



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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YELLOWKNIFE, NORTHWEST TERRITORIES

WEDNESDAY, MARCH 9, 1983

MEMBERS PRESENT

Hon. George Braden, Hon. Tom Butters, Ms Cournoyea, Mr. Evaluarjuk, Mr. Fraser, Mr. Kilabuk, 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, Mr. Wray

ITEM NO. 1: PRAYER

---Prayer

SPEAKER (Hon. Don Stewart): I would like to make a statement to the House. I understand that questions were raised during the committee of the whole's review of the supplementary estimates for the Legislative Assembly. It was unfortunate that I was not in the House during the discussion as I had left with the Commissioner for Hay River for an official ceremony in that community. It is regrettable that the questions were not raised during the discussion of the appropriations of the Legislative Assembly in the main estimates, as I was in the House while they were being considered and was available to answer any questions. I am, however, willing to meet with any Member individually to discuss any matters they wish to raise with regard to the Office of the Speaker.

Orders of the day for Wednesday, March 9th.

Item 2, Members' replies. Item 3, oral questions. Ms Cournoyea.

ITEM NO. 3: ORAL QUESTIONS

Question 91-83(1): Concerns Regarding Appointment Of NWT Regional Director, National Health And Welfare

MS COURNOYEA: Mr. Speaker, in view of the recent appointment of Mr. Aked as NWT regional director of National Health and Welfare, is the Executive Committee or the Minister of Health and Social Services planning to continue to raise the concerns on that appointment, as expressed in earlier questions?

MR. SPEAKER: Mr. Tologanak.

Return To Question 91-83(1): Concerns Regarding Appointment Of NWT Regional Director, National Health And Welfare

HON. KANE TOLOGANAK: Thank you, Mr. Speaker. Mr. Aked was appointed by the Public Service Commission of Canada on February 28th, as I replied a few days ago. I had planned to bring the question to the Executive Committee but unfortunately I have not had the opportunity to meet with the Executive at this point. I believe we are meeting tomorrow. I have indicated to the Member, as well, that I was going to contact the Hon. Monique Bégin on the question of filling this position and the concerns of the various native groups concerning the appointment of Mr. Aked. I will assure the Member that I will continue to pursue the matter with the Executive Committee as well as with the Hon. Monique Bégin.

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

Question 92-83(1): Action Taken To Follow Up Motion 16-83(1)

MS COURNOYEA: Mr. Speaker, I believe I do not really know who to put this question to, either the Leader of the Elected Executive Committee or the Minister of Economic Development. It concerns Motion 16-83(1) that was passed in this House in regard to the Resource Air application for licensing. In view of the critical time that we are facing in dealing with that particular application, has there been any telegram sent to the Air Transport Committee requesting a public hearing and support that there should be a public hearing in this matter?

MR. SPEAKER: Mr. Butters.

Return To Question 92-83(1): Action Taken To Follow Up Motion 16-83(1)

HON. TOM BUTTERS: Mr. Speaker, yes, in the case of both Resource Air Incorporated and Rigel Airways Limited.

MR. SPEAKER: Thank you. Oral questions. Ms Cournoyea.

Supplementary To Question 92-83(1): Action Taken To Follow Up Motion 16-83(1)

MS COURNOYEA: Supplementary, Mr. Speaker. Has there been an answer to the telegram sent? When were they sent and would it be possible to have a copy of those telegrams?

MR. SPEAKER: Mr. Minister.

Further Return To Question 92-83(1): Action Taken To Follow Up Motion 16-83(1)

HON. TOM BUTTERS: I think we have acknowledgements but I will see whether copies are available and provide them to the Member.

MR. SPEAKER: Thank you. Oral questions. That appears to conclude oral questions for today. Item 4, written questions. Mr. MacQuarrie.

ITEM NO. 4: WRITTEN QUESTIONS

Question 93-83(1): Agreements Between GNWT And Various Enterprises

MR. MACQUARRIE: Thank you, Mr. Speaker. A question, I think, for the Commissioner. Inasmuch as business agreements made by this government, for example, the agreement made between the Government of the Northwest Territories and the Frobisher Inn, can have a significant impact on other businesses which might be established without any knowledge of the existence of such agreements, will the Commissioner provide for this House a list of such agreements that have been made, the terms of these agreements and the lengths of time they will be in force?

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

HON. TOM BUTTERS: Just by way of correction, I think that the Member said an agreement between this government and the Frobisher Inn. I would inform the Member that the original agreement was made between the federal government and the owners and operators of that establishment, many, many years ago and was assigned to us subsequently.

MR. SPEAKER: Thank you. You may wish to get together with the honourable Member and straighten out the matter. The question will stand on the record as is now presented. Are there any further written questions?

Item 5, returns. Are there any returns for today?

Item 6, Ministers' statements. Are there any Ministers' statements for today? Item 7, petitions. Ms Cournoyea.

ITEM NO. 7: PETITIONS

MS COURNOYEA: Mr. Speaker, I would like to introduce Petition 4-83(1), a petition signed by the Sachs Harbour community and LEA, asking the Minister of Education to provide an extra teacher for that community.

MR. SPEAKER: Thank you. Any more petitions? Item 8, reports of standing and special committees. Mr. Braden.

ITEM NO. 8: REPORTS OF STANDING AND SPECIAL COMMITTEES

Special Committee On Division Of The Northwest Territories, Report No. 1

HON. GEORGE BRADEN: Mr. Speaker, I would like to read into the record, Special Committee on Division of the Northwest Territories, Report No. 1, and one of the officers of the House will be distributing this report. There is a summary in Inuktitut and a number of the appendices are in Inuktitut as well.

Introduction

Mr. Speaker, the special committee on division of the Northwest Territories was established by Motion 16-82(2) at the Inuvik session of the Legislative Assembly on May 21, 1982. The special committee was established in response to the April 14, 1982, plebiscite on division of the Northwest Territories which indicated that a majority of eligible NWT voters favoured division of the Northwest Territories.

Western Arctic MLA, Nellie Cournoyea, and Yellowknife North MLA, George Braden, were chosen as the co-chairmen of the special committee which was to include all 22 Members of the Legislative Assembly. The co-chairmen were instructed to establish a subcommittee to assist in the work of the special committee, particularly at times when the Legislature was not sitting. Members of the subcommittee include Peter Fraser, Tagak Curley, Dennis Patterson, Lynda Sorensen, Bruce McLaughlin and the co-chairmen. Ludy Pudiuk was recently added as a subcommittee Member. Mr. Speaker, a copy of Motion 16-82(2), establishing the special committee is attached in appendix I.

Expansion Of Subcommittee Mandate

While the original Motion 16-82(2) attempted to outline the objectives of the special committee's work, the co-chairmen determined that it was necessary to consult the subcommittee to determine if an expanded mandate might reflect more accurately the intent of the motion and the work that had to be undertaken. Conference calls on the subject were held by the co-chairmen on August 10 and August 19. A draft mandate was prepared and presented to the subcommittee for consideration on September 19, 1982. After some modification the mandate was adopted by the subcommittee.

Generally speaking, Mr. Speaker, the subcommittee felt the need to define exactly what work was expected of the special committee. This classification was considered important because of the evolution of the Constitutional Alliance and the Nunavut and Western Constitutional Forums. Special consideration was given to the need to avoid duplication while recognizing that the special committee is ultimately responsible to the Assembly. Mr. Speaker, a copy of the subcommittee's mandate as modified is attached in appendix II.

Hiring Of Research Co-ordinator And Support Staff

The next issue facing the subcommittee involved hiring a research co-ordinator. Numerous inquiries were made to determine if an appropriate officer could be retained to conduct research. Meetings of the subcommittee were held on November 15 and November 24, 1982, to discuss the matter. At the November 24th meeting the subcommittee decided that it would contract the services of Professor Michael Whittington, from Carleton University in Ottawa. Professor Whittington has had an academic association with the Northwest Territories for the past eight years. In addition to teaching courses on the North at Carleton University, he has worked on contract for the ITC and the federal government. Mr. Whittington, who has moved to the NWT for the term of his work, has hired Sheila McPherson as a research assistant. Ms McPherson, who is a graduate of Gordon Robertson Education Centre, is currently residing in Yellowknife as well. Members were informed by letter of the subcommittee's decision on December 9, 1982. A copy of the letter is attached in appendix III, Mr. Speaker.

Initial Work Plan

Given the magnitude of the work facing the special committee, the co-chairmen and the subcommittee next gave some thought to prioritizing subjects which would be examined. Obviously, the subcommittee had to bear in mind the number of months left in the Legislature's mandate, and the announcement by the Hon. John Munro concerning federal agreement in principle to division of the Northwest Territories.

Very briefly, after considering all of the relevant factors, the co-chairmen recommended that establishment of an eastern government would be the first item to be considered. Other broad issues to be considered through future work plans include: a) interim measures; b) regional government; c) municipal government; d) aboriginal claims; e) process for determining boundaries; f) related items as required. A copy of the initial work plan which was circulated to all Members is attached in appendix IV. Additional and more detailed information on initial and future work plans is available to Members on request.

Relationship Of Special Committee To Other Forums

During the February 15, 1983 meeting of the subcommittee, Members expressed concern about the number of constitutional committees and forums. In particular, some subcommittee Members felt that there may be overlap in the work being done by the special committee on division and the Constitutional Alliance. Members also felt that it was necessary to report to the Legislature and to clear up to the greatest extent possible confusion which may exist about the special committee's mandate.

In an effort to clear up differences with the Constitutional Alliance, co-chairman George Braden met with the alliance on February 16, 1983. Mr. Braden and two members of the alliance, Bob MacQuarrie and Dennis Patterson, reported to a February 17th meeting of the subcommittee that the concerns of the alliance have been adequately addressed. This public statement by the special committee is its attempt to reduce confusion which may have been generated during the past two years by the various committees and forums dealing with constitutional development.

Progress To Date

In respect to progress to date, Mr. Speaker, at the February 17th, 1983 subcommittee meeting, draft research papers on development of an eastern government were reviewed. It is the desire of the subcommittee to have an interim report considered by the special committee of all 22 Members before this session adjourns. However, it is highly unlikely that this will be possible so that the Members can be assured that the special committee will be kept informed on the progress of our work. For Members' information, Mr. Speaker, a tentative schedule is attached in appendix V. The first completed progress report of the subcommittee is due March 31st, 1983. This report will reflect, as noted above, our desire to initially deal with those matters associated with the establishment of an eastern government.

Conclusion

In conclusion, Mr. Speaker, while the special committee was somewhat slow in initiating its work, the co-chairmen and subcommittee are confident that our overall objectives can be achieved by the end of the life of this Legislature. In that the special committee has a research and analysis mandate, it is hoped that it will not complicate or confuse the public in so far as other forums are concerned. In the final analysis, it is the committee's desire that its work will be of use to the Constitutional Alliance, the two forums and both levels of government.

In conclusion, the special committee recommends the following:

- a) that to the greatest extent possible, the special committee keep other committees and forums informed of its work;
- b) that the special committee submit its final report to the fall 1983 session of this Assembly; and
- c) that the special committee be dissolved at that time.

I have a second report to read, Mr. Speaker.

MR. SPEAKER: Proceed, Mr. Braden.

Special Committee On The Constitution Of Canada, Report No. 3

HON. GEORGE BRADEN: It is Special Committee on the Constitution of Canada, Report No. 3. The report has been reproduced and will be circulated to all Members. There is a summary in Inuktitut and, as well, there are quite a few back-up documents, some of which are translated.

Introduction

Mr. Speaker, the special committee on the constitution of Canada was established by Motion 3-81(3) at the fall session of the Legislative Assembly in November of 1981. The special committee was established primarily in response to an initiative by the federal government and some provincial

governments to remove aboriginal rights provisions in the proposed constitution of Canada. In addition, provisions contained in the proposed constitution's amending formula concerning extension of provincial boundaries and the establishment of new provincial jurisdictions provided further evidence that the Assembly needed to act in an extraordinary fashion to attempt to address these matters.

Western Arctic MLA, Nellie Cournoyea, and Yellowknife North MLA, George Braden were chosen as the co-chairmen of the special committee, which was to include all 22 Members of the Legislature.

A copy of Motion 3-81(3), establishing the special committee, is attached in appendix I. Further, copies of Report No. 1 and Report No. 2 of the special committee dated Friday, November 27th, 1981 and Wednesday, December 2nd, 1981, respectively, are attached in appendix II. For Members' reference, the full text of the discussion and debate on the special committee and matters relating to the constitution of Canada can be found in Hansard for the sixth session held in November-December, 1981, on pages 94 to 135, and pages 315 to 317, 370, 471, and 472.

Patriation Of The Canadian Constitution

On April 17th, 1982, Queen Elizabeth II formally patriated the constitution of Canada in Ottawa. The Constitution Act as we now know it included a reference to the aboriginal rights of Canadian native people. It also includes a section which requires that a constitutional conference be held to further define the meaning of aboriginal rights, and that this conference be held within one year of the proclamation of the Constitution Act. Representatives of the aboriginal citizens of Canada and the two territorial governments were given official status at the conference along with the Prime Minister and the premiers of Canada.

Second, the constitution of Canada contains, despite protests from the residents of NWT and Yukon, references to the extension of provincial boundaries and creation of new provincial jurisdictions in the infamous sections 42(1)(e) and (f).

While the special committee was inactive during the period of time when the constitution was patriated, the Government of the Northwest Territories Department of Justice and its Minister remained alert to the requirements that would be placed on this Assembly and the NWT government when preparations started for the above-noted First Ministers' Conference on the constitution, particularly as it relates to aboriginal rights. This action is in keeping with the intent of clause (b) of Motion 23-81(3) which directed that the NWT government upgrade its constitutional capability. Motion 23-81(3) is attached in appendix III.

The Minister and Department of Justice have assumed the lead role in matters relating to the constitution of Canada up to the present. Assistance, as required, has been provided by the Minister of Aboriginal Rights and Constitutional Development and his secretariat. In the fall of 1982, the special committee's co-chairmen convened two meetings to review work which had been undertaken by the Minister and Department of Justice. While the November 12th and 15th meetings dealt with a wide variety of subjects associated with the Canadian constitution, the major thrust was obviously preparation of arguments respecting the definition of aboriginal rights and the repeal of sections 42(1)(e) and (f). Draft documents were reviewed by the co-chairmen and caucus. Finally on Tuesday, November 16th, 1982, a discussion paper entitled, "Aboriginal Rights and the Constitution", was tabled for discussion at the Legislature. The discussion paper which is attached in appendix IV was approved in principle Tuesday, November 23rd, 1982, and has since served as the NWT government's direction in preparation for the March 15th and 16th First Ministers' meeting on aboriginal rights. Another, more up to date paper will be tabled before the Assembly today, Mr. Speaker.

Conclusion

In conclusion, while the special committee has largely been inactive since the fall of 1981 when events determined that it must be established, the GNWT Department of Justice has assumed the lead role in further development of positions respecting aboriginal rights, the extension of provincial boundaries and the creation of new jurisdictions within confederation. The Minister and the department have ensured that the Legislature has had maximum input to the development of positions and advises that this is a condition which must and will continue in the future.

Therefore, in light of the above, Mr. Speaker, the co-chairmen recommend the following:

- a) that the special committee on the constitution of Canada be dissolved by motion of this House;
- b) that the Minister and Department of Justice be mandated with the work originally delegated to the special committee; and
- c) that the Minister be required to report to the Legislative Assembly on progress in the area of defining aboriginal rights and the repeal of section 42(1)(e) and (f).

That concludes my special report. I would just advise the House that I will be giving notice of a motion today to discontinue the special committee on the constitution of Canada and when we do get to motions I will be asking for unanimous consent to proceed with that motion.

