



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES
DEBATES

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Official Report



TUESDAY, FEBRUARY 1, 1977

Speaker The Honourable David H. Searle, O.C.

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TABLE OF CONTENTS

1 February 1977

	<u>PAGE</u>
Prayer	377
Questions and Returns	377
Notices of Motions	410
Tabling of Documents	380
Consideration in Committee of the Whole of:	
- Bill 3-61 Appropriation Ordinance, 1977-78	380
Report of the Committee of the Whole of:	
- Bill 3-61 Appropriation Ordinance, 1977-78	410
Orders of the Day	410

YELLOWKNIFE, NORTHWEST TERRITORIES

TUESDAY, FEBRUARY 1, 1977

MEMBERS PRESENT

Mr. Steen, Mr. Stewart, Mr. Lyall, Mr. Butters, Mr. Fraser, Mr. Whitford, Hon. Arnold McCallum, Mr. Evaluarjuk, Hon. Peter Ernerk, Hon. David Searle.

ITEM NO. 1: PRAYER

---Prayer

SPEAKER (Hon. David Searle): Item 2, questions and returns. Mr. Butters.

ITEM NO. 2: QUESTIONS AND RETURNS

MR. BUTTERS: Mr. Speaker, I guess what I am rising on really is a point of privilege. I made a serious error, in fact, in my reply to the Commissioner's Opening Address on Friday last when speaking about the American Indian Movement leader, Mr. Ed Burnstick of Edmonton, the Canadian director of the American Indian Movement. I said his name was Mr. Frank De Lucca and this statement is totally false as Mr. Ed Burnstick is Mr. Ed Burnstick. The man I was also referring to as an AIM leader and late of Wounded Knee but more recently a resident of the Fort Saskatchewan jail was Mr. Frank Blackhorse and it is Mr. Frank Blackhorse who is Frank De Lucca out of Chicago. My apologies to this House.

MR. SPEAKER: Are there any returns? Deputy Commissioner Parker.

Return To Question W7-61: Polar Bear Quotas, High Arctic

DEPUTY COMMISSIONER PARKER: Mr. Speaker, on Wednesday, January 26th, 1977, Mr. Pudluk asked if it would be possible for the administration to increase polar bear quotas in the High Arctic in view of the fact that bears are tampering with caches of meat belonging to the people.

Polar bear quotas are set according to the number of bears within the normal hunting area or settlement. If it is found by ongoing studies that the number of bears killed in a hunting area can be increased without damaging the long-term welfare of the bear population the quota will be changed accordingly. If studies show that a quota is too high for the long-term welfare of a bear population, the quota will be decreased.

The problem of meat caches being destroyed by polar bear was discussed at the recent hunters' and trappers' association conference at Pangnirtung. It was learned that the greatest problem occurred during the whale hunting season at Arctic Bay and Pond Inlet. Since the whale season follows the close of the polar bear season, the fish and wildlife service believes that an increased polar bear quota is not the answer to the problem of caches being destroyed. Instead, the request by hunters' and trappers' associations for more freezer facilities could be pursued.

Return To Question W9-61: Animals And Birds Taken By Mr. Oeming

On Thursday, January 27th, Mr. Stewart asked Question W9-61, whether the animals Mr. Al Oeming of the Alberta Game Farm obtained from the Northwest Territories,

belonged to him or the people of Alberta. All animals obtained from the Northwest Territories belong to Mr. Oeming. Prior to 1975, licences to capture and export were purchased by Mr. Oeming. He has not been issued any capture licences since 1974. However, he has been the successful bidder on some of the orphaned or abandoned musk-oxen calves and polar bear cubs put out to tender by the fish and wildlife service.

Return To Question W10-61: Eskimo Operator For CNT In Western Arctic

On Thursday, January 27th, 1977, Mr. Lyall asked Question W10-61, whether the administration had approached Canadian National Telecommunications on the matter of introducing Inuktitut speaking long distance telephone operators in the western Northwest Territories.

The difficulties some non-English speaking residents encountered in making long distance calls were brought to the attention of Canadian National Telecommunications by Commissioner Hodgson in the fall of 1976. Mr. F.E. Locke, superintendent of Canadian National Telecommunications, expressed some concern in overcoming these language difficulties and he and Assistant Commissioner Mullins have been discussing various proposals since mid-October, 1976. However, a satisfactory solution has not yet been identified. Some delays have been encountered due to uncertainties regarding new communications policies, but with the announcement of the new northern communications assistance program, it is expected that negotiations can once again move forward.

Return To Question W11-61: Radio And Television Service In Spence Bay

On Thursday, January 27th, Mr. Lyall asked Question W11-61, if a date had yet been determined to extend Anik radio and television service to Spence Bay. There are at present no plans to extend CBC radio and television Anik service to Spence Bay as the funds set aside for the Northwest Territories under the accelerated coverage plan have been exhausted.

Return To Question W12-61: Telephone Service In Repulse Bay

On Thursday, January 27th, in view of the recently announced northern communications assistance program, Mr. Evaluarjuk asked in Question W12-61 if a date had been determined to provide long distance telephone service to Repulse Bay.

A schedule for providing long distance telephone service to northern communities still without this service will not be drawn up until negotiations between the Department of Communications, Bell Canada, Canadian National Telecommunications, Telesat and the Government of the Northwest Territories are complete. At the present time discussions between the Department of Communications and the telecommunications carriers are under way to complete the technical arrangements for implementing the new program. When these discussions have concluded, formal agreements will be drawn up between the Department of Communications and the carriers. At that point the Government of the Northwest Territories will enter into the negotiations to participate in the determination of priorities for servicing individual communities.

MR. SPEAKER: Any written questions? Mr. Evaluarjuk.

MR. EVALUARJUK: Mr. Speaker, could I talk about two different things at the same time, or am I supposed to talk about one subject at a time? One is from Coral Harbour. There are two different requests from Coral Harbour and I would like to know if I can talk about two different subjects at the same time.

MR. SPEAKER: You may ask two different questions if you wish, Mr. Evaluarjuk, but it must be in the form of a question.

Financial Requests From Coral Harbour

MR. EVALUARJUK: Thank you, Mr. Speaker. I would like to ask the Executive, or give them a request from Coral Harbour, 1977. The request from Coral Harbour is a financial matter and the Executive might have this in the budget for Coral Harbour but communications are rather difficult at times and Coral Harbour has been requesting a gravel truck and a snowblower, I am sorry, a fire truck and during the winter if there is a storm and if a fire broke out in the community of Coral Harbour there would be great difficulty in trying to save the burning house and as well, the recreation department has been asking for grants and the per capita grant is not enough. The youth in the community is causing trouble because of lack of recreation facilities in the community.

I have a written request from the community for the recreation department and we figure it would cost approximately \$794, and I am not sure where this letter was sent to, and I would request the Executive to find out about this.

Now, Mr. Speaker, they have a generator at Coral Harbour but they have no radio, no telephone service, and I would like to know how we could handle the request for this. I am sorry, I am getting confused. I will have to get back to you. The peterhead boats in the community have no radios and if there is any way these peterhead boats could be provided with radios, who would we approach to request radios, radios to be installed in peterhead boats. Those are the requests from the community of Coral Harbour. Thank you.

MR. SPEAKER: All of those questions properly should be made after we get into committee of the whole when Mr. Stewart is in the chair on the budget, as they are all financial requests. They may or may not be covered in the budget. However, in that they have been asked and in the interests of saving time the Members may wish to give you unanimous consent to permit the Deputy Commissioner to answer them now, if he can, or he may wish to take notice. Will you take them as notice?

DEPUTY COMMISSIONER PARKER: Yes, Mr. Speaker.

MR. SPEAKER: Perhaps you could answer them when we get into committee of the whole on the budget. Is that agreed?

---Agreed

Are there any further written questions? Item 3, oral questions.

Item 4, petitions.

Item 5, reports of standing and special committees.

Item 6, notices of motions.

Item 7, motions for the production of papers.

Item 8, motions.

There are no motions in the book. Are there any other motions?

Item 9, tabling of documents. Hon. Peter Ernerk.

ITEM NO. 9: TABLING OF DOCUMENTS.

HON. PETER ERNERK: Mr. Speaker, yesterday during our committee of the whole discussion a question was asked by Mr. Lyall with respect to financial information on the Rankin Inlet cannery and commercial fishery project. I would like to at this time table a very short document, Tabled Document 8-61, Reply to Question, outlining the expenditures for 1974-75, the revenues for 1974-75, income generated for the year 1974-75, as well as 1975-76 and 1976-77. We will get copies made and have it circulated to all of the Members.

MR. SPEAKER: Thank you, Hon. Peter Ernerk. Are there any further documents to be tabled? Mr. Stewart.

MR. STEWART: No, Mr. Speaker.

MR. SPEAKER: No? Item 10, consideration in committee of the whole of bills and other matters.

This House will resolve into committee of the whole for continuing consideration of Bill 3-61, the Appropriation Ordinance, with Mr. Stewart in the chair.

ITEM NO. 10: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS.

---Legislative Assembly resolved into Committee of the Whole for consideration of Bill 3-61, Appropriation Ordinance, 1977-78, with Mr. Stewart in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 3-61, APPROPRIATION ORDINANCE, 1977-78

Department Of Finance, O And M - Activity 5050, Directorate.

THE CHAIRMAN (Mr. Stewart): The committee will come to order. I would direct your attention to page 10.07, program Finance, operations and maintenance, activity 5050, directorate, in the amount of \$182,000. Mr. Butters.

MR. BUTTERS: Mr. Chairman, thank you very much. Yesterday evening, before we adjourned, I wished to ask a question under what I would assume to be activity 5050, directorate. It is relative to a subobjective of this department, and that is the management of financial resources of the territorial government.

Now, I think whether one is operating a private establishment or a public establishment this financial management is the key factor, both with regard to the personnel within management and the retrieval process by which management efficiency and management productivity, and there is another word I want which I can not think of, but how do the managers know how well they are doing? They do not certainly wait until the end of the year to find that one has done poorly. There must be some way a manager can press a button or make a phone call and be told exactly where he stands just as an operator of a private business can, by calling his bookkeeper.

