



**LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES**

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Speaker: The Hon. Richard Nerysoo, M.L.A.

# LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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## TABLE OF CONTENTS

THURSDAY, APRIL 18, 1991

	PAGE
Prayer	852
Ministers' Statements	
- 70-91(1) South Slave Divisional Board of Education	852
- 71-91(1) GNWT Participation at Western Premiers' Conference	852
- 72-91(1) 1991 NWT Outstanding Volunteer Service Award	852
Members' Statements	
- Mr. Ernerk on Reducing Deficit of Hamlet of Chesterfield Inlet	853
- Mr. McLaughlin on Victims of Crime being Further Victimized by the System	853
- Hon. Dennis Patterson on Liquor Sales in Iqaluit	854
- Mr. Whitford on Encouraging Recycling	854
- Mr. Gargan on Victors in Volleyball Match	854
Returns to Oral Questions	854
Oral Questions	855
Written Questions	862
Returns to Written Questions	862
Petitions	863, 898
Tabling of Documents	863
Notices of Motions	863
Motions	863
First Reading of Bills	
- Bill 38 - Local Authorities Elections Act	867
Second Reading of Bills	
- Bill 38 - Local Authorities Elections Act	867

TABLE OF CONTENTS, THURSDAY, APRIL 18, 1991 (CONTINUED)

	PAGE
<b>Consideration In Committee of the Whole of:</b>	
- Tabled Document 22-91(1) A Position Paper on Political and Constitutional Development	867
- Bill 3 - Liquor Act	890
- Bill 6 - Regional and Tribal Councils Act	891
- Bill 26 - Motor Vehicles Act	885
- Bill 30 - Teachers' Association Act	892
- Bill 31 - Northwest Territories Business Credit Corporation Act	879
- Bill 37 - Judicature Act	887
- Bill 38 - Local Authorities Elections Act	889
- Committee Report 6-91(1) Report of the Standing Committee on Public Accounts	896
<b>Report of Committee of the Whole</b>	<b>897</b>
<b>Third Reading of Bills</b>	
- Bill 3 - Liquor Act	899
- Bill 6 - Regional and Tribal Councils Act	899
- Bill 26 - Motor Vehicles Act	898
- Bill 30 - Teachers' Association Act	898
- Bill 31 - Northwest Territories Business Credit Corporation Act	898
- Bill 37 - Judicature Act	899
- Bill 38 - Local Authorities Elections Act	899
<b>Assent to Bills</b>	<b>899</b>
<b>Orders of the Day</b>	<b>900</b>

## YELLOWKNIFE, NORTHWEST TERRITORIES

THURSDAY, APRIL 18, 1991

## MEMBERS PRESENT

Hon. Titus Allooloo, Mr. Arlooktoo, Hon. Tom Butters, Hon. Nellie Cournoyea, Mr. Crow, Mr. Ernerk, Mr. Gargan, Hon. Stephen Kakfwi, Mr. Kilabuk, Hon. Jeannie Marie-Jewell, Mr. McLaughlin, Mr. Morin, Hon. Richard Nerysoo, Mr. Ningark, Hon. Dennis Patterson, Mr. Pedersen, Mr. Pollard, Mr. Pudluk, Mr. Sibbeston, Mr. Whitford, Hon. Gordon Wray, Mr. Zoe

## ITEM 1: PRAYER

--Prayer

**SPEAKER (Hon. Richard Nerysoo):** Orders of the day for Thursday, April 18, 1991. Item 2, Ministers' statements. The honourable Member for Sahtu.

## ITEM 2: MINISTERS' STATEMENTS

**Ministers' Statement 70-91(1): South Slave Divisional Board Of Education**

**HON. STEPHEN KAKFWI:** Mr. Speaker, this might be my last gasp as Minister of Education. I have received petitions from the local education authorities of the communities of Fort Resolution, Fort Smith, Snowdrift, Hay River and the Hay River Dene Reserve, requesting the establishment of a divisional board of education. I have agreed, and today I would like to announce the establishment of the South Slave Divisional Board of Education.

--Applause

The board's establishment date will be retroactive to April 1 of this year to coincide with the beginning of the new fiscal year. Over the next few months, until July 1, the board will be in a state of transition as new operating procedures and administrative systems are put in place.

Mr. Speaker, in 1982 the special committee on education recommended that divisional boards be developed to allow Northerners to take direct control and responsibility for the education of their children. Now that the South Slave has reached divisional board status, there are divisional boards in each area of the Northwest Territories.

The establishment of a system of divisional boards is one of the first important steps toward creating a school system that truly reflects the cultures of the people it serves and providing meaningful education for all students. I am pleased to announce that this first stage has been completed and look forward to seeing the results of the important work these boards will undertake over the next few years. Thank you.

**MR. SPEAKER:** Thank you. Ministers' statements. The honourable Member for Iqaluit.

**Ministers' Statement 71-91(1): GNWT Participation At Western Premiers' Conference**

**HON. DENNIS PATTERSON:** Thank you, Mr. Speaker. Mr. Speaker, during the past decade, the status of our government at federal-provincial conferences of Ministers and officials has evolved to the point where Northwest Territories' representatives are recognized as full and equal participants, with most of the opportunities and responsibilities accorded to their counterparts from Ottawa and the provinces.

Indeed, I was pleased to report to the House during this session on recent improvements to the status of our Finance Minister when he meets with his federal and provincial counterparts.

Having noted these achievements, I should remind all Members that while our status at First Ministers' and Premiers' Conferences has significantly improved over the past few years, progress with the Premiers and Prime Minister has not been as consistent, nor has it kept pace with the level of recognition accorded to our Ministers and their officials.

Nevertheless, Mr. Speaker, I wish to state for the record that while territorial Government Leaders may only be accorded observer status at the annual Premiers' Conferences and depending upon the circumstances, most First Ministers' Conferences, our participation to date has provided numerous formal and informal opportunities to discuss national and territorial issues with the First Ministers, resulting in some modest, yet meaningful achievements.

One example, which I am very pleased to announce today, is an invitation which I recently received from Saskatchewan Premier Grant Devine to attend the Western Premiers' Conference on May 13 and 14 in Nipawin, Saskatchewan.

Mr. Speaker, this is the first time that territorial Government Leaders have been invited to participate in this forum and represents the product of some quiet diplomacy with western Premiers and their officials in recent years.

The recognition accorded the Northwest Territories through involvement in the Western Premiers' Conference is yet another milestone in the evolution of our government as a legitimate participant at both the national and regional levels in Canada. Qujannamiik.

**MR. SPEAKER:** Thank you. Ministers' statements. The honourable Member for Inuvik.

**Ministers' Statement 72-91(1): 1991 NWT Outstanding Volunteer Service Award**

**HON. TOM BUTTERS:** Mr. Speaker, I am pleased to inform the Members of this House that this year's recipient of the NWT Outstanding Volunteer Service Award is Mrs. Jan Stirling of Yellowknife.

The NWT Outstanding Volunteer Service Award is a program of the Department of Municipal and Community Affairs to recognize individuals who have made a significant contribution to the quality of life in their community or the Northwest Territories. Nominees for the award must have demonstrated a significant contribution to the development of community life over an extended period of time through a continuous record of service to the public.

As Members will realize, the spirit of voluntarism is essential to positive community growth and it is incumbent on us as a

government to encourage and recognize the value society gains from good community volunteers.

The NWT Outstanding Volunteer Service Award recognizes that rare commodity in certain individuals who rise above and set an example for others to follow.

Mr. Speaker, Mrs. Stirling's accomplishments are many and unfortunately too numerous to list entirely, but as a founding member of the NWT branch of the Canadian Public Health Association, a member of the board of directors for the NWT section of the Canadian Mental Health Association, the head of services for the Nahanni Chapter of the IODE, a member of the United Church women's group, a board member of the YWCA and Crime Stoppers and a member of the victims assistance committee, she has demonstrated her commitment to public service above and beyond the call of most.

I would like to mention, Mr. Speaker, the other 11 nominations the selection committee received for this award, all of whom have made significant contributions and are worthy of recognition by this House:

Roger and Wilma Memogana of Holman for their commitment to community activities and the opening of a youth drop-in centre in Holman;

Heather Murphy of Fort Liard for her dedication to community events and her assistance to the adult education movement;

Brenda Shannon of Fort Liard for her contribution to education and the development of exceptional community recreation services;

Betty Barnhart of Hay River for her involvement with Boy Scouts, Big Brothers and Sisters, Meals on Wheels and minor sports;

Bill Dewsbury of Hay River for his contribution to coaching and organizing minor sport;

John Kuneyuna of Holman for his tremendous devotion to the development of good community life;

Christine Williams of Yellowknife for her contribution to the YWCA, the McAteer House shelter and other family social issues;

Kathryn Youngblut of Yellowknife for her countless hours of service to special activities such as Folk on the Rocks, the Arctic Winter Games and Caribou Carnival;

David Johnston of Yellowknife for his dedication to the union movement and concern over the homeless and the unemployed;

Donald and Simone Clark of Rankin Inlet for their excellent efforts toward Keewatin sport activities; and

Sheila Levy of Iqaluit for work with the Baffin Crisis Line and other social agencies.

Mr. Speaker, to honour Mrs. Jan Stirling and the countless other volunteers that make our society better, I would invite Members of the Assembly to a public presentation ceremony in the lobby of the Legislative Assembly next week. Our example in honouring Mrs. Stirling and the values she represents is an important message to others who will follow her example. Thank you.

--Applause

**MR. SPEAKER:** Thank you. Prior to proceeding with the

next item, I would just draw the attention of the honourable Members to Bernadette LeBlanc-Fortier and the French immersion class from J.H. Sissons School.

---Applause

Members' statements. The honourable Member for Aivilik.

