, I would attempt to answer it. The reasons why principal and teaching personnel have been excluded is because they are recognized as public servants under the existing provisions of the Education Ordinance. If they were to be excluded from their status as public servants then indeed we would be affecting rights of an individual who was a public servant until the passage of this bill, and is no more a public servant after the passage of the bill.

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

MS COURNOYEA: Mr. Chairman, I would like to call for a recorded vote when this bill is finally brought forward -- and I do not know at what stage of time you do that. I realize, if you go clause by clause, and people are saying there is no objection, it may create the meaning that it is to be passed. So I would like to know at what point of time can I call a recorded vote on this?

CHAIRMAN (Mr. Pudluk): Ms Cournoyea, yes, there will be a time for you to do that, when I call the bill as a whole. At that time, it is going to be recorded. Mr. McLaughlin.

MR. McLAUGHLIN: Thank you, Mr. Chairman. I think that the question here is being mixed up with other issues entirely. The key issue here for me is that the Government of the NWT is the employer, and it is up to them to decide who their employees are, and up to them who they hire and fire. We have a system in our third levels of government -- for example, in the municipalities -- where they determine who they hire and who they fire. For us to get into this situation is going to mean that hamlets and settlements will not want to devolve any further, because of different funding and other problems they are going to have as a consequence of this hazy thing being in existence. The clear situation is that the Government of the NWT should be the body that determines who its employees are.

MR. MacQUARRIE: Was it up to Casanova to decide who his children were?

CHAIRMAN (Mr. Pudluk): Thank you. Does this committee wish to go clause by clause now?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 1, "employee".

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 2, "public service". Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

Recorded Vote On Bill 6-82(3), Public Service Ordinance

CHAIRMAN (Mr. Pudluk): There is going to be a chance now. All those in favour of that bill as a whole, please stand.

CLERK ASSISTANT (Mr. Hamilton): Mr. Patterson, Mr. Tologanak, Mr. Sibbeston, Mr. McCallum, Mr. Wah-Shee, Mr. Braden, Mr. Butters, Mr. Nerysoo, Mr. McLaughlin, Mrs. Sorensen, Mr. Fraser.

CHAIRMAN (Mr. Pudluk): Opposed, please stand.

CLERK ASSISTANT (Mr. Hamilton): Mr. Evaluarjuk, Ms Cournoyea, Mr. Curley, Mr. MacQuarrie.

CHAIRMAN (Mr. Pudluk): Abstentions?

CLERK ASSISTANT (Mr. Hamilton): Mr. Arlooktoo.

CHAIRMAN (Mr. Pudluk): The bill has been approved, 11 to four.

---Carried

Now this bill is ready for third reading.

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Thank you. What does this committee wish to do now? Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, I move we report progress.

Motion To Report Progress, Carried

CHAIRMAN (Mr. Pudluk): Progress -- that motion is not debatable. All those in favour, please raise your hands. Down. Opposed? The motion is carried.

---Carried

I would like to thank Mr. Lal for being here as a witness.

MR. SPEAKER: Mr. Pudluk.

REPORT OF THE COMMITTEE OF THE WHOLE OF BILL 18-82(3), PUBLIC SECTOR COMPENSATION RESTRAINT ORDINANCE; BILL 2-82(3), INCOME TAX ORDINANCE; BILL 5-82(3), STUDENT FINANCIAL ASSISTANCE ORDINANCE; BILL 19-82(3), COUNCIL ORDINANCE; BILL 6-82(3), PUBLIC SERVICE ORDINANCE; 17TH REPORT OF THE STANDING COMMITTEE ON FINANCE

MR. PUDLUK: Mr. Speaker, your committee has been considering Bills 18-82(3) and 19-82(3), and wish to report those bills ready for third reading, as amended. Your committee has also been considering Bills 2-82(3), 5-82(3), and 6-82(3) and wish to report these bills ready for the third reading.

MR. SPEAKER: Thank you, Mr. Pudluk. Are there any announcements? Mr. McLaughlin.

MR. McLAUGHLIN: Yes, Mr. Speaker, I would like to get unanimous consent to return to motions.

SOME HON. MEMBERS: Agreed.

MR. CURLEY: Nay.

MR. SPEAKER: There is a nay being called. Are there any announcements?

HON. ARNOLD McCALLUM: Mr. Speaker, I moved a motion to report progress in the committee of the whole. It is my understanding now we are on agenda Item 14, third reading of bills.