THE CHAIRMAN (Mr. Stewart): Mr. Deputy Commissioner. I am sorry, Assistant Commissioner Mullins.

DEPUTY COMMISSIONER PARKER: Assistant Commissioner Mullins.

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, thank you. The items that Mr. Butters was talking about relate primarily in the context of the Department of Finance to budgetary information. Both program managers have other forms of information for such items as the degree to which their programs and their staff are successful in accomplishing their objectives. At the present time the Department of Finance provides to each director and to each regional director approximately 20 days into the month a budget statement for the expenditure of the previous month as well as a budget statement for the total expenditure in that

fiscal year to date. Basically, for example, on the 20th or roughly the 20th of September, directors and regional directors would have statements indicating their expenditures during the month of August as well as their expenditures during the period from April 1 of that fiscal year through to August 31 of that fiscal year.

Improvement Of Systems

Mr. Chairman, we are now in the process of trying to improve these systems so that the financial information can be presented in a simpler manner to program managers as well as in a manner which is more relevant. For example, it is useful to know how much money has been spent but it is more useful if one knows how much money has been spent in relationship to the original estimates of expenditure to that date. So we now have a variance recording system which shows not only what has been spent to a particular date but what was planned to be spent to that date and we are attempting to increase the accuracy and meaningfulness of reports in that way. Those are very general comments, Mr. Chairman, but I hope they answer the question asked by the Member.

THE CHAIRMAN (Mr. Stewart): Thank you. Mr. Butters.

MR. BUTTERS: Yes, they do. I have not studied the Auditor General's report for last year to see whether there were any comments on that reporting system. So therefore I understand you get these printouts and some type of printout is available to both the manager who is responsible for the program and his senior managers. I would, therefore, expect they are computer printouts that the program manager would have a copy of and also, as I say, the senior officer in the line of authority and that officer could by just examining the relationship of expenditure to the total project determine whether that project was floundering or if something was going awry before it did occur, is that correct?

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, for many types of programs it would be difficult on the basis of financial information alone, to determine whether the project was floundering or not. Certainly, for example, the expenditure data on social welfare costs by region and by community may indicate if something unusual is happening which might merit investigation but it would not necessarily indicate whether there was a particular problem in that area. Where the activities of government are more analogous to those in the private sector such as in purchasing and warehousing and Economic Development projects, maintenance of buildings, consumption of fuel and electricity, in these particular instances the receipt of financial data could indicate where program problems might exist, but normally it is necessary to couple financial information with other kinds of information for a program manager to become aware of the state of affairs in his particular department.

MR. BUTTERS: I guess what I was really saying was that senior management carries on an auditing function on examination of the computer printouts relative to expenditures on any one object.

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

ASSISTANT COMMISSIONER MULLINS: That is correct. The program managers are also able to identify problem areas in their budget early on during the fiscal year if there has been either an error in budgeting in the first place or if certain kinds of expenditure such as those for telecommunications or travel are running ahead of the anticipated budget.

MR. BUTTERS: Thank you.

0 And M - Activity 5050, Directorate, Agreed

THE CHAIRMAN (Mr. Stewart): Activity 5050, operations and maintenance, agreed?

---Agreed

O And M - Activity 5051, Systems And Computer Services, Agreed

Activity 5051, systems and computer services in the amount of \$1,070,000.
Mr. Butters.

MR. BUTTERS: I just wondered if the Assistant Commissioner is satisfied with the computer being used by the territorial administration and the programming of that computer. Are we getting dollar value for the amount being paid for computer service?

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, I am very pleased with the performance of the systems and computer services division. Among their achievements in the last year have been the development of a number of new computer programs to service the needs of the government departments. In addition a new computer has been leased which provides opportunities for much higher productivity on the part of our staff as well as within a period of 12 to 18 months a reduction in over-all costs, so we have recently leased a Hewlett-Packard computer which is in the midi-computer range. It is not a large computer but it is in the medium range.

THE CHAIRMAN (Mr. Stewart): Activity 5051, agreed?

---Agreed

O And M - Activity 5052, Finance And Office Services, Agreed

Activity 5052, finance and office services in the amount of \$3,058,000.
Mr. Butters.

MR. BUTTERS: Yes, sir. I wonder in view of the administration's decision to pursue what they call "devolution" whether we are going to see the decentralization occur in Finance, decentralize finance into the regions. I wonder if Assistant Commissioner Mullins might assure me that such will occur during the coming fiscal year and that such intentions are incorporated into the specifics of activity 5052 on page 10.07.

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, the process of decentralization from the headquarters operation to the regional operations of the Government of the Northwest Territories will definitely involve a decentralization in part of the finance function. The full extent of decentralization of the finance function will have to await the responsive nature of that function to what will be happening in the program areas.

Some of the work that has already been done in the last six months on changing the role of the finance function in the regions is to change rather markedly, the responsibilities of the regional treasury officers. The regional treasury officers' function in 1975 was exclusively limited to the accounting function within the Government of the Northwest Territories and this has really meant minor tasks such as travel claims or travel advances, some accounts payable work and accounts receivable work related to the supply operation, etc., as well as keeping financial records for individual superintendents. We have expanded the terms of reference of the regional treasury officers so that now about 25 to 40 per cent of their activity should be taken up in other functions. These include provision of financial advice to such people as settlement secretaries, hamlet managers, where necessary and when called upon by the Northwest Territories Housing Corporation and so on. So we have moved very firmly and strongly in the finance function in the region to other service orientation rather than simply maintenance of accounts.

MR. BUTTERS: Just to say, sir, that is the most excellent reply I have heard yet to these estimates. I think that is going to be a most valuable change in emphasis of personnel. I think that the concerns the administration has heard from Members in the smaller communities will be assuaged in great measure by people of the calibre Assistant Commissioner Mullins has outlined working in the field and putting 25 to 40 per cent of their time into this area. This is tremendous. You are to be congratulated, sir.

THE CHAIRMAN (Mr. Stewart): Thank you. Activity 5052, agreed?

---Agreed

O And M - Activity 5053, Supply Services, Agreed

Activity 5053, supply services in the amount of \$13,371,000. Mr. Steen.

MR. STEEN: Mr. Chairman, I just have a question here on the POL installation in the amount of \$305,000 and down below we have storage tanks at Fort McPherson for \$50,000. I would like this clarified as to the differences. The first one is it for installation of a new storage tank and the bottom one for \$50,000, is that for removal of the storage tank out of the community?

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

ASSISTANT COMMISSIONER MULLINS: I regret, Mr. Chairman, I can not answer the specifics of that question. I gather we are referring now to capital, is that correct?

MR. STEEN: Capital, yes. Page 10.04.

THE CHAIRMAN (Mr. Stewart): How do you always manage to sneak back a couple of pages?

ASSISTANT COMMISSIONER MULLINS: I regret I cannot give a precise answer, but I believe the difference is in the size of the tanks. When we purchase 20,000 gallon tanks these are basically off-the-shelf tanks complete with skids which can be dragged into location and set up almost immediately. The larger installation you are referring to would be a much larger tank in the 100,000 or 200,000 gallon range which requires a significantly greater degree of site preparation and the bringing in of welders to assemble the tank.

MR. STEEN: When I go back to my area again I just want to be aware of what to tell them. In the past year they have been asking for the removal of the storage tank from the community inside the boundaries of the community and they were planning to build another tank outside the community a ways, and I was just wondering if these funds are for that purpose?

ASSISTANT COMMISSIONER MULLINS: I will get the Member the specific data on these two projects within the next two days.

MR. STEEN: Thank you.

THE CHAIRMAN (Mr. Stewart): Is that satisfactory?

MR. STEEN: Yes.

THE CHAIRMAN (Mr. Stewart): Page 10.07, activity 5053, supply services. Is it agreed? Mr. Butters.

MR. BUTTERS: Just to inquire, sir, how did the story end, of the Yellowknife central warehouse?

THE CHAIRMAN (Mr. Stewart): We would like the last chapter of the Yellowknife warehouse story, Assistant Commissioner Mullins.

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, the central warehouse is now virtually complete and we are attempting to ready it for occupancy. I am pleased to report to the Legislature that the project came in a few dollars under budget.

MR. BUTTERS: Hear, hear!

THE CHAIRMAN (Mr. Stewart): Activity 5053. Is it agreed?

---Agreed

0 And M - Activity 5054, Budgets And Fiscal Planning, Agreed

Activity 5054, budgets and fiscal planning, in the amount of \$243,000. Is it agreed?

---Agreed

0 And M.-Activity 5055, N.W.T. Liquor Control System

Page 10.08, operations and maintenance, activity 5055, Northwest Territories Liquor Control System in the amount of \$457,000. Hon. David Searle.

HON. DAVID SEARLE: Mr. Chairman, there are several things that I would like to inquire about with regard to this allotment. I have been trying to compare the report of the Liquor Control System and the liquor licensing board with the budget figures and there are just a couple of questions that arise from that comparison. Firstly, with respect to the sum shown here of \$457,000, presumably representing the O and M costs of that liquor system and the board, and looking at the sum in brackets which presumably was last years figure of \$413,000, I am

having difficulty reconciling that with what is indicated in the report which is the sum of \$808,000 or \$809,000 which is shown as in effect as of March 31, at year end, 1976. I am wondering what the explanation is for that difference shown here as \$413,000.

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, I do not have the report with me to which Hon. David Searle is referring. On a comparable basis the 1975-76 actual costs were \$363,000 and the costs to which we are referring in the operations here are solely personnel costs. Other costs of the liquor system such as transportation charges are costs which are paid out of the Northwest Territories revolving fund. The items to which specific reference is made at this time, Schedule I of the report which Hon. David Searle refers to include items such as commissions to agencies, insurance, utilities, warehouse rental, operating cost of this nature, and these costs, Mr. Chairman, are costs which are borne from the operation of the revolving fund.