### ITEM 3: MEMBERS' STATEMENTS

#### Member's Statement On Reducing Deficit Of Hamlet Of Chesterfield Inlet

**MR. ERNERK:** Thank you, Mr. Speaker. Later today I will be tabling a petition from the employees of the hamlet of Chesterfield Inlet. I would like to take this opportunity to acknowledge the sacrifice these people have made on behalf of the hamlet of Chesterfield Inlet. To help the hamlet reduce its deficit they have, in the past, accepted wage and benefit reductions and they are once again agreeing to accept reduced benefits. I think this is very responsible, Mr. Speaker, and I congratulate them for it.

Mr. Speaker, these workers have given as much as they possibly can to reduce the hamlet's deficit. They are now asking the Hon. Tom Butters, Minister of Municipal and Community Affairs, for a one-time grant to remove the burden of debt from Chesterfield Inlet. Mr. Speaker, I appeal to the honourable Minister to give serious consideration to their request. Such a contribution would ensure that once the workers' current contract expires in April of 1993 they will be able to recover some of the ground that they have lost. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you. Members' statements. The honourable Member for Pine Point.

#### Member's Statement On Victims Of Crime Being Further Victimized By The System

**MR. McLAUGHLIN:** Thank you, Mr. Speaker. I was not going to make a statement on this topic until we reconvened, but I was revisited on the subject by some people at lunch time, so I would make it and as well pursue it with a few questions. It has to do with victims of crime being further victimized by the system. It especially has to do with situations where spousal assaults occur and the victim and the children are caused to be removed from a community.

In most of these situations the reason they have to be removed from the community is twofold. In one case they are sometimes afraid to remain in the community because the attacking spouse is still in the community. In the second case they are removed from the community because in most cases these assaults are launched by the husband against the wife and/or children, and the public housing that the spouse lives in is under his name, and makes it impossible for the wife and family to remain in the community.

There have been situations where a spouse has been brutally beaten, the husband has been physically removed from the house -- and I think in this case even physically removed from the community -- but because the house was under the name of the attacker, the woman and her children could not return to the house even though a court order was given to the Housing Association that they should be able to return to the house. Mr. Speaker, this is a case where our legal system is not helping the situation, and I think it should be changed to accommodate the situation. We just cannot have a situation where the majority of the people who are the victims in each situation have to be further victimized by being removed from their community and put in institutions where they can feel safe.

Mr. Speaker, I would just like to make that statement on how I feel about it and I will be pursuing it as the justice critic with the Ministers I think are responsible in this area. Thank you.

**MR. SPEAKER:** Thank you. Members' statements. The honourable Member for Iqaluit.

#### Member's Statement On Liquor Sales In Iqaluit

**HON. DENNIS PATTERSON:** Thank you, Mr. Speaker. Mr. Speaker, when the liquor store in Frobisher Bay, as it then was, was closed to over-the-counter sales on April 30, 1976, on the order of then Commissioner Stuart Hodgson, it was done as a result of strong and anguished feelings in the community over a number of tragic liquor-related deaths and injuries; the last one being that of a young girl whose head was smashed on a rock after she was thrown from a skidoo driven by her drunk father. The community felt it had had enough. Hundreds of signatures were quickly and eagerly obtained on a petition to close the liquor store to local sales, and mine was one of those signatures.

Since then the incidence of violence and tragedies from alcohol abuse in Iqaluit has declined remarkably. People can still drink, but in the more controlled circumstances of licensed premises. Liquor can be ordered and imported, but impulse buying is no longer possible. The tragedies which have been associated with uncontrolled drinking binges in private homes have largely ended. Many families' lives totally changed after the liquor store closed, and I am certain that many lives were saved.

Today I will table a petition addressed to Mr. Butters, Minister of Government Services. The petition is signed by only 80 residents of Iqaluit and asks him to re-open the liquor store. Mr. Speaker, I know this petition does not represent the opinion of the majority of long-term residents of Iqaluit. On an open-line radio show in Iqaluit the other day, 40 out of 45 calls were against re-opening the liquor store. We have not forgotten what it was like before the store was closed.

So Mr. Speaker, I am not tabling this petition later today because I support it. I am tabling it because I believe it is my responsibility as the MLA for Iqaluit to do so. But I want to make it clear that I do not support the re-opening of the liquor store in Iqaluit. I remember all too well the deaths, tragedies and injuries from the time when the store was open to over-the-counter sales in my community.

(Translation) Mr. Speaker, I do not want the liquor store re-opened in Iqaluit. I will do everything I can to fight this step. It will be a human tragedy for our people if it is re-opened. Thank you.

---Applause

**MR. SPEAKER:** Members' statements. The honourable Member for Yellowknife South.

#### Member's Statement On Encouraging Recycling

**MR. WHITFORD:** Thank you, Mr. Speaker. I would like to take this opportunity to speak again on the issue of recycling. Mr. Speaker, there is a global trend toward recycling. This trend is catching on not only by governments but by entrepreneurs, business people and corporations, as it should be. I tried to encourage this government to take the first step in that area but I also want to encourage entrepreneurs and business people to get in on this growing trend or this growing industry.

Mr. Speaker, there is no shortage of a product when it comes

to recycling. Recycling wood, paper, plastic, metal and other materials before it reaches our city dumps is what is desirable. It is already a big business in this decade and it will grow even more over the next five years. The United States and Canada will be spending some two billion dollars just to develop equipment and to develop programs to recycle their products.

Unfortunately, as I said, there is no shortage of waste. In Canada and the United States, in the last decade and a half, there have been some 200 million tons of refuse disposed of annually. But, Mr. Speaker, the encouraging part is that so is the recycling program. We do not have all the figures on it but I know that the program is only beginning to scratch the surface. About 13 per cent of the garbage is being recycled as compared to seven per cent three years ago. Mr. Speaker, that is a significant amount of participation in the recycling industry across the board, including companies and governments who are refining oil and waste materials into products that are useful.

I would like to again encourage this government to take the leading role in the Northwest Territories to encourage entrepreneurs to recycle. Thank you.

**MR. SPEAKER:** Thank you. Members' statements. The honourable Member for Deh Cho.

#### Member's Statement On Victors In Volleyball Match

**MR. GARGAN:** Thank you, Mr. Speaker. Mr. Speaker, I have not been feeling too well for about a week now, but this afternoon when the Government Leader said that he was humiliated yesterday I felt a little bit better.

---Laughter

As most Members are aware, there was a rematch between the Executive and the ordinary Members. The ordinary Members managed to win, I believe five out of six games. I would like to congratulate Mr. Whitford, Mr. McLaughlin and Mr. Zoe, who were part of the team that won, the Executive and also the staff. Thank you.

**MR. SPEAKER:** Thank you. Members' statements. Prior to proceeding to the next item of business I wish to draw the attention of honourable Members to the presence of Mr. Joe Mercredi, the president of the Fort Smith Metis Local.

---Applause

I wish to draw the attention of honourable Members to two former Members of the Legislative Assembly of the Northwest Territories, Bill Lafferty and Pete Fraser.

---Applause

Item 4, returns to oral questions. The honourable Member for Kivallivik.

#### ITEM 4: RETURNS TO ORAL QUESTIONS

##### Return To Question O438-91(1): Application Of Federal Cultural Industries Development Fund

**HON. GORDON WRAY:** Thank you, Mr. Speaker. I have a return to a question asked by Mr. Lewis on April 12, 1991, with regard to the application of federal cultural industries development fund. Further to the Member of Yellowknife Centre's Question O438-91(1) concerning the federal Department of Culture and Communications' new cultural industries fund, I have some additional information about this program.

The \$33 million fund will be administered by the Federal Business Development Bank who will provide loans to businesses in the cultural industries segment. The fund will be phased in over five years with the first year making available nine million dollars. For the first three months of this year, loans will be available only to publishing businesses. After three months, sound recording and film businesses may apply. The minimum loan administered by FBDB will be \$20,000, a portion of which will be offered at a preferred rate. Guidelines for this program will be available through the 74 FBDB offices across Canada. Any cultural industries business making more than \$100,000 in sales per annum may apply. It is anticipated that written guidelines will be available by the end of April. Thank you.

**MR. SPEAKER:** Returns to oral questions. The honourable Member for Amittuq.

**Further Return To Question O436-91(1): Mussel Survey In Rankin Inlet Harbour**

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. I have a return to an oral question asked by Mr. Ernerk on April 12, 1991, regarding mussel survey in Rankin Inlet harbour. Mr. Speaker, in response to public concern over the abandoned nickel mine tailings pond located near Rankin Inlet, the federal Department of Fisheries and Oceans conducted a survey during the summer of 1990 to determine the levels of contaminants in blue mussels in the harbour area. The results indicate that there is a significant difference in the levels of nickel in blue mussels collected from near the tailings pond compared to mussels collected from distant sites. The Department of Fisheries and Oceans has recently submitted the results to this government's Department of Health for an assessment of risk to human health from the consumption of these blue mussels along with additional copies being sent to the local hamlet council and the Keewatin Regional Health Board. Health officials are currently analysing the results in consultation with officials from Health and Welfare Canada. Thank you.

**MR. SPEAKER:** Thank you. Returns to oral questions. The honourable Member for Amittuq.

**Further Return To Question O403-91(1): European Ban On Importing Fur Products; And Further Return To Question O467-91(1): Update On Fur Ban In Europe**

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. I have a return to oral questions asked by Mr. Pudluk on April 9 and 16, 1991, regarding an update on the fur ban in Europe. Two motions have been introduced into the British House of Commons by members of the opposition. One motion requests the British government to end fur farming in Britain. The other motion requests the British government to secure a ban of all seal products within the European Economic Community and to request other countries to stop their seal hunts. Animal rights groups are behind both of these motions.