---Applause

MR. SPEAKER: Thank you, Mr. Minister. Reports of standing and special committees. Mr. Wah-Shee.

HON. JAMES WAH-SHEE: Mr. Speaker, can I ask for unanimous consent to go back to Item 6, Ministers' statements, because I would like to make a report in regard to the Western Arctic regional municipality?

MR. SPEAKER: Unanimous consent is being requested to return to Item 6. Are there any nays? Proceed, Mr. Wah-Shee.

ITEM NO. 6: MINISTERS' STATEMENT

Minister's Statement On Western Arctic Regional Municipality Consultations

HON. JAMES WAH-SHEE: Mr. Speaker, I have a document I would like to read into the record, titled "Progress Report on Western Arctic Regional Municipality Consultations".

As the Members of this Assembly will recall Motion 66-80(2) was passed at the Frobisher Bay session in 1980 directing that the Department of Local Government, under the direction of the Minister and in co-operation with the MLA for Western Arctic, commence work immediately with the community councils and the Committee for Original Peoples Entitlement to develop the details for a Western Arctic regional municipality in accordance with the obligations of government, under section 18 of the Inuvialuit agreement in principle.

In May of 1982, a memorandum of understanding was signed by the three parties named above with the task of developing the details. A copy of the memorandum is attached under appendix I. There has been a working group struck composed equally of Government of the Northwest Territories and Committee for Original Peoples Entitlement employees and a series of community meetings have been held in the Western Arctic.

Besides the communities of Sachs Harbour, Holman Island, Paulatuk, Tuktoyaktuk and Aklavik, contained in the Western Arctic region as set out in the agreement in principle, a task force of the Minister of Local Government, the Minister of Aboriginal Rights and Constitutional Development, James J. Wah-Shee; the MLA for Western Arctic, Nellie Cournoyea; and the president of COPE, Peter Green was established.

This task force is to provide direction for a working group, composed equally of Government of the Northwest Territories employees and two employees of COPE whose task is to consult with the communities in developing the details of the Western Arctic regional municipalities. As well, an advisory group was struck, whose role is to provide advice to the task force. This committee is composed of the MLA from the town of Inuvik, Tom Butters; the MLA for Central Arctic, Kane Tologanak; and the MLA for Mackenzie Delta, Richard Nerysoo.

Generally, the work plan will have four phases. Initial visit by the working group which will serve to provide an introduction and background information to the community councils. Community workshops at the requests of the councils which expand on the information distributed on the first visit and detail of the COPE model, of Western Arctic Regional Municipality, WARM, as well as other regional governments in existence or being formed in the Northwest Territories.

A third phase is proposed that will further expand on the suggestions received during the workshops and entail the review of a draft WARM ordinance which may be tabled by the task force at the May session of the Legislative Assembly. Ratification by the communities will conclude the process and this will occur before the October session in order that the Assembly may consider the ordinance at that time. A list of meetings that have occurred up to this time is attached under appendix II. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. Now, are there any further Ministers' statements while we are on Item 6? Item 9, tabling of documents. Mr. Braden.

ITEM NO. 9: TABLING OF DOCUMENTS

HON. GEORGE BRADEN: Mr. Speaker, I would like to table Tabled Document 20-83(1), Sessional Paper Concerning the First Ministers' Conference on Aboriginal Rights.

MR. SPEAKER: Thank you. Tabling of documents. Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Speaker, I wish to table Tabled Document 21-83(1), Speaker's Statement on Quorum in the Legislative Assembly.

MR. SPEAKER: Thank you. Tabling of documents. Mr. Wray.

MR. WRAY: Mr. Speaker, I wish to table the Tabled Document 22-83(1), a letter from the acting speaker of the Keewatin regional council requesting the resignation of the Minister of Local Government.

MR. SPEAKER: Thank you. Tabling of documents. Item 10, notices of motion. Mr. Braden.

ITEM NO. 10: NOTICES OF MOTION

Notice Of Motion 25-83(1): Dissolution Of The Special Committee On The Constitution Of Canada

HON. GEORGE BRADEN: Mr. Speaker, at the appropriate time I will be seeking unanimous consent to proceed with the following motion: Now therefore, I move, seconded by the Member for Western Arctic, that the special committee on the constitution of Canada be dissolved.

MR. SPEAKER: Notices of motion.

Item 11, notices of motion for first reading of bills. Item 12, motions. Motion 19-83(1). Mr. McLaughlin.

ITEM NO. 12: MOTIONS

Motion 19-83(1): Northwest Territories Act Amendment

MR. McLAUGHLIN: Thank you, Mr. Speaker.

WHEREAS the Constitution Act 1981 allows legislative assemblies to continue for as long as five years;

AND WHEREAS the Northwest Territories Act restricts our Assemblies to a set four year term;

AND WHEREAS future Assemblies should not be handicapped by having the timing continually changing and sometimes preventing adequate input into budget preparation;

NOW THEREFORE, I move, seconded by the honourable Member for Frobisher Bay, that this Assembly ask the Executive to ask the Minister of Indian and Northern Affairs to consider amending the Northwest Territories Act to comply with section 4(1) of the Constitution Act 1981.

MR. SPEAKER: Mr. McLaughlin, I have looked at your motion and there really is nothing wrong with it except we already conform to the Constitution Act 1981. I know what you are trying to get is five years but the way it is worded, it really does not mean anything. If you wish to proceed with it I cannot rule it out of order, but basically, it should be amended if you want to get your point across. Then we have trouble with your seconder; you do not have a seconder because the Member is not in the House.

MR. McLAUGHLIN: The honourable Member for Frobisher Bay is in the House. Mr. Speaker, I would like to proceed with the motion because the "whereas" indicates the five year situation and the intent of what I am trying to do with the motion is clear because of that.

MR. SPEAKER: Fine, you may proceed. It is not out of order.

AN HON. MEMBER: Question.

MR. McLAUGHLIN: Members are aware that because our Assembly is elected for basically, a four year and one month term and there is time in between each election of a minimum of 60 days, that this means theoretically that you could have a spring election one year, then the summer, then the fall, then the winter. You are unable to have any control over choosing a suitable time to have an election. In the fall or spring or the summer holidays, when there is good weather and people are at home and not out on the land hunting and trapping, that is one good time to have this situation.

The other thing is that we are facing the situation which we had in this Assembly of having a budget prepared for us and then after the next election the new Assembly would meet and immediately have to deal with the budget which was prepared for them by Members of the Executive of the previous Assembly in which they had no input at all. Even this Assembly, when we were elected in October, had very little input into the next budget because the budget preparation starts in the spring and is pretty well a fait accompli by the fall.

So that is the intent of what I want to do. I want to bring this to the Minister's attention and to have us treated in the NWT Act in the way the other Assemblies are -- being allowed to go for five years and letting a majority of the Members of the Assembly decide when it is a good time to resign within that five year period and have a general election. That is what we did yesterday only we are restricted to a four year term. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. McLaughlin. Mr. Patterson, as seconder. Would you? To the motion. Are you ready for the question? Do you wish to terminate the debate, Mr. McLaughlin, or are you ready for the question?

MR. McLAUGHLIN: Question.

Motion 19-83(1), Carried

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

---Carried

Motions. Mr. Braden, you indicated you were seeking unanimous consent for your motion.

HON. GEORGE BRADEN: Mr. Speaker, do I have unanimous consent to proceed?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Are there any nays? Proceed, Mr. Braden.

---Agreed

Motion 25-83(1): Dissolution Of The Special Committee On The Constitution Of Canada

HON. GEORGE BRADEN: Mr. Speaker:

WHEREAS the Legislature established a special committee on the constitution of Canada to promote changes in our national constitution;

AND WHEREAS the Government of the Northwest Territories, through the Minister of the Department of Justice, continues to be involved in the national constitutional process respecting the definition of aboriginal rights and repeal of sections 42(1)(e) and (f);

AND WHEREAS, the Minister and Department of Justice have and will continue to involve the Legislature on matters related to the Canadian constitution;

NOW THEREFORE, I move, seconded by the honourable Member for Western Arctic, that the special committee on the constitution of Canada be dissolved.

MR. SPEAKER: The motion is in order. To the motion, Mr. Braden. Mr. Patterson.

HON. DENNIS PATTERSON: Mr. Speaker, I would just like to very briefly take this opportunity to, I am sure on behalf of all Members, sincerely thank the very able and hardworking co-chairmen of the special committee on the constitution of Canada. I think that the experience of going to

Ottawa and under their leadership influencing significantly the history of the Northwest Territories and the history of this country at that particular period of time was a very worthwhile experience that may well be one of the most significant achievements of the Ninth Assembly. I would like to take this opportunity to just say how impressed I was with the dedication and the co-operation that the two co-chairmen showed in discharging their responsibilities at that particular time. Thank you, Mr. Speaker.

---Applause

Motion 25-83(1), Carried

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

---Carried

Item 13, first reading of bills.

Item 14, second reading of bills. Item 15, consideration in committee of the whole of bills, recommendations to the Legislature and other matters.

ITEM NO. 15: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS, RECOMMENDATIONS TO THE LEGISLATURE AND OTHER MATTERS

Bills 2-83(1), 3-83(1), 4-83(1), 5-83(1), 10-83(1), 19-83(1), 9-83(1), 22-83(1), 6-83(1), 7-83(1), 8-83(1), 11-83(1), 12-83(1), 13-83(1), 14-83(1), 15-83(1), 16-83(1), 17-83(1), 18-83(1), 20-83(1), 21-83(1), 23-83(1). We will resolve into committee of the whole with Mr. Fraser in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 2-83(1), BILL 3-83(1), BILL 4-83(1), BILL 5-83(1), BILL 6-83(1), BILL 7-83(1), BILL 8-83(1), BILL 9-83(1), BILL 10-83(1), BILL 11-83(1), BILL 12-83(1), BILL 13-83(1), BILL 15-83(1), BILL 16-83(1), BILL 19-83(1), BILL 22-83(1), BILL 23-83(1)

Bill 2-83(1), Supplementary Appropriation Ordinance, No. 2, 1982-1983

Department Of Local Government

CHAIRMAN (Mr. Fraser): I call the committee back to order. We are dealing with supplementary estimates on page 13 in the amount of \$447,000. Mr. Wray.

MR. WRAY: Mr. Chairman, yesterday we were going through these item by item. Have you now changed, and are you just going to go through the totals?

Total O And M, Directorate

CHAIRMAN (Mr. Fraser): No problem, Mr. Wray. I always call the total first and then back. You can deal with anything your little heart desires. Directorate, \$227,000. Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, when we concluded yesterday, I believe my name was on the list for a question to the Minister of Aboriginal Rights and Constitutional Development on the matter of regional and tribal councils ordinance. In view of the fact that it would probably be more difficult to work out the parameters for a tribal council because that would be taking into account possible ethnic make-ups of communities -- and I will state again I do not necessarily disagree with that -- but in terms of the regional councils which are totally a public body, would it not be better to separate those two things? Would it not be better to proceed with the more public structure that is not unlike or different from what has been going on now and so not hold up some of the regions who are not advocating any special kind of regional councils within their area? Could it not be separated a bit so as not to hold them up?

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

HON. JAMES WAH-SHEE: I did not get the total question, Mr. Chairman. I had some trouble with my electronic equipment here. In regard to the tribal council, I do not think that I indicated yesterday that the chiefs were going to look at tribal councils exclusively in the ethnic sense. It is a concept that they will be looking into and there is research being done at the present time in regard to the various regional forms of institutions and so really we will have to see what the end result is. I would not indicate at this time that it is anything other than a public institution.

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

Keewatin And Kitikmeot Regions Could Proceed

MS COURNOYEA: Mr. Chairman, as Mr. Wah-Shee indicated, he might not have caught all my question because of his electronic apparatus. No, what I was concerned about is that we have already incorporated the Baffin Regional Council, and the problems that you would have with the Western Arctic regional municipality would be in the kind of powers that are being requested, so I could see a more critical analysis of that because it is much beyond probably the competence of this government to pass some of those forms of legislative power. However, some of the regions are accepting the gradual development to more local autonomy and they seem to be accepting that the stage of development is there and they are not really expecting anything more than has already been devolved in terms of the Baffin Regional Council.

I feel that our area at times is in a difficult position because it is presumed that one of the reasons that the normal procedure or the past acceptable plans have been held up is because of what we have proposed and the possibility that it would not be acceptable. However, at the same time, I believe in terms of the Keewatin and the Kitikmeot region that both are not really going outside the already established form of regional councils. The question to the Minister is, is it possible to accommodate those people, even though our area would be somewhat held up and the development of tribal councils may take a little longer? So is it possible to accommodate them because of the kinds of regional councils that they feel are acceptable to them?

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

Further Research Into Political Institutions

HON. JAMES WAH-SHEE: In my view, I think that we will have to allow the benefit of the doubt to various regions. The honourable Member may be surprised that in some of the areas they may be requesting more authority than has been spelled out in the Baffin Regional Council Ordinance. The idea here is that we really do not know what would be forthcoming in the whole tribal council concept, so I do not think that it is fair to say that WARM will be held up because the other regions are satisfied with the level of authority that they are requesting at the present time. I think that it is also fair to say on the other hand that given some time, the other regions may want to consider perhaps other concepts which they are not aware of. As well, I think that the various research that is presently taking place -- research materials should be available to the regions so that when they are reviewing the type of political institutions that they would like to see in the region, it may give them new ideas which they may wish to entertain. So I do not really see it as a means by holding up one region against the other.

CHAIRMAN (Mr. Fraser): Ms Cournoyea, supplementary.

MS COURNOYEA: Mr. Chairman, I guess the understanding of the statement I made was not that anyone would hold up the aspirations for a Western Arctic regional municipality but rather that because we have been advocating a much more powerful legislative authority, we would not want to hold up the other areas who are already partially established and who have already reviewed the terms of reference of the regional government as it relates to the Baffin region. I have seen the Kitikmeot one as well as the Keewatin and it did not appear to me that there would be any problem in granting them.

I realize Mr. Wah-Shee has said that he did not feel like proceeding and having amendments but I believe we will always have amendments, and if a region is willing to take that kind of authority and it is quite within what has already been done and the precedent has been set, that they should not be held up because we are trying to develop in the Western Arctic regional municipality an extended type of regional council. I would not want to see them held back because of that.

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

HON. JAMES WAH-SHEE: Mr. Chairman, I think I have already indicated in my statement the approach that this government would like to take and that is really the approach that we intend to follow.

CHAIRMAN (Mr. Fraser): Ms Cournoyea.

MS COURNOYEA: I presume then, at such time as the make-up of the tribal council is settled and understood and agreed upon there will be no further legislative authority being formed to put in place other regional governments.

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

HON. JAMES WAH-SHEE: Mr. Chairman, regional councils are formed at the present time. It is just that they do not have a legislative basis and so it is just a matter of time before an appropriate legislation will be introduced. I realize that it is causing some problems in some of the regions but this is really the approach that we would like to take. In the meantime I think that the various regions will have an opportunity to hold further regional meetings. I have already indicated that just because we are not going ahead with legislation at the present time it does not mean that they will not be functional. Certainly they will be functional. They will have resources available to them so that they can take advantage of all the various research taking place and within the life of this Assembly I would certainly like to see the appropriate legislation in place to give them legal recognition.

CHAIRMAN (Mr. Fraser): Mr. Wray.