Basically, what occurs is that the proceeds of the sales of liquor are placed into a revolving fund. Those proceeds then purchase liquor for future sale and they pay for the non-personnel costs of operating the liquor system. At the end of the year the surplus in the revolving fund is provided to the Government of the Northwest Territories as a revenue. So we see here the costs of salaries for the operation of the liquor system and all other costs in operating the liquor system are costs from the revolving fund.

THE CHAIRMAN (Mr. Stewart): Hon. David Searle.

HON. DAVID SEARLE: I understand that now, I could not figure it out before, but it seems to be a strange way of showing it because it really only reflects only 50 per cent of the costs. However, be that as it may, the other one that I am wondering about is that the forecast shows, the forecast for revenue shows \$5.2 million, and that is on page 10.11 where it says "liquor profits, \$5,200,000" and I have given Assistant Commissioner Mullins a copy of my report but I think it shows in there that last year there was about \$5 million, and I am wondering how it is that we are forecasting a \$200,000 growth, whether the forecast reflects increased sales or whether they are going to be raising the price of liquor.

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

An Increase In Volume

ASSISTANT COMMISSIONER MULLINS: The increase results from a number of different factors. Certainly, there will be an increase in the volume of total gallonage of wines, spirits and alcohol, wines, spirits and beers consumed. There has been a change in the mix of beverages consumed. You may recall that the very strong fortified wines have been withdrawn from sale and this withdrawal from sale of those wines has resulted in a drop in wine sales and most of this difference has been made up by a higher consumption of beer. Beer has a lower percentage mark-up to it and higher transportation costs than those associated with wine, and the result has been that sales averages are on percentage of profit and it has actually slipped a few percentage points. The switch from wine to beer and the relatively stable consumption of hard liquor has resulted in the gross profit as a percentage of sales dropping from 51 per cent to 46 per cent. So, Mr. Chairman, there will be an increase, as we are forecasting an increase in volume, we are forecasting as well a maintenance of our percentage mark-up on the same types of liquor, but the mix of sales as between wine, spirits and beer has resulted in a reduced over-all profit margin.

HON. DAVID SEARLE: Further, Mr. Chairman, I believe this House is on record by motion of having indicated to the administration that any raise in the price of liquor not only generally reflects the raise of the actual cost to the system of the liquor, but as well is an attempt to maintain the profit margin, that the raises therefore, reflect in effect, an increase in tax, a taxation and this House therefore, in that it jealously guards its right to tax the public, is on record as having encouraged the administration to bring back proposed price raises that do not just reflect the cost of the product but the increase of any additional sum and said that we wanted the specific approval of this House.

My question, therefore, of the administration is whether the Executive recognizes this principle, that it is essentially the province of the House to tax and hence any increases in liquor price beyond the passing on an increase, any price increase of the bare product, should be approved by this House. Is that principle yet recognized by the administration?

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

Pricing Policy Of The Liquor System

ASSISTANT COMMISSIONER MULLINS: At the present time, Mr. Chairman, the pricing policy of the liquor system is to maintain percentage margins, to maintain constantly the percentage margins on the cost of liquor.

HON. DAVID SEARLE: Then the response is no, is it not? The administration does not recognize that principle.

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

ASSISTANT COMMISSIONER MULLINS: I think the fairest way to answer that question is to say that the percentage mark-up is based, or has held constant and the basis of the price is the cost, insurance and freight price of liquor, at Hay River, and this represents the pricing policy at the moment.

HON. DAVID SEARLE: Let us take an example because that is the best way to get at it. Let us assume, for instance, that the price of a particular product, the cost from the distiller to the system is increased by one dollar. From my understanding of the present policy, the public will pay, not the one dollar but an additional dollar reflecting the marginal profit that the system expects over the cost of the liquor, which essentially is 100 per cent. So, in other words because the distiller raises the price one dollar it is not the one dollar that is passed on, but instead that dollar plus one other dollar so that the profit margin can be maintained. That is my understanding of it and I think before I go on we should seek an understanding that that understanding is either correct or in error.

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, that understanding is perfectly correct. In the case of some liquors where the margin is more than 100 per cent, sometimes two dollars is passed on to reflect a factory price increase.

HON. DAVID SEARLE: My understanding of that was the same as well. My point is this: In that the cost of liquor is at least 50 per cent profit, that is the price that is paid by the public for it, that it is in effect a form of tax, and when you start increasing that portion of it that is in effect a tax, not the bare cost that is being passed on, but when you start adding to it, in other words, another 100 per cent or more, the understanding I have of motions proposed by me in past Houses was that the liquor system would first seek the approval of this House, because in effect we are otherwise delegating the authority to tax. Now, that is the understanding I have of the previous motions and I want to be sure that this expression of that view is not being followed or is being followed. Now, I understand Assistant Commissioner Mullins to say it is not being followed. Deputy Commissioner Parker?

Problems With Alcohol In The Past

DEPUTY COMMISSIONER PARKER: Mr. Chairman, that is subject to a certain degree of interpretation, as Hon. David Searle notes, as to whether or not the requests of the House are being followed. If we could just go back a step and recall our problems in the past with alcohol, which can not be separated from the problems of retailing it, as a result of reviews that were conducted here it will be recalled that we took the existing price structure at one time and rearranged it so that the price per contained ounce of alcohol in various kinds of liquor was brought to a much closer point.

Previous to that you will recall that we had been asked by the Member from Slave River to change the price structure on cheap sherry so that it would not be that attractive to drinkers because it was being badly abused. As part of all that we made quite a major change which resulted in low alcohol beer coming down in price and some other things holding the same and other things going up.

Then we were also told by our advisers that the price of beverage alcohol had to bear some relationship to the cost of living or it would be more abused than otherwise. In other words, if the percentage of money that, say, an average drinker spent on his liquor became a lower proportion of his income because the price of alcohol was not kept up with the cost of living, then there would be an overconsumption and we would have more problems. All that is background for the policy that Assistant Commissioner Mullins has outlined to you and that is that we do not make major price changes, and I do not believe it is the intention of the Executive to make any major price changes, without consultation with this Assembly.

We do follow the practice of simply applying the formula to pass on the price plus our mark-up, which is the policy followed by most businesses I believe. If we did not do that fairly quickly, particularly in times of inflation, the cost of liquor would be out of phase with the cost of living. It would be much less and we do not think that is what you want us to do so for that reason we think that we are obeying the request that was put to us, in spirit -- that is not a pun -- by simply applying a percentage mark-up as the prices are changed either due to supply or due to transportation.

THE CHAIRMAN (Mr. Stewart): Hon. David Searle.

A Form Of Tax

HON. DAVID SEARLE: Mr. Chairman, in that this Assembly does sit in January for a month and it does sit in May two to three weeks and again in the fall it does not seem to me to be too onerous to come back when seeking increases above, passing on the additional cost you have just received, to set out what is proposed and to seek specific approval. I am not concerned personally so much with the exact price of a particular item but, rather, with the principle which I may say has been very, very substantially supported in the past. I can particularly remember Mr. Pierre Genest when he was appointed a Member supporting the principle that this Assembly when it increases revenue from something like liquor, talking about increasing revenue, not just talking about passing on costs, a cost increase from a distiller or brewer, but when you start increasing the revenue it is a form of tax. You know, the parliament of England fought hundreds of years to get the authority to tax and I do not think we should give it up lightly because I do not think we should subdelegate it lightly to boards or other agencies. We should make sure that we jealously guard that right. For my part I think that whenever a price increases I do not care whether it is done in good business sense or whatever, it is still a tax. These are made beyond the normal passing on of costs and this Assembly should be apprised and specific approval obtained.

I am sure this Assembly is quite able to consider and judge the good business practices and all of the other considerations but in that it is a tax I would think that the Executive would be wise to seek our approval. We are quite prepared I am sure to consider and approve their various formulas. We can understand that. We are intelligent people. I am concerned with the principle and I am unhappy, frankly, with the answer I have received.

THE CHAIRMAN (Mr. Stewart): Thank you.

HON. DAVID SEARLE: I think it is something other Members would wish to raise as well.

DEPUTY COMMISSIONER PARKER: Mr. Chairman, I think what we would like to hear very much is whether or not Members feel that the announcement of our policy and the following of that policy constitute proper involvement of this Assembly. We have made no secret of the fact, nor should we, of course, that this is our policy, to pass on to the customers the increased costs that we as wholesalers incur and pass it on through the regular mark-up which indeed increases it over and above the actual cost itself. If Members feel that that is an acceptable policy, then of course that would preclude coming back unless we were to change that policy.

THE CHAIRMAN (Mr. Stewart): Hon. David Searle.

The High Price Of Liquor

HON. DAVID SEARLE: I do not quarrel so much with the policy as stated but, you know, you have to start back at the beginning at some time. It depends what you start with as your base. There is no doubt that the cost of liquor in the Northwest Territories and beer is generally higher for instance, than it is anywhere else. They may well be in the other jurisdictions, starting with a different base. In other words, there is some point in time where I think it is opportune whenever you are talking about a further price increase to look right back at the beginning and ask the simple question, why is the price of liquor higher here, for instance, substantially so in certain items, when it is not in other jurisdictions?

In one of the Assemblies past I know that I went through the exercise, for instance, of obtaining from every liquor jurisdiction in Canada their various price lists and drafting it out by product and by item and worked out the percentages to show what, in fact, we were paying here in this jurisdiction over what we would have paid elsewhere and that was quite an exercise, believe me. It was a very revealing exercise. I do not think that the price difference today, for instance, is as great as it then was. I think there has been more intelligent application but the point is that it is not we who have our finger in this thing. It is purely an Executive act but notwithstanding that it is a tax. I think that before the next price increase goes into effect I would like to see our liquor price list. I would like to compare it with what is being charged elsewhere and I would like to start right back at the beginning at the base cost of the product. You know that has never been an exercise we have been permitted to get involved in and the reason is because Deputy Commissioner Parker comes out and says "This is the policy. Do you fellows think that is all right?" and we say "Yes, we think it is all right" and we leave it to them, leave the price increase to them on a product by product basis and that is not what I am prepared to do. I do not think I can be any clearer than that.