MR. SPEAKER: Thank you, Mr. McCallum. Item 14, third reading of bills. Point of order?

MR. CURLEY: Yes, Mr. Speaker, we have not dealt with a couple of bills, and I would think that this particular request should be really ruled out of order.

MR. MacQUARRIE: Is that a rule or a personal opinion?

MR. SPEAKER: Sorry, I am afraid that it is a personal opinion. Through precedent, the House has dealt with one, two or three bills, depending upon when they are ready, and if the government wishes to proceed with third reading of a bill or of bills they have a right to do so. Item 14, third reading of bills.

ITEM NO. 14: THIRD READING OF BILLS

Mr. Butters.

Third Reading Of Bill 17-82(3): Fine Option Ordinance

HON. TOM BUTTERS: Mr. Speaker, I move, seconded by the honourable Member for Frobisher Bay, that Bill 17-82(3), An Ordinance Respecting a Fine Option System, be read for the third time.

MR. SPEAKER: Bill 17-82(3). Question being called. All those in favour? Opposed, if any? The bill has had third reading.

---Carried

Third reading of bills. Mr. Butters.

Third Reading Of Bill 2-82(3): Income Tax Ordinance

HON. TOM BUTTERS: Mr. Speaker, I move, seconded by the honourable Member for Yellowknife North, that Bill 2-82(3), An Ordinance to Amend the Income Tax Ordinance, be read for the third time.

MR. SPEAKER: Question being called. All those in favour? Opposed? The bill has had third reading.

---Carried

Third reading of bills. Mr. Braden.

Third Reading Of Bill 3-82(3): Transportation Of Dangerous Goods Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 3-82(3), An Ordinance Regarding the Transportation of Dangerous Goods, be read for the third time.

HON. KANE TOLOGANAK: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 3-82(3) has had third reading.

---Carried

Mr. Braden.

Third Reading Of Bill 4-82(3): Judicature Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move, seconded by the honourable Member for Rae-Lac la Martre, that Bill 4-82(3), An Ordinance to Amend the Judicature Ordinance, be read for the third time.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Bill 4-82(3). Question being called. All those in favour? Opposed, if any? Bill 4-82(3) has had third reading.

---Carried

Mr. Patterson.

Third Reading Of Bill 5-82(3): Student Financial Assistance Ordinance

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I move, seconded by the honourable Member for Kitikmeot, that Bill 5-82(3), An Ordinance to Amend the Student Financial Assistance Ordinance, be read for the third time.

AN HON. MEMBER: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 5-82(3) has had third reading.

---Carried

MR. FRASER: Mr. Speaker, a point of order.

MR. SPEAKER: Yes?

MR. FRASER: Mr. Speaker, how could the Member use another name -- when one of the Members tried to change a name today, and by motion -- and this guy uses another name altogether and it passes? Who did he name the seconder of that motion?

MR. SPEAKER: I understand it is a direct translation for the word in English, and it is acceptable in the House.

MR. CURLEY: It means Deh Cho.

MR. SPEAKER: Third reading of bills. Mr. Butters.

Third Reading Of Bill 6-82(3): Public Service Ordinance

HON. TOM BUTTERS: Mr. Speaker, I move, seconded by the honourable Member for Yellowknife North, that Bill 6-82(3), An Ordinance to Amend the Public Service Ordinance, be read for the third time.

MR. SPEAKER: Bill 6-82(3). Mr. Curley.

MR. CURLEY: Mr. Speaker, a recorded vote on that.

MR. SPEAKER: Request for a recorded vote on Bill 6-82(3). Mr. Clerk.

HON. KANE TOLOGANAK: Question.

Recorded Vote On Third Reading Of Bill 6-82(3)

MR. SPEAKER: Question being called. All those in favour, please stand.

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

MR. SPEAKER: Opposed, please stand.

CLERK OF THE HOUSE (Mr. Remnant): Mr. Evaluarjuk, Mr. Arlooktoo, Mr. Pudluk, Ms Cournoyea, Mr. Curley, Mr. MacQuarrie.

MR. SPEAKER: Abstentions? The motion is carried. The bill has had third reading.

---Carried

Mr. McCallum.

Third Reading Of Bill 1-82(3): Apprentices And Tradesmen Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I move, seconded by the honourable Member for Rae-Lac la Martre, that Bill 1-82(3), An Ordinance Respecting the Training and Certification of Apprentices and Tradesmen, be read for the third time.