Existing Draft Ordinance Acceptable

MR. WRAY: Mr. Chairman, I have great difficulty in grasping the reasons behind what has happened here and my question is whether, in fact, there are other motives that we are not sure of, but I fail to see why the ordinance which was drafted for the Keewatin regional council would cause the government any problems. It was modelled upon the Baffin Regional Council Ordinance which, by this government's acceptance -- the government has accepted in principle this type of regional body. The Keewatin has an ordinance and it is one that is completely acceptable to the people of the Keewatin and to the municipalities in the Keewatin and I, quite frankly, would like to see this ordinance introduced for legislation in May. It does not appear that we will have a fall session and if the legislation is not introduced by May it could be very well another year before this legislation takes effect.

An example of the problems that have been caused is that in the Keewatin we have what is called the Hudson Bay committee which is a committee comprised of all the communities that oversee and make recommendations based on the oil and gas exploration of the Hudson Bay. The Keewatin regional council has just received a letter from the federal government saying that only the regional council will be allowed to participate in that forum and not the Inuit Tapirisat of Canada because ITC is an ethnic organization and only the regional council can speak for all the people of the region. So the federal government has obviously placed some credence in this organization and in fact, wants to use this organization as a spokesman for the region.

While the council is set up and while it has been given funding, it is not a legal body and has no more power than our old settlement councils had. All they can do is make recommendations to various government bodies, make recommendations to this and that, but they cannot enforce any regulations or such that the region may desire. I ask the Minister, would he undertake to introduce legislation which will bring the Keewatin regional council ordinance in front of this session in May of this year, given that we have an ordinance and there is no work to be done on it? It has been reviewed by the residents of the Keewatin, it is acceptable to the residents of the Keewatin and, by precedent, it is acceptable to the Government of the Northwest Territories. If I ask him, will he bring this legislation forward in May?

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

HON. JAMES WAH-SHEE: Mr. Chairman, I have already indicated in my statement that I intend to bring legislation forward in the fall and I cannot make any commitments to bring forward such legislation in the May session.

CHAIRMAN (Mr. Fraser): Mr. Wray.

MR. WRAY: Then I hope the Minister considers the request for his resignation because it is obviously well-founded. Thank you.

Total O And M, Directorate, Agreed

CHAIRMAN (Mr. Fraser): Thank you. Ms Cournoyea, did you have a supplementary? Any further questions? Directorate, \$227,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Mr. Sibbeston.

MR. SIBBESTON: Mr. Chairman, can the Minister of Local Government indicate how much funds are available for the various regional councils during this coming year?

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

CHAIRMAN (Mr. Fraser): Point of order, Mr. Patterson.

HON. DENNIS PATTERSON: With all respect to the Member for Mackenzie Liard, I think what he has asked for is outside the scope of these supplementary estimates and I would respectfully suggest that the question be confined to the appropriation being discussed and not the budget for all regional councils in the Northwest Territories. Thank you.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. Mr. Sibbeston, I think the directorate here deals with the COPE proposals. We are into the Local Government, municipal affairs. Is that the one you were talking on, Mr. Sibbeston?

MR. SIBBESTON: I thought that I might be able to ask Mr. Wah-Shee the question mentioned because there is a provision to provide additional grant funding to the Baffin and Keewatin regional councils and I was wondering how much money the Deh Cho regional council would be getting this coming year.

CHAIRMAN (Mr. Fraser): Mr. Sibbeston, I think this is only a supplementary estimate; I do not think we can do it unless you want to make a motion of some sort. You would have to do it by motion. Mr. Sibbeston.

MR. SIBBESTON: What seems to be the rush?

HON. DENNIS PATTERSON: We have been at this for 24 days.

MR. WRAY: What is wrong with the 25th?

HON. ARNOLD McCALLUM: We could likely have used it.

Grant Funding To Baffin And Keewatin Regional Councils

MR. SIBBESTON: Mr. Chairman, can I just ask what is the basis of these funds being granted to both the Baffin and Keewatin regional councils and how much money has been given to other councils?

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

HON. JAMES WAH-SHEE: Mr. Chairman, is it in reference to the \$92,000, under directorate, that the honourable Member is requesting clarification?

CHAIRMAN (Mr. Fraser): Mr. Sibbeston.

MR. SIBBESTON: Yes, you told us to keep on the subject so it is in reference to the \$92,000. What is the basis of these additional grants, and how much has been granted to other councils, just so we can make a comparison?

CHAIRMAN (Mr. Fraser): This is, as I said before, a supplementary estimate to provide additional grant funding to the Baffin and Keewatin councils, \$92,000; that is what we are dealing with right here. We are not dealing with any other councils.

MR. SIBBESTON: Mr. Chairman, you are beginning to show your bias.

CHAIRMAN (Mr. Fraser): Well, I cannot deal with anything that is not in this book. This is what I am going by, this book that is set before me, and I have to go by that. I do not make the rules.

HON. DENNIS PATTERSON: Hear, hear!

CHAIRMAN (Mr. Fraser): Mr. Sibbeston.

MR. SIBBESTON: My question, if you would listen Mr. Chairman, is specifically to deal with this \$92,000. Open your ears. My question is, what is the basis of this money being granted to Baffin and Keewatin regional councils? So we can have a comparison, what moneys have been given to other councils during the past year?

CHAIRMAN (Mr. Fraser): Mr. Wah-Shee, do you want to answer that?

HON. JAMES WAH-SHEE: Mr. Chairman, in reference to the \$92,000, these are funds that have been expended in the past year for the information of the honourable Member. BRC has received a funding increase to the tune of \$42,400, and that is for the following: \$22,400 for price increases not included in the main estimates; \$4000 for audited statements required in BRC Ordinance; \$16,000, which is the amount transferred from other departments to fund a second staff position for BRC agreed to by the Executive Committee. The other amount of \$50,000 went to the Keewatin regional council as an interim funding arrangement this past year, along with other funds that have been provided to Keewatin regional council to develop their council.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Wah-Shee. Any further questions? Mr. Sibbeston.

Funding For Preparation Of Draft Ordinance

MR. SIBBESTON: Can the Minister indicate just precisely how these moneys were spent by the regional councils and if any of these moneys were used to prepare a draft ordinance on behalf of the Keewatin regional council?

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

HON. JAMES WAH-SHEE: Specifically to Keewatin regional council in regard to preparation of their draft ordinance, the \$50,000 is the amount which has been requested by the Keewatin regional council in addition to the amount that was already given out to the council. I believe this amount was to pay the debt that has been incurred and a portion of it I believe was used to hold regional meetings to discuss their draft ordinance.

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

MR. WRAY: Mr. Chairman, a question for Mr. Wah-Shee. The ordinance that has been prepared by the Keewatin regional council, will it be used as a basis for this new "pie in the sky" ordinance that is now being considered?

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

HON. JAMES WAH-SHEE: Well I do not know what kind of "pie" he is referring...

MR. WRAY: Well you should, it is your concept.

HON. JAMES WAH-SHEE: I never made any reference to "pie", or any kind of traditional food that you are referring to. I imagine the honourable Member likes his "pie" after the session is over. However, in regard to the draft ordinance, I think that it will be used by the Keewatin regional council as a reference in comparison to other research materials that will probably be made available to them. So really, they can do as they wish with that draft ordinance.

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

MR. SIBBESTON: There is \$92,000 being granted to the Baffin and Keewatin regional councils, could the Minister indicate who actually benefits from the money being granted to these councils? What is the membership of these councils; which communities are involved in that; and are these moneys spent to pay salaries or the expenses of these councils? Just how wide a base do these regional councils have, and who actually benefits most from the money granted?

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

HON. JAMES WAH-SHEE: The moneys that were made available go directly to the two regional councils, to their executive committee. As well, the funds would go to the Keewatin regional council executive committee on behalf of their council. These funds would be spent on the activities of the two councils. In regard to whether the member communities benefit, I am not in a position to question that. I assume that when we are working with regional council executive members, these are the people that have been elected by their regional councils, so therefore we naturally want to work with them.

CHAIRMAN (Mr. Fraser): Mr. Sibbeston.

Responsibility Of Regional Councils To Government Of NWT

MR. SIBBESTON: Mr. Chairman, I am just wondering, does the Minister know which communities are members of both of these councils and how is the money paid to these councils, and does anybody audit the books of these councils and if so, when was the last audit provided?

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

HON. JAMES WAH-SHEE: Mr. Chairman, there are 13 communities that are collectively represented by the Baffin Regional Council and seven communities in Keewatin. Yes, their books are audited by the services that we provide on down through the regional offices in Baffin and also in the Keewatin regional office.

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

MR. SIBBESTON: Can the Minister indicate what is the relationship of these regional councils to government? How much interaction is there between these councils and the government? What has been the relationship of these councils to government? Who do they mostly deal with? Is it regional government officials in Rankin and in Frobisher Bay, or is it officials here in Yellowknife?

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

HON. JAMES WAH-SHEE: The two regional councils naturally work with their regional offices. As well, they also deal with the headquarters officials.

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

MR. SIBBESTON: I would like to ask the Minister if he knows the names of the government officials that these councils relate to and what their positions are and the salaries and any other background.

HON. DENNIS PATTERSON: What are you trying to do?

MR. SIBBESTON: Well, I am interested.

CHAIRMAN (Mr. Fraser): Mr. Patterson.

HON. DENNIS PATTERSON: Mr. Chairman, if I may just contribute something to this. The Baffin Regional Council has been in existence for five years now. It is composed of every single community in the Baffin region, which is 13 in all. The council, and I do not know whether this is going to meet with Mr. Sibbeston's approval or not, has I think an excellent working relationship with the regional government and the Executive Committee. It has an excellent working relationship with the Legislative Assembly, because the Baffin region MLAs are invited to each session of the regional council; and with all respect, Mr. Chairman, I would suggest if Mr. Sibbeston wants more information, he should attend a session of the Baffin Regional Council. Thank you.

Motion To Approve Total O And M, Department Of Local Government, Bill 2-83(1)

Mr. Chairman, maybe just in conclusion, I would like to make a motion that we approve this particular item in the appropriations, and I call for the question.

CHAIRMAN (Mr. Fraser): Thank you. Mr. Patterson, are you saying that we conclude the Department of Local Government?

HON. DENNIS PATTERSON: Yes.

CHAIRMAN (Mr. Fraser): There is a motion on the floor. To the motion. Mr. Sibbeston.

MR. SIBBESTON: Mr. Chairman, usually in dealings with budgets, it is not necessary to have motions accepting a particular allotment and I am just wondering if Mr. Patterson is deviating or going away from the normal way of this Assembly for dealing with budget matters, because I really do have some more concerns I would like to raise.

CHAIRMAN (Mr. Fraser): Mr. Patterson.

HON. DENNIS PATTERSON: Mr. Chairman, I found the Member's question about the positions and salaries of government officials who have been involved with the Baffin Regional Council to be absurd and obstructive. I would venture to say that every senior government official of the Baffin region government and many of their assistants and deputies have been involved at one time or another in the Baffin Regional Council. I do not really know why this kind of a question is being asked if it is not to waste time and that is why I made the motion that we approve this item, because I think it is time we got on with the business of this House. These supplementary estimates are all very important, whether Members realize it or not. Thank you.

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

MR. WRAY: Mr. Chairman, I will not support the motion. Mr. Patterson might be comfortable, inasmuch as the Baffin has a regional council, a legally incorporated regional council, and maybe his concerns are not as great as mine because he is already looked after, but I do have some questions on regional councils and I would like the opportunity to ask them, and I would ask him to withdraw the motion for the benefit of the Keewatin people.

CHAIRMAN (Mr. Fraser): Mr. Patterson.

Other Opportunities To Raise Concerns

HON. DENNIS PATTERSON: Mr. Chairman, with all respect to the Members, there are times and places where questions can be asked about the issue which is on their minds but that place is not the supplementary estimates. Supplementary estimates, as I understand it, are to cover extraordinary expenditures incurred by the government over the past fiscal year. They are not to talk about plans for the coming year or new legislation or anything like that and I think we have been wandering off topic from the beginning on this issue of supplementary estimates. I have people in Thebacha College in Fort Smith who are waiting to get paid as a result of the approval of the Education supplementary estimates. I am anxious to get on with it. I think there are opportunities through oral questions, written questions, notices of motion, for Members to question what they are obviously concerned about, which is Mr. Wah-Shee's statement the other day, but supplementary estimates for the current fiscal year is not the correct place. So respectfully, I will decline the offer to withdraw my motion, Mr. Chairman. Thank you.

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

MR. SIBBESTON: Mr. Chairman, I will not support the motion because I think the motion is unprecedented. It means that any Member can, by doing this, by making a motion such as we have seen...

HON. RICHARD NERYSOO: Point of order, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Point of order, Mr. Nerysoo.

HON. RICHARD NERYSOO: The same situation occurred with regard to the debate on the Housing Corporation. The honourable Member in fact supported the motion, so I think that if there is a precedent set, then that is the precedent.

---Applause

AN HON. MEMBER: Hear, hear!

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

MR. SIBBESTON: Just to say, Mr. Chairman, that I will not be supporting the motion because I do have some questions concerning the matters before us and I am frankly disappointed that I will not be able to if this motion carries.

MR. McLAUGHLIN: You can share disappointment with us.

MR. SIBBESTON: Mr. Chairman, I must say that I am surprised at this move to adopt a particular page or allotment by a vote, because it does cut off discussion on the subject, because some of us

do have concerns. Mr. Patterson raised the matter about civil servants. I have constituents, many more than a few little civil servants in Smith, who are concerned about a regional council and I say these are three times more important than your civil servants who want to be paid in Fort Smith.

HON. DENNIS PATTERSON: All I am saying is you picked the wrong place.

HON. ARNOLD McCALLUM: They are my constituents.

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

SOME HON. MEMBERS: Question.

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

MR. SIBBESTON: Recorded vote.

CHAIRMAN (Mr. Fraser): Down. Opposed?

MR. SIBBESTON: Mr. Chairman, point of order. I asked for a recorded vote.

MR. MacQUARRIE: Point of order, Mr. Chairman.

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

MR. MacQUARRIE: That once happened to me, when a vote was already called, and I was denied the right to call for a recorded vote, and the vote had already been in progress, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Mr. Sibbeston.

MR. SIBBESTON: Right. I did raise my hand and I did mention it at the time that you were calling the vote and I feel that you missed it simply because you were not looking my way. You were being occupied with people on the other side, so I would ask for a recorded vote.

Motion To Approve Total O And M, Department Of Local Government, Bill 2-83(1), Carried

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

CLERK ASSISTANT (Mrs. Baldwin): Mr. Evaluarjuk, Mr. Kilabuk, Mr. Patterson, Mr. Pudluk, Mr. Tologanak, Mr. McCallum, Mr. Wah-Shee, Mr. Braden, Mr. Butters, Mr. Nerysoo, Mr. McLaughlin, Mr. MacQuarrie.

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

CLERK ASSISTANT (Mrs. Baldwin): Ms Cournoyea, Mr. Wray, Mr. Sibbeston.

CHAIRMAN (Mr. Fraser): Abstentions?

MS COURNOYEA: Mr. Chairman.

CHAIRMAN (Mr. Fraser): Just a minute, Ms Cournoyea. The motion was carried 12 for and three against. Thank you.

---Carried

Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, I think that sometimes we all win and lose some motions. I do not get overly concerned if I lose one. We lost one right now. It did not necessarily concern me. The other guys won but I feel that as an ordinary procedure, jeering is not necessary because sometimes you win, sometimes you lose.

SOME HON. MEMBERS: Hear, hear!

