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NORTHWEST TERRITORIES  
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NORTHWEST TERRITORIES

SESSIONAL PAPER NO. 18

REPRESENTATIONS TO THE ADVISORY COMMISSION ON THE  
DEVELOPMENT OF GOVERNMENT IN THE  
NORTHWEST TERRITORIES

DISPOSITION

Accepted as Read.....  
Amended..... See Text  
Rejected..... See Text  
Deferred..... See Text  
Not Considered.



February 5, 1966.

## NORTHWEST TERRITORIES

REPRESENTATION TO THE ADVISORY COMMISSION ON THE  
DEVELOPMENT OF GOVERNMENT IN THE  
NORTHWEST TERRITORIES.

FROM THE COUNCIL OF THE NORTHWEST TERRITORIES -  
AS APPROVED UNANIMOUSLY DURING THE 32ND  
SESSION OF COUNCIL.

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### PART I - GOVERNMENT STRUCTURE AND RESPONSIBILITIES IN THE NORTHWEST TERRITORIES.

#### 1. AIMS AND OBJECTIVES

In making a plan for the future form and machinery of government in the Northwest Territories the first task is to state the aims. These aims should be set forth in clear statements. These statements should be regarded as principles. These principles should not be compromised except in response to a clear, present and compelling situation. The Council of the Northwest Territories recommends the following aims.

(a) A plan consistent with the best concepts of human rights and the dignity of man. The United Nations' Declaration on Human Rights outlines this subject in a comprehensive way. Canada is a signatory to this Declaration. A copy is attached.

\*(a)  
See P.9

(b) A plan that accords with the principles in which Canada was conceived and has grown to nationhood, precedent as well as legislation. The several constitutional documents of Canada and the Bill of Rights are guides in this regard, but there is as well a body of precedent.

(c) A plan that is the one of greatest benefit to Canada as a nation. This is mandatory upon us if we think of ourselves as Canadians first. Other loyalties of region, race, language, religion, must not take first place.

(d) A plan which will best accord with the interests, welfare and wishes of the people of northern Canada.

(e) The plan should be ahead of its time, observing that it will take substantially a decade to implement legislatively, to be given practical effect and to become functional. It should be thought of as not only a plan for the present generation but the plan under which the next generation is born, grows up and takes hold of public affairs.

(f) The plan should be lofty in purpose and in conception. It should be an inspiration to people.

(g) The plan should be simple, realistic and practical, reasonable and economic.

(h) The plan should contemplate an electorate with universal suffrage for all persons from age 18, a legislature responsible to the electorate, an executive responsible to the legislature and a public service responsible to the executive.

2. PROVINCIAL GOVERNMENT

The Council believes the Government of the Northwest Territories should:

- (a) have as many as possible of the features common to responsible government in Canada;
- (b) exercise legislative powers comparable to those of the provinces and provide for change with changing conditions;
- (c) progress to provincial status.

3. TERRITORY TO BECOME THE RESPONSIBILITY OF THE NEW GOVERNMENT

The Northwest Territories should not be divided and should include the whole of the present Northwest Territories.

Consideration should be given to inviting the Yukon to join the the Northwest Territories to form a single province in northern Canada.

4. SEAT OF GOVERNMENT - CAPITAL

The capital should be within the Territories.

The Government should have its seat at the capital and legislative sessions should be held there as well as elsewhere in the Territories. The Council is content to await the recommendations of this Commission before suggesting a capital.

5. GOVERNMENT ORGANIZATION

The organization of the new government should be patterned after the western provinces, - with appropriate simplifications. There may be stages to go through in approaching the provincial form of government.

The stages might be:

- (1) Commissioner  
7 elected Members  
5 appointed Members (including Deputy Commissioner)
  - (2) Commissioner  
Deputy Commissioner  
Speaker and other elected Members maximum 5 year term
  - (3) Commissioner (Lieutenant Governor)  
Premier (responsible  
Ministers (to legislature  
Speaker  
Other members
- members of legislature
- (4) Full provincial status

Sessional indemnities should be increased to an adequate figure and there should be additional non-taxable allowances to Members to assist them in travelling about their constituencies.

The voting age should be reduced to 18 years.

The term "ordinance" should be dropped in favour of "Statute" or "Act".

#### 6. CIVIL SERVICE

There should be a Public Service responsible to the Executive. It should be divided into appropriate departments. At its inception, the Service might be staffed largely by the transfer to Territorial employ of Federal civil servants who now perform Territorial functions. The status in the Federal Public Service of these transferees should be protected by their being given leave of absence terminable at the instance of the employee. Territorial salary scales should be such as to attract and retain highly qualified personnel, with such increments on taking up residence in the Territories as are appropriate compensation for higher costs including food costs, rent, utilities, travel and other items as appropriate.