HON. GEORGE BRADEN: Question.

MR. SPEAKER: Thank you. Bill 1-82(3), question being called on third reading. All those in favour? Opposed, if any? Bill 1-82(3) has had third reading.

---Carried

Mr. Braden

Third Reading Of Bill 7-82(3): Liquor Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move, seconded by the honourable Member from Fort Smith, that Bill 7-82(3), An Ordinance to Amend the Liquor Ordinance, be read for the third time.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? The bill has had third reading.

---Carried

Mr. Braden.

Third Reading Of Bill 8-82(3): Safety Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 8-82(3), An Ordinance to Amend the Safety Ordinance, be read for the third time.

HON. KANE TOLOGANAK: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 8-82(3) has had third reading.

---Carried

Mr. McCallum.

Third Reading Of Bill 9-82(3): Public Service Vehicles Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I move that Bill 9-82(3), An Ordinance to Amend the Public Service Vehicles Ordinance, be read for the third time -- seconded by the Member for Yellowknife North.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 9-82(3) has had third reading.

---Carried

Mr. Braden.

Third Reading Of Bill 10-82(3): Society Of Management Accountants Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move, seconded by the honourable Member from Fort Smith, that Bill 10-82(3), An Ordinance Respecting the Society of Management Accountants of the Northwest Territories, be read for the third time.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed? Bill 10-82(3) has had third reading.

---Carried

Mr. Butters.

Third Reading Of Bill 11-82(3): Vehicles Ordinance

HON. TOM BUTTERS: Mr. Speaker, I move, seconded by the honourable Member for Mackenzie Delta, that Bill 11-82(3), An Ordinance to Amend the Vehicles Ordinance, be read for the third time.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 11-82(3) has had third reading.

---Carried

Are there any other bills for third reading today? Mr. Braden.

Third Reading Of Bill 13-82(3): Marriage Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move, seconded by the honourable Member for Mackenzie Delta, that Bill 13-82(3), An Ordinance to Amend the Marriage Ordinance, be read for the third time.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 13-82(3) has had third reading.

---Carried

Mr. Braden.

Third Reading Of Bill 14-82(3): Vital Statistics Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move, seconded by the honourable Member for Frobisher Bay, that Bill 14-82(3), An Ordinance to Amend the Vital Statistics Ordinance, be read for the third time.

HON. KANE TOLOGANAK: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 14-82(3) has had third reading.

---Carried

Mr. Braden.

Third Reading Of Bill 16-82(3): Mining Safety Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 16-82(3), An Ordinance Respecting Mining Safety, be read for the third time.

HON. KANE TOLOGANAK: Question.

MR. SPEAKER: Question being called for third reading. All those in favour? Opposed, if any? The bill has had third reading.

---Carried

Mr. Butters.

Third Reading Of Bill 18-82(3): Public Sector Compensation Restraint Ordinance

HON. TOM BUTTERS: Mr. Speaker, I move, seconded by the honourable Member for Slave River, that Bill 18-82(3), An Ordinance Respecting Restraint of Compensation in the Public Sector of the Northwest Territories, be read for the third time.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 18-82(3) has had third reading.

---Carried

Mr. McCallum.

Third Reading Of Bill 20-82(3): Council Retiring Allowances Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I move that Bill 20-82(3), An Ordinance to Amend the Council Retiring Allowances Ordinance, be read for the third time, seconded by the honourable Member for Rae-Lac la Martre.

AN HON. MEMBER: Question.

MR. SPEAKER: All those in favour? Opposed, if any? The bill has had third reading.

---Carried

Are there any other bills for third reading? Mr. Butters.

Third Reading Of Bill 22-82(3): Supplementary Appropriation Ordinance, No. 1, 1982-83

HON. TOM BUTTERS: Mr. Speaker, I move, seconded by the honourable Member for Yellowknife North, that Bill 22-82(3), An Ordinance Respecting Additional Expenditures for the Public Service for the 1982-83 Financial Year, be read for the third time.

MR. FRASER: Was that seconded by Deh Cho?

HON. TOM BUTTERS: No, it was seconded by the honourable Member for Yellowknife North.

HON. KANE TOLOGANAK: Question.

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

---Carried

Are there any other bills for third reading? Mr. Nerysoo.

Third Reading Of Bill 23-82(3): Wildlife Ordinance

HON. RICHARD NERYSOO: Yes, Mr. Speaker. I move, seconded by the honourable Member for Inuvik, that Bill 23-82(3), An Ordinance to Amend the Wildlife Ordinance, be read for the third time.