In the past Canada has worked through the Canadian High Commission in London to provide the British government with our viewpoints on fur issues. This approach has been successful and is being used again to respond to these two motions. The Fur Institute of Canada is working with their contacts in London. Through their efforts, the Canadian High Commission has already written letters to the British government on these motions. My officials are monitoring the actions through the Fur Institute of Canada. As well, senior officials from External Affairs Canada were in Yellowknife last week. My deputy minister informed them of these motions. He also requested that the Canadian High Commission in

London advise the British government of our concerns. Thank you.

**MR. SPEAKER:** Thank you. Returns to oral questions. The honourable Member for Slave River.

**Return To Question O359-91(1): Proposal To Allow Snowdrift To Take Over Social Services Programs**

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker. I have a return to an oral question asked by Mr. Morin on March 14, 1991, with respect to a proposal to allow Snowdrift to take over Social Services programs. In November of 1990, in response to an invitation from the chief and council of Snowdrift, the regional superintendent of Social Services and the regional director met with community residents to discuss program and service transfers. At that time, however, there appeared to be a greater priority on issues surrounding individuals' concerns over social assistance allocations.

The department has followed up with a recommendation to the chief that further discussions may be more beneficial if conducted as a working session with departmental representatives and the chief and council. The council was requested to contact us when a meeting could be suitably scheduled to allow for such a focussed discussion. To date such a meeting has not been requested. However, regional staff continue to maintain contact with the council. A follow-up letter is being prepared for the new chief and council, briefing them on the status of discussions to date and advising that departmental officers are available should they wish to further explore the program transfer initiative. Thank you.

**MR. SPEAKER:** Thank you. Returns to oral questions. Item 5, oral questions. The honourable Member for Nahendeh.

**ITEM 5: ORAL QUESTIONS**

**Question O481-91(1): Preparing To Meet The Spring Floods**

**MR. SIBBESTON:** Mr. Speaker, spring is in the air. I would like to ask the Minister responsible for flood control, Mr. Butters, that we are seeing signs of spring here, and west of here in my own constituency it is really spring. In Fort Liard today I believe it is 15 degrees above, and the likelihood of ice moving is upon the people. What is the Minister's department doing to prepare for an emergency such as a flood this spring?

**MR. SPEAKER:** The honourable Member for Inuvik.

**Return To Question O481-91(1): Preparing To Meet The Spring Floods**

**HON. TOM BUTTERS:** Mr. Speaker, I too, was concerned that we be prepared and would be working in co-operation with the communities relative to the anticipated flood danger this spring. Hay River is obviously doing its own checking, as it does every year, and I know it makes its findings available to other communities to warn them if there is an inordinate amount of water expected. In my queries with the department, I am informed that we are taking steps and are consulting with the communities, but to give specific information relative to what actual communications are occurring, I do not know, except that I checked this out last week to ensure that we are doing our job and being prepared for the worst, if that is what occurs this year.

**MR. SPEAKER:** Thank you. Oral questions. The honourable Member for Aivilik.



**Question O482-91(1): GNWT Help In Reducing Deficit Of Hamlet Of Chesterfield Inlet**

**MR. ERNERK:** Thank you, Mr. Speaker. I would like to direct my question to the Minister of Municipal and Community Affairs. Mr. Minister, as I have indicated or stated earlier, the employees of the hamlet of Chesterfield Inlet have made many sacrifices over the past several years to help the hamlet reduce its deficit. Mr. Minister, I seek a one-time contribution from your department to remove the burden of debt under the municipality. Would you please consider this request? Will you make a small sacrifice in light of their many sacrifices? Thank you, Mr. Speaker.

**MR. SPEAKER:** I remind honourable Members that they should be posing one question. The honourable Member for Inuvik.

**Return To Question O482-91(1): GNWT Help In Reducing Deficit Of Hamlet Of Chesterfield Inlet**

**HON. TOM BUTTERS:** Yes, Mr. Speaker. We will certainly consider the request and with the Member, I congratulate the members of the Chesterfield Inlet council for the steps they are taking to put in place a deficit reduction plan. I thank the Member, too, for advising me of the concern in the community and as a result of that, I hope that he and I will be able to travel to Chesterfield Inlet on Tuesday to meet with them. At that time I would expect to have a more specific response to the questions asked. I would like to meet with the hamlet council in the presence of the honourable Member next week.

**MR. SPEAKER:** Thank you. Oral questions. The honourable Member for Yellowknife South.

**Question O483-91(1): Report On Environmental Impact Of Jet Crash Near Inuvik**

**MR. WHITFORD:** Thank you very much. I have several questions for different Members, but I want to start off by asking a question of my honourable friend, the Minister responsible for Renewable Resources, under whose department I believe this item will come. A couple of years ago there was a jet crash near Inuvik. There was supposed to be a report on the environmental impact of that disaster because there was concern that there may be contaminants on the land as a result of this crash. I would like to ask if this report has been released to his department yet. Thank you.

**MR. SPEAKER:** Thank you. The honourable Member for Amittuq.

**Return To Question O483-91(1): Report On Environmental Impact Of Jet Crash Near Inuvik**

**HON. TITUS ALLOOLOO:** Mr. Speaker, I am aware of the military plane that crashed some time ago. There was some concern with regard to the carbon that was in the presence of the aircraft particles. I am aware that there was a study conducted by one of the federal departments but I am not aware of the conclusion of that report. I will seek to get that information for the Member and get back to him as soon as I can. Thank you.

**MR. SPEAKER:** Thank you. Oral questions. The honourable Member for Aivilik.

**Question O484-91(1): Environmental Impact Of Flights Over Rankin Inlet**

**MR. ERNERK:** (Translation) Thank you, Mr. Speaker. Mr. Speaker, this question is directed to the Minister of the

Environment. In Rankin Inlet, the extension of the airstrip is completed. There will be some military aircraft flying over Rankin Inlet. With regard to the environmental impact, would there be protection for environmental impact? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you. The honourable Member for Amittuq.

**Return To Question O484-91(1): Environmental Impact Of Flights Over Rankin Inlet**

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. There was a draft initial environmental evaluation protection plan prepared by the Department of National Defence for the Rankin Inlet FOL, forward operating location, site in the spring of 1989 and my department has reviewed the environmental evaluation protection plan and provided comments to the Department of National Defence. There were several environmental concerns identified by my department as well as those interested parties that have reviewed the draft initial environmental protection plan. Thank you.

**MR. SPEAKER:** Thank you. Oral questions. The honourable Member for Aivilik, supplementary.

**Supplementary To Question O484-91(1): Environmental Impact Of Flights Over Rankin Inlet**

**MR. ERNERK:** (Translation) Thank you, Mr. Speaker. Supplementary, what was in the draft or what was in it at that time?

**MR. SPEAKER:** The honourable Member for Amittuq.

**Further Return To Question O484-91(1): Environmental Impact Of Flights Over Rankin Inlet**

**HON. TITUS ALLOOLOO:** (Translation) Thank you, Mr. Speaker. There were a lot of environmental concerns at the time and in that draft report there was some research being done on how to deal with those concerns. Thank you, Mr. Speaker.

**MR. SPEAKER:** Oral questions. The honourable Member for Aivilik, supplementary. The honourable Member for Hay River.

**Question O485-91(1): Plebiscite On Boundary Between Two Territories**

**MR. POLLARD:** Thank you, Mr. Speaker. Mr. Speaker, my question is to the Government Leader. Yesterday, Mr. Speaker, there was mention made of a plebiscite on a boundary between two territories mentioned in this House and I would like to know if the Government Leader has knowledge of that plebiscite, Mr. Speaker. Thank you.

**MR. SPEAKER:** Thank you. The honourable Member for Iqaluit.

**Return To Question O485-91(1): Plebiscite On Boundary Between Two Territories**

**HON. DENNIS PATTERSON:** Mr. Speaker, the provisions of article 4 of the TFN, Tungavik Federation of Nunavut, agreement in principle which have been tabled in this Legislature call for a plebiscite on a boundary for land claims as the basis for a political boundary for future division of the Northwest Territories. Mr. Speaker, our government has signed that document and therefore certainly I am aware of the notion of a plebiscite; it flows from article 4 of the TFN agreement in principle and it is before the House. The concept is before the House in committee of the whole in

connection with the debate on political and constitutional development. Thank you.

**MR. SPEAKER:** The honourable Member for Hay River, supplementary.

**Supplementary To Question O485-91(1): Plebiscite On Boundary Between Two Territories**

**MR. POLLARD:** Mr. Speaker, I wonder if I could ask the Government Leader the specific question that the plebiscite will ask the people of the Northwest Territories. Thank you, Mr. Speaker.

**MR. SPEAKER:** The honourable Member for Iqaluit.

**Further Return To Question O485-91(1): Plebiscite On Boundary Between Two Territories**

**HON. DENNIS PATTERSON:** Mr. Speaker, the vehicle for this plebiscite will be the Plebiscite Act of the Northwest Territories. The question therefore will need the approval of Members of this Legislature in the form of a schedule or an amendment to that Plebiscite Act. Mr. Speaker, there would be a map with the proposed boundary, if approved by the Minister of Indian and Northern Affairs, and the question would be to the effect, "Do you approve of this boundary? Yes or no." But, Mr. Speaker, I would emphasize it will be before the House in the form of an amendment or schedule to the Plebiscite Act before it becomes a question that would be put to the people. Thank you.

**MR. SPEAKER:** Thank you. Oral questions. The honourable Member for Pine Point.

**Question O486-91(1): Joint Tenancy Requirement For Public Housing**

**MR. McLAUGHLIN:** Thank you, Mr. Speaker. In continuing from my statement I made earlier, I would like to ask the Minister responsible for the Housing Corporation, that considering the fact that this has been a long-term problem, the example I gave of a woman not even being able to get back into her house with her family even with a court order, when she lived in public housing, is even worse than I figured the situation was. While I was Minister of Social Services, we took some initiatives in this area to try and get some joint tenancies and I would like to ask the Minister what progress has been made in regard to rewriting the corporation's public housing rental agreements so that units are held jointly between both spouses.