Department Of Health

Total O And M, Administration, Agreed

CHAIRMAN (Mr. Fraser): Page 14, Department of Health, operations and maintenance, in the amount of \$10,076,000. We will go back to administration at \$152,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Total O And M, Supplementary Health Program, Agreed

CHAIRMAN (Mr. Fraser): Supplementary health program, \$225,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Total O And M, NWT Share Of Health Services, Agreed

CHAIRMAN (Mr. Fraser): Northwest Territories share of health services, \$2,299,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Total O And M, Territorial Hospital Insurance Services, Agreed

CHAIRMAN (Mr. Fraser): Territorial hospital insurance services, \$5,246,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Total O And M, Medicare, Agreed

CHAIRMAN (Mr. Fraser): Medicare, \$1,347,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Total O And M, Medical Transportation, Agreed

CHAIRMAN (Mr. Fraser): Medical transportation, \$807,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Total O And M, Agreed

CHAIRMAN (Mr. Fraser): Total department, \$10,076,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Department Of Social Services

CHAIRMAN (Mr. Fraser): Page 16, Social Services, total amount, \$254,000 surplus.

Total O And M, Family And Children's Services, Agreed

Family and children's services, \$263,000, surplus. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Total O And M, Correction Services

CHAIRMAN (Mr. Fraser): Correction services, \$1.066,000. Mr. Sibbeston.

MR. SIBBESTON: Could the Minister responsible for this indicate just how substantial the increase has been in the number of inmates during this past year?

CHAIRMAN (Mr. Fraser): Mr. Tologanak.

HON. KANE TOLOGANAK: Just give me a second, Mr. Chairman. The correction service division received a salary increase of seven per cent. The contribution to the Arctic House has been negotiated to mutual agreement. We estimated the shortfall of \$465,000. The fine option priority item has been fully funded in the 1983-84 budget. The supplementary estimate of six person years and \$210,000 has been added to the 1982-83 budget base.

The question was just how much the number of people incarcerated has increased. I will have to come back to the honourable Member for that answer. I do not seem to have the proper figures here.

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

MR. SIBBESTON: Just a few weeks ago we had a great discussion about the courts maybe giving lengthier sentences. It looks like this has happened already here. It says "the length of the average sentence is increasing significantly." I wonder if Mr. Tologanak would indicate if this is the case, that average sentences are increasing and what does he think this is the result of?

CHAIRMAN (Mr. Fraser): Mr. Tologanak.

HON. KANE TOLOGANAK: Mr. Chairman, can we take a coffee break and then I will get back to answering the question? Thank you.

CHAIRMAN (Mr. Fraser): Is it agreed that we will take a 15 minute coffee break?

---Agreed

Can we remind Members that in room 211 they are taking your picture?

---SHORT RECESS

CHAIRMAN (Mr. Fraser): The Chair recognizes a quorum. We are dealing with the supplementary estimates for Social Services on page 16. We seem to have a \$1,046,000 overrun here.
Mr. Tologanak.

HON. KANE TOLOGANAK: Mr. Chairman, I now have the necessary reply to the Member's question. I had it in my briefing book but I lost it somehow. There has been a 40 per cent increase. In 1981-82 we used a total number of 53,000 inmate days and in 1982-83 we are projecting 78,000 inmate days; these are days when we had inmates in the jails. As I said in my speech we have 158 beds for men and in 1981-82 we picked up 210 and in 1982-83 we picked up 260. I think that answers the Member's question.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Tologanak. Mr. Sibbeston.

MR. SIBBESTON: Can the Minister provide all the names of these individuals?

CHAIRMAN (Mr. Fraser): Mr. MacQuarrie.

MR. MACQUARRIE: Could the Minister just clarify just a little more? The statement in the supplementary estimates says the major factor behind these major increases is that the length of the average sentence is increasing significantly. Now that could simply be that judges are assigning longer terms or it could be that, as a result of recidivism, people returning, that they are eligible for longer terms. Which of those two is paramount in this statement here?

CHAIRMAN (Mr. Fraser): Mr. Tologanak.

HON. KANE TOLOGANAK: Mr. Chairman, I indicated in my 1983-84 budget speech the increase and the number of repeaters that were coming back in and, as well, people are having to spend more time because the kind of charges that are being laid are not normally common to the Territories.

Total O And M, Correction Services, Agreed

CHAIRMAN (Mr. Fraser): Thank you. Any further questions? Correction services. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Total O And M, Services To Aged And Handicapped, Agreed

CHAIRMAN (Mr. Fraser): Services to aged and handicapped, \$795,000, surplus. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Total O And M, Financial Assistance, Agreed

CHAIRMAN (Mr. Fraser): Financial assistance, \$1,054,000, surplus. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Total O And M, Agreed

CHAIRMAN (Mr. Fraser): Total department, \$1,046,000, surplus. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Department Of Economic Development And Tourism

Total O And M, Commerce, Agreed

CHAIRMAN (Mr. Fraser): Economic Development and Tourism, page 17. Total amount, commerce \$254,000, surplus. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

HON. ARNOLD McCALLUM: It is a reduction.

Department Of Education

Total O And M, Administration, Agreed

CHAIRMAN (Mr. Fraser): Education, total program, \$3,786,000. Administration, \$264,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Total O And M, Schools

CHAIRMAN (Mr. Fraser): Schools, \$2,480,000. Mr. McLaughlin.

MR. McLAUGHLIN: Part of that is the \$779,000 to meet a shortfall in personnel costs caused by certain unbudgeted staffing and the unexpected drop in vacancy rates and terminations. I wonder if the Minister could explain that to us.

CHAIRMAN (Mr. Fraser): Mr. Minister.

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. These problems have occurred primarily in the Baffin region and Fort Smith region. The departmental officials, particularly in Baffin, have just presented us with a very detailed report about a cumulative total of different factors which resulted in this shortfall. It is true that part of the problem comes from a lower vacancy rate in the last year than was anticipated, but there are also a number of other factors that in some cases have to do with errors that were made in budgeting relating to person years. Those problems were associated with the issue of differentiated staffing and also certain classroom assistant positions.

I would go into much more detail if required, Mr. Chairman, but I would like to say that the sources of the problems have now been made clear to the government. Steps have been taken immediately to avoid this sort of problem in the coming year. Some of those will require certain reductions in programs and services and staffing. I also hope, in the near future, to get a clarification of the staffing base in those regions so that this kind of problem cannot be expected to recur. Mr. Chairman, it is quite a complicated situation. We have had an analysis done and steps are being taken to avoid this problem in the coming years. Thank you.

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

Actually More Positions Than Show In The Budget

MR. McLAUGHLIN: Mr. Chairman, it is a complicated problem. I do not want to call it a purposeful misleading of Members of the Legislative Assembly, but when the departments make up their flow charts to show deputy ministers and assistant deputy ministers and chiefs, etc., all the way down, right to the receptionist, if you look in the budget you will see there are actually more positions than there are man years budgeted. For example in the whole Executive budget, excluding the regional operations because they have people out in the field, the budget shows 83.9 man years but in fact if you look in the headquarters booklet there are actually 93 names of people doing work.

So this seems to be a thing that is done throughout the government to just assume that so many people are not going to work for 12 months a year and therefore you have these other positions. I think that allows the government too much flexibility to create new positions and move people around. Basically, to make Members understand what happens, right now a department might list in the budget that they have 100 man years at \$30,000 per person, but in actual fact they have 110 people expected to be paid \$27,000 in a year. So that is what is going on. I would much

prefer if the government, when it makes up its budget, would put down the actual position years and scale down that salary; instead of using the full year salary factor of what it would cost for a person working 12 months a year, actually show the positions. I do not think it means much to the Members to approve a budget when you find out that 10 per cent of the budget or five per cent of the budget can be moved around.

Look at the audit bureau. It says 20 people and then look in the phone book and there are 22 people in the phone book. So there is, obviously, a personnel situation going on, and maybe the Commissioner might respond to this because I do not know if the direction comes from him as to how Personnel can fill positions. I think most Members would like to see a situation where they approve funding to fill so many positions and that is what we should see. What we are actually seeing is an estimated amount of man year dollars. That is what they are actually saying. When they say 20 man years they are talking about 20 dollar years.

So somewhere between five and 10 per cent of our employees in our civil service do not show up in the budget. I do not think that that is a very good way to have Members of the Legislative Assembly trying to deal with the way government works. I would like the Commissioner, maybe, to explain what the policy is and if the budget could not be done the other way around, showing the actual number of positions in each department, and then scaling down the figure that is used for them so that we know what we are dealing with. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Mr. Commissioner.

Direct Position Control Does Not Provide Flexibility

COMMISSIONER PARKER: Mr. Chairman, governments all over Canada have changed from using a direct position control to one of using person years. The reason for that is the direct position control ties the hands of the managers and that is why the change was made to the use of person years. What we ask you to do is to vote a certain amount of salary money and we tell you that the number of persons that are likely to be employed is a certain number and we are always quite close to that, but we do not say exactly how many because we want to leave the option open for a good manager to utilize more employees, perhaps in the summer when the demand is there and fewer in the winter, and that kind of flexibility is not possible if you use a straight position control system.

We switched from the position control system to a person year system several years ago, and although there have been some difficulties, the number of difficulties have been much fewer than we encountered with the positions. When we had only designated positions it never worked as well as you would think it would. We would have someone away on leave for a few months legitimately, and we therefore could not utilize that position, so the job simply did not get done, and we had to make the change to provide ourselves with some flexibility.

Salary Base For Education

What happened in the Education system is that we were short of money in our base for Education and the managers in Education made a judgment that there were likely to be several vacant positions, or positions that would be vacant for part of the year. But the problem was that that did not occur and so we ended up with too few salary dollars and no flexibility that we thought we had built in. We will have to take steps in the new year to reduce the expenditure and in addition wherever we can to hold the line or even reduce the use of person years. It can be corrected, although I am confident that there will have to be some increase in the base for Education because I think we have to admit that a mistake was made in computing the salary base for Education, and it has simply not been adequate for the last three years. We can show a history of having had to vote supplementary appropriations for some three of four years now, and I am afraid we simply failed to address the problem of an inadequate base for that department.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Commissioner. Mr. McLaughlin, supplementary.

MR. McLAUGHLIN: The problem still is that we are approving a budget that is too flexible in situations like that. I guess all I can say is I hope that FIS can give instantaneous costs to these managers and they will not manage to make these mistakes anymore. That is all I would like to say.

CHAIRMAN (Mr. Fraser): Mr. Wray.

MR. WRAY: Mr. Chairman, two questions; one for the Commissioner and one for the Minister of Education. First of all, a report is being or has been prepared. Would that report on this situation be available to the Members of the House? That is my first question to the Commissioner.

CHAIRMAN (Mr. Fraser): Mr. Commissioner.

COMMISSIONER PARKER: Mr. Chairman, the report is being prepared for consideration by our Financial Management Board outlining the problems we have encountered with the misalignment of dollars and person years. It will be a report that in the long run will be a joint report from Education and from the region. The Member is asking whether or not that report can be made available to the House. Not having seen the report yet, that is difficult to say. I would think that the House would not want to have the kind of detail that we are looking at and I would think that a proper report from myself or the Minister to the House giving the facts of the matter should be made available to the House, but not necessarily the report that our officials present to us. The Minister, and myself, to some extent carry the responsibility for reporting to the House and I think we would want to do that.

CHAIRMAN (Mr. Fraser): Thank you. Mr. Wray. Supplementary.

MR. WRAY: Yes, for the Minister of Education. I gather the bulk of this has occurred in the Baffin region. I am just wondering if the Minister can tell us if it was the Baffin, or is it just that it is only in the Baffin that we have discovered it so far, and that perhaps other regions are the same. Thank you.

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

Problem Primarily In Baffin

HON. DENNIS PATTERSON: I think the problem has been primarily identified in Baffin, although part of the personnel costs were incurred in Fort Smith region, as well. I think the problem may have been exacerbated in Baffin by a significant increase in enrolment particularly in the last year which made it difficult, if not impossible, to cut back on the teaching establishments. However, I think it is fair to say that other regions are not experiencing this problem, and as I have said, I have received quite a detailed report which covers the five year period in that particular region, which shows certain anomalies that have not been reflected in adjustments to the Baffin education base which we will correct.

However, I would like to dispel the impression that there has been a proliferation of unfunded positions in Baffin. In fact, the number of proved person years for that region which in the current fiscal year was 237.5 has actually decreased from 245 in 1978-79. So most of these anomalies have come from certain errors in calculating the establishment in the region, which have been compounded through the years. I hope that answers the Member's questions.

Minister Will Provide Report

I may add, Mr. Chairman, that although I do not think Members of the House need all the detail that we have to receive in order to make a decision in the Financial Management Board, I think it is entirely appropriate and even desirable that I should make a report to the House on this particular issue. I do not see any difficulty with that at all.

The report I received from the region, I should explain, was an oral report with compendious figures and charts, but I am sure it would be very easy to reduce it to something simple which would clarify the problem, and perhaps help to avoid it in the future in that region and other regions. So I do not have any difficulty with that. I think perhaps we would have to wait until next session, but I would be glad to provide the information to the House. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you. Education, schools. Mr. Pudluk,

School Buses In Baffin

MR. PUDLUK: Mr. Chairman, a very simple and short question on the last item on schools, unanticipated busing contract increase in Baffin, my question is how many buses are there in Baffin and who owns those buses? Does the contractor have control over increasing the money? I would like to know how many buses, which settlements have busing, and how many there are? A simple question.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Pudluk. Mr. Minister.

HON. DENNIS PATTERSON: Mr. Chairman, these are busing costs in Frobisher Bay primarily, I believe, as a result of increased enrolments in both the hostel and the elementary schools, and I might say to the Member that I am just as concerned about these costs as he is. In Frobisher Bay my officials are looking into the possibility of contracting, or taking advantage of the existing town bus service to significantly decrease the busing costs. There are school buses in Cape Dorset and Pangnirtung, I believe, in the Baffin region, which are operated by the hamlets in question. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you. Any further questions? Mr. McLaughlin.

MR. McLAUGHLIN: I think the way you have to look at this situation is that you cannot always expect these vacancy rates to be the same in the different departments, because for example in DPW, you could have a mechanic quit, then three months to find another mechanic and nobody will really notice or miss that person. However, you take a teacher out of a classroom for a day and you are going to have to replace that teacher because people are going to complain about it. So maybe this formula should not be applied to some services in the government, because I just cannot believe that any community is going to let a teacher quit and not have that teacher replaced instantly. However, I can see that executive assistants, mechanics and finance control officers, people like clerks and receptionists could quit and it might take you a month or two months to fill that position. Or maybe even a whole year, for example, if you are looking for a psychiatrist or psychologist to help out on the sixth floor...

---Laughter

...but I think seriously, the government should consider not applying this vacancy rate formula to, for example, the Department of Education where obviously it would not be acceptable to the general public to have positions vacant. Maybe it would help Members out in future budgets if the activities of the sections of a department were described on each page. Maybe at the end of the paragraph or sentences you might indicate there are 23 actual positions in this department so that people could see that upfront, and it would help a little bit, I think. So I would like to make that suggestion. Thank you, Mr. Chairman.

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

Motion To Approve Total O And M, Department Of Education, Bill 2-83(1), Carried

MR. WRAY: Mr. Chairman, in order to assist my honourable colleague from Frobisher Bay and the poor people at Thebacha College, I make a motion that we approve pages 18 and 19 of the supps.

---Applause

CHAIRMAN (Mr. Fraser): There is a motion on the floor to approve pages 18 and 19 in the amount of \$3,786,000. All those in favour of the motion? Down. Opposed? The motion is carried.