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

Two Tax Principles

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, I understand I am obliged at the witness table not to become argumentative and I will resist the urge fully but I would like to make one point of clarification. In tax there are two tax principles which I think are fairly important to differentiate between. One is the unit tax such as a four and one half cent per gallon tax on aviation gasoline which is a specific amount of money related to a specific quantity of a taxable item. The other form of taxation which is predominantly used in the marketing area and certainly by all provinces is a percentage tax so that if one is following a percentage tax system one is not changing the tax nor the basis of the tax. If one continues to apply a percentage tax, such as is the case in the liquor system so that it is quite consistent with tax systems under the British parliamentary system now in use in the provinces to have the approval of the percentage rate of tax which is applied on a constant basis. It is difficult to say, for example, that General Motors is increasing taxes when it increases an automobile price which results in a higher number of dollars in sales tax collected by a province.

HON. DAVID SEARLE: I do not object to that kind of a discussion at all, Mr. Chairman, but that brings us into the area of whether this Assembly has ever approved of a percentage tax. Quite frankly, I doubt that it has. This is exactly the sort of thing that we should do. I am not suggesting it is appropriate to do it now, but I am suggesting it is appropriate to review it and do it whenever liquor prices are being raised. Indeed you may wish an entirely different philosophy as between, say, beer and low alcohol beer and wine and hard liquor. You may decide that it is in the interests of the public, for instance, for there to be available low alcohol level beer. You may wish, therefore, to price that very low and encourage its consumption with the consequent lower possibility or lesser possibility of high intoxication. You may wish to tax liquor higher in terms of the percentage and you may wish not to tax good wines on the 100 per cent philosophy because if you do that you make them virtually unavailable to everybody.

I would be very happy to engage in a discussion of what percentage it would be but in order to do so, you have to have before you the price lists and the products and what the wholesale cost is so that you can engage in that. My understanding of the previous motions that have been made here essentially is that we should do that when price increases are proposed. That is all I am asking you to do. I do not argue at all with the different taxing policies and philosophies. My problem is I do not know that we have ever as an Assembly applied our mind to it when we have completely and totally advocated it to an administration who are totally and completely happy to do it completely and totally alone.

So, gentlemen, let us do it at the time of the next price increase and hear from this House because we are always talking about the liquor problem, a lot of people say that part of it is solved through pricing, and I am not so sure I agree with some of the comments, but I would sure like my say.

THE CHAIRMAN (Mr. Stewart): Thank you, Hon. David Searle. I can follow the position of the government that they may be staying with a certain percentage formula, but when you include then tying it to the food index then you get me lost, Mr. Deputy Commissioner. Then I think you are putting it basically on the market and not keeping it within the confines of any particular percentage ratio. I believe you said you had to make compensations of the liquor price relative to the food index prices and then this percentage figure would sweep with inflation but not constantly.

Relating To The Cost Of Living

DEPUTY COMMISSIONER PARKER: I did not mean that we attempted to be precise in relating the cost of liquor to the cost of living, I did not mean we would be precise at all, but I meant in general terms that the two should not separate widely, one should not get out of whack with the other. If I could just say as an administration we did go through the kind of exercise that Hon. David Searle suggested and that was the exercise of, as I mentioned earlier, comparing the costs of alcohol on a per contained ounce basis. Now, admittedly that was the administration that did that, and I do not know whether or not this House ever asked for that information previously, but in any event we did this on the advice of the people who were giving us advice on alcohol consumption, part of the Social Development department.

THE CHAIRMAN (Mr. Stewart): Hon. David Searle.

HON. DAVID SEARLE: I apologize for continuing this discussion, but I think that it is a very important area. The difficulty is that we as a House never know when the administration are planning a price increase and consequently it is not within our control to determine when this debate may take place. The administration between sessions just raises the price and passes on their percentage increase and so then it is like trying to close the corral after the horse has left. Then you say, "We will wait until the next time to discuss it" and they just raise it between sessions the next time. So, it is a difficult subject to come to grips with because it has always been appropriate to have the

discussion when we are sitting because you do not know when the next price increase is coming. That is how we never get our grubby little paws on it.

Motion To Have The Assembly Approve Future Liquor Price Increases

Therefore, with that in mind, I would like, and I am certainly not going to move to defeat the allotment but as an accompanying motion with the budget, once again I would like to move that the approval of this House be obtained prior to any future liquor price increase.

THE CHAIRMAN (Mr. Stewart): To the motion. Mr. Butters.

MR. BUTTERS: Mr. Chairman, I can agree with the Honourable Speaker to the extent that where an increase is a direct result of manipulation of this administration, not only should we know of it, of the increase, but we should determine whether or not we approve of it. I accept that. However, the motion is quite inclusive and quite extensive. I also support the Deputy Commissioner's position that if they are faced with an anticipated increase in the wholesaler's price, which is forced on them as another cost of doing business, which is out of this jurisdiction, and which results in their price being increased, I think it is only natural and understandable that that cost should be passed directly on to the consumer. The motion as it is presently worded will not permit them to pass on such a cost without the approval of this House which I think is really getting mixed into the administration. However, I support the idea that we should be supporting changes up or down in their profit structure.

THE CHAIRMAN (Mr. Stewart): To the motion. Hon. David Searle.

HON. DAVID SEARLE: I appreciate that and in speaking prior to moving the motion indicated that I have no objection to passing on a distiller or brewer's price increase. That sort of thing makes sense to me, and of course, I moved the motion, I thought with that understanding, as that kind of increase I do not object to, it is the adding on and marketing principles that follow that we have never approved that bother me. If Mr. Butters does not like my motion he could certainly add where I put the period or he could change it to a comma and add the words by way of amendment "except a wholesale cost increase."

MR. BUTTERS: The explanation of the mover is satisfactory and I can support the motion as it was explained to me, sir.

THE CHAIRMAN (Mr. Stewart): Thank you. To the motion, Mr. Deputy Commissioner.

DEPUTY COMMISSIONER PARKER: Mr. Chairman, I understand the intent of the motion but I wonder if it might better serve the purpose if the administration were to come forward at some time specified by the House with an outline of the policy that we follow in pricing with the kind of detail that shows what the mark-up is. The reason I say that is maybe the day after tomorrow the supplier of one brand of beer will change his price and it would only affect that brand but we may wish to increase it. Now, that is not a good example and perhaps I should have used a hard liquor as an example, but what I am saying is that the price increases now do not come along as blanket increases, they come along sort of on a brand by brand basis. What we would wish to see debated, if we had any choice in the matter, was the policy of applying the mark-up and then have Council look at the mark-up and if at that time they said no to the policy then of course we could debate that and discuss a different policy, but at least it would give us something to go on and we would be able to pass along at the same time the information that Council would need.

THE CHAIRMAN (Mr. Stewart): To the motion. Hon. David Searle.

Motion Withdrawn

HON. DAVID SEARLE: Mr. Chairman, I think that is an excellent idea. What we really want to do is at some time debate the policy of the liquor pricing of the territorial government. If other Members thought that was a good idea then I would suggest that I withdraw my motion and put one simply that suggested that we do that in committee of the whole. Is it agreed?

---Agreed

Motion To Debate Liquor Pricing In Committee Of The Whole

In that case, Mr. Chairman, I withdraw my previous motion and instead move that the territorial government policy as to pricing liquor be debated in committee of the whole.

THE CHAIRMAN (Mr. Stewart): To the motion on the floor.

SOME HON. MEMBERS: The question.

Motion Carried

THE CHAIRMAN (Mr. Stewart): The question. All in favour? Contrary? Motion carried.

---Carried

Activity 5055, Mr. Steen.

MR. STEEN: I am reluctant to vote, and I did not vote because I think it is conflict of interest. If we begin talking about something, about liquor in this place here, it would make it very difficult for anyone to run against us at the next election.

THE CHAIRMAN (Mr. Stewart): Activity 5055. Mr. Butters.

MR. BUTTERS: I wish to pursue some of the points that were initially introduced by Hon. David Searle on page 10.11, liquor profits. The estimate shows a reduction in profit from \$5,500,000 to \$5,200,000. Examining the liquor reports, for last years operation, it would appear to me that the increase in comparison with other years, the increase in sales and gross profit is rather small, comparatively speaking to other years. There is a very interesting bell curve taking place over the last few years and in the rate of growth, in the rate of increase, instead of going up one million dollars we are going up say much less. I notice too in examining the statements from the various liquor stores throughout the territories that a few stores have decreased in the amount of sales, Inuvik; Fort Smith, Fort Simpson and interestingly enough, Frobisher Bay, although the store is closed down, sales seem to have gone up, they have shut the liquor store down but sales seem to have increased. What does that fact of reduction indicate as far as the Department of Finance is concerned? Does it relate to the general economic climate of the territories or is it specifically relative to the brands being sold or whatever?

Frobisher Bay Liquor Store

ASSISTANT COMMISSIONER MULLINS: May I please make one general comment. The reason the closure of the Frobisher Bay liquor store does not show up in the document in front of you is that the report relates to the fiscal year ending March 31, 1976, and the Frobisher Bay liquor store was not closed until May 1, 1976. So, it is for a period during which the Frobisher Bay liquor store was open. If the Members wish I could provide them with some data on the impact of the Frobisher Bay liquor store.

One of the reasons for the reduction in income or profit on the liquor system is the change in the mix of consumption. In straight volume terms the consumption of liquor went up by 9.8 per cent during the period ending March 31, 1976. In actual ounces of absolute alcohol equivalent, the amount of increase was only 4.2 per cent. The major cause of this was a shift from wines with an 18 per cent alcohol volume to beer with a five per cent alcohol volume. Under the systems in place, wine with an 18 per cent alcohol volume has a 270 per cent mark-up whereas beer had roughly a 100 per cent mark-up. So, in terms of profits derived it represents a much slower than originally expected growth in the volume of absolute alcohol and because of the shift from one form of alcohol to another the revenue has been falling off.

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

MR. BUTTERS: I have a line of questioning I wish to pursue, sir, as Hon. David Searle was able to pursue his line of questioning.

THE CHAIRMAN (Mr. Stewart): Go ahead, Mr. Butters.