**MR. SPEAKER:** Thank you. The honourable Member for Inuvik.

**Return To Question O486-91(1): Joint Tenancy Requirement For Public Housing**

**HON. TOM BUTTERS:** Mr. Speaker, as the Member stated, he has been following up on this requirement for a number of years. In fact I think it was a result of his questions and requests from the Iqaluit Women's Association to have joint tenancy arrangements made on leases for public housing. The president of the corporation in responding to these initiatives did announce that he would act to effect such a process and as I understand it, the Housing Corporation has put into place the joint tenancy requirement on the applications. I did follow up some weeks ago to determine if this is 100 per cent usage throughout the Territories and regrettably it has not achieved that amount yet, but we have put it in place by having tenants file the document on an annual basis so each year when people renew their lease they are required to sign a dual lease arrangement. I would say

that probably between 90 and 100 per cent of persons renting public housing now have signed these joint tenancy arrangements and we are picking up the rest as new leases are being renewed.

**MR. SPEAKER:** Thank you. Oral questions. The honourable Member for Pine Point, supplementary.

**Question O487-91(1): Joint Tenancy Policy For GNWT Staff Housing**

**MR. McLAUGHLIN:** Thank you, Mr. Speaker. I would like to follow that up in a similar area for housing. I do not know if the Minister who just answered would like to respond or one of his colleagues, but it also deals with other housing owned by this government, in particular our staff housing. What is the policy regarding our staff housing as far as joint tenancy goes when both spouses work for the government; or for that matter, when only one spouse works for this government and there are two incomes contributing to the family? Has this housing policy that has been adopted by the Housing Corporation also been adopted by the Department of Personnel?

**MR. SPEAKER:** That is a new question. The honourable Member for Sahtu.

**Return To Question O487-91(1): Joint Tenancy Policy For GNWT Staff Housing**

**HON. STEPHEN KAKFWI:** Mr. Speaker, the Department of Personnel views housing as something that is extended to the actual employee of government, be it the wife or husband. You cannot really remove the employee and leave the spouse in the house because they are not entitled to government staff housing. We usually have one person, whoever was hired by the government, to sign as the person responsible for the housing unit. It has not been the practice for us to have both members of a family sign. In a case where both occupants are employees, we would probably have to try to deal with that on a case-by-case basis. Other than that, the issues that the Member raises would, I think, cause us to review our own policies and see if there is some way to give consideration to some changes in light of what the Member has suggested. Thank you.

**MR. SPEAKER:** Thank you. Oral questions. The honourable Member for High Arctic.

**Question O488-91(1): Involvement Of Local Housing Authorities In Housing Contracts**

**MR. PUDLUK:** (Translation) Thank you, Mr. Speaker. My question is directed to the Minister responsible for the Housing Corporation. In the small communities there is usually a contract to build public housing units or when renovations are required on the public houses. I wonder if the local housing authorities usually join with the contractors when they are building those houses or when they are doing renovations. Thank you.

**MR. SPEAKER:** The honourable Member for Inuvik.

**Return To Question O488-91(1): Involvement Of Local Housing Authorities In Housing Contracts**

**HON. TOM BUTTERS:** Thank you, Mr. Speaker. My understanding, Mr. Speaker, with regard to the function of the housing associations or authorities in this particular situation, is that there is a communication between Housing Corporation officials and the housing authority with regard to the contract and the terms of the contract, and the scope of the project, and that the Housing Corporation welcomes direction and

advice regarding the manner in which the contract is carried out in the community. The issuance of the contract occurs as a result of a public tender and in such instance the lowest bid is accepted. I do believe there is a communication and consultation between the Housing Corporation and the board members of the authority or association.

**MR. SPEAKER:** Thank you. Oral questions. The honourable Member for Hudson Bay.

**Question O489-91(1): Sanikiluaq Nominee For Panel Reviewing James Bay II Project**

**MR. CROW:** Thank you, Mr. Speaker. Mr. Speaker, honourable Members will remember my comments early in March that the community of Sanikiluaq had provided a nominee for the environmental review panel dealing with the James Bay II project. My question will be directed to the Minister of Renewable Resources. Mr. Speaker, will the Minister advise the House as to whether the Sanikiluaq nominee has, in fact, been accepted as a member of the panel? Thank you.

**MR. SPEAKER:** Thank you. The honourable Member for Amittuq.

**Return To Question O489-91(1): Sanikiluaq Nominee For Panel Reviewing James Bay II Project**

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. Yes, we have forwarded the name of the nominated person of the community to the federal Environment Minister for appointment to the environmental assessment review panel that will be dealing with the James Bay II project. I am told that all the parties, including the Government of Quebec and the native organizations of northern Quebec, have to agree on the chairman before they start appointing the panel members. I am also told that in appointing a chairman, the members are not able to agree on a person; therefore the Minister is not willing to appoint the panel members until they have a chairman. Thank you.

**MR. SPEAKER:** Thank you. The honourable Member for Hudson Bay, supplementary.

**Supplementary To Question O489-91(1): Sanikiluaq Nominee For Panel Reviewing James Bay II Project**

**MR. CROW:** Thank you, Mr. Speaker. Mr. Speaker, can the Minister explain why he insisted that the community had only two days to come up with the name of a representative, if there was not going to be any action on the matter for over a month and a half? Thank you.

**MR. SPEAKER:** Thank you. The honourable Member for Amittuq.

**Further Return To Question O489-91(1): Sanikiluaq Nominee For Panel Reviewing James Bay II Project**

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. When I approached the Member to ask him to come up with a nominee to be part of the panel I only had two days. I had asked the federal Minister a month previous to approaching the Member that we be allowed to nominate a member to the panel that would be dealing with James Bay. When the Minister responded to my request, he said that he would give me until Friday, which was only two days, to come up with a name, otherwise the person whom we nominated would not have been considered. Thank you.

**MR. SPEAKER:** Thank you. Oral questions. The honourable Member for Yellowknife South.

**Question O490-91(1): Selection Process For Mine Occupational Health And Safety Committee**

**MR. WHITFORD:** Thank you, Mr. Speaker. I would like to direct a question to the Minister of Safety and Public Services concerning the process for the selection of the committee that is going to be reviewing the new Mining Safety Act and other safety-related matters. What is the process that will be used for selecting this committee?

**MR. SPEAKER:** Thank you. The honourable Member for Slave River.

**Return To Question O490-91(1): Selection Process For Mine Occupational Health And Safety Committee**

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker. As I indicated in the House a couple of days ago, I did write letters to the different mines and unions and requested a response, I believe, by May 1, 1991. As indicated in the act, the board shall consist of the following individuals: the chief mining inspector, who will be the chairperson; one labour representative from the nominees working at each mine; one management representative from nominees of management at each mine; two persons who in the opinion of the Executive, the Minister, myself, are knowledgeable in mining. The term of the members, as indicated in the act, will not exceed three years.

With respect to the process, once I receive the names of possible candidates to consider, from Nanisivik mine, Giant mine, Cominco mine, Echo Bay mine, Con mine, Colomac mine and Polaris mine, these names will be reviewed and I will be putting forth these names for consideration to the Executive Council.

**MR. SPEAKER:** Thank you. Oral questions. Honourable Member for Yellowknife South, supplementary.

**Supplementary To Question O490-91(1): Selection Process For Mine Occupational Health And Safety Committee**

**MR. WHITFORD:** Thank you, Mr. Speaker. I am not sure if the Minister answered the second part of the question. But who is going to make up the committee that will make the selection? You have all the names in, but who is going to make the decision as to who is going to be on that committee?

**MR. SPEAKER:** The honourable Member for Slave River.

**Further Return To Question O490-91(1): Selection Process For Mine Occupational Health And Safety Committee**

**HON. JEANNIE MARIE-JEWELL:** I was under the impression that I did answer it. I will make up the recommendations of the individuals who will sit on that committee and I will bring forth these recommendations to the Executive Council for consideration. Thank you.

**MR. SPEAKER:** Honourable Member for Yellowknife South, supplementary.

**Supplementary To Question O490-91(1): Selection Process For Mine Occupational Health And Safety Committee**

**MR. WHITFORD:** Thank you. I am to understand then it will be the Minister making the selection of the people. Will anybody who is going to be on that board be also on the selecting board to pick the members?

**Supplementary To Question O490-91(1): Selection Process For Mine Occupational Health And Safety Committee, Ruled Out Of Order**

**MR. SPEAKER:** Order please. I am having a difficult time with the question. The honourable Member is asking a question and I am having a difficult time in that I am not quite sure if the matter is hypothetical and asks whether or not a member of that committee could consider being part of the appointing process, which is the question that I got. I know that the matter of the Member is now noted, so I must rule the question out of order. Oral questions. Honourable Member for Aivilik.

**Question O491-91(1): Return Of Canadian Skeletons From Copenhagen**

**MR. ERNERK:** Thank you, Mr. Speaker. I would like to direct this question to the Minister responsible for Culture and Communications. Mr. Speaker, it is to do with skeletal remains in Copenhagen. I understand the 63 skeletons from our lands are now at the Penum Institute of Copenhagen and these people have agreed to review the request for the return of these skeletons to Canada.

Mr. Speaker, I am very pleased about the response. I want to ask the Minister how soon he expects to get a response from these parties concerned. Thank you, Mr. Speaker.

**MR. SPEAKER:** The honourable Member for Amittuq.

**Return To Question O491-91(1): Return Of Canadian Skeletons From Copenhagen**

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. We have requested a formal response from the Danish Ministry of Culture and they have not responded. I have no idea, at this point, how soon they will be able to respond to our formal request to start negotiating to repatriate the remains that are in the museum.