---Carried

Executive, Total Capital, Agreed

Executive, capital. Total department, \$52,300. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Department Of Justice And Public Services, Total Capital, Agreed

CHAIRMAN (Mr. Fraser): Justice and Public Services, capital, in the amount of \$71,000 surplus. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Department Of Government Services, Total Capital, Agreed

CHAIRMAN (Mr. Fraser): Government Services, pages 22 and 23, \$3,443,000, surplus. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Department Of Public Works, Total Capital, Agreed

CHAIRMAN (Mr. Fraser): Public Works, capital in the amount of \$1,139,700. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Department Of Renewable Resources, Total Capital, Agreed

CHAIRMAN (Mr. Fraser): Renewable Resources, capital, \$251,000, surplus. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Department Of Local Government, Total Capital

CHAIRMAN (Mr. Fraser): Local Government, pages 26 to 30, \$335,100, surplus. Mr. Sibbeston.

MR. SIBBESTON: Could I just ask Mr. Wah-Shee what was the reason for being unable to finish the garage renovations in Nahanni Butte and providing the access road relocation in Fort Liard?

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

HON. JAMES WAH-SHEE: Mr. Chairman, specifically in regard to Nahanni Butte and Fort Liard, the reason why the project was deferred was because DPW did not spend the money that was allocated for these two projects, for one reason or the other.

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

MR. SIBBESTON: I wonder if the Minister could ensure, make some special effort to make sure that projects that are planned are indeed started and completed. I am frankly surprised that the work planned for Nahanni and Liard was not completed, because there is really high unemployment in these communities and really there should not be any reason for not doing the work. I noticed in my area that there is a fair number of projects that are planned by Local Government this summer, and I wish that Mr. Wah-Shee would have a talk with his officials to encourage them to get out and if possible do all the work that should be done in the course of a summer. Could Mr. Wah-Shee assure us that he will ask his officials to work diligently and hard and that they would in fact finish the projects that are planned for this summer?

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

HON. JAMES WAH-SHEE: Mr. Chairman, for most of these funds under building and construction, we have an arrangement with DPW. We are a client department, and when we do have funds allocated for various projects, then really it is up to DPW to have construction begin and they would be responsible for the completion of these various buildings. I believe the problem that DPW is having is that there are so many projects on stream that some of the projects are neither started nor completed, for one reason or the other. So we have some projects that are carryovers from the previous year and these carryovers naturally are being given priority. However, there are some projects, even though funds have been allocated that for one reason or another the Department of Public Works has not been able to begin nor to complete.

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

MR. SIBBESTON: Maybe then our attention should turn to the Minister responsible for Public Works, Mr. McCallum. Can he assure us that he will do better than his predecessor, the Deputy Commissioner, and particularly for those projects that are in the Fort Smith region, could he pay

particular attention to those and see if all the projects planned for this year can indeed be finished because oftentimes these projects are very big to a community? It is probably much like that computer building here in Yellowknife. It is a significant thing to a community. If they are delayed or not done then it means that some services are not provided, and oftentimes these little projects provide work to the community so it is important that these projects get finished. I wonder if Mr. McCallum would pay particular attention to this matter and make sure that most of the projects planned for this year are in fact done. You can tell Mr. McCallum that we look to him for great things and to show that as an elected person he can do much better than an appointed federal official. Here is your chance to prove yourself, Mr. McCallum.

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

HON. ARNOLD McCALLUM: My God, Mr. Chairman, do I have to go around proving -- I am too old to go proving -- all I am going to prove is I am going to get older. Anyway, I would expect that we would be able to finish most of the projects well before election time, because I would not want to see...

---Laughter

...any kind of project started in constituencies -- I would be accused then of political patronage.

CHAIRMAN (Mr. Fraser): Local Government, Mr. Sibbeston.

MR. SIBBESTON: Mr. Chairman, I am sure that all of us will be looking forward to the performance of Mr. McCallum, particularly if he gets re-elected and desires to be a Minister again after the next election. I am assuming that some of us will be back.

CHAIRMAN (Mr. Fraser): Local Government, \$335,100, surplus. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Health, total department, \$385,000. Mr. Wray.

MR. WRAY: I guess I got lost there. I had a question under town planning and lands. Did we get to that yet, or did we pass it? Could I just go back there for one minute?

CHAIRMAN (Mr. Fraser): Is the committee agreed that we go back to town planning and lands?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Mr. Wray.

MR. WRAY: Under town planning and lands, I notice that there is an item of \$62,500 that was not spent on the Baker Lake water and sewer, and I realize that things are under way, but it does disturb me a little bit, given that the problem was identified almost 10 months ago. For the benefit of other Members and for the benefit of the Minister of Local Government, who hopefully will pressure the Minister of DPW, we have major water problems within the community to the point where most people are now acquiring their drinking water from ice. We lost a house about three months ago, because we ran out of water in the pump house, a \$125,000 house which belongs to the Housing Corporation, which I understand is also the responsibility of the Minister of Public Works. So I would impress upon him the urgent need to get this problem solved. Thank you.

Department Of Local Government, Total Capital, Agreed

CHAIRMAN (Mr. Fraser): Thank you, Mr. Wray. \$335,100 surplus. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Department Of Health, Total Capital, Agreed

CHAIRMAN (Mr. Fraser): Health, \$385,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Department Of Social Services, Total Capital

CHAIRMAN (Mr. Fraser): Social Services, page 32. Total department, surplus of \$130,700. Mr. McLaughlin.

Deferral Of Treatment Centre For Young Offenders

MR. McLAUGHLIN: You are including the full page. Under family and children's services, the \$105,300 that has been budgeted and has not been spent I realize is because they deferred some of the planning on this treatment centre in Yellowknife. Now, I do not think that after the debate that we had and finding out the other day that the correctional institute here has the greatest number of clients it has had in a long time -- a record, I believe -- that now is the time to defer this. I realize that part of the deferral is because the Young Offenders Act may not be brought into force as soon as had been previously expected, but in actual fact we still have the problem of young, first time offenders being put into places with some people who have been there, we found out, up to 10 or more times, and I believe that this should not be deferred. The government should continue working toward constructing this.

Now, I do not know if you just need one treatment centre in the capital. Maybe you need group homes in several communities. You know, we do not have capital punishment any more, so why does it have to be in the capital city? I do not know.

MR. MacQUARRIE: That is bad. You need some lessons.

MR. McLAUGHLIN: Yes. Actually, I think the new definition of "capital punishment" is trying to be in this House with some of the Members opposite for six weeks.

SOME HON. MEMBERS: Oh, oh!

---Laughter

MR. McLAUGHLIN: Not you, Dennis. Seriously, though, I think that deferring this in any way is going to be harmful to the future of a lot of young people that maybe only get in trouble for the one time, and if we can put them in some sort of a treatment facility or into some sort of a group home where they have an experience that does not teach them to be worse than they already are, I think it is very important. Oh, the chairman of the finance committee just told me that I am talking on behalf of the finance committee.

CHAIRMAN (Mr. Fraser): Thank you. You are also talking on behalf of the children, but you do not have any.

---Laughter

MR. McLAUGHLIN: Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Are you thinking of running in Yellowknife next time? Mrs. Sorensen. Social Services.

Comments From Standing Committee On Finance

MRS. SORENSEN: Mr. Chairman, the standing committee on finance reviewed the supplementary estimates and were very concerned because of the deferral of the treatment centre, and the reason basically was that we felt very strongly that over the past number of years it had been demonstrated that the youth offenders needed a separate centre rather than being lumped in with the adults in our institutes, and that in fact some of our judges were not sentencing the 18 and under offenders because of the great concern that the judges and magistrates had regarding the influence that might be exerted on these youth offenders in our institutes.

The government put forth the point of view that it was still uncertain about the Young Offenders Act and what was necessary with respect to treatment centres for young offenders under the act. Therefore it felt that it should defer the project until the various formulas for financing were clear and until it was identified exactly what the federal government required under the act.

The standing committee on finance, supported by all the Members who were there, felt that we could not wait to proceed with this project until the Young Offenders Act had been proclaimed, because the need had already been demonstrated. It felt there should be some debate on the floor of the Legislature with respect to the need for such a treatment centre. The finance committee does not make an opinion on where the treatment centre should be, but only that we felt very strongly that there should be a treatment centre somewhere for young offenders and that the planning should proceed immediately and it should be built as soon as is feasible. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you, Mrs. Sorensen. Social Services on page 32, \$130,700, surplus. Mrs. Sorensen.

Motion That Territorial Government Proceed With Planning Of Treatment Centre For Young Offenders, Carried

MRS. SORENSEN: Mr. Chairman, if there is no debate, then I would like to move on behalf of the finance committee that the territorial government proceed with the planning of the treatment centre as soon as possible.

CHAIRMAN (Mr. Fraser): Motion on the floor. Mr. Patterson.

HON. DENNIS PATTERSON: Could I ask, please, what the status of the young offenders legislation is now?

CHAIRMAN (Mr. Fraser): Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, probably the motion should include the words "recommend that the territorial government proceed with the planning as soon as possible".

CHAIRMAN (Mr. Fraser): Could we get a copy of that motion, please, Mrs. Sorensen? Translated copy. If you want to repeat it, Mrs. Sorensen, maybe I will go along with that. Word it a little differently, please.

MRS. SORENSEN: Mr. Chairman, on behalf of the standing committee on finance, I recommend that the territorial government proceed with the planning of the treatment centre.

CHAIRMAN (Mr. Fraser): That is better. Thank you. The motion is in order. To the motion.

AN HON. MEMBER: Question.

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

---Carried

Department Of Social Services, Total Capital, Agreed

\$130,700 surplus, Social Services. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Department Of Economic Development And Tourism, Total Capital, Agreed

CHAIRMAN (Mr. Fraser): Economic Development and Tourism, capital. Surplus of \$49,300. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Department Of Education, Total Capital, Agreed

CHAIRMAN (Mr. Fraser): Pages 34 and 35, Education, capital in the amount of \$1,108,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Are we ready to go clause by clause on the bill? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 3, amount granted. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 4, purpose and effect of each item. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 5, lapsing of appropriations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 6, deletion from inventory. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 7, coming into force. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Schedule 1. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Total operations and maintenance, \$12,822,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Total capital surplus, \$1,595,100. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Total voted appropriations, \$11,226,900. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Schedule 2. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Total amount, \$31,316.25. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Bill 2-83(1) is now ready for third reading. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 3-83(1), Financial Agreement Ordinance, 1983

CHAIRMAN (Mr. Fraser): Bill 3-83(1). Clause by clause. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 3, agreement. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 4, additional provisions of agreement. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 5, variation and amendment. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 6, ratification. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 7, implementation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): I will now report Bill 3-83(1) ready for third reading. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 4-83(1), Loan Authorization Ordinance No. 1, 1983-84

CHAIRMAN (Mr. Fraser): Ready to go to Bill 4-83(1). Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 2, authority to borrow. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 3, agreement. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 4, authorization to make loans. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 5, conditions of loans. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 6, power to implement obligations and rights. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 7, regulations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Schedule 1. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Schedule 2. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): I will now report Bill 4-83(1) ready for third reading. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 5-83(1), Northwest Territories Housing Corporation Loan Ordinance, 1983-84

CHAIRMAN (Mr. Fraser): Are you ready to go to Bill 5-83(1)? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Are you ready to go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Schedule, \$8,100,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): I will now report Bill 5-83(1) ready for third reading. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 10-83(1), Council Ordinance

CHAIRMAN (Mr. Fraser): Can we go now to Bill 10-83(1)? Mr. McCallum, Bill 10-83(1), An Ordinance to Amend the Council Ordinance.

HON. ARNOLD McCALLUM: Mr. Chairman, I have no further comments to make on the bill. Clause by clause.

CHAIRMAN (Mr. Fraser): Mr. MacQuarrie is the chairman of the legislation committee. Do you have any remarks on Bill 10-83(1)?

Comments From Standing Committee On Legislation

MR. MacQUARRIE: Yes, Mr. Chairman, very brief. The standing committee reviewed this amendment which would provide for the payment of additional travelling expenses during the session to Members and the committee did discuss the entitlement of sitting days before a Member could be reimbursed for travel noting that the initial proposal for Members had set a lower limit of eight days. However, after weighing arguments for both points of view the committee agreed that the bill should go forward as it is presented.

CHAIRMAN (Mr. Fraser): Thank you. Are we prepared to go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 1, additional travel expense during session. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): I will now report Bill 10-83(1) ready for third reading. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 19-83(1), Council Ordinance

CHAIRMAN (Mr. Fraser): Can we go then, to Bill 19-83(1), please? Mr. McCallum, An Ordinance to Amend the Council Ordinance.

HON. ARNOLD McCALLUM: Mr. Chairman, I have no remarks so I will give way to the chairman of the standing committee on legislation.

CHAIRMAN (Mr. Fraser): Mr. MacQuarrie.

MR. MacQUARRIE: Yes, thank you, Mr. Chairman. The standing committee did not review this bill as it was discussed clause by clause in caucus and your committee thus refers the bill to this committee for passage.

CHAIRMAN (Mr. Fraser): Are we ready to go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Schedule A. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): I will report Bill 19-83(1) ready for third reading. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 9-83(1), Lotteries Ordinance

CHAIRMAN (Mr. Fraser): We will go back, then, to Bill 9-83(1), An Ordinance to Amend the Lotteries Ordinance. Mr. Braden.

HON. GEORGE BRADEN: Very simply, Mr. Chairman, we want to amend the Lotteries Ordinance to provide for convictions under our own laws as opposed to convictions under the Criminal Code of Canada where there is violation of the Lotteries Ordinance. So I would recommend that we hear from the chairman of the standing committee and go clause by clause.

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

MR. MacQUARRIE: The committee, Mr. Chairman, was satisfied with the purpose and terms of the bill and recommends that it be proceeded with as presented.

CHAIRMAN (Mr. Fraser): Thank you. Any further questions? Clause by clause. Clause 1. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): I will now report Bill 9-83(1) ready for third reading. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 22-83(1), Occupational Training Agreements Ordinance

CHAIRMAN (Mr. Fraser): We will go to Bill 22-83(1), An Ordinance to Authorize Agreements Respecting Occupational Training. Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, I defer to the chairman of the standing committee.

CHAIRMAN (Mr. Fraser): Mr. MacQuarrie.

Comments From Standing Committee On Legislation

MR. MacQUARRIE: Thank you, Mr. Chairman. This bill had not appeared in the list of bills presented to the standing committee earlier, but when it was brought to the attention of the committee it was explained by the government that the bill was late coming forward but that it was an urgent bill as agreements could not be signed without legislation in place. Since this is an area dealing with occupational training that I believe is of great importance to people of the Northwest Territories and to probably all Members of the Assembly, your committee agreed that it was an urgent bill, accepted the government position and reviewed the bill. The committee agrees with the bill and recommends its passage.

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

HON. TOM BUTTERS: Clause by clause.

CHAIRMAN (Mr. Fraser): Clause by clause. Clause 2, program established. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 3, agreements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 4, Commissioner empowered to act. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 5, coming into force. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): I will now report the Bill 22-83(1) ready for third reading. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 6-83(1), Medical Profession Ordinance

CHAIRMAN (Mr. Fraser): Bill 6-83(1), Medical Profession Ordinance. Mr. Tologanak.

HON. KANE TOLOGANAK: Thank you, Mr. Chairman. This Medical Profession Ordinance was already in existence but we have made so many changes that we have decided to revoke the old one and come back with a new one. Just in summary, Mr. Chairman, the purpose of the ordinance is to ensure that only qualified doctors practise medicine in the NWT and to ensure that they are registered and use proper conduct and, also, a mechanism to suspend them or remove their licence if necessary for further discipline. I will defer to the chairman of the legislation committee. Thank you, Mr. Chairman.

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

Comments From Standing Committee On Legislation

MR. MacQUARRIE: Thank you, Mr. Chairman. The standing committee on legislation reviewed this bill at a meeting in January. At that time it was noted that there would still be some further minor changes to the ordinance to allow for the delegation of some authority from the Executive Member to the medical registration committee, and that was acceptable to the standing committee.