MR. BUTTERS: Thank you. It seems to me that there are many indicators relative to the economic health of the community, whether that community be an expanded one or a small one. I am wondering if I could obtain from the Department of Finance, the comparisons of the first three quarters, revenues, gross and net, for the following communities as far as liquor is concerned, that is from April 1, 1976 to December 31, 1976, the Inuvik liquor store, the Fort Simpson liquor store, the Hay River liquor store, and the Yellowknife liquor store for 1976, 1975 and 1974.

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

ASSISTANT COMMISSIONER MULLINS: I would be happy to get that information as quickly as possible, Mr. Chairman. I am not sure, did Mr. Butters say Inuvik, Fort Simpson, Hay River and Yellowknife or Inuvik, Fort Smith ...

MR. BUTTERS: Not Fort Smith. Inuvik, Fort Simpson, Hay River and Yellowknife, please, and Norman Wells.

THE CHAIRMAN (Mr. Stewart): And Norman Wells. Activity 5055, Mr. Fraser.

MR. FRASER: I would like to direct a question to the Finance department on the liquor store hours of business. Does that come under Finance or another department?

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins?

ASSISTANT COMMISSIONER MULLINS: That comes under the liquor board which is part of the Department of Finance.

MR. FRASER: It is your department that controls the hours?

ASSISTANT COMMISSIONER MULLINS: That is correct.

Norman Wells Liquor Store

MR. FRASER: We have a liquor store in Norman Wells which serves three communities, four communities, Norman Wells, Fort Good Hope, Fort Franklin and Fort Norman. There is some concern in the three outlying communities about the hours the liquor store is open, they are going to get liquor anyway, let us face it. The liquor store is open for one hour a day, between 6:00 and 7:00 o'clock p.m. In the summer months, the winter months and the summer months both they come in and they have to charter both ways. They have a sched which runs twice a week which

comes into Norman Wells and goes to Fort Norman, Fort Franklin, and back to Norman Wells with a daily supply for Fort Good Hope. I just wonder how it could be changed to accommodate these people. If they are going to get booze, they are going to get it, charter both ways and if the liquor store were open more hours they could get it and go back on the sched in most cases. The liquor store is there to serve the outlying settlements, I presume, not just Norman Wells, but it is an awful expense to charter both ways to get six bottles a week.

If they had to order their booze from Norman Wells, if you wanted to order a bottle of whisky, you would probably not order a bottle, you would probably order half a dozen, but if you wanted to order a bottle of rye from Norman Wells and take it to Fort Good Hope, it would cost you eight dollars and sixty cents and six dollars to take it to the airport and ten dollars to get it to Fort Good Hope so that bottle of rye is costing you about \$25 or \$26. If you wanted to order it, in most cases they do not recognize ordering liquor. I do not know why. I do not know how it is now but the woman who ran the liquor store before just would not bother with it. She thought it was a waste of time. I talked to her about it, but there was nothing we could do.

I would like to have some assurance that maybe they were going to put some changes in there. It possibly would have to go through council but the Norman Wells council are not concerned about it anyway. It is okay with them. In Norman Wells it does not matter because they are not so busy but in the outlying settlements if they came in by sched and have to stay overnight and then to go back the next day it costs them money to stay the extra day. I was asked to bring this up and that is the reason I am bringing it up, but I do not know if anything can be done about it.

ASSISTANT COMMISSIONER MULLINS: I will discuss that immediately with the general manager of the Northwest Territories Liquor Control System.

MR. FRASER: Thank you.

O And M - Activity 5055, N.W.T. Liquor System, Agreed

THE CHAIRMAN (Mr. Stewart): Activity 5055, agreed?

---Agreed

That then concludes ...

Revenue, Recoveries And Transfer Payments

MR. BUTTERS: No. It seems to me that we are omitting approval of the revenue, recoveries and transfer payments section. I had some more comments in that area. This is page 10.11. It seems to me there are a few other details in the estimates of revenues to be realized. One thing I was curious about, the decrease in diesel fuel, vehicles, down from \$2,100,000 to \$1,750,000 and I wonder why that change was in there.

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, the major reason for that change is not a reduction in the amounts actually anticipated to be collected but the fact that the amount shown for 1976-77 was an erroneous estimate. If one goes back to the column, the actual amounts collected in 1975-76 you find the figure was \$1.4 million. We are anticipating something in the neighborhood of \$1.5 to \$1.6 million in 1976-77 and then a further growth in 1977-78. The difficulty there, Mr. Chairman, is the fact that an erroneous estimate was placed in the estimates for 1976-77.

THE CHAIRMAN (Mr. Stewart): Thank you.

MR. BUTTERS: Yes, sir. I see that those proposed figures are very close to the actual. I understand. Thank you.

THE CHAIRMAN (Mr. Stewart): This then concludes Finance. I direct your attention to page 13.01, Public Services and before we get into that because of the hour should we recess for 15 minutes for coffee? Agreed?

---Agreed

---SHORT RECESS

Department Of Public Services, Main Estimates

THE CHAIRMAN (Mr. Stewart): I call this committee back to order. Main estimates on page 13.01, Public Services. Hon. Peter Ernerk, who will be doing this on behalf of the government?

HON. ARNOLD McCALLUM: The Assistant Commissioner.

THE CHAIRMAN (Mr. Stewart): May we call back Assistant Commissioner Mullins, please. The capital expenditures of \$10,000, operating expenditures \$8,637,000 for a total of \$8,647,000. Public Services. Assistant Commissioner Mullins, would you like to start us off with a few comments on this?

ASSISTANT COMMISSIONER MULLINS: Thank you, Mr. Chairman. I will attempt to keep the opening remarks fairly brief and highlight for you in program terms the major changes in the estimates of this year. The major change affecting court services where funds are being provided, funds are being requested for the purpose of expanding the number of magistrates from two to three and with support for the third magistrate with the opening of the courthouse in Hay River. The second major change in the estimate deals with the Workers' Compensation Board and there will be later on in the session an opportunity to discuss this in much greater detail during consideration of the Workers' Compensation Ordinance.

RCMP Services Agreement

Finally, Mr. Chairman, I would like to report very briefly on progress since the consideration of last years estimates in terms of the Royal Canadian Mounted Police agreement. During consideration of estimates last year concern was expressed by Members that the RCMP were attempting to get out of the provision of traditional services in communities not specifically of a police nature. As a result of negotiations between this government and the Commissioner of the RCMP, the RCMP and the Solicitor General the Hon. Francis Fox, are prepared to accept the writing into this years police agreement and subsequent years police agreements, the continuation of non-police type services normally carried out by the RCMP in the Northwest Territories. Those conclude my opening remarks, Mr. Chairman.

THE CHAIRMAN (Mr. Stewart): Thank you. Public Services, comments of a general nature. Hon. David Searle.

HON. DAVID SEARLE: Mr. Chairman, this department is one of the few departments that I know anything about and it always therefore, comes under greater scrutiny by me than scrutiny of other departments. I wonder if pending our getting to the activity 8088, the police services agreement, if we might ask that the existing agreement be reproduced and in sufficient copies for Members and, if the proposed agreement for next year is at hand, could we see that because I do not think unless I can see the agreement that I would be able to recall the points of concern that we had last year at this time when we expressed so many concerns with respect to the agreement which was then proposed? I would very much like to, if we have it at hand, get a reproduction in the mill so that by the time we get there, we can have a look at it.

THE CHAIRMAN (Mr. Stewart): Is that possible, Assistant Commissioner Mullins?

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, the police agreement for this year has been signed by the Commissioner but has not yet been signed by the Solicitor General. He will be signing it in the near future and we will attempt to get copies of that police agreement for Members of this Legislature. I am not sure if detailed discussions have taken place yet with respect to the police agreement for the next fiscal year but I will provide a progress report to this House on that.

THE CHAIRMAN (Mr. Stewart): Comments of a general nature on Public Services on page 13.01. Mr. Whitford.

MR. WHITFORD: Mr. Chairman, I did not quite understand what these extra police services were and perhaps that could be explained a little further.

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

Extra Services Provided

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, in the provinces at the moment, the police do not carry out a lot of work related to municipal or hamlet bylaws, for example, or work normally carried out by a sheriff or a bailiff and a lot of community work programs, community public relations programs, etc. We have in the agreement with the Solicitor General of Canada to continue provision of these kinds of services in the Northwest Territories until such time as the Government of the Northwest Territories or the communities affected can carry out those services on their own. In the provinces, the police are limiting themselves more and more to criminal activities and less to these other kinds of functions. They have agreed not to so limit themselves in the Northwest Territories.

THE CHAIRMAN (Mr. Stewart): Mr. Whitford.

MR. WHITFORD: Mr. Chairman, is there any room in that department for the purpose of setting up community policemen or security officers is what I am probably getting at?

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

ASSISTANT COMMISSIONER MULLINS: There is no provision at this time for security services for the general public.

THE CHAIRMAN (Mr. Stewart): Mr. Whitford.

Funding For Security Force

MR. WHITFORD: Mr. Chairman, it is becoming increasingly difficult for the RCMP to handle or look after the community, especially some of the larger ones with two policemen in the community. It is becoming more and more of concern to people because of various sorts of things that are happening. I am wondering if the department could seriously start looking into the matter of being able to fund hamlets so they could have some kind of a security force, or security people made up in their own communities to be able to do this type of work and pay them?

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

ASSISTANT COMMISSIONER MULLINS: I will have to look into that, Mr. Chairman, but I might add that the discussions leading to the police agreement next year include an increase of something in the order of five per cent, a five percent increase in staff of the RCMP and this might help alleviate the situation in some communities.

THE CHAIRMAN (Mr. Stewart): Thank you. Mr. Steen.

MR. STEEN: Mr. Chairman, in the hamlets, especially in hamlets where they have set up their own bylaw enforcement officers, I sense a great frustration among the hamlet councils, and not only hamlet councils but also in the municipalities, where you set up -- they are law enforcement officers acting like community police and I do not think we have any legislation to back up these law enforcement officers. I think we should start looking at some way to give these hamlet and municipality bylaw enforcement officers some power. These people with the hamlets, or the councils, are finding it very difficult for the RCMP to do some of the

concerns, or to carry out some of the bylaws and the RCMP will not listen to hamlets or municipalities. Therefore, it is all handed back to them when the community asks for the RCMP to handle something, it is handed back to them and they are not involved in that kind of situation. These community police have really no power to take people to court. Really I was wondering, as it is not very sensible to put money in there with no backing to these councils.