I understand that the initial contact through our officials has been quite positive from the Danish university, as well as the Danish government.

**MR. SPEAKER:** Oral questions. Honourable Member for Nahendeh.

**Question O492-91(1): Financial Support For Dene Regional Workshops**

**MR. SIBBESTON:** My question is for the Minister responsible for Constitutional Development. I know of a letter that was written to Mr. Kakfwi from the National Chief, Bill Erasmus of the Dene Nation, that the executive is seeking financial support to allow regional workshops to be held throughout the western part of the NWT. Has the Minister considered this request and what are his views on this matter?

**MR. SPEAKER:** The honourable Member for Sahtu.

**Return To Question O492-91(1): Financial Support For Dene Regional Workshops**

**HON. STEPHEN KAKFWI:** Mr. Speaker, I think we should clarify that the idea and the proposal for a commission was not one that I personally was selling to aboriginal leaders or that government was the principal advocate of such a creation. In fact it was a creation by agreement from amongst the leaders of the Dene Nation, Metis Association, the Inuvialuit and myself and the Justice Minister. The idea of a commission is not one that this government is saying, "Let us

set it up," but rather it is being called for by other members.

When we discussed this, the Dene Nation, the National Chief, as they call him, agreed to bring this recommendation and to recommend this formation of a commission to the chiefs at a leadership meeting. Based on that, we agreed to each go to our respective constituents and ask for a blessing for a creation of a commission.

A couple of hours ago I received a letter from the Dene Nation, which the Member probably received before me; it is from the National Chief of the Dene Nation, Mr. Bill Erasmus, saying the leadership meeting did not have time to reach a decision on whether or not they supported a commission, but rather that there was support for it, contrary to what the Member for Nahendeh was suggesting yesterday, that there was not one chief that spoke against it. In fact, rather historically, in my opinion, the elder from the Dene Nation, Alexis Arrowmaker, for once in his life, said that he thought that I had some good ideas.

---Laughter

All the chiefs who spoke from the South Slave, even the Deh Cho, said it was a good idea, a good suggestion and they just wanted some time to think about it.

Following the break-up of this meeting, the Dene Nation organized a conference call on Monday and again on Tuesday. Mr. Bill Erasmus tells me now, in his usual, general, weak wording, "There was general support, in principle, for the concept of a commission." I believe there is more than that. In my discussion with the chiefs that I have talked to, I think we have the support in principle for getting the commission established and under way. We still need to do some work on the terms of reference, but I think everybody agrees the work must begin and it should begin right away.

The letter suggests that they want ourselves as a government to fund regional workshops on constitutional development in each of the five regions. These workshops will allow the examination of the issues of constitutional development in more detail, especially the terms of reference for the proposed commission and possible Dene nominations for the commission. I believe that because of the nature of this work, that we are engaging this work not by ourselves as a government but in co-operation and agreement with the representatives of the Inuvialuit, the Dene Nation and the Metis Association, the Sahtu Tribal Council and the Gwich'in Tribal Council.

In all respect, we would have to advise them at the next meeting that we have a request for funding and that is the way that they also would want to begin the work because the work that we are suggesting be done and the vehicle we use, are dependent on all of us agreeing to work in a cohesive, coordinated fashion. In all respect, I am not rejecting it. I am simply suggesting I have to bring it to these groups to see if it falls in line with the way that they think the commission and the consultation process should take place. Thank you.

**DEPUTY SPEAKER (Mr. Gargan):** Thank you. Oral questions. Mr. Sibbeston.

**Supplementary To Question O492-91(1): Financial Support For Dene Regional Workshops**

**MR. SIBBESTON:** Mr. Speaker, it was not clear from Mr. Kakfwi's response whether he is in support of the concept idea of having regional workshops to be in the process of constitutional discussions in the West. It was not clear from his statement whether he was in support of that approach, or what, and I would just like to ask him again, would the

Minister be agreeable to fund regional workshops, regional meetings to deal with constitutional development as a first step toward a full-scale constitutional development discussion process in the West?

**MR. DEPUTY SPEAKER:** Thank you. Mr. Kakfwi.

**Further Return To Question O492-91(1): Financial Support For Dene Regional Workshops**

**HON. STEPHEN KAKFWI:** Mr. Speaker, in my view, all of us that made an agreement have got to stick to the agreement. We agreed that we are not going to be requesting money at this time, that we should create through the Societies Act an institution that would be arm's length from government, from the Dene Nation, from everybody. This commission would decide what type of a budget would be required for this commission to do its work and to assist communities and regions and the aboriginal organizations to take part in the discussion and the debate about political and constitutional development. That is what I am suggesting. I do not like to deal in concepts.

It is a very real funding proposal that has come back here and I am suggesting that this would go to the group of western leaders that have been meeting in the last while. I will probably be writing back to Mr. Erasmus suggesting this was not part of the original deal. He still has his part of the deal to complete which is to recommend and get a decision from the chiefs on whether they agree with the establishment of a commission or not and I have yet to see a definitive statement. If it is deferred until May or June, that is fine but not to come back and say, "Well it all depends on whether we get more money to have regional workshops or not." He has the prerogative to bring the suggestion forward to the original group that made the agreement. Thank you.

**MR. DEPUTY SPEAKER:** Thank you. Mr. Sibbeston.

**Supplementary To Question O492-91(1): Financial Support For Dene Regional Workshops**

**MR. SIBBESTON:** Mr. Speaker, then just for clarity again, I would like to ask the Minister whether, on the face of it, he is rejecting the proposal by the Dene Nation inasmuch as they agree in principle with the concept of a commission, because of the way it stated tying the commission to regional meetings in advance of formally accepting the commission -- whether the Minister is, at this stage, rejecting the letter that has been sent by Bill Erasmus and the proposal they are in.

**MR. DEPUTY SPEAKER:** Mr. Kakfwi.

**Further Return To Question O492-91(1): Financial Support For Dene Regional Workshops**

**HON. STEPHEN KAKFWI:** Mr. Speaker, I am not rejecting anything. I am simply suggesting I do not want to take apart the working arrangement, as frail as it is, that we have established with the other native organizations in recent weeks. I am not interested in entertaining funding proposals separately from different regions, from different organizations, from different communities. There is a reason why we are suggesting that we start with the establishment of a commission: that this commission will recommend to us and to the Dene Nation and to the Metis Association and to the Inuvialuit as well as this Legislature, the way in which consultation workshops, conferences should be held and what kinds of funds would be required to do this kind of work. I do not want to be presiding over who gets what funds for what type of work. I think it is primarily the responsibility that I would like to share with the other aboriginal leaders and representatives. That is the response. Thank you.

**MR. DEPUTY SPEAKER:** Thank you. Oral questions. Mr. Whitford.

**Question O493-91(1): High Cost Of New Drivers' Licences**

**MR. WHITFORD:** Thank you, Mr. Deputy Speaker. I have a question I would like to direct to the Minister responsible for Transportation. I was very pleased, Mr. Speaker, a while ago to participate in the inauguration of the new pictured licence, driver's licence. There is some public response to that. They were very pleased and absolutely delighted and could hardly wait until the expiration of their old paper licence so that they could get the new ones. However, when I mentioned the price as to how much it is going to be costing them for this, their happiness turned to concern and I would like to ask the Minister, why did he sort of have this fly in the ointment here -- why is he charging \$60 which is the highest in Canada for a five-year driver's licence? Thank you.

**MR. DEPUTY SPEAKER:** Mr. Wray.

**Return To Question O493-91(1): High Cost Of New Drivers' Licences**

**HON. GORDON WRAY:** Thank you, Mr. Speaker. I could say it is because I listened to the Member and implemented his idea, but I will not. Essentially to cover the cost, Mr. Speaker. This is a fairly expensive project. It is going to cost us between \$160,000 and \$200,000 and it is an attempt to recover some of the costs. The present licence fee is \$10 per year so really what we are talking about is a two-dollar-a-year increase over the next five years. I do not think \$10 over five years is that excessive an increase. The \$60 is for five years. It is not a one-year licence. It is an attempt to cover the costs and at the same time to build in a little bit of inflation because our licences would have been going up anyway if we had stayed with the paper ones. It is cost and inflation.

**MR. DEPUTY SPEAKER:** Thank you. Mr. Whitford.

**Supplementary To Question O493-91(1): High Cost Of New Drivers' Licences**

**MR. WHITFORD:** Thank you, Mr. Speaker. I guess the mathematics of it is quite straightforward. However, the simple fact is that only once in five years will the motorists have to go down and get this licence and only once in that five years his staff will actually be working on these licences. So I cannot see an escalation in costs. I wonder if he would at least reconsider that new fee structure.

**MR. DEPUTY SPEAKER:** Mr. Wray.

**Further Return To Question O493-91(1): High Cost Of New Drivers' Licences**

**HON. GORDON WRAY:** Thank you, Mr. Speaker. No, I will not reconsider it. Thank you.

---Laughter

**MR. DEPUTY SPEAKER:** Thank you, Mr. Wray. Oral questions. Mr. McLaughlin.

**Question O494-91(1): Victims Of Assault To Remain In Their Residence**

**MR. McLAUGHLIN:** Thank you, Mr. Speaker. I would like to pursue my questions earlier concerning spousal and child abuse victims who are further victimized by the system. I would like to address the question to the Minister of Social Services since it is her department which is in a way a victim

of the system because it is her department that has to come up with the funds for the victims of spousal and child abuse when it occurs to somebody within the home.

Would the Minister consider pursuing, and I believe she has already done some work in this area with the Minister of Justice, some sort of legislation which would cause the person who is the attacker in a family situation, whether it is spousal assault or child abuse, that once that person has been charged, regardless of the ownership of the house or the rental arrangement of the residence, the victims would be allowed to remain in the house once a charge has been laid. I am being very careful to say "spouse" because there have been cases where wives have attacked their husbands and there have been cases where mothers have attacked their children as well.