In addition, there were two other matters that arose at that review that were of considerable concern. One was with what had then been section 24, subsection (2). It was noted that the president of the board of inquiry in writing to someone who had made a complaint with respect to treatment by a medical doctor would have to decide whether the complaint seemed to be legitimate or not. The way the bill had been written, the president would send a letter to the complainant as the president of the board of inquiry, indicating that his application was being dismissed. The committee felt that there might be a case of misrepresentation in there in that if he signed as the president of the board of inquiry, people might feel that that was

the end of the matter. Your committee recommended that the letter that is sent from the president should indicate clearly that the complainant may still have the right to appeal to the board of inquiry. That change has been adopted by the government and so the committee naturally approves of that.

There was another concern with section 24(5). The committee felt that it was unfair for the president to request security for costs prior to appointing a board of inquiry, where the president himself agreed that there appeared to be sufficient grounds to warrant such an inquiry, but the committee felt that security for costs recoverable may be demanded where a complainant appeals the president's decision. I note that that change has been incorporated, so that if someone feels that he has not been treated properly and registers a complaint, and after reading the complaint and the evidence in support of it, if the president feels that there is reason for further inquiry, then the complainant will not be expected to make a deposit as security for costs. That is the way the committee wanted it, and so we are pleased to see that change, as well, in the bill that is before us now.

There was one other concern raised but it was left with the government. It was noted that in section 29, there perhaps would be a need for summary drafting in the light of the new constitution, in that section 29 dealt with the examination of witnesses and perhaps seemed to put an onus on them that might not be allowed by the charter. The committee simply recommended to the government that it re-examine that clause in the light of the charter. The wording that is in the present bill appears to be very similar to what it was then, so I must expect that the government felt that it was acceptable wording, and our committee did not presume to tell them what the wording should be in that report, so generally the way the bill stands now is acceptable to the committee, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Are we prepared to go clause by clause? Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, I just have a question of clarification on the examination of this bill in terms of the problems that we have been experiencing and continue to experience at the Inuvik General Hospital of doctors being appointed and brought in for short periods of time. Does this Medical Profession Ordinance prohibit in any way the ability of the NWT to secure doctors from other Commonwealth countries, if it was required, to serve longer terms in hospitals in the Northwest Territories?

CHAIRMAN (Mr. Fraser): Mr. Tologanak.

HON. KANE TOLOGANAK: Mr. Chairman, what this ordinance intends to do is to establish a process through which our medical professionals can register in the Northwest Territories. A board for registrations can exact the wording, but all applications go to this board for review. Once they have been reviewed, then they are recommended to the Minister and any applications that come to my office would go to the review board as well. We do not necessarily restrict who comes in to practise but that those people are qualified under the criteria that we may have.

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

MS COURNOYEA: Mr. Chairman, I would like the question to be more clearly answered -- preferably a yes or no. Does it prohibit and hamper the Northwest Territories from seeking medical practitioners or qualified medical doctors from Commonwealth countries, if it desires to do so?

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

MR. MACQUARRIE: That was not a matter that was addressed in our committee, but I would call the Members' attention to clause 8(1)(b), which would require that a medical practitioner hold the licentiate of the Medical Council of Canada before they could be registered to practise in the Northwest Territories. I do not have the expertise to know whether that is in fact a prohibition to getting a medical practitioner directly from Europe, but it seems to me that very possibly it is, but perhaps the Minister can explain further.

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

HON. KANE TOLOGANAK: Thank you, Mr. Chairman. The provision there is quite correct; it says licentiate of the Medical Council of Canada. That means any person who can practise in Canada can be hired to work in this part of the country.

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

MS COURNOYEA: Mr. Chairman, if possible I would like a legal interpretation. It is my understanding that from time to time there can be a dispensation shown, if you have the arguments for it, to seek to hire professional people from other Commonwealth countries without them going through the year residency requirement in Canada before they can practise. My concern is, does this restrict the ability to seek medical employees from other Commonwealth countries to work in Canada? Does it impede us in any way if we continue to have the problems we do have, particularly in the Inuvik area where we have hired in Canada as much as possible, but a lot of our Canadian doctors appear to be a little spoiled and not willing to stay a long time or put up with the problems that they encounter in some of the smaller communities? I am just concerned that in establishing a criterion regarding a dispensation, it could be for Frobisher Bay hospital or the Inuvik hospital, that we tie ourselves up and not allow that practice to be undertaken if it is necessary.

CHAIRMAN (Mr. Fraser): Mr. MacQuarrie.

MR. MacQUARRIE: Yes, perhaps the Member would still want a legal opinion, but I have had it called to my attention that I should have gone a little further, too. I would call the Members' attention to clause 8(3), that there is an exception. "The Executive Member may, subject to such terms and conditions as the Executive Member feels are necessary or advisable, direct that the registrar register an applicant who does not have the licentiate of the Medical Council of Canada in part one or part two of the medical register, if the applicant satisfies all other appropriate requirements for registration, and the medical registration committee is of the opinion that there are exceptional circumstances warranting the registration, and recommends registration to the Executive Member, and such registration, subject to the terms and conditions imposed by the Executive Member is registration for the purposes of this ordinance." So that goes some way, perhaps, toward clarifying and answering.

CHAIRMAN (Mr. Fraser): Ms Cournoyea.

MS COURNOYEA: Thank you, Mr. Chairman. Yes, it goes some way but I wonder if I might have a direct answer to the direct question that I have. Thank you.

CHAIRMAN (Mr. Fraser): Is anybody prepared to answer that?

HON. KANE TOLOGANAK: Mr. Chairman.

CHAIRMAN (Mr. Fraser): Mr. Tologanak.

HON. KANE TOLOGANAK: Thank you, Mr. Chairman. I think the ordinance provides for us to review any applications that do come before us and if there are any exceptions to be made, then those exceptions will be reviewed very thoroughly and examined in the proper manner to ensure that they qualify to register for professions in this area.

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

MS COURNOYEA: Mr. Chairman, I asked a direct question in regard to hiring medical professional people from the Commonwealth countries into Canada. I realize that there are provisions in here, but I am also aware that to get a dispensation is very difficult. I am concerned that we will still have to meet the requirements as handed down from time to time by the medical profession association of Canada. I just would very much like to know definitely on the question I asked, whether it is yes or no, whether we can or whether the provisions are still tying us up to the medical association endorsement or the medical profession practitioners association and all the normal procedures that we go through, because it is a difficult thing. We tried it before and it went around and around. We have to have certain respect for our Canadian doctors but at some point in time, we do require to seek professionals from elsewhere. I would like to know definitely with the question that I asked, whether this bill ties us up in such a way that we could not do it.

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

HON. KANE TOLOGANAK: No.

CHAIRMAN (Mr. Fraser): Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, and if in two months time I could come up wanting to do that, I hope that "no" is as abundantly clear in this ordinance. Thank you.

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

HON. KANE TOLOGANAK: Mr. Chairman, all our applications go through our department and through the Executive and with the recommendation of the medical registration committee, and so I think the questions have been answered.

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

MR. MacQUARRIE: With respect, the way I read it, I would have to differ with the Minister in that clause 8(3)(b) is an important "if". In other words, the Executive Member may register a medical doctor if the medical registration committee is of the opinion that there are exceptional circumstances warranting the registration and recommends registration to the Executive Member. So it seems to me that you would still have to satisfy the medical registration committee that this medical officer should be licensed, but that is only my reading of it, and perhaps the Law Clerk could make a comment on that.

CHAIRMAN (Mr. Fraser): Mr. Tologanak.

HON. KANE TOLOGANAK: The Member is referring to clause 8(3)(b). My previous comment prior to the question was that the medical registration committee does recommend to the Minister who is hired and who is not. But I had to compromise with the Medical Association of the NWT in this regard, because as with many other boards in the Territories, they wish to be autonomous and make the decisions necessary. However there have to be some safeguards within the ordinances which are followed by the various groups, and that safeguard is being provided here, and so I do not see where the problem is, then. We did consult with the Medical Association of the Northwest Territories and came to some agreement in this regard.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Tologanak. I understand everybody is getting hungry, so we will take a 15 minute coffee break.

---SHORT RECESS

CHAIRMAN (Mr. Pudluk): The Chair recognizes a quorum now. We are on the Medical Profession Ordinance. Ms Cournoyea.

Problems With Hiring And Maintaining Doctors In Inuvik Region

MS COURNOYEA: Mr. Chairman, I feel very concerned about the issue of hiring professional people, highly skilled people, and having the ability to do so. Just to reflect a little bit on some of the discussions and concerns I have brought before this committee and this House in the past in regard to the ongoing problem at the Inuvik General Hospital which serves the region from Fort Franklin to Sachs Harbour, Paulatuk and Old Crow on a percentage of the time that hospitalization is required. One of the concerns we have always encountered is short-term residency in trying to staff the hospital. The concern people have is that there does not seem to be that attention paid to them, they do not know who is looking after them.

The placing of doctors in our region is often a difficulty, and I am not saying that any of the people who are responsible have very much control over this. It has been brought to your attention in the past and we had tried to overcome the problem, to have a dispensation given to us to hire doctors from some of the Commonwealth countries without having them come to Canada and go through the one year requirement or two year requirement that is necessary to requalify to operate in another country. I guess that is standard practice no matter where you go. I am still concerned that even though we do have the hiring done from the Northwest Territories is there the ability to get people who are willing to stay for longer periods of time to serve the patients in our region and make a real commitment to the Inuvik General Hospital and to the people?

I really wanted to be assured that we do not run into the same problem we did the last time. By the time we had the territorial government in support of what we intended to do, by the time we had National Health and Welfare in support of what we intended to do, and by the time we went to, I believe, two other professional organizations in Canada that govern or make recommendations or have a power of authority to allow doctors from alien countries to operate in Canada without going through the long-term requirements to instate them -- I just feel that the situation has not improved to the degree that I feel comfortable that we would not be able to staff the hospital with long-term physicians.

Some of the complaints that Canadian doctors have said is that we do not pay them enough. Our country is known to be producing Canadians that are demanding more and are a little more on the spoiled side, and like their free time, and oftentimes when the kinds of doctors are graduating from countries where things are less abundant, they have a tendency to be willing to put up with a lot of our own weird ways in the Northwest Territories, particularly in the Arctic. So I just wanted to be assured that this ordinance did not necessarily restrict us further in securing the dispensation that is required to go to Commonwealth countries to secure the kind of help that is maybe required.

So I would like to, with the permission of the honourable Members here, I would like to put a motion forward, Mr. Chairman. I move that Bill 6-83(1) be amended by deleting paragraph 8(3)(b), deleting the letter (a) and the word "and" at the end of the present paragraph (a) so that the clause will now read as follows: "The Executive Member may, subject to such terms and conditions as the Executive Member feels are necessary or advisable, direct that the registrar register an applicant who does not have the Licentiate of the Medical Council of Canada, in part one or part two of the medical register, if the applicant satisfies all other appropriate requirements for registration, and such registration, subject to the terms and conditions imposed by the Executive Member is registration for the purposes of this ordinance."

CHAIRMAN (Mr. Pudluk): Can we have a copy of that amendment, please? Ms Cournoyea, it is in order. I think it would be an appropriate time, if we go clause by clause, when we get to clause 8 you can move your motion at that time. I am asking you to withdraw the motion right now and bring it up when we go to clause 8. Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, I withdraw the motion.

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

SOME HON. MEMBERS: Agreed.

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 3, right to practise. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 4, medical registration committee. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 6, registers to be kept. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 7, medical register. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 8, part one registration, Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, do you want me to read it again, or can I suggest you take it out of the record?

CHAIRMAN (Mr. Pudluk): Ms Cournoyea, I was asking you to withdraw your motion. You withdrew your motion already and you have to introduce it again. Thank you.

Motion To Delete Paragraph 8(3)(b), Bill 6-83(1), Carried

MS COURNOYEA: Mr. Chairman, I move that Bill 6-83(1) be amended by deleting paragraph 8(3)(b), deleting the letter (a) and the word "and" at the end of the present paragraph (a) so that the clause will now read as follows: "The Executive Member may, subject to such terms and conditions as the Executive Member feels are necessary or advisable, direct that the registrar register an applicant who does not have the Licentiate of the Medical Council of Canada, in part one or part two of the medical register, if the applicant satisfies all other appropriate requirements for registration, and such registration, subject to the terms and conditions imposed by the Executive Member is registration for the purposes of this ordinance."

CHAIRMAN (Mr. Pudluk): Thank you. Your amendment is in order. To the amendment. Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, I believe I explained why I felt that the amendment is necessary; as well, I believe it is on record why the concern is there. Thank you.

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

AN HON. MEMBER: Question.

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

---Carried

Clause 8, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 9, excessive absence. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 10, existing registration. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 12, validity of licences and permits. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 13, lapse of licence. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 14, education register. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 15, undergraduate responsibilities. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 17, visiting forces permits. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 19, appeal to Executive Member. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 20, failure to pay licence fees. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 21, improper conduct. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 22, president of board of inquiry. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 23, complaint. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 24, president shall review complaint. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 25, hearing. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 26, medical examination of practitioner. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 27, testimony before board. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 28, accused is compellable. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 29, examination. Agreed?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Pudluk): Mr. MacQuarrie, clause 29.

MR. MACQUARRIE: Not as the chairman of the standing committee but just as an individual Member, I notice the wording is slightly different from what our committee originally proposed in January, and there was a concern here as to whether this might contravene the charter. Could I ask the Minister whether that, specifically, was examined and whether the new wording takes care of that or whether the matter was examined and felt not to be important and that the slight change in wording simply is there for some other reason?

CHAIRMAN (Mr. Pudluk): Mr. Minister. Mr. Tologanak.

HON. KANE TOLOGANAK: Thank you, Mr. Chairman. The wording slightly changed from the original when we did give it to the standing committee on legislation. This wording, we find, is proper and there is nothing wrong with it as it stands now.

CHAIRMAN (Mr. Pudluk): Thank you. Clause 29, examination. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 30, production of documents and attendance of witnesses. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 31, witness fees. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 32, civil contempt. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 33, witnesses. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 34, legal representation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 35, staffing. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 36, principles of natural justice. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 37, majority. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 38, penalties. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 39, notice of decision to medical practitioner. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 40, appeal to court. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 41, time limit. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 42, interim suspension. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 43, protection from actions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 44, practice limited. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 45, right to recover fees. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 46, offence to practise. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 47, limitation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 48, onus of proof. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 49, exceptions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 50, effects of other ordinances. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 51, offence and penalty. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 52, regulations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 53, continuation of existing licences and permits. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 54, repeal. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Bill 6-83(1) as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Bill 6-83(1) is ready for third reading. I wonder if this committee wishes to go to Bill 23-83(1), Public Utilities Ordinance. Is this House agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 23-83(1), Public Utilities Ordinance

CHAIRMAN (Mr. Pudluk): Bill 23-83(1). Mr. Nerysoo or Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, there were no comments that we wanted to make on this. I would defer to the chairman of the standing committee.

CHAIRMAN (Mr. Pudluk): Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. This bill as well was not on the list when the standing committee was originally notified of the legislation that would be coming into the House, but when we were alerted to the fact that the government wishes to bring the bill in they indicated to us that it did meet our criterion of being in response to an Assembly motion. There had been a motion passed calling for an increase in the size of the Public Utilities Board and that has been effected. In the same bill however, they did include another item which was not specifically called for and that is to include natural gas and natural gas liquids as subject to Public Utilities Board hearings

and rulings. The committee decided that because it has become apparent that it is possible that in certain locations natural gas could become a public utility and that there may be hearings in respect to this in the reasonably near future, the committee agreed to go ahead with the bill. The one item that was noticed was the point at which the recommendations were to be made by the Commissioner and the wording was changed so that the members of the board will be appointed by the Commissioner on the recommendation of the Assembly. So, as the bill stands at the present time it is satisfactory and the committee recommends its passage.