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins, would you like to comment on that?

Provision For Enforcement Of Bylaws.

ASSISTANT COMMISSIONER MULLINS: I would like to make two comments on that, and the first is that in communities where the communities themselves, a hamlet or settlement has not appointed its own bylaw enforcement staff, the RCMP will continue to look after the bylaw areas. In those instances where communities have become frustrated with the level of activity on the enforcement of bylaws, we have found the RCMP staff here most helpful in helping to overcome those kinds of situations. The second point I would like to make is that it is my understanding of the Municipal Ordinance that provision is made for there to be a law enforcement, but I am not the expert on the Municipal Ordinance. My understanding is that a provision exists for effective bylaw enforcement.

THE CHAIRMAN (Mr. Stewart): In a word, Assistant Commissioner Mullins, the word that frightens me is "continue" because the RCMP have not enforced bylaws in Hay River for the last eight years and refuse completely to have anything to do with the local bylaws. So, if they will continue in the form they are in, it is not satisfactory. Mr. Butters.

MR. BUTTERS: Mr. Chairman, I may have missed the question and Assistant Commissioner Mullins' reply, but was there any indication that in the negotiation on the police agreement, that representation from the Northwest Territories Association of Municipalities is present and does participate in such negotiations or discussions, even in an advisory sense, or in an advisory capacity?

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

ASSISTANT COMMISSIONER MULLINS: My understanding is that to date the discussions have been entirely bilateral between the Government of the Northwest Territories and the Royal Canadian Mounted Police.

THE CHAIRMAN (Mr. Stewart): Mr. Butters.

Participation Of N.W.T. Association Of Municipalities

MR. BUTTERS: Just one further question. In view of the fact that the majority of the residents of the Northwest Territories live in what might be termed urban areas, and those urban areas fall mainly under the authority and responsibility and interest of municipalities and hamlets as Mr. Steen pointed out, might it not be valuable to the territorial administration to have present at such negotiating sessions a knowledgeable representative of the Northwest Territories Association of Municipalities?

ASSISTANT COMMISSIONER MULLINS: We would be pleased to consult with the Association of Municipalities in the development of our negotiating requirements.

MR. BUTTERS: Thank you very much.

THE CHAIRMAN (Mr. Stewart): Mr. Pudluk.

MR. PUDLUK: Mr. Chairman, I have one question about Nanisivik mine. They are building a community centre, it is not complete yet, but I was there and I saw the police office and also the jail. Now, there are two cells in the bottom of the jail and the top is an office and I heard that police personnel only were allowed to go downstairs, and relatives if they want to visit a prisoner will not be allowed in. I would like to know why no one would be allowed to visit that jail.

THE CHAIRMAN (Mr. Stewart): Did you catch the question?

ASSISTANT COMMISSIONER MULLINS: I am afraid I do not have the answer to that specific question. If I understand it correctly it deals with the visiting privileges of individuals who are in an RCMP jail for a period of days, awaiting trial and the visiting privileges of the family, is that correct?

THE CHAIRMAN (Mr. Stewart): Is there any special location you want checked out, Mr. Pudluk?

MR. PUDLUK: I would just like the information and I asked that question when I was there but no one could give me an answer.

THE CHAIRMAN (Mr. Stewart): At what place?

MR. PUDLUK: Nanisivik mine.

THE CHAIRMAN (Mr. Stewart): Oh, the mine. Will you attempt to get that information and report back?

ASSISTANT COMMISSIONER MULLINS: Yes.

THE CHAIRMAN (Mr. Stewart): Public Services, any further comments of a general nature? Mr. Whitford.

RCMP Building In Rae

MR. WHITFORD: Mr. Chairman, I feel I should bring this question up. The RCMP building in Rae has had continuous overflow of fuel underneath the building and it has been shoveled up but still fuel goes into the ground pretty deep with the permafrost, etc., and with the overflowing of the sewage facilities which have been continuously freezing and bursting. It has made that total building a fire trap, no less. I was wondering what the department was going to do in terms of building a new prison in that area or even, in fact, if the department has gone there and seriously looked at this building?

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, the renovation and reconstruction priorities for the RCMP are determined by themselves, although we would be pleased to bring this particular situation to their attention during the discussions.

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

MR. FRASER: Yes, I would like to direct a question to the floor, or to Assistant Commissioner Mullins on legal aid. This program I think started a year or so ago and I would like to know what, if anything, is becoming of it, if they are still carrying on and is it effective, or have they any reports back on it?

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

ASSISTANT COMMISSIONER MULLINS: I am sorry, I did not hear the specific function which you wanted comments on or an evaluation.

MR. FRASER: The last paragraph, the legal aid program.

Evaluation Of Legal Aid In Midstream

ASSISTANT COMMISSIONER MULLINS: I am sorry. The evaluation is now in midstream of the legal aid program, the legal aid program is being evaluated by two officials of the Department of Justice in Ottawa and by Mr. Murray Smith and Mr. Don Trent of our government. The results of the legal aid evaluation will not be known until some time towards the end of March, I believe.

MR. FRASER: If I could go a little further, and possibly this is not in your department, but the court workers who are hired here, I understand they have some local workers in different communities. Does that come under your jurisdiction?

ASSISTANT COMMISSIONER MULLINS: Yes, the native court workers' program, the legal aid centre in Frobisher Bay and legal aid itself are all included in the evaluation of legal aid.

MR. FRASER: Court workers come under legal aid, is that it?

ASSISTANT COMMISSIONER MULLINS: They come under the Department of Public Services, a slightly different activity to legal aid but they are related within the department.

MR. FRASER: What I would like to know is, is it working at all, are they doing anything, are they doing any good for the different communities? I understand they are supposed to go to the court proceedings whenever something comes up and give some kind of support, but you do not hear too much about it, you just see their pictures in the paper and see no results or if they have done anything. I was wondering how it is coming off?

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, my informal information sources indicate that there is considerable merit to the native court workers' program, but I would rather not give a specific comment or appraisal at this time pending the completion of the legal services, the legal aid and related services evaluation.

MR. FRASER: Thank you.

THE CHAIRMAN (Mr. Stewart): Mr. Pudluk.

Interpreters For Trials

MR. PUDLUK: In Inuktitut, Mr. Chairman, I have heard many times that in the settlements the non-Inuit speaking people, or rather the non-English speaking people have been tried in their settlements for things they have done, but the people who can not speak in English, they do not know how to take any of the actions that are being brought to them. I do not think that should be allowed without telling them first what the accusation is. I think they should bring court workers to the settlements, and an interpreter and if that person is to be tried

he should have the help of an interpreter. In one of the settlements I was asked, or rather told that they could not understand anything at all when being tried. I think this should be looked into more, giving help to the non-English speaking Inuit people. Thank you.

THE CHAIRMAN (Mr. Stewart): Have you any comments, Assistant Commissioner Mullins?

ASSISTANT COMMISSIONER MULLINS: Thank you, Mr. Chairman. The points mentioned by Mr. Pudluk are very much related to the reasons that the legal aid and legal services evaluation is now taking place. The specific reasons for the establishment of a legal services centre in Frobisher Bay are very much related to the kinds of things that concern Mr. Pudluk. The impact of that centre and the impact of legal aid on those who are tried in a language other than their native language will form an important part of the evaluation. The specific concerns of Mr. Pudluk are also of very serious concern to the administration.

MR. PUDLUK: Mr. Chairman, how do we get hold of those people in case we need help? We do not have anything like that in Resolute Bay. How can we get hold of them?

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

Legal Services Centre In Frobisher Bay

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, the legal services centre in Frobisher Bay is designed to meet the needs of the Baffin region. It is recognized that the one lawyer there, Mr. Dennis Patterson, can not personally provide assistance to individuals in all communities or in every case, but the program is attempting to develop paralegal workers predominantly, if not exclusively, from the Inuit population to assist individuals before trial. I gather that one of the more important difficulties is related to the justice's of the peace courts where legal aid is not now available, but in the magistrate's court and in the supreme court legal aid services with translators are now available. I will get for Mr. Pudluk the precise name of the legal services centre in Frobisher Bay and the address, telephone number, etc., of that centre.

MR. PUDLUK: Mr. Chairman, I am not worried really about the courts actually. I know how it goes. I know they have interpreters but for those who are intoxicated who are always getting into trouble and the police come and they sort of do not know what to do. For myself, if I were drunk, and did not speak any English and a policeman came and asked me what I was doing, for myself I would not have any problem. I would not have any trouble because I speak English but that is my main point about police coming in and asking all sorts of questions of non-English speaking people.

THE CHAIRMAN (Mr. Stewart): Mr. Butters.

MR. BUTTERS: The original question related to Mr. Pudluk's concern was answered by Assistant Commissioner Mullins but another question springs to mind related to Mr. Pudluk's contribution just now. I am surprised that the situation occurs where police enter a person's domicile or residence. My understanding was the police may not enter unless invited, unless they have very good grounds, suspecting some serious crime is being committed. I am surprised at a situation which Mr. Pudluk suggests is one where police are entering houses without an invitation.

THE CHAIRMAN (Mr. Stewart): Mr. Pudluk.

MR. PUDLUK: Mr. Chairman, in Resolute Bay, in my region, it is different from the other settlements I am sure. The police in Resolute Bay are always welcome without even inviting them either. When they know you are drinking, they peek through the window and check on the people but when they come into the house, not being welcomed, I do not like this. One of my constituents I know for a fact

this happened again, that person in the house did not speak any English at all and he went to court and this is happening up north and is causing problems. Thank you.

THE CHAIRMAN (Mr. Stewart): Thank you. Assistant Commissioner Mullins, have you any comments on this?

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, there is not much that we as an administration can do other than that we will draw this to the attention of the RCMP. We are disturbed by these kinds of reports and we will bring it to the attention of the RCMP Superintendent.