What I would like to do is have a situation where the perpetrator is removed from the domestic house, rather than the victim or victims. I would like to ask the Minister as to how far she has gone in this area and would she pursue this further with the Minister of Justice and her colleagues on the legislative and house planning committee.

**MR. DEPUTY SPEAKER:** Mrs. Marie-Jewell.

**Return To Question O494-91(1): Victims Of Assault To Remain In Their Residence**

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker. Mr. Speaker, I have had some discussions with respect to this issue with my colleague, the Minister of Justice, and I will indicate to the Member that I will pursue this issue further, and will advise him later on what progress we will be making. Thank you.

**MR. DEPUTY SPEAKER:** Thank you. Mr. McLaughlin, supplementary.

**Supplementary To Question O494-91(1): Victims Of Assault To Remain In Their Residence**

**MR. McLAUGHLIN:** As a supplementary, Mr. Speaker, because I am not just talking about housing and joint tenancy here, I am talking about further victimization of the victims, I would like to ask the Minister if she would also pursue with the Minister in this area some sort of system in law, or at least in procedures in the court system or legal system, that would result in a situation where all the people who are involved in these family abuse situations would be made aware -- in other words a system could be created and everybody could be made aware of it, through law if necessary -- that once one of the adults in the household has been charged, a situation would exist where the attacker would be encouraged, after a charge has been laid, to volunteer to go into a program which would remove the attacker from the community and into counselling, rather than remove the victims from the community and into...

**SOME HON. MEMBERS:** Ask the question.

**MR. McLAUGHLIN:** I asked the Minister, will she consider pursuing, with the Minister of Justice, a program where -- it was a long question, one big long sentence -- the victims are able to remain and the person who does the assaulting...

**AN HON. MEMBER:** Good speech, Bruce!

**MR. DEPUTY SPEAKER:** Thank you, Mr. McLaughlin. Madam Minister.

**HON. JEANNIE MARIE-JEWELL:** Mr. Speaker, as I had indicated earlier, I have had preliminary discussions with my

honourable colleague, the Minister of Justice, and for further consideration of this I will take it under notice.

**MR. DEPUTY SPEAKER:** Thank you. Oral questions. Mr. Ernerk.

**Question O495-91(1): Financial Assistance For Video On Suicide Prevention**

**MR. ERNERK:** (Translation) Thank you, Mr. Speaker. This question is directed to the Minister of Social Services. Mr. Speaker, organizations such as Pauktuutit and IBC, Inuit Broadcasting Corporation, are trying to make a video about better living. This is information about the prevention of suicide. I like the idea of what they are doing and I really support them. I would like to ask the Minister, while this video is being prepared, did the Government of the Northwest Territories give financial assistance for this project? Thank you, Mr. Speaker.

**MR. DEPUTY SPEAKER:** Mr. Patterson.

**HON. DENNIS PATTERSON:** Mr. Speaker, I believe we did but, out of an abundance of caution, I should take the question as notice and come back with the details. Thank you.

**MR. DEPUTY SPEAKER:** Thank you. The question is taken as notice. Oral questions. Mr. Crow.

**Question O496-91(1): Minister's Visit To Sanikiluaq Re Polar Bear Quotas**

**MR. CROW:** (Translation) Thank you, Mr. Speaker. My question is directed to the Minister of Renewable Resources. Mr. Speaker, the Minister of Renewable Resources probably recalls that at the end of November he was in Iqaluit and he went on CBC radio, the program Tausunni. He stated that he was going to do a community tour regarding polar bear quotas. Since he indicated on the radio that he would be visiting the communities, the polar bear hunters of Sanikiluaq have been asking when the Minister of Renewable Resources will be coming to Sanikiluaq. I wonder if he can indicate to me the date and time when he will be visiting Sanikiluaq to talk about polar bear quotas. Thank you.

**MR. SPEAKER:** Thank you. The honourable Member for Amittuq.

**Return To Question O496-91(1): Minister's Visit To Sanikiluaq Re Polar Bear Quotas**

**HON. TITUS ALLOOLOO:** (Translation) Thank you, Mr. Speaker. I have tentatively scheduled my visit to Sanikiluaq for around the second week of May and I will make every effort to make it at that time, and once I have that confirmed I will inform the Member for Hudson Bay.

**MR. SPEAKER:** Thank you. Oral questions. The honourable Member for Deh Cho.

**Question O497-91(1): Apology From BC Government Re Kitty Nowdluk-Reynolds**

**MR. GARGAN:** Mr. Speaker, I was going to direct my question to the Minister of Justice, but I will direct it to the Government Leader. I would first of all like to thank the G Division of the RCMP for making an apology to Kitty Nowdluk.

But the main complaint on my statement is with regard to the way she was treated by the E Division in Vancouver. One of the things was that when the RCMP went to their house and

talked to the husband, the husband was white and treated with respect, but as soon as they saw that Kitty was an Inuit woman, they changed their attitude toward her quite dramatically, even going as far as when she wanted to go to the washroom, the RCMP suggested that they had to be in there with her. When she came back to Vancouver she was dropped off on the side of the road, given 60 cents and told to catch a bus from there back to Surrey.

This was the treatment given to her by E Division and E Division has refused to make a public apology to this lady. I would like to ask the Government Leader if this government will send a strong message to the BC government with regard to the way the RCMP handled this case.

**MR. SPEAKER:** Thank you. The honourable Member for Iqaluit.

**Return To Question O497-91(1): Apology From BC Government Re Kitty Nowdluk-Reynolds**

**HON. DENNIS PATTERSON:** Mr. Speaker, the Minister of Justice did make a statement on this matter yesterday. He did point out that the matter has been referred to the RCMP public complaints commission and I would hope that the serious concerns of the Member, which are shared by the government, would be thoroughly looked into through that process.

I would also like to reiterate that Mr. Ballantyne has also used his good offices with his department and the RCMP to further ask the RCMP to conduct a formal investigation into the matter, including all aspects; including the treatment of the complainant in British Columbia.

So Mr. Speaker, I can assure the Member that we are doing everything we can to see that those matters are addressed through two processes: the RCMP complaints process and through internal investigation.

**MR. SPEAKER:** Honourable Member for Baffin Central.

**Question O498-91(1): Grand Opening Of Weaving And Print Shop, Pangnirtung**

**MR. KILABUK:** (Translation) Thank you, Mr. Speaker. This is a question to the Minister of Economic Development and Tourism. It is going to require a quick answer. You are aware, Mr. Minister, that in my community there is a weaving shop and a print shop and the construction is completed. Would you be able to go to my community this month for an official opening of that shop? We are expecting you and if you would agree to come for the official opening ceremony we would be very glad to have you.

**MR. SPEAKER:** Member for Kivallivik.

**Return To Question O498-91(1): Grand Opening Of Weaving And Print Shop, Pangnirtung**

**HON. GORDON WRAY:** Thank you, Mr. Speaker. I am attempting to arrange my schedule so I will be able to come to Pangnirtung. I am also attempting to arrange to see if I can get the federal Minister, who is also partially responsible for funding, to come as well.

**MR. SPEAKER:** Honourable Member for Aivilik.

**Question O499-91(1): Additional Doctor For Keewatin Region**

**MR. ERNERK:** (Translation) Thank you, Mr. Speaker. This is a question to the Minister of Health. I am very grateful to

the Minister for responding quickly to my questions. Mr. Speaker, can the Minister inform me whether they have been interviewing or trying to attempt to get another doctor to be stationed in the Keewatin Region? Thank you.

**MR. SPEAKER:** Honourable Member for Nunakput.

**Return To Question O499-91(1): Additional Doctor For Keewatin Region**

**HON. NELLIE COURNOYEA:** Mr. Speaker, the situation as I reported earlier, has not changed in following up with the Keewatin Health Board. They will be continuing with one resident doctor in Rankin Inlet and they have a comprehensive contract with the University of Manitoba, which provides on contract, doctor visiting services. It is the intention of the Keewatin Health Board to continue the way they are presently delivering physician services to the region, until they get a more comprehensive plan on where they want to go with the delivery of health services in the Keewatin Region. Thank you.

**MR. SPEAKER:** Oral questions. Item 6, written questions. Honourable Member for Hudson Bay.

**ITEM 6: WRITTEN QUESTIONS**

**Question W12-91(1): Department Of Social Services' Assistance To Projects In Sanikiluaq**

**MR. CROW:** Thank you, Mr. Speaker. Mr. Speaker, I have a written question for the Minister of Social Services. Will the Minister please provide:

- 1) A summary of funding provided to projects in the hamlet of Sanikiluaq over the past four years for alcohol and drug, youth initiatives, family violence, suicide prevention, community mental health or community corrections grants and contributions programs.
- 2) The number of times during the past two years that the hamlet of Sanikiluaq has been visited by a community corrections specialist, a community alcohol and drug specialist, an alcohol and drug consultant, or a director of any division in the Department of Social Services, and the number of days spent in the community on each visit.
- 3) The number of shelters for victims of violence, foster homes or child care facilities funded by the Department of Social Services in the hamlet of Sanikiluaq.

Thank you, Mr. Chairman.

**MR. SPEAKER:** Written questions. Item 7, returns to written questions. Honourable Member for Iqaluit.

**ITEM 7: RETURNS TO WRITTEN QUESTIONS**

**Return To Question W8-91(1): Guidelines Of The Principal Secretary In The Matter Of Elections**

**HON. DENNIS PATTERSON:** Mr. Speaker, I have a return to Question W8-91(1) asked by Mr. Gargan March 12th, concerning guidelines of the principal secretary in the matter of elections.