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Bill 23-83(1) is now ready for third reading. We will now go to Bill 7-83(1), An Ordinance Respecting Gas Protection.

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 7-83(1), Gas Protection Ordinance

CHAIRMAN (Mr. Pudluk): Mr. Braden.

HON. GEORGE BRADEN: Mr. Chairman, I do not have any remarks on this. I defer to the chairman of the standing committee.

MR. MacQUARRIE: Thank you. Yes, the committee reviewed this bill at its January meeting, and it was noted then that it was simply to bring gas hookups under regulations, as electrical hookups are now. After reviewing the bill, the committee was satisfied with it as presented and recommends it to this committee.

CHAIRMAN (Mr. Pudluk): Thank you. Clause by clause.

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 4, appointment of chief inspector and inspectors. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 6, inspectors not liable for injury, etc. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 7, offence by corporation, etc. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 10, conflict with Municipal Ordinance. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Bill 7-83(1) is ready for third reading. Now we are going to go to Bill 8-83(1), An Ordinance to Amend the Limitations of Actions Ordinance. Mr. Braden.

Bill 8-83(1), Limitation Of Actions Ordinance

HON. GEORGE BRADEN: Mr. Chairman, I have no comments to make on this. I defer to the chairman of the standing committee.

CHAIRMAN (Mr. Pudluk): Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. This is a single amendment. Most Members will realize that there has been a problem in Canada with the installation of urea formaldehyde in homes, as an insulation. The intention was simply to allow a greater time than would ordinarily be allowed in order for the people to commence actions with respect to problems that have arisen from using urea formaldehyde. The committee was satisfied with the amendment and recommends it to this committee.

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): The bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Bill 8-83(1) is now ready for third reading. Now we are going to go to Bill 11-83(1), An Ordinance Respecting Civil Emergencies in the Territories. Mr. Braden.

Bill 11-83(1), Civil Emergency Measures Ordinance

HON. GEORGE BRADEN: Mr. Chairman, the government has no comments on this. I defer to the chairman of the standing committee.

CHAIRMAN (Mr. Pudluk): Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. The committee in reviewing the bill found it satisfactory and recommends it to the committee of the whole.

CHAIRMAN (Mr. Pudluk): Clause by clause. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 3, emergency measures officer. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 4, assistance to emergency measures officer. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 5, committees and remuneration. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 6, powers of Executive Member. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 7, hazardous conditions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 8, duties of local authorities. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 9, disaster expenditures. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 12, state of emergency. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 13, powers of Executive Member during emergency. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 14, terminating state of emergency. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 15, declaration by local authority. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 17, terminating declaration. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 18, powers of local authority. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 19, disputes to arbitration. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 21, workers' compensation to apply. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 22, inconsistent provisions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 23, regulations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 24, repeal. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): 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): Bill 11-83(1) is ready for third reading. Now we are going to go into Bill 12-83(1), An Ordinance Respecting Travel and Tourist Establishments and Outdoor Recreation. Mr. McCallum.

Bill 12-83(1), Travel And Tourism Ordinance

HON. ARNOLD McCALLUM: I do not have anything more to say. I will defer to the chairman.

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

MR. MacQUARRIE: Thank you. This also was reviewed at the January meeting and at that time there was a provision in the bill to give tourism officers the powers of peace officers. In reviewing the bill, the question came up of identification of such officers, and some Members of the committee felt that if they were to have the powers of peace officers and act as peace officers, that they should be uniformed, at least during the time that they were carrying out that part of their total function. After the discussion that ensued in committee, the government, as I understand it, reconsidered whether they should give such officers the power of peace officers and for the time being have decided not to do so. So the bill that is now before Members does not have that provision in it, and the committee generally is satisfied with the government actions. If they had proceeded, we would have had concerns, but they have decided not to proceed at this time with that and so the bill as it stands is acceptable to the committee.

CHAIRMAN (Mr. Pudluk): Thank you. Clause by clause. Clause 2, interpretation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 4, outfitters and guides. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 5, travel development area. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 6, travel restricted area. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 7, appointment of tourism officers. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 8, commencement of proceedings. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Pudluk): Clause 9, authority of tourism officer. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 10, right to appeal. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 12, duties of board. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 13, operation of board. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 14, offence and penalties. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Bill 12-83(1) is ready for third reading. Now Bill 13-83(1). Mr. Braden.
Bill 13-83(1), Intestate Succession Ordinance

HON. GEORGE BRADEN: Mr. Chairman, the government does not have any comments. We defer to the chairman of the standing committee.

CHAIRMAN (Mr. Pudluk): Mr. MacQuarrie.

MR. MacQUARRIE: This is simply an amendment which would increase the amount payable to a spouse upon the death of a person who dies without leaving a will and, in view of rising costs and I suppose larger estates and so on, the committee felt that the increase from \$20,000 to \$50,000 was very reasonable. The committee approves the bill and recommends it to this committee.

CHAIRMAN (Mr. Pudluk): Thank you. Clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Bill 13-83(1) is ready for third reading. Bill 15-83(1), An Ordinance to Amend the Child Welfare Ordinance. Mr. Tologanak.

Bill 15-83(1), Child Welfare Ordinance

HON. KANE TOLOGANAK: Mr. Chairman, I do not have any opening remarks. I defer to the chairman of the standing committee on legislation, but I do have one amendment when we do come to the clause by clause.

CHAIRMAN (Mr. Pudluk): Mr. MacQuarrie.

MR. MacQUARRIE: In reviewing this particular bill there was certainly some concern in the committee about the fact that it is generally accepted that parents have the right to discipline their children, and that may involve spankings, and that we did not want to create a bill where people who chose to interfere in the lives of other people without good reason would have an opportunity to do so. So in dealing with this bill the committee recommended to the government that it amend the provision of 30.1(1)(a) with respect to physical harm to make it clear that that did not include what could be considered to be a normal spanking that a child might receive for bad conduct. I gather that the government is prepared to bring in such an amendment, and so with that amendment the committee is satisfied with the bill, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Thank you. Are you ready to go to clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 1. Mr. Tologanak.

Motion To Amend Clause 1, Bill 15-83(1), Carried

HON. KANE TOLOGANAK: Mr. Chairman, I move that Bill 15-83(1) be amended as follows: That subparagraph 30.1(1)(a) be amended to read as follows: "(a) physical harm wherein the child suffers physical injury, but does not include reasonable punishment administered by a parent or guardian."

CHAIRMAN (Mr. Pudluk): Thank you. Your amendment is in order. To the amendment. Mrs. Sorensen.

MRS. SORENSEN: Mr. Chairman, I wonder if I could have some clarification on what is "reasonable punishment"? There was recently a case in Alberta where a mother spanked her child and there were bruises that resulted, and the child welfare officers were called in by the teacher at school who noticed the bruises on the child's gluteus maximus, and the child has since been removed from the home. I do not know all the details, but obviously in this case the child welfare employees felt the bruising on the child's bottom was sufficient, and included what could be defined as reasonable punishment. I wonder if we could have from the government, for the purposes of the record, what it considers reasonable punishment so that we can give direction to our child welfare officers on what we mean and we do not mean by this title or by these words.

CHAIRMAN (Mr. Pudluk): Mr. Tologanak.

HON. KANE TOLOGANAK: I had such a difficult time when I appeared before the standing committee on legislation of cases being cited to me. I guess basically that question really is tackled in many different ways, because there are different norms. Different cultures and different societies treat their children in the way they figure is the norm within their culture, their way of living and how their children are brought up to survive the environment that they live in. Like, up here in the North maybe it is not as rigorous in Yellowknife as it may be in Resolute or Cambridge Bay or whatever. You know, how do you define such reasonable punishment to administer this ordinance throughout the Territories? I presume that judgment would have to be used and I have to say that I am going to ensure that our child welfare officers and social workers do understand what reasonable punishment means. Until such time that I can consider such reasonable punishment to be administered by either the parent or the guardian -- it would really have to be decided by the courts at this point. That is the only reasonable answer I can provide. This ordinance extends across the Territories, and there are different ways of dealing with different types of behaviour and different attitudes and norms of a community. It raises many questions. Thank you, Mr. Chairman.

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

SOME HON. MEMBERS: Question.

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

---Carried

Clause 1, as amended. Mrs. Sorensen.

MRS. SORENSEN: I have another question, Mr. Chairman, and that concerns the penalty if one does not report such abuse. What is the penalty and who would levy the penalty on this person?

CHAIRMAN (Mr. Pudluk): Mr. Tologanak.

HON. KANE TOLOGANAK: Mr. Chairman, there is no penalty as yet but one would be forthcoming later on as we go along with following the ordinance. Qujannamiik.

CHAIRMAN (Mr. Pudluk): Clause 1, as amended. Honourable Member for Deh Cho.

MR. SIBBESTON: Mr. Chairman, there is no specific penalty for these new provisions but the general provisions in the present ordinance would apply, which is the normal summary offence type offence of six months or a fine up to \$500 I think, so those penalties presently in the ordinance would apply.

CHAIRMAN (Mr. Pudluk): Mr. Tologanak.

HON. KANE TOLOGANAK: Thank you, Mr. Counsellor.

---Laughter

CHAIRMAN (Mr. Pudluk): Clause 1, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Bill 15-83(1) is now ready for third reading. Bill 16-83(1), An Ordinance to Amend the Business Loans and Guarantees Ordinance. Mr. McCallum.

Bill 16-83(1), Business Loans And Guarantees Ordinance

HON. ARNOLD McCALLUM: Mr. Chairman, I have no further comments to make on it. The bill was put before the standing committee on legislation for some time. I think we have answered all the concerns that were raised with the standing committee.

CHAIRMAN (Mr. Pudluk): Bill 16-83(1), Mr. MacQuarrie.

MR. MacQUARRIE: Mr. Chairman, this bill has been in the possession of the standing committee for some time and there was one particular group that has what could be described as fairly large concerns with this bill and that is the Northwest Territories Construction Association. They were invited to come to a standing committee meeting to express their concerns, they had earlier expressed them by letter and they have even today, sent another letter to myself and to some other Members expressing the concerns that they have and the letter that I have received today summarizes their concerns. It is not a long one so I will take the liberty of reading it into the record. "We find this ordinance almost impossible to either endorse or criticize because the indemnification of a surety or, in essence, a bonding policy is being created prior to the setting of regulations. Reference is made to regulations in section 3, page four and 11.1(3) on page six, however, only at section 13, page 11, is there provision for the establishment of regulations...."

HON. ARNOLD McCALLUM: Point of order, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Mr. McCallum, a point of order.

HON. ARNOLD McCALLUM: I am not sure if it is a point of order or a point of privilege but I just wonder. Is the Member reporting the concerns of the standing committee? I understood you to indicate to get something from the standing committee on legislation. I thought that was what the Member was going to make comments upon. If he is reading what he personally received himself in that then I just think it should be clarified.

CHAIRMAN (Mr. Pudluk): Mr. MacQuarrie.

MR. MacQUARRIE: I will abide by your ruling, Mr. Chairman. I simply say that in this letter it is a summary of the concerns that they presented in longer letters earlier so it is not new or different concerns from what the committee heard. So I was simply wishing to indicate the kinds of concerns that the committee heard. I acknowledge that this is a letter to me and I leave it to you, Mr. Chairman, as to whether it is appropriate and if you feel it is not then I could go to one of the earlier letters which is more detailed and lengthy to just indicate the concerns that were raised. I will indicate that, yes.

CHAIRMAN (Mr. Pudluk): I did not hear what you were saying, Mr. McCallum.

HON. ARNOLD McCALLUM: I will get the light turned down and then you will hear. I expected that the committee chairman would report the disposition of the bill as regards the concerns of the committee. It is my understanding the committee made a motion to proceed with this bill as I recall, and the chairman said he would so state that. I made the comment that I was wondering when. Now you have heard what I said.

CHAIRMAN (Mr. Pudluk): Thank you. Thank you very much. Mr. MacQuarrie.

MR. MacQUARRIE: The committee will always reserve the right to indicate to Members the kinds of issues that arose in discussing the bills, so that Members are aware of those issues. I think the committee has value to other Members who must be aware if issues arose and therefore they can make their own judgments as to whether, even if the committee decides to go ahead with it, they themselves might have some particular concerns and that is why I do it, Mr. Chairman. He is nodding that it is okay for me to go ahead so if I will just pick up the letter, then:

"We feel the policy and regulations should be introduced concurrently, whereas, this ordinance has chosen to introduce one and supplement with the other. Our concerns arise in support of our objective to ensure fair competition and since this ordinance will directly affect a very competitive construction industry it is our request that we be party to the setting of regulations that govern this ordinance. To this end, we request the NWT Construction Association be represented on the Business Loans, Guarantees and Indemnities Board. In our submission to the subcommittee reviewing this ordinance, and our follow-up letter of March 3, 1983, virtually all of our concerns were related to the regulatory and review procedures and therefore could not be considered when proposing amendments to the ordinance. The manner in which this ordinance is being introduced leads us to believe that it may not be in the best interest of fair competition within the construction industry."

If I may carry on, Mr. Chairman, the committee heard detailed concerns of the Construction Association and after hearing them the committee voted to proceed with the bill as it stands. There was a request made to the Minister that in the production of regulations that so concerned this association, that the association be entitled to sit in with the Minister to express those concerns and perhaps to have a role to play in the setting of regulations. The Minister is quite correct when he says that in the final analysis the committee accepted the bill as it is and recommended it to the committee of the whole.

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 3, definitions. Mr. MacQuarrie, on clause 3.

Construction Association Members Eligibility For Bonding

MR. MacQUARRIE: Just as an ordinary Member, I will express some of the concerns that were specifically raised. I think the Construction Association feels that some of their members have worked very hard in order to be eligible for bonding and I guess it would be fair to say that they feel that the amendments that are being made in this ordinance would enable certain other companies that have not worked as long and hard to get it simply and suddenly to be eligible for bonding, and that is why they feel that the competitive nature of the business may be upset by this.

They also had a concern specifically with respect to whether a surety company will actually be taking part of the risk if the Commissioner is indemnified, and they certainly want to ensure that that is the case, that always a surety company must be taking a significant portion of a risk. Otherwise, they will be inclined to simply grant bonding and call on the Commissioner's indemnity. In response to that, the government assured Members of the committee that that is the case, that surety companies will always be expected to take a significant amount of the risk, and that this then will help companies who have demonstrated that they can do certain jobs but who simply are not eligible for bonding to be able to become eligible for bonding. The government also points out that where a surety company would not ordinarily look at all at bonding for a particular company because of defaults or bad performance or whatever, that in the government's opinion such companies would still not be eligible for bonding nor for the Commissioner's indemnity. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Thank you. Clause 3, definitions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 4, Commissioner's authority. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 5, Business Loans, Guarantees and Indemnities Board. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 6, members of the Northwest Territories Eskimo Loan Fund Advisory Board. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 9, fund established. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 10. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 11, amounts credited to fund. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 12, authorization to pay out of consolidated revenue fund. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 13, limitation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

MR. MacQUARRIE: At this point again as an ordinary Member and not as the chairman of the standing committee, this is what deals with regulations, and I would urge the government, when it is setting the rules and regulations with respect to the Commissioner's indemnity, the manner in which the whole process is going to be handled, I would urge the government to include representatives of the Northwest Territories Construction Association in that process so that the kinds of concerns they have can be heard thoughtfully and addressed where necessary. Could I ask the Minister whether he is willing to make that opportunity available?