THE CHAIRMAN (Mr. Stewart): Comments of a general nature. Mr. Butters.

Status Of Legal Advisor

MR. BUTTERS: Sir, I am pleased to see, as I have seen in the objectives section of a few of these estimates the words "Legislative Assembly." I hope that the Executive will do as well. I see in activity 1015 they continue to use the words "Clerk of the Council." However, at least some of the departments are forward looking, more forward looking, it appears, than the Executive. My question is this. It reflects a situation which I am finally glad to see occurring also, the legal advice to the Legislative Assembly. That being so, I assume that our Legal Advisor, Ms. Pat Flieger, is serving us in this Legislative Assembly in toto. What I am wondering is, if we suddenly developed a difference of opinion between this Assembly and the administration, would the administration then bring in another lawyer from their stable or from one of the private offices down the street to defend their position while our estimable lawyer here took them on?

THE CHAIRMAN (Mr. Stewart): How is your stable doing, Assistant Commissioner Mullins?

ASSISTANT COMMISSIONER MULLINS: We have an approved stable, Mr. Chairman.

MR. BUTTERS: What an answer! What a question!

HON. ARNOLD McCALLUM: Agreed.

THE CHAIRMAN (Mr. Stewart): Are you giving up in frustration, Mr. Butters, at this moment? Mr. Fraser.

MR. FRASER: Just going through the objectives on this thing, I am quite concerned and quite aware of the problem that Mr. Pudluk mentioned. In the outlying settlements everything he said was quite true. We have a department that has recently been set up, I think it was set up over a year ago, called the native court workers but I do not see anything in this budget that applies to that. Most of it refers to bringing in more magistrates and more justices of the peace and nothing is in here for local court workers who could maybe stop some of this stuff that Mr. Pudluk was talking about in the different outlying settlements.

No Major Changes Until Evaluation Complete

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, the native court workers program is funded through activity 8087, consumer affairs and legal aid. What is included in the budget before you is simply a change in the budget of the activity to reflect changes in cost. We will not be proposing any major changes to either legal aid, the legal services centre or the native court workers program until the spring of this year when we have in our hands the evaluation now under way. The budget for the native court workers program is part of the budget of activity 8087.

MR. FRASER: Could you tell me how many of these court workers they have and where they are stationed just offhand?

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, I do not have a precise figure at this time of the number of native court workers. The total budget for native court workers is \$160,000 of which half is from the federal government and half from the territorial government.

MR. FRASER: I am trying to find out, you mentioned Frobisher Bay as having legal aid for the Baffin region but how many court workers, actual court workers? This legal aid is not what we are looking for. We are looking for more court workers to help the guy who does not speak the language and is subsequently thrown in

jail for 60 days and he does not know what for. These court workers are not legal aid. I think there is quite a difference between legal aid and a court worker. A court worker can only advise the client that he is in trouble and the legal aid people would probably put him in jail.

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, I believe there are four or five, one of those numbers, native court workers under the program. As I mentioned, the cost of that program is \$160,000 shared fifty-fifty between the territorial and federal governments. The number is four or five native court workers.

MR. FRASER: Four or five native court workers and how many legal aid, four or five legal aid people?

Provision In Budget For Legal Aid

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, we have no legal aid lawyers per se. We have a budget for legal aid and the members of the bar in private practice operate as legal aid lawyers in the Northwest Territories so it is basically lawyers from the various law firms who provide legal services to people in need with the bills being paid by the legal aid budget.

THE CHAIRMAN (Mr. Stewart): Thank you.

MR. FRASER: Will this come up again later on? It will come up in the budget later on?

ASSISTANT COMMISSIONER MULLINS: Yes.

MR. FRASER: Thank you. That is all for now.

THE CHAIRMAN (Mr. Stewart): Any comments of a general nature under Public Services? Mr. Whitford.

MR. WHITFORD: Mr. Chairman, one of the justices of the peace from our constituency has stepped down for a year and I was just wondering if the intention of the department was to put in another justice of the peace as soon as possible because there is quite a work load.

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, is my understanding correct that the question is, does the administration intend to appoint another justice of the peace for Rae?

MR. WHITFORD: Yes.

ASSISTANT COMMISSIONER MULLINS: We have no specific plans at this moment but if the community is interested we can certainly arrange to look at that seriously and appoint one if necessary.

THE CHAIRMAN (Mr. Stewart): Thank you. Any comments of a general nature? Mr. Steen.

Public Service Jobs In Tuktoyaktuk

MR. STEEN: Just a short comment and part of it reflects on what I said yesterday under the Department of Local Government. Tuktoyaktuk has handed back the issuing of licence plates and vehicle registration and everything, they made it a motion in council that they will do it no more as they are not interested. There is not enough money involved and it creates more of a headache or nuisance to handle it anymore. I was wondering perhaps in view of that, if they are not going to provide any more money to the hamlets and the communities to carry out these public service jobs when will the government begin to look at setting up an office in Tuktoyaktuk, since Inuvik is getting too many territorial public servants. Maybe we could have some transferred over to Tuktoyaktuk and slowly phase out the regional public service in Inuvik, send them to Tuktoyaktuk.

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

ASSISTANT COMMISSIONER MULLINS: I have no comment, Mr. Chairman.

MR. STEEN: I think I deserve some kind of an answer but probably I did not phrase my question the right way. What are they going to do now, where will the licences be administered now, for vehicles and all the other public services?

ASSISTANT COMMISSIONER MULLINS: I think the longer term solution to problems of this nature rest with a new fee schedule for hamlets or other groups acting as agents of the Government of the Northwest Territories in issuing licences, etc. The policy is now under review for commissions to be paid to those who sell these licences on our behalf and we would hope that we could, with revisions to the commissions, re-interest the hamlet of Tuktoyaktuk in selling licences and permits on our behalf.

MR. STEEN: I would like to raise this matter on Tuktoyaktuk again. The RCMP will not be given this work, will they?

ASSISTANT COMMISSIONER MULLINS: That is not the intention at the moment, Mr. Chairman, no.

Capital - Activity 8080, Directorate And Administration, Agreed

THE CHAIRMAN (Mr. Stewart): If there are no further comments of a general nature may I draw your attention to page 13.02, Public Services, directorate and administration, activity 8080, capital and that is zero so I assume we go along with that one. Is it agreed?

---Agreed

Capital - Activity 8081, Court Services, Agreed

Page 13.03, Public Services, court services, activity 8081, capital in the amount of \$10,000. Is it agreed?

---Agreed

Capital - Activity 8084, Motor Vehicles And Vital Statistics, Agreed

Page 13.04, Public Services, motor vehicles and vital statistics, activity 8084, capital and again we have a zero. Is it agreed?

---Agreed

O And M - Activity 8080, Directorate And Administration, Agreed

Page 13.05, Public Services, operations and maintenance, activity 8080, directorate and administration in the amount of \$348,000. Is it agreed?

---Agreed

O And M - Activity 8081, Court Services

Activity 8081, court services in the amount of \$1,014,000. Hon. David Searle.

HON. DAVID SEARLE: Mr. Chairman, I would like a little more definition if I may with respect to exactly what is planned for Hay River. By that I mean, with the establishment of a magistrate there I would like to know what staff it is proposed he would have, when this is likely to come on stream, and what other settlements this magistrate might be responsible for serving.

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

Magistrate's Court In Hay River.

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, the staff proposed for the Hay River magistrate's court includes one magistrate, one court reporter, and two people in the clerical and stenographic group. The precise geographical coverage of the Hay River courthouse will be determined by the over-all level of court cases in the Northwest Territories rather than something fixed precisely to certain communities. It is anticipated that the magistrate at Hay River, to be selected, will be involved in travel in the normal court circuit fashion, but the precise geographical area of the coverage of the magistrate in Hay River and the two magistrates located in Yellowknife will be on the basis of case load, not on the basis of a particular plan on the map.

THE CHAIRMAN (Mr. Stewart): Hon. David Searle.

HON. DAVID SEARLE: In the courthouse there, will there be a clerk of the court where civil process, and I am thinking of small debts, summons, statements of claim, and other documents may be issued?

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

ASSISTANT COMMISSIONER MULLINS: Yes, Mr. Speaker, that is correct there will be a clerk of the court in Hay River, and a clerk will be one of the two support positions I mentioned. I have been further advised that today the Department of Justice informed us that they will be placing a crown prosecutor and a secretary in Hay River as well.

THE CHAIRMAN (Mr. Stewart): I do not think you got the on stream section of your question answered, Hon. David Searle, and is there a date set yet for the establishment to be put in place.

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, we are now in the process of recruiting staff for the Hay River courthouse, and we will be attempting to establish that facility as soon as the contractor has completed the building. We are hoping to have the courthouse operational as soon as it is completed, and I believe the latest estimate is some time during the month of May.

Need For Judges' Interaction

HON. DAVID SEARLE: If I could just continue a little bit. I would think that you are likely going to find it convenient for a magistrate located in Hay River to service, and I say this because my firm has an office in Hay River, he would likely find that it would be convenient for him to service Pine Point, Fort Resolution, Fort Smith and maybe Fort Simpson, of course, as well as Hay River which I would think would be a fair load for him. I would hope however that we do not make the mistake of setting him up there and then kind of abandoning him because my experience with judges has been that you would probably get a better system of justice if every now and again they had an opportunity to discuss their problems and rub shoulders with others. This has historically been, and certainly is not now, but has historically been a problem with a one-judge supreme court, they tend to be like the captain of a ship off by themselves because there is no one with whom they can exchange thoughts and ideas and therefore, when they make a clunker they really make one.

However, with three magistrates it seems to me that, in that he does have two other colleagues, it would probably be in the interest of everyone to make sure that he every now and again comes up here for, say, a week, sitting in Yellowknife and sends someone down there so he could have interaction. I would like to say that I think this is probably a very good move to have a magistrate in Hay River and presumably as we have already heard the next step will be one in Inuvik. I think being a magistrate in this territory is probably one of the toughest jobs that there is in government simply because they spend by far the majority of their time on the road. They spend a week here, a week there and a week somewhere else and

maybe out of four weeks, one week at home. I do not know how for instance Magistrate Parker did it for so many years because it has just got to be no fun and I think therefore that the building up of facilities in the regions is obviously of benefit in terms of keeping people in these positions on an ongoing basis.