- 1) The principal secretary has not received any instructions regarding discussion of candidates with any residents or organizations.
- 2) The principal secretary has not been given any instructions regarding solicitation of candidates with any residents or organizations.
- 3) No specific instructions or guidelines have been given by myself to guide the conduct of the principal secretary in the

matter of elections. This was not considered necessary since under cabinet approved direction, all ministerial staff who serve at the Minister's pleasure may not engage in election campaign activities during normal working hours or on government premises. This direction applies to the principal secretary. The direction has also been made previously available to Members of the House. Thank you.

**MR. SPEAKER:** Returns to written questions.

Item 8, replies to Opening Address. Item 9, petitions. The honourable Member for Iqaluit.

#### ITEM 9: PETITIONS

**HON. DENNIS PATTERSON:** My heart is not in this one, Mr. Speaker, but I do rise to table Petition 17-91(1), a petition from a mere 80 residents of Iqaluit who demand the reopening of the liquor store in Iqaluit, which I do not support. Thank you.

**MR. SPEAKER:** Just to indicate to the honourable Member that there is a process in the rules that allows the honourable Member to have any petition tabled without him personally tabling the document, as long as he files it with the Clerk. Petitions. The honourable Member for Aivilik.

**MR. ERNERK:** Thank you, Mr. Speaker. I would like to table Petition 18-91(1), which contains 34 signatures and it is from the employees of the hamlet of Chesterfield Inlet who are seeking support from myself as a Member of the Legislative Assembly for a one-time contribution from the Minister of Municipal and Community Affairs to remove the burden of debt on their municipality. Mr. Speaker, my heart is in this one and I support it. Thank you.

**MR. SPEAKER:** Petitions.

Item 10, reports of standing and special committees. Item 11, tabling of documents. The honourable Member for Aivilik.

#### ITEM 11: TABLING OF DOCUMENTS

**MR. ERNERK:** (Translation) Thank you, Mr. Speaker. I would like to table Tabled Document 98-91(1), Special Issue on Suicide, a newsletter from the Pauktuutit Inuit Women's Association of Canada; as well I wish to table Tabled Document 99-91(1), a resolution on suicides from the Pauktuutit Inuit Women's Association; and Tabled Document 100-91(1), "Inuutsiarniq", The Good Life, a proposal by Pauktuutit, the Inuit Women's Association, to produce a docu-drama on suicide prevention.

**MR. SPEAKER:** Tabling of documents. The honourable Member for Deh Cho.

**MR. GARGAN:** Mr. Speaker, I would like to table Tabled Document 101-91(1), Access to Information Act, for the public.

**MR. SPEAKER:** Thank you. Tabling of documents. Mr. Clerk.

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Speaker, pursuant to Rule 57(10), I wish to table Tabled Document 102-91(1), response to Petition 7-91(1); Tabled Document 103-91(1), response to Petition 8-91(1); and Tabled Document 104-91(1), response to Petition 9-91(1).

**MR. SPEAKER:** Tabling of documents. Honourable Member for Rae-Lac la Martre.

**MR. ZOE:** Thank you, Mr. Speaker. I would like to table Tabled Document 105-91(1), a press release by the Dogrib Rae Band Council in regard to proposed commission.

**MR. SPEAKER:** Tabling of documents. The House stands recessed for 15 minutes.

--SHORT RECESS

I would like to call the House back to order. Item 12, notices of motions. The honourable Member for Aivilik.

#### ITEM 12: NOTICES OF MOTIONS

**Notice Of Motion 16-91(1): Public Consultation On Proposed Nunavut Territory**

**MR. ERNERK:** Thank you, Mr. Speaker and honourable Members. On Monday, April 22, 1991, I will move the following motion: I move that this Legislative Assembly recommends to the Executive Council that consideration be given to developing a public process, in consultation with Tungavik Federation of Nunavut, for public consultation on the Nunavut territory in the communities of the proposed Nunavut territory. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you. Notices of motions. The honourable Member for Baffin Central.

**Notice Of Motion 17-91(1): Plebiscite Approving Boundary For Eastern And Western Territories**

**MR. KILABUK:** (Translation) Thank you, Mr. Speaker and fellow colleagues. Mr. Speaker, I wish to give notice that on Tuesday, June 25, 1991, I will move a motion, seconded by the Member for High Arctic, that this Legislative Assembly requests the Executive Council to develop for introduction during this session of the Legislative Assembly, amendments to the Plebiscite Act which would permit the holding of a plebiscite approving the boundary that would divide the future western and eastern territories; and further, that the plebiscite be held prior to the ratification of the TFN land claim final agreement.

This is the motion that I will be moving. Thank you.

**MR. SPEAKER:** Thank you. Notices of motions. The honourable Member for Slave River.

**Notice Of Motion 18-91(1): Establishment Of Commission On Western Constitutional Development**

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker. I give notice that on Tuesday, June 25, 1991 I shall move the following motion: Now therefore, I move, seconded by the honourable Member for Rae-Lac la Martre, that a commission on western constitutional development be established under the authority of the Legislative Assembly to recommend a constitution to the Legislative Assembly for a future western territory for ratification by the residents of the future western territory; and further, that the Executive Council develop, in consultation with the working group of western political leaders, the terms of reference for a commission on western constitutional development for presentation and adoption during the eighth session of the 11th Legislative Assembly. Thank you.

**MR. SPEAKER:** Thank you. Notices of motions.

Item 13, notices of motions for first reading of bills. Item 14, motions. Motions. The honourable Member for Aivilik.

#### ITEM 14: MOTIONS

**MR. ERNERK:** Mr. Speaker, I seek unanimous consent to proceed with my motion which I gave notice of earlier. Thank



you, Mr. Speaker.

**MR. SPEAKER:** Thank you. The honourable Member is seeking unanimous consent to proceed with his motion that he gave notice of. Are there any nays? Point of order. The honourable Member for Deh Cho.

**MR. GARGAN:** Mr. Speaker, can I get a copy of the motion, please?

**MR. SPEAKER:** I just want to point out that I do have concerns about the vagueness of the motion; however, it is not the responsibility of the Speaker to rule a motion out of order based on vagueness. The motion is in order.

The honourable Member is seeking unanimous consent to proceed with Motion 16-91(1). Are there any nays? Are there any nays? There are no nays. The honourable Member for Aivilik, you have unanimous consent to proceed with the motion.

**Motion 16-91(1): Public Consultation On Proposed Nunavut Territory**

**MR. ERNERK:** Thank you, Mr. Speaker. Thank you honourable Members.

I MOVE, seconded by the honourable Member for Baffin South, that this Legislative Assembly recommends to the Executive Council that consideration be given to developing a public process, in consultation with the Tungavik Federation of Nunavut, for public consultation on the Nunavut territory in the communities of the proposed Nunavut territory.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you. The motion is in order. To the motion. The honourable Member for Aivilik.

**MR. ERNERK:** (Translation) Thank you, Mr. Speaker. Thank you, my fellow colleagues, for giving unanimous consent with regard to the motion. This is a motion that is directed to the Government of the Northwest Territories to consider the land claims agreement and to consult with TFN on the kind of government they would want to have and to see in the Nunavut area. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you. The honourable Member for Baffin South.

**MR. ARLOOKTOO:** (Translation) Thank you, Mr. Speaker. I seconded the motion and I will be saying the words that my colleague has said. I am very happy with this motion and I am quite satisfied with it. Thank you.

**MR. SPEAKER:** Thank you. To the motion. The honourable Member for Kivallivik.

**HON. GORDON WRAY:** Thank you, Mr. Speaker. While I will be abstaining on this motion, because it is a recommendation to the Executive Council, I would like, on record, to say that I support the intent of this motion. While Nunavut is still a little bit away down the road, we are moving toward it, and I would suggest that very soon after the election the Nunavut MLAs will have to get together with TFN to decide on the kind of process that we in the East are going to use to determine things like the type of legislature we are going to have, the number of MLAs, which areas are going to be represented, whether we are going to have a centralized or decentralized government. There are many, many questions, even the basic question of where the capital is going to be, that have to be decided and have to be decided

fairly well ahead of time because it is going to mean some major changes.

In the Eastern Arctic in particular, we are going to need three or four years' lead time even to do basic things like build buildings; so it is something that we are going to have to start very soon, and while recognizing that in the West you have different problems -- a similar process but maybe different problems that you are going to have to tackle -- we also have problems that we are going to have to tackle in the East. There is going to have to be a commission or some kind of consultation process that involves the political representatives of the people and the aboriginal organizations. I very much welcome this motion, and I think that over the coming few months, but particularly after the election, it is something that we will have to start looking at kicking into high gear. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you. To the motion. The honourable Member for High Arctic.

**MR. PUDLUK:** (Translation) Thank you, Mr. Speaker. I will be supporting this motion as well. During the early 1980s we worked very hard to get our land claims to proceed, and I was one of the people that was involved in this. At that time I figured that our land claims might become a reality. I think we are working toward it today, and I think it is finally going to become a reality soon. I will be supporting this motion. As to what kind of government we will have within our Nunavut territory, I am sure we will be discussing these matters with TFN and other native organizations. Looking at the consultation processes, I feel that it is within our grasp now. However, at the time when we first started, it was going to be a long battle to try and get what we really want. I am very happy about this motion and I will be supporting it, Mr. Speaker.

**MR. SPEAKER:** Thank you. To the motion. To the motion. The honourable Member for Aivilik, final remarks.

**MR. ERNERK:** (Translation) Thank you, Mr. Speaker. I do not have any more comments on it, and I am very grateful to the people that will be supporting this motion. Thank you.

**Motion 16-91(1), Carried**

**MR. SPEAKER:** To the motion. All those in favour? All those opposed? The motion is carried.

---Carried

---Applause

Motions. The honourable Member for Slave River.