Any Federal public servant employed at Territorial work now or in the future, should be continued in such assignment so long as requested by the Territorial Government. There would, thus, be a Territorial Public Service made up of employees of both the Federal and Territorial Governments, but direction of all would be unified under the Territorial Executive, - vacancies occurring among such Federal employees should be filled by the Territorial Government.

#### 7. RESPONSIBILITIES TO BE TRANSFERRED FROM THE FEDERAL GOVERNMENT

A general statement is that responsibilities of the Territorial Government should be, as far as possible, those that are normal to provincial governments, except that until full provincial status is reached, land and resources remain in the Federal sphere. Services to Indian and Eskimo people should be administered by the Territorial Government on the same basis as for all the people. Jurisdiction over land within municipalities and land within ordinary use distance of a settlement, would be turned over to the Territorial Government for all purposes.

As far as possible forests and fishing, including commercial fishing should be the responsibility of the Territorial Government.

#### 8. RESPONSIBILITIES THAT WOULD REMAIN WITH THE FEDERAL GOVERNMENT

The Federal Government would retain all those rights which commonly fall to the Federal Government, in terms of Federal-Provincial relations. In addition, the Federal Government should retain responsibility for major aspects of northern economic development, land outside municipalities, water power, non-renewable resources, and certain high cost services such as transportation and communication, including trunk roads; responsibility for the financial and policy aspects of Indian and Eskimo affairs; deficits of the Territorial Government.

9. PLAN OF TRANSITION FROM THE PRESENT COMMISSION GOVERNMENT TO PROVINCIAL STATUS.

The Government of the Northwest Territories should be located in the Territories as soon as efficiently possible, - i.e. September 1967. The transfer of functions, and the staff to discharge them under Territorial auspices, should transfer at the same time in so far as reasonable, having regard to the undesirability of concentrating the disrupting events of physical removal and transfer of functions into too short a period of time. The moves of personnel and transfer will need to be spread over two years and possibly three. Those functions which have little or no Federal content can transfer first, - e.g. municipal affairs, game management, vital statistics, licensing, liquor, insurance, motor vehicles, etc. It is essential that a number of key functions stay or move strictly as does the Commissioner, e.g. Council Secretariat, Legal Adviser, Financial Administration, Municipal Affairs Administration.

## PART II - SUBJECTS OF SPECIAL COMMENT

The Council has views about a number of problems affecting the north, which, although not strictly speaking relative to the form of government, are of great importance to government. The following paragraphs deal with the most important of these.

### 1. FEDERAL GOVERNMENT SUPPORT TO PROVINCIAL NORTHWEST TERRITORIES GOVERNMENT

The Territorial Government should be recognized from the present time forward as an embryo provincial government. It should be granted financial support as necessary to ensure that its development and the development of the north take place in the way most advantageous to all Canadians, and especially northerners.

### 2. SUBSIDIZATION OF SERVICES

There will be need to subsidize certain services in order that residents may enjoy the social and domestic facilities that are normal to communities and homes not under the blight of poverty. Good water in plenty, sanitary disposal of waste, electricity at costs that permit its use for cooking and clothes drying, - these should be considered essentials. These services have to be subsidized in many northern communities. Otherwise the rates that have to be charged are prohibitive.

### 3. AREAS FOR TAX CONCESSIONS

This opens the whole subject of methods of assembling the consolidated revenues of Canada. The Council is not able to speak with one voice on this subject.

### 4. EQUALIZATION OF POSTAL RATES

Letters now go everywhere in Canada at 5¢ regardless of whether carriage is surface or air.

Parcel post to many N.W.T. addresses must go by air at least at some times of the year.

Parcels prepaid at surface rates should be delivered to destination at no extra charge whether carriage can be by surface or whether air must be used for the journey or part of it.

### 5. COMMUNITY DEVELOPMENT

The Council believes that community development planning is a field where much should be done. There should be a plan for each community. These should be prepared in the context of a regional plan for settlements that have inter-communication. There should be local and regional councils established and these should be financially supported by grants from the Territorial Government so that they would have practical experience in the business of municipal government. The Councils should have the responsibility for the use of the funds that are granted to them. There should be a greater diversity of types of municipalities so that within a short time even small settlements would have a measure of self-government.

## 6. EDUCATION

All public schooling should be governed by Territorial law. Every public school or other public educational facility should be owned and operated by the Territorial Government excepting those schools and ancillary facilities operated by a school district.

The Federal Government should ask the Territorial Government to admit Indians and Eskimos to the full range of Territorial educational services under appropriate financial arrangements.

## 7. (a) HEALTH

Northern Health Service should become the Territorial Department of Health. It would be desirable that it continue to be a part of the Department of National Health indefinitely until it is clear that it can function with less direct access to the federal health resources of special services and staff.