HON. KANE TOLOGANAK: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 23-82(3) has had third reading.

---Carried

Are there any other bills? That then completes Item 14, third reading of bills. Is it the desire of the House to continue to Item 15, for assent today?

AN HON. MEMBER: Nay.

MR. SPEAKER: Ms Cournoyea.

MS COURNOYEA: Mr. Speaker, I wonder if it is an oversight that we have not heard from Bill 15-82(3)?

MR. SPEAKER: Mr. Nerysoo.

HON. RICHARD NERYSOO: No, it is not an oversight. We are delaying the third reading of that particular bill.

MR. SPEAKER: Thank you. Are there any announcements? Mr. Butters.

HON. TOM BUTTERS: On that point of privilege, were we going to be speaking with regard to the announcement you made earlier today?

MR. CURLEY: Hear, hear!

MR. SPEAKER: I had hoped to address that tomorrow, at which time I would certainly make available time to every Member who may wish to speak.

HON. TOM BUTTERS: Thank you.

MR. SPEAKER: Mr. Curley.

MR. CURLEY: Mr. Speaker, I would like to, on a question of privilege, just express my appreciation to the Clerk, since I will not be here. Could I be given that privilege now?

MR. SPEAKER: Yes, I think in the event of anybody that is not going to be here it is only fair that you proceed. Go ahead, Mr. Curley.

Expressions Of Appreciation For Mr. W.H. Remnant

MR. CURLEY: Mr. Speaker, the other day, I was doing some work upstairs, and I looked at our Clerk, and just out of the blue I said to him that my thinking was that he was looking around for something else to do. I did not know that he was actually planning on something -- so I think I rather surprised him when I said to him that it seemed to me that he was looking for other jobs. So, now that he has confirmed that, I would like to give my appreciation to the Clerk's service.

As a Member who has been here for a short time, I have always valued his energy and knowledge in the rules and procedures of the House. Without him I think I would have been a much more difficult person, to perform in this House. I would like to wish him and his family all the best in Manitoba, some day I might drop by and see you down there. Thank you.

---Applause

MR. SPEAKER: Thank you, Mr. Curley. Are there any other Members? Mr. McCallum, are you not going to be here tomorrow?

HON. ARNOLD McCALLUM: No, I am not, Mr. Speaker, if that is all right. I was just going to say with both Mr. Curley and me away tomorrow, then things should proceed very quickly, with no rancour or public debate back and forth. I would like to take the opportunity to echo the comments of Mr. Curley with regard to our Clerk, Mr. Remnant. It has been my privilege and pleasure to have known him through this House and the previous House, and though we may not always agree on a lot of things, nevertheless I have the greatest admiration for -- if I may use the vernacular, Binx. I express to him my really great appreciation for all the times that he has been of such an assistance to me -- not just within the House, but within committee meetings and just generally trying to keep abreast of what goes on in the government. It is my very sincere wish that he enjoys his work in the Legislature of Manitoba, and I know that they will certainly be able to obtain services of one of the most well-educated and very knowledgeable Clerks across the country. I know Mr. Remnant is held in very high regard by colleagues in the same particular line of business across the country. So bon voyage, Binx. Thanks a lot for the memories.

---Applause

MR. SPEAKER: Are there any other Members? Thank you very much. Are there any announcements from the floor? Mr. Sibbeston.

MR. SIBBESTON: Mr. Speaker, just to say that today I received a letter from the Minister -- Mr. Munro's office, and it reads, "Mr. Nick Sibbeston, MLA for Deh Cho," so...

---Laughter

---Applause

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

CLERK OF THE HOUSE (Mr. Remnant): Mr. Speaker, I am sure all Members will be delighted when I say there are no committee meetings tomorrow morning.

---Applause

ORDERS OF THE DAY

Orders of the day, Thursday, November 25, 1:00 p.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 12-82(3), 24-82(3), 25-82(3); 17th, 18th and 19th Reports of the Standing Committee on Finance; Tabled Documents 20-82(3), 22-82(3), 23-82(3); Motion 35-82(3)
14. Third Reading of Bills
15. Assent to Bills
16. Prorogation

MR. SPEAKER: Thank you, Mr. Clerk, this House stands adjourned until Thursday, November the 25th, at 1:00 p.m.

---ADJOURNMENT

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