

LEGISLATIVE ASSEMBLY OF THE

NORTHWEST TERRITORIES

8TH ASSEMBLY, 65TH SESSION

TABLED DOCUMENT NO. 9-65

TABLED ON May 10, 1978

Report of Standing Committee on Legislation
Concerning Certain Bills To Be Introduced
At The 65th Session of Council

Mr. Speaker, the Standing Committee on Legislation met on April 27 to review the Bills being introduced at this Session by the Administration and makes the following recommendations:

- That Bill 1-65 An Ordinance respecting Ophthalmic Technicians be introduced as presented for consideration in Committee of the Whole. The Committee noted that this Bill would enable persons who have completed adequate training programs to practise as Ophthalmic Technicians and would provide for their registration, licensing, discipline and other related matters in much the same manner as have already been provided for Dental Technicians.
- That Bill 2-64 An amendment to the Child Welfare Ordinance, which would define the manner in which certain matters must be brought before the Court and in some cases increase notice periods, would also give both parents and the Superintendent of Child Welfare a right of appeal and would reduce to six months the period of care and custody in adoption cases be referred to Committee of the Whole for consideration as presented.
- That Bill 3-65 An amendment to the Presumption of Death Ordinance which would clarify certain matters in the present Ordinance, provide more flexible procedures relating to Presumption of Death orders and give protection to personal representatives acting on such orders be referred to Committee of the Whole for consideration subject to the following consideration:

the insertion in line 2 of subclause 5(2) immediately after "the application of" the words "that person or" to permit an individual concerned by application of this section to appeal a Presumption of Death Order.

- That Bill 4-65 An amendment to the Territorial Hospital Insurance Services Ordinance to prohibit certain categories of persons from serving as Members of Board of Management or other bodies managing hospitals and health centres to prevent personal conflict of interest situations be referred to Committee of the Whole for consideration subject to the following considerations:
 - (a) the Committee felt that the Bill perhaps was unduly restrictive and would exclude persons who could make a valuable contribution;
 - (b) that the exclusion of spouses and dependents of certain classes of persons was too broad and that such matters should be left to the discretion of the electorate or the appointing officials; and
 - (c) that the Legal Advisor would endeavour to develop an appropriate term to substitute for "financial advisor" in paragraph 11.2(4)(d) which is too broad.

- That Bill 5-65 An amendment to the Municipal Ordinance to change the title of the Chief Executives of villages and hamlets from "Chairman" to "Mayor", to allow for elections to fill vacancies occurring during the first year of a council's term, to enable the Commissioner to fix the date of first elections on any order made by him and to make the financial year of a hamlet the same as that of the Territorial Government be referred to Committee of the Whole for consideration. During consideration of this legislation the Committee was advised that provisions to

exempt senior citizens from property taxes in municipalities and to increase the ceiling on grants which may be made by a municipality would in all probability be brought forward during the Session.

- That Bill 6-65, An amendment to the Coroner's , Forest Protection, Interpretation, Jury and Mining Safety Ordinances to remove discrimination on the basis of sex and to provide for the appointment of a Chief Coroner and establishment of his duties, functions, powers and responsibilities be referred to Committee of the Whole for consideration. While considering the desirability of amending the Mining Safety and Forest Protection Ordinances to permit women to work underground and to fight forest fires the Committee questioned opening these activities to women but agreed to support the amendment as presented.

- That Bill 7-65 the Territorial Courts Ordinance which would change the title of "Magistrate" to "Territorial Judge" and would provide for the appointment of a Chief Judge, the establishment of a Judicial Council to review appointments and to hear complaints against Territorial Judges be referred to Committee of the Whole for consideration subject to the following considerations:
 - (a) that the draft legislation be made available to the N.W.T. Bar Association for comment;

 - (b) that wherever it appears the term "Council" (referring to the Council of the Northwest Territories) be replaced by "Legislative Assembly"; and

 - (c) that a definition of "appeal book" be inserted in the definition section.

The Committee did not undertake a review of Bill 8-65 an amendment to the Taxation Ordinance as this had already been done prior to the 64th Session.

- That Bill 9-65 An amendment to the Tobacco Tax Ordinance which would increase the tax on cigarettes be referred to Committee of the Whole for consideration. In considering this Bill the Committee recommended that the application of the tax be broadened to apply not only to cigarettes but also to pipe and cigarette tobacco.

- That Bill 10-65 An Ordinance respecting Engineers, Geologists and Geophysicists which would establish an association of such professionals to provide for the registration of members, licensees and permit holders and for the regulation of the practises of engineering, geology and geophysics be referred to Committee of the Whole for consideration. In considering this Bill the Committee which had already examined it in great detail during the 64th Session reviewed changes it had previously recommended and proposed that a further change be made in paragraph 2(1)(n) which defines "professional geophysics" to bring this definition more into line with the definition of "professional geology" found in paragraph (1).

- That Bill 11-65 An amendment to the Petroleum Products Tax Ordinance which would base the tax on consumption rather than purchase be referred to Committee of the Whole for consideration subject to the following amendment:
 - that in paragraph 2(4)(c) the amount of petroleum products which may be carried in a container in a motor vehicle be limited at 10 gallons but that the amount which may be carried in a container in an aircraft be increased to 50 gallons.

- That Bill 12-65 An amendment to the Income Tax Ordinance which effect certain changes consequent on recent amendments to the Federal Income Tax Act be referred to Committee of the Whole for consideration as presented.

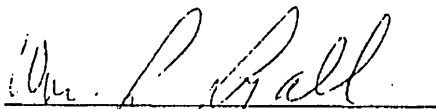
- That Bill 13-65 the Public Utilities Income Tax Rebates Ordinance which would allow the Government of the Northwest Territories to pay or rebate to designated utility companies income tax which the companies have paid or are estimated to be liable to pay with the proviso that the benefits be passed on to the consumers be referred to Committee of the Whole for consideration. In considering this Bill the Committee questioned the use of the words "distributor" and "seller" and obtained the administration's agreement to determine that these were the correct words to be used.

- That Bill 14-65 An amendment to the Northwest Territories Housing Corporation Ordinance to change the title of the "General Manager" to that of "Managing Director" be referred to Committee of the Whole as presented for consideration. The Committee proposed that the title of this Ordinance be changed to Housing Corporation Ordinance and was advised that the most appropriate time to do this would be when the next revision of Territorial Ordinances is undertaken.

- That Bill 15-65 An Ordinance to establish an Electoral Districts Boundaries Commission to recommend the division of the Territories into electoral districts, the representation and name of each such district be referred to Committee of the Whole for consideration. In considering this Bill the Committee adopted a motion that wherever the term "Council" appears in the Bill it be replaced by "Legislative Assembly".

The Committee did not review Bill 16-65 An Ordinance respecting senior citizens benefits as it had done so prior to the 64th Session.

The Committee also considered proposed new Terms of Reference designed to overcome some of the difficulties which have been faced in the past which will be introduced by motion for consideration by the Assembly during this Session.

A handwritten signature in cursive script, appearing to read "W. Lyall", is written over a horizontal line.

W. Lyall, Chairman

T.D. 9-65
May 10, 1978

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