CHAIRMAN (Mr. Pudluk): Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, yes, I can say that we will enter into consultation with the NWT Construction Association.

CHAIRMAN (Mr. Pudluk): Thank you. Clause 14. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

MR. FRASER: Mr. Chairman, I would like to move that we report progress.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Pudluk): I want to finish this bill first. Clause 15.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Pudluk): Short title. I am sorry. I made a mistake. Today is not my day. That motion is not debatable. All those in favour? Down. Opposed? The motion is carried.

---Carried

We will report progress.

MR. SPEAKER: Mr. Pudluk.

REPORT OF THE COMMITTEE OF THE WHOLE OF BILL 2-83(1), BILL 3-83(1), BILL 4-83(1), BILL 5-83(1), BILL 6-83(1), BILL 7-83(1), BILL 8-83(1), BILL 9-83(1), BILL 10-83(1), BILL 11-83(1), BILL 12-83(1), BILL 13-83(1), BILL 15-83(1), BILL 16-83(1), BILL 19-83(1), BILL 22-83(1), BILL 23-83(1)

MR. PUDLUK: Mr. Speaker, your committee has been considering Bills 2-83(1), 3-83(1), 4-83(1), 5-83(1), 10-83(1), 19-83(1), 9-83(1), 22-83(1), 6-83(1), 23-83(1), 7-83(1), 8-83(1), 11-83(1), 12-83(1), 13-83(1), 15-83(1), 16-83(1) and wish to report progress, and that Bills 1-83(1), 2-83(1), 3-83(1), 4-83(1), 5-83(1), 10-83(1), 19-83(1), 9-83(1), 22-83(1), 23-83(1), 7-83(1), 8-83(1), 11-83(1), 12-83(1) and 13-83(1) are recommended for third reading, that Bills 6-83(1) and 15-83(1) are recommended for third reading as amended. Thank you.

MR. SPEAKER: Thank you, Mr. Pudluk. Orders of the day, Item 16, third reading of bills. Mr. Butters.

ITEM NO. 16: THIRD READING OF BILLS

Third Reading Of Bill 1-83(1): Appropriation Ordinance, 1983-84

HON. TOM BUTTERS: Mr. Speaker, I move, seconded by the honourable Member for Yellowknife North, that Bill 1-83(1), An Ordinance Respecting Expenditures for the Public Service for the Financial Year Ending the 31st Day of March, 1984, be read for the third time.

MR. SPEAKER: Motion on the floor. Are you ready for the question? All those in favour? Opposed, if any? The motion is carried. Bill 1-83(1) has had three readings.

---Carried

Mr. Butters.

Third Reading Of Bill 2-83(1): Supplementary Appropriation Ordinance, No. 2, 1982-1983

HON. TOM BUTTERS: Mr. Speaker, I move, seconded by the honourable Member for Rae-Lac la Martre, that Bill 2-83(1), An Ordinance Respecting Additional Expenditures for the Public Service for the Current Financial Year, be read for the third time.

MR. SPEAKER: I have a motion on the floor. Are you ready for the question? Third reading of Bill 2-83(1). All those in favour? Opposed, if any? Bill 2-83(1) has had third reading.

---Carried

Mr. Butters.

Third Reading Of Bill 3-83(1): Financial Agreement Ordinance, 1983

HON. TOM BUTTERS: Mr. Speaker, I move, seconded by the honourable Member for Slave River, that Bill 3-83(1), An Ordinance Respecting a Financial Agreement Between the Northwest Territories and the Government of Canada, be read for the third time.

MR. SPEAKER: I have a motion on the floor. Are you ready for the question? All those in favour? Opposed, if any? Bill 3-83(1) has had three readings.

---Carried

Third reading of bills. Mr. Butters.

Third Reading Of Bill 4-83(1): Loan Authorization Ordinance No. 1, 1983-84

HON. TOM BUTTERS: Mr. Speaker, I move, seconded by the honourable Member for the Central Arctic, that Bill 4-83(1), An Ordinance to Authorize the Commissioner to Borrow Funds and Make Loans to Municipalities or Other Persons in the Northwest Territories During the Financial Year 1983-84, be read for the third time.

MR. SPEAKER: I have a motion on the floor. Are you ready for the question? All those in favour? Opposed, if any? Bill 4-83(1) has had three readings.

---Carried

Third reading of bills. Mr. McCallum.

Third Reading Of Bill 5-83(1): Northwest Territories Housing Corporation Loan Ordinance, 1983-84

HON. ARNOLD McCALLUM: Mr. Speaker, I move, seconded by the honourable Member for Yellowknife North, that Bill 5-83(1), An Ordinance to Authorize the Northwest Territories Housing Corporation to Borrow Funds, be read for the third time.

MR. SPEAKER: I have a motion on the floor. Are you ready for the question? All those in favour? Opposed, if any? Bill 5-83(1) has had third reading.

---Carried

Third reading of bills. Mr. Tologanak.

Third Reading Of Bill 6-83(1): Medical Profession Ordinance

HON. KANE TOLOGANAK: Mr. Speaker, I move, seconded by the honourable Member for Frobisher Bay, that Bill 6-83(1), An Ordinance to Amend the Medical Profession Ordinance, be read for the third time.

MR. SPEAKER: I have a motion on the floor. Are you ready for the question?

MR. MacQUARRIE: Point of order.

MR. SPEAKER: Mr. MacQuarrie, point of order.

MR. MacQUARRIE: Yes, would it be correct to say the bill, as amended? Oh I am sorry, Mr. Speaker, the Medical Profession Ordinance was amended. Is it necessary to note that?

MR. SPEAKER: It is as well to do that. We will let the records show that Bill 6-83(1), as amended. Ready for the question? All those in favour? Opposed, if any? Bill 6-83(1) has had three readings. Mr. Braden.

---Carried

Third Reading Of Bill 7-83(1): Gas Protection Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 7-83(1), An Ordinance Respecting Gas Protection, be read for the third time.

MR. SPEAKER: A motion on the floor. Are you ready for the question? All those in favour? Opposed, if any? Bill 7-83(1) has had third reading. Mr. Braden.

---Carried

Third Reading Of Bill 8-83(1): Limitation Of Actions Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 8-83(1), An Ordinance to Amend the Limitation of Actions Ordinance, be read for the third time.

MR. SPEAKER: I have a motion on the floor. Question being called. All those in favour? Opposed, if any? Bill 8-83(1) has had third reading.

---Carried

Mr. Braden.

Third Reading Of Bill 9-83(1): Lotteries Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 9-83(1), An Ordinance to Amend the Lotteries Ordinance, be read for the third time.

MR. SPEAKER: Are you ready for the question? All those in favour? Opposed, if any? Bill 9-83(1) has had third reading.

---Carried

Third reading of bills. Mr. McCallum.

Third Reading Of Bill 10-83(1): Council Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I move, seconded by the honourable Member for Yellowknife North, that Bill 10-83(1), An Ordinance to Amend the Council Ordinance, be read for the third time.

MR. SPEAKER: Ready for the question? All those in favour? Opposed, if any? Bill 10-83(1) has had third reading. Mr. Patterson.

---Carried

Third Reading Of Bill 22-83(1): Occupational Training Agreements Ordinance

HON. DENNIS PATTERSON: Yes, thank you, Mr. Speaker. I move, seconded by the honourable Member for Kitikmeot, that Bill 22-83(1), An Ordinance to Authorize Agreements Respecting Occupational Training, be read for the third time.

MR. SPEAKER: Are you ready for the question? All those in favour? Opposed, if any? Bill 22-83(1) has had third reading.

---Carried

Mr. Braden.

Third Reading Of Bill 11-83(1): Civil Emergency Measures Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 11-83(1), An Ordinance Respecting Civil Emergencies in the Territories, be read for the third time.

MR. SPEAKER: Are you ready for the question? All those in favour? Opposed, if any? Bill 11-83(1) has had third reading.

---Carried

Third reading of bills. Mr. McCallum.

Third Reading Of Bill 12-83(1): Travel And Tourism Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I move, seconded by the honourable Member for Yellowknife North, that Bill 12-83(1), An Ordinance Respecting Travel, Tourist Establishments and Outdoor Recreation, be read for the third time.

MR. SPEAKER: Are you ready for the question? All those in favour? Opposed, if any? Bill 12-83(1) has had third reading.

---Carried

Mr. Braden.

Third Reading Of Bill 13-83(1): Intestate Succession Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 13-83(1), An Ordinance to Amend the Intestate Succession Ordinance, be read for the third time.

MR. SPEAKER: Are you ready for the question? All those in favour? Opposed, if any? Bill 13-83(1) has had third reading.

---Carried

Third reading of bills. Mr. Tologanak.

Third Reading Of Bill 15-83(1): Child Welfare Ordinance

HON. KANE TOLOGANAK: Mr. Speaker, I move, seconded by the honourable Member for Slave River, that Bill 15-83(1), as amended, An Ordinance to Amend the Child Welfare Ordinance, be read for the third time.

MR. SPEAKER: Are you ready for the question? All those in favour? Opposed, if any? Bill 15-83(1) has had third reading.

---Carried

Mr. McCallum.

Third Reading Of Bill 19-83(1): Council Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I move, seconded by the honourable Member for Yellowknife North, that Bill 19-83(1), An Ordinance to Amend the Council Ordinance, be read for the third time.

MR. SPEAKER: Are you ready for the question? All those in favour? Opposed, if any? Bill 19-83(1) has had third reading.

---Carried

Third reading of bills. Mr. McCallum.

Third Reading Of Bill 23-83(1): Public Utilities Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I move, seconded by the honourable Member for Yellowknife North, that Bill 23-83(1), An Ordinance to Amend the Public Utilities Ordinance, be read for the third time.

MR. SPEAKER: Are you ready for the question? All those in favour? Opposed, if any? Bill 23-83(1) has had third reading.

---Carried

Third reading of bills. Mr. Clerk, will you ascertain if the Commissioner is in the House, and can appear in the House for assent to bills?

ITEM NO. 17: ASSENT TO BILLS

COMMISSIONER PARKER: As Commissioner of the Northwest Territories, I assent to the following: Bills 1-83(1), 2-83(1), 3-83(1), 4-83(1), 5-83(1), 6-83(1), 7-83(1), 8-83(1), 9-83(1), 10-83(1), 11-83(1), 12-83(1), 13-83(1), 15-83(1), 19-83(1), 22-83(1) and 23-83(1). Thank you.

---Applause

MR. SPEAKER: Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Speaker, may I have the unanimous consent of the House to go back to orders of the day dealing with notices of motion?

MR. SPEAKER: Unanimous consent being requested to go back to Item 10, notices of motion. Are there any nays? Do I hear any nays? Proceed, Mr. McCallum.

REVERT TO ITEM NO. 10: NOTICES OF MOTION

Notice Of Motion 26-83(1): Appointment Of Clerk Of The House

HON. ARNOLD McCALLUM: Mr. Speaker, I give notice and I will ask for unanimous consent to deal with two motions. The first motion: Whereas the position of Clerk of this House is vacant; and whereas it is desirable that we fill this vacancy at this session; and whereas section 36(1) of the Council Ordinance permits the appointment of the Clerk by the Commissioner on the recommendation of the Management and Services Board and approved by this House; now therefore, I move, seconded by the honourable Member for Yellowknife North, that Mr. David Hamilton be appointed Clerk of this House by the Commissioner of the Northwest Territories.

---Applause

Notice Of Motion 27-83(1): Appointments To Management And Services Board

Mr. Speaker, I have a further notice of motion dealing with the amendment to the Council Ordinance that requires the Members of the Management and Services Board be appointed at this session. I would seek unanimous consent to give that motion as well.

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Thank you. Unanimous consent being asked for; are there any nays?

---Agreed

REVERT TO ITEM NO. 12: MOTIONS

Motion 26-83(1): Appointment Of Clerk Of The House

HON. ARNOLD McCALLUM: Mr. Speaker:

WHEREAS the position of Clerk of this House is vacant;

AND WHEREAS it is desirable that we fill this vacancy at this session;

AND WHEREAS section 36(1) of the Council Ordinance permits the appointment of the Clerk by the Commissioner on the recommendation of the Management and Services Board and approved by this House;

NOW THEREFORE, I move, seconded by the honourable Member for Yellowknife North, Mr. Braden, that David M. Hamilton be appointed Clerk of this House by the Commissioner as recommended by the Management and Services Board.

SOME HON. MEMBERS: Question.

Motion 26-83(1), Carried

MR. SPEAKER: Question being called. All those in favour?

AN HON. MEMBER: Recorded vote.

MR. SPEAKER: Let the records show that the vote was unanimous.

SOME HON. MEMBERS: Hear, hear!

---Applause

MR. SPEAKER: Mr. McCallum.

Motion 27-83(1): Appointments To Management And Services Board

HON. ARNOLD McCALLUM: Mr. Speaker:

WHEREAS Bill 19-83(1) has been given assent to by this House;

AND WHEREAS clause 24(3) of the amendment to the Council Ordinance requires that Members of the Management and Services Board be appointed at this session;

NOW THEREFORE, I move, seconded by the honourable Member for Yellowknife North, that the Hon. Donald M. Stewart, the Hon. Arnold McCallum, the Hon. James Wah-Shee, Mrs. Lynda Sorensen and Mr. Joe Arlooktoo, be appointed as Members of the Management and Services Board.

AN HON. MEMBER: Question.

Motion 27-83(1), Carried

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

---Carried

---Applause

I believe that that concludes the business of the House today, and I must congratulate you on your activity. You certainly covered a lot of ground this afternoon. Are there any announcements from the floor? Mr. MacQuarrie.

MR. MacQUARRIE: As the chairman of the striking committee, I have just had an indication from one Member who would like to fill the vacancy on the standing committee on finance. This is your last opportunity. If somebody else is interested, please let me know immediately, and then I would ask the other Members of the striking committee just to wait for a few minutes after the session closes.

MR. SPEAKER: Thank you. Are there any further announcements from the floor? Mr. McLaughlin.

MR. McLAUGHLIN: Mr. Speaker, I would like to inform Members that I recently had a long conversation with Mr. Terry Daniels who, Members know, is president of the Chamber of Mines and also heads up the Northern party and he frequents the gallery here. I would like to announce for all Members now that Mr. Daniels and I were talking and we both agree that the management of this hotel should be congratulated for the excellent way they have accommodated Members and the general public. That is not what you thought I was going to announce, was it?

---Laughter

MR. SPEAKER: It is good it is getting toward the end of the session. Are there any further announcements from the floor? Mr. Clerk, announcements and orders of the day.

CLERK OF THE HOUSE (Mr. Hamilton): Announcements, Mr. Speaker. There will be a short meeting of the special committee on constitutional development immediately after recess today in the caucus room.

ITEM NO. 18: ORDERS OF THE DAY

Orders of the day, Thursday, March 10th, 1:00 p.m.

1. Prayer
2. Members' Replies
3. Oral Questions
4. Written Questions
5. Returns
6. Ministers' Statements
7. Petitions
8. Reports of Standing and Special Committees
9. Tabling of Documents
10. Notices of Motion
11. Notices of Motion for First Reading of Bills
12. Motions
13. First Reading of Bills
14. Second Reading of Bills
15. Consideration in Committee of the Whole of Bills, Recommendations to the Legislature and Other Matters: Bills 14-83(1), 16-83(1), 17-83(1), 18-83(1), 20-83(1), 21-83(1)
16. Third Reading of Bills
17. Assent to Bills
18. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until 1:00 p.m., Thursday, March the 10th.

---ADJOURNMENT

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