The Federal Government should ask the Territorial Government to admit Indians and Eskimos to the full range of Territorial health services under appropriate financial arrangements.

## 7. (b) WELFARE

There should be set up a Territorial Department of Welfare. The Federal Government should ask the Territorial Government to admit Indians and Eskimos to the full range of Territorial welfare services under appropriate financial arrangements.

## 8. EMPLOYMENT SERVICES

Major changes are being worked on at the present moment for Canada as a whole. It is sufficient here to note that the north has urgent need for employment opportunities and every aspect of the concomitant educational, vocational, professional and mobility concepts.

## 9. RADIO AND TELEVISION

These media should encompass all the lands of Canada and be capable of reaching every person. To the present, that has been prevented by prohibitive costs, but with advances in technology it should be achieved as soon as possible.

## 10. HOUSING

Housing is a basic problem of the north. Without adequate housing family life suffers, health suffers, acquiring an education is rendered more difficult, delinquency results. The Territorial Government already operates a low-cost mortgage scheme and Central Mortgage and Housing also operates in the Territories. So far costs are too high to be met by prevailing income levels. Only a small minority of N.W.T. residents can qualify for N.H.A. loans or afford a house built to N.H.A. specifications. The Territorial scheme helps to fill the void, but because an unusually high percentage of N.W.T. residents are not wage earners, what is needed is a housing development plan which would make it possible for all residents to have a warm home with adequate accommodation, sanitary facilities and electricity.



The basis of providing government employees with housing and services should be altered so that the hidden subsidies in Federal Crown-owned Housing rents be translated into salary increments. Concurrent arrangements should be made to encourage good household management and utilization. Measures to encourage home ownership should be taken.

11. INDUSTRIAL DEVELOPMENT

Industrial Development is a field that needs more attention. A Northern Development Board and an appropriate Development Corporation could play the leading role by giving effect in a business content to policies laid down by the Territorial Government.

Large scale industrial development should receive the support of the Federal Government.

12. TRANSPORTATION - SEA, LAND AND AIR

This should continue to be a Federal responsibility. Road programs especially for roads serving populated areas, should be accelerated.

13. TELECOMMUNICATIONS

This should continue to be Federal.

14. REPRESENTATION OF TERRITORIAL GOVERNMENT AT CONFERENCES

The Territorial Government should be represented at Federal-Provincial Conferences as an observer or a participant as appropriate to the agenda.

15. ADMINISTRATION OF JUSTICE

An Attorney General for the N.W.T. should be provided to be part of the Executive under the Commissioner (Premier).

Justices of the Peace should be appointed from among permanent northern residents. Especially, it should be an objective to have Eskimo or Indian Justice of the Peace in communities having Eskimo or Indian components.

Policing of the N.W.T. should be done by a force predominantly made up of northerners with appropriate Eskimo and Indian proportions. \*(b)

16. CULTURAL DEVELOPMENT

The agencies concerned with social and cultural development should give particular attention to encouraging interest in the history, languages and art forms of the various indigenous peoples that make up the population of the N.W.T. The same agencies should have the task of offering the great cultural traditions of the world to N.W.T. residents. The terms of reference in this field should

be broad and should include literature, music, the performing arts and the fine arts. There should be every emphasis, particularly in the next few years, on the folk art of the indigenous people of the Territories. Advantage should be taken of technological advances in the tasks of translations, including instantaneous translation, and a cadre of trained instantaneous translators should be developed to assist in the dissemination of information in all fields to all residents.

Dr. W.O. Kupsch,  
Secretary,  
Advisory Commission on the Development  
of Government in the Northwest Territories,  
Room 809 W,  
Centennial Tower,  
Ottawa 4, Ontario.

Ottawa 4, February 15, 1966.

Dear Dr. Kupsch:

The Council of the Northwest Territories have asked me to present to the Advisory Commission on the Development of Government in the Northwest Territories, the attached document entitled "Representations to the Advisory Commission on the Development of Government in the Northwest Territories", and dated February 5, 1966. That was the day debate on the paper concluded and the Council adopted it by unanimous vote. All nine Members of Council were present.

My own views do not necessarily coincide with those of Council. I intend not to present a brief to the Carrothers Commission for the reason that the Commissioner of the Northwest Territories stands in a relationship to the Minister of Northern Affairs that includes that of adviser. The Minister shares my view that it is more appropriate for me to give direct to the Minister such advice as I may have.

Yours sincerely,

B.G. Sivertz,  
Commissioner

\*(a) This and a number of other non-consequential changes, I have made in order to achieve grammatical or organizational precision.

(b) It is clear from reading the debates that changing "predominantly made up of" to "which includes" was argued on the basis of misunderstanding the word "predominantly". It is also clear that the objective desired by all Members who expressed themselves, is described by using the phrase "predominantly made up of", whereas, "which includes" does not describe that objective.

B.G.S.