MR. BUTTERS: Hear, hear!

HON. DAVID SEARLE: The difficulty is in establishing work in regions if there are not, for instance, defense lawyers. Fortunately in Hay River and Inuvik there are resident lawyers but Frobisher Bay, for instance, might be a different kettle of fish. This step, I think I can safely say, will meet with the complete approval of the bar, and I know with the complete approval of the judiciary who, of course, will not have to from Yellowknife service south Great Slave Lake. I support the move but I would encourage you not to be miserly when it comes to the provision of an adequate library, an adequate facility for research and adequate opportunity for interaction with the other members of the magistrate's court and the superior court. I would encourage you to make sure that, like this courthouse, you can issue processes from it and in that way provide not just a criminal justice service to the people but as well the very important civil side.

Proper Civil Justice System

I would like to say that very often that latter aspect is lost sight of. The courts here have traditionally, and I include the superior court, given very much a priority to the matter of criminal justice and, although it very well deserves priority because you can not have people waiting in jail for months while they are off doing other things, we have suffered here, traditionally, a tremendous disadvantage in bringing civil justice speedily before the courts because of the heavy criminal work load in both courts. So, I would make sure that your people in their planning do not ignore the need of the proper civil justice system as well. I think, Mr. Chairman, that those are all the comments I have about that.

THE CHAIRMAN (Mr. Stewart): Have you any comments, Assistant Commissioner Mullins?

ASSISTANT COMMISSIONER MULLINS: No, Mr. Chairman.

THE CHAIRMAN (Mr. Stewart): Activity 8081. Mr. Butters.

MR. BUTTERS: Could I be advised whether the juvenile court is included in this item?

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

ASSISTANT COMMISSIONER MULLINS: Yes, this item includes the administrative support for the supreme court, the magistrate's court and the family and juvenile courts.

THE CHAIRMAN (Mr. Stewart): Mr. Butters.

MR. BUTTERS: I would hope that the next time around the words "juvenile court" is included. I think the juvenile court is the most important court in our whole system because it is dealing with the young offender. The juvenile individual if he has a tendency that way, has not yet embarked upon continuing criminal or antisocial activities which could result in him spending a goodly part of his life in the correctional institute. I can not stress or underline how important the role of the juvenile court is in our communities. I wonder if there is in this section provision of court staff who act to ensure that the requirements, the directions and disposition of the court, the juvenile court, are carried out.

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins:

Follow-up Activities Related To Juvenile Court.

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, it is my understanding and I am not sure if I precisely understood the question, but it is my understanding that follow-up activities related to the activities of the juvenile court are carried out through the Department of Social Development, that is the follow-up activities related to juvenile court, they are the responsibility of the Department of Social Development.

MR. BUTTERS: If it was a partial question, it is a partial answer. It would appear to me that if you have a court, and that court on the basis of facts heard or on information provided it makes a disposition, a decision, then there should be some arm of the court to ensure that such disposition is carried out, not the Department of Social Development. Do I take it from Assistant Commissioner Mullins' reply that there is no such arm, and therefore Social Development is to look after this, but what happens if Social Development does not agree with the disposition or judgment of the juvenile court and does nothing?

ASSISTANT COMMISSIONER MULLINS: My judgment, Mr. Chairman, is that that is basically a hypothetical question. The cases brought before juvenile court are in large measure cases brought by the Department of Social Development function itself through the normal welfare and social counselling system.

THE CHAIRMAN (Mr. Stewart): Mr. Butters.

MR. BUTTERS: It may be basically a hypothetical question but particularly it is not a hypothetical question. It is a very real question and I can demonstrate with chapter and verse which I do not wish to do in this chamber but if Assistant Commissioner Mullins is interested I can demonstrate with chapter and verse where the court has so disposed and nothing happened on the part of social welfare, the Department of Social Development officers. It strikes me that a respect for our law must be learned at a very early age and when the juvenile court loses respect because dispositions of that court can not be carried out or are not carried out, then we are doing the juvenile who appears before that court a very, very great disservice. They say "Whoopee! Phooey on the cops!" and go out and do it again but somewhere along the road we are going to get him. Society is going to turn around and get him, not for five days, but maybe for five years. That is why I say it is extremely important to recognize that the juvenile court deserves just as much respect and attention and consideration as any of the other courts that make up our total judicial system.

O And M - Activity 8081, Court Services, Agreed

THE CHAIRMAN (Mr. Stewart): Thank you, Mr. Butters. Activity 8081, agreed?

---Agreed

0 And M - Activity 8082, Safety Division

Activity 8082, safety division, \$473,000. Agreed? Mr. Steen.

MR. STEEN: Activity 8082, safety division. I have a request from the hamlet of Tuktoyaktuk to bring this up. Rather than paying the fire chief directly from the government here, they would rather have their funds issued directly to the hamlet and thereby the hamlet pay the small fee for the fire chief in the community. I wonder what you think of that?

THE CHAIRMAN (Mr. Stewart): Assistant Commissioner Mullins.

ASSISTANT COMMISSIONER MULLINS: I will be very pleased to investigate that on behalf of Mr. Steen. In the context of the exercise I am involved in, in decentralizing government and transferring responsibility to communities, that is a suggestion I will be very pleased to look into.

THE CHAIRMAN (Mr. Stewart): Thank you. Activity 8082, agreed?

MR. BUTTERS: Mr. Steen's question woke me up. With regard to the present Fire Prevention Ordinance as I understand it, as an ordinance it is very ambiguous and weak. Under the ordinance a local fire chief, while he is designated as a local assistant to the fire marshal, can not write an order against any federal or crown property, Northwest Territories property, churches, hotels, stores, skating rinks or any building used as a place of public resort or amusement, so what is left? I wonder if there is anything being done to strengthen this ordinance and give the local fire chief a lot more authority to enable him to carry out his job more responsibly?

Discretion Left To Highly Trained People

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, we believe at the moment that the Fire Prevention Ordinance has the teeth in it required to protect the citizens of the Northwest Territories. What I believe is behind the issue which Mr. Butters mentioned is the fact that the administration of the ordinance to the point of issuing orders involves a fair degree of technical experience and competence and considerable discretion. The administration feels that the needs of the Northwest Territories are best served at the moment by limiting the number of people to some fairly highly trained people who exercise that discretion because of the fact that the powers under the ordinance are very strong powers.

THE CHAIRMAN (Mr. Stewart): Mr. Butters.

MR. BUTTERS: I do not know if I read Assistant Commissioner Mullins' reply correctly that we have all the experts in Yellowknife and the people in the field are not too up on fire prevention and firefighting. It seems to me that if decentralization is taking place there should be some way in which the power which would seem now to rest in the fire marshal's office in Yellowknife, being empowered as he is to write orders, there should be some way in which enforcement and follow-up inspections could be carried out by people presently serving in the communities, fire chiefs in the communities who have the necessary credentials.

Provision Of Maximum Protection At Least Cost

ASSISTANT COMMISSIONER MULLINS: Mr. Chairman, we would be pleased to investigate what Mr. Butters has mentioned but I must say we take a fairly conservative stand on this issue for two reasons. The first is that compliance with orders can be a very expensive undertaking on behalf of either a government agency or a private entrepreneur, association, hotelier, etc. The second is that there are often four or five different ways of accomplishing a safety objective and the staff now working on it attempt with building owners, hotel operators, etc., to try and provide the maximum protection at least cost. Our hope is that if we can get a

\$5000 solution to a safety and fire problem rather than a \$15,000 solution to the safety problem we will try and get this. It is because of the discretionary powers in the ordinance that the number of people entitled to sign orders is restricted. We agree basically with Mr. Butters' concern. We agree totally with Mr. Butters' observation that we have in communities competent fire chiefs capable of inspecting situations and directing the attack on a fire.

THE CHAIRMAN (Mr. Stewart): In view of the debate on activity 8082, this has not been approved as to date. Due to the hour, I would suggest we report progress.

---Agreed

MR. SPEAKER: Mr. Stewart.

Report of the Committee of the Whole of Bill 3-61, Appropriation Ordinance, 1977-78

MR. STEWART: Mr. Speaker, your committee has been studying Bill 3-61 in committee and wishes to report progress.

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

MR. PUDLUK: Mr. Speaker, I would like to go back to Item 6, if this House allows me.

MR. SPEAKER: Unanimous consent requested to return to Item 6, notices of motions. Agreed?

---Agreed

ITEM NO. 6: NOTICES OF MOTIONS

Notice Of Motion 3-61: Construction Of Fencing, Resolute Bay School

MR. PUDLUK: Mr. Speaker, I want to make a notice of motion which I shall move on the 2nd of February. I will read it.

WHEREAS polar bears in the Resolute area are losing their fear of humans and by moving closer to the community are creating a danger to people;

AND WHEREAS during the period of darkness during the winter bears are often found on the school playground;

NOW THEREFORE, I move that the administration give consideration to the construction of suitable fencing on the school playground so that the students will be protected from polar bears.

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

ITEM NO. 11: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Remnant): Orders of the day, Tuesday, February 2nd, 1977, 9:00 o'clock a.m., at the Explorer Hotel.

1. Prayer
2. Questions and Returns
3. Oral Questions
4. Petitions

5. Reports of Standing and Special Committees
6. Notices of Motions
7. Motions for the Production of Papers
8. Motions
9. Tabling of Documents
10. Consideration in Committee of the Whole of Bills and Other Matters:
Bill 3-61, Matters Arising out of the Visit of the Legislative Assembly
to the State of Alaska, Information Items 1-60, 8-60, 15-60, 16-60,
Motion 24-60, Recommendation to the Legislature 2-61
11. Orders of the Day

MR. SPEAKER: This House stands adjourned until 9:00 o'clock a.m.,
February 2, 1977, at the Explorer Hotel.

---ADJOURNMENT

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