**HON. JEANNIE MARIE-JEWELL:** Mr. Speaker, I seek unanimous consent to deal with my motion today, please.

**MR. SPEAKER:** Thank you. The honourable Member for Slave River is seeking unanimous consent to proceed with the motion that she gave notice of today, Motion 18-91(1). Are there any nays? There are no nays. Proceed, honourable Member for Slave River.

**Motion 18-91(1): Establishment Of Commission On Western Constitutional Development**

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker, and thank you, honourable Members.

WHEREAS the Executive Council on February 25, 1991 tabled A Position Paper on Political and Constitutional Development, which affirms a comprehensive approach

to current initiatives contributing to the political and constitutional development of the Northwest Territories with a target date of 1997 for the finalization of these initiatives;

AND WHEREAS the development of a constitution for a future western territory to be created upon the division of the Territories is a critical element of the comprehensive approach;

AND WHEREAS a working group of western political leaders has recommended the establishment of a commission on western constitutional development and considered terms of reference for such a commission;

NOW THEREFORE, I move, seconded by the honourable Member for Rae-Lac la Martre, that a commission on western constitutional development be established under the authority of the Legislative Assembly to recommend a constitution to the Legislative Assembly for a future western territory for ratification by the residents of the future western territory;

AND FURTHER, that the Executive Council develop, in consultation with the working group of western political leaders, the terms of reference for a commission on western constitutional development for presentation and adoption during the eighth session of the 11th Legislative Assembly.

**MR. SPEAKER:** The motion is in order. To the motion. The honourable Member for Slave River.

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker. I believe that the motion is basically self-explanatory. We are all discussing a process of how to deal with this issue, and I seek Members' consent on the process.

**MR. SPEAKER:** Honourable Member for Rae-Lac la Martre.

**MR. ZOE:** Thank you, Mr. Speaker. I would like to draw the attention of the Members to the comments that I made yesterday. I indicated that the commission was a good idea and in my statement in regard to the constitutional and political development paper that was tabled by the government I suggested we should get the ball rolling.

I think this motion that has been put forward by my colleague for Slave River undertakes that understanding of what I indicated in my statements. I would encourage my colleagues to support us on this motion.

**MR. SPEAKER:** To the motion. The honourable Member for Nahendeh.

**MR. SIBBESTON:** Yesterday we had a debate on the constitutional and political development paper that the government had before us. Members know my feelings on the subject of a constitutional commission. I said that I did not think the time was right, now, to set up a commission. I indicated that I was not against it in principle. I think we have a lot of work to do here in the West and through time, after the election, we ought to get down to business in whatever fashion and form we deem appropriate then to set up the constitutional process.

However, I must say that yesterday I did not have the benefit of the Dene Nation's position on this. I was aware that the Dene Nation and chiefs were considering it, and it was my impression that they were not that enthusiastic about embarking on a constitutional commission at the time. But I am persuaded by the letter that the Dene Nation has provided to Mr. Kakfwi today. The letter states that the Dene Nation

agrees with the concept of a commission. They agree in principle with that. They would have liked to do some groundwork, some preliminary developmental work, having regional workshops, and I am hoping that this will be possible. I am hoping that the Minister responsible for this matter, in the next few weeks and months, as he deals with the matter and as the commission is established and as he is told that there is need for developmental work in the communities, that he will agree to provide funds to the Dene and Metis people in the communities so they can do some thinking and begin the process on constitutional development here in the West.

I am persuaded by this letter. It seems like the Dene Nation and the chiefs are ready to proceed. My statement to Mr. Kakfwi is: If you can persuade people, if you can persuade the population of the West this summer to get on with the task, then I will give him credit and I will support him in his endeavour and wish him well. It is just that I did not think that there had been any discussions up until now and I did not really think people would be willing to do this. But if the government can persuade the people in the West that this is a matter of sufficient importance that they should get at it even this summer, then that will be fine and beneficial. It just starts the process off earlier than what I anticipated.

So I wholeheartedly support the establishment of a commission today and I wish the government well in its dealings with the Dene/Metis and the non-native people here in the North, that they set up a constitutional commission and that they get going on it.

I am aware in reading the motion that there is need for consultation. Mr. Kakfwi and the government will have to work with western political leaders and they will have to provide for terms of reference and things of that sort and eventually report back to us.

I understand this motion is to give the Minister authority to begin discussions with the political leaders to set up a commission, but that he must return to our Assembly in June with terms of reference, which we, as an Assembly, can adopt and approve. And that is what I see us approving here today and I wish the Minister well in that regard. Mahsi.

---Applause

**MR. SPEAKER:** To the motion. Honourable Member for Pine Point.

#### Representation On Commission For Various Interest Groups

**MR. McLAUGHLIN:** Thank you, Mr. Speaker. I would like to speak in favour of the motion. When the federal funding was cut off from the Constitutional Alliance, this resulted in no such forum because it also caused the Western Constitutional Forum to disappear, which was made up of the Dene, the Inuvialuit, the Metis and non-native interests in the NWT in the western part, who are all going to have to live together and co-operate in the future under a new constitution if division occurs. I would just hope that in consideration of appointments to the commission being proposed, that all of these interests will once again be represented in a manner that they can co-operatively and unanimously pursue objectives for the good of everybody in the NWT, in the western territory, after division occurs. Thank you, Mr. Speaker.

**MR. SPEAKER:** To the motion. The honourable Member for Tu Nede.

**MR. MORIN:** Thank you, Mr. Speaker. You caught me a

little by surprise today when you asked for unanimous consent to deal with this motion when it is still being dealt with in committee of the whole and all Members have not had the opportunity as yet to speak to the paper that was tabled in committee of the whole. But I am glad to finally see a motion. I heard the government had some type of proposal or some type of motion drafted to present to this House on this important issue.

As ordinary Members, we got the discussion paper that was tabled on February 25th. That is the information we got. Anything else, we probably would have had to phone CBC to get it because the Ministers found it in their great wisdom not to relay any of that other information to us. That, Mr. Speaker, is what really bothered me. It is not development of a commission. It is the way the Executive Members that were in charge of this handled the whole situation.

Mr. Kakfwi, Minister responsible for Political and Constitutional Development, yesterday started off his speech in committee of the whole with, "I remind the MLAs of a famous quote by a philosopher named Edmund Burke..." and went on to talk about, "...fellow Christians to take heed of this." He said, 'The only thing necessary for the triumph of evil is for good men to do nothing.' And I think it is incumbent upon us to wake up all good men and women and make sure they do not succumb to apathy and become too complacent in their duties." I am glad to see that Mr. Kakfwi finally woke up and smelled the coffee and is doing something.

I say back to him as well as his Ministers that are responsible for this -- and I do not talk to all you Ministers, just those that are responsible for presenting this whole issue to this House -- that you can fool some of the people all of the time, you can fool all of the people some of the time, but you cannot fool all the people all of the time. I am thoroughly convinced, Mr. Speaker, that this motion they presented, the timing of it -- this is not a new issue, this is what aboriginal people have been asking for the past 10 years and now, so late in our mandate, they decide to deal with it. I am thoroughly convinced, for those that are grasping for straws and looking at re-election, that they are using this issue for that. Some of us do not need to do that because we have done our work for the past four years. I will support the motion because I do not want to hold up the process that will be beneficial to the people I represent. All I am saying is that I am completely disgusted with the way the Executive Council handled and presented it to this House. Mahsi cho.

**MR. SPEAKER:** Thank you. To the motion. The honourable Member for Yellowknife South.

**MR. WHITFORD:** Thank you, Mr. Speaker. I, too, will be supporting the motion. I am a bit surprised it is coming about at this point in time. I have to correct what one of the Members said earlier on, that the Members debated this yesterday. Some of the Members debated this yesterday, and some of the Members also would not extend the time to allow us to have a word in. I think it is going to be a little bit too late after this vote is done to go back to debating it. I wanted to see, and that was my intention anyway, was to see this committee struck and get on with the work that is necessary to put the Northwest Territories well into the future instead of where we are now. There is a lot to be done in a short period of time, and I fully support this constitutional and political argument that is going to take place. I only regret that I did not have a chance to say something yesterday when the opportunity was right, but I will be supporting the motion and I certainly would like to see a recorded vote on it.

**MR. SPEAKER:** Thank you. To the motion. The honourable Member for Deh Cho.

**MR. GARGAN:** Mr. Speaker, I only saw a copy of the motion this afternoon. Most Members are aware of my position on it with regard to constitutional and political development. There was a gentleman just a year ago, Mr. Chairman, that killed the whole process of the Meech Lake Accord; and he did it on a basis of parliamentary process. The gentleman's name is Elijah Harper, from Manitoba. He was able to kill this process based on this concern over aboriginal people. I have no objection to the motion, but this is a significant motion. It will affect a lot of people and it would have been better for Members to have been given the proper notice of a motion like this. Basically, Mr. Speaker, that was what killed the Meech Lake Accord; the government chose not to follow parliamentary procedures and was able to kill such an important constitutional discussion. I have no problem with the motion, Mr. Speaker, but I will not support nor vote against the motion.

**MR. SPEAKER:** Thank you. To the motion.

**AN HON. MEMBER:** Question.

**MR. SPEAKER:** Question has been called. Recorded vote has been requested. Right of last remarks. The honourable Member for Slave River.

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker. Mr. Speaker, in my closing remarks, I am pleased to hear the Members in general support this motion put forth today. I sincerely believe that we are in a critical era of trying to deal with the constitutional development of the North and I, too, like the Member for Yellowknife South, did not have a chance to speak on the issue yesterday. However, I feel that learning, in respect to developing a commission, and hearing the viewpoints of all territorial residents is critical to this Legislative Assembly, and I further feel that we now all agree with the concept of getting on with the work and implementing the process and coming forth with some type of solution as to how we want to deal with this issue on the advice of, not only this Assembly, but most importantly, the residents of the Territories. Thank you.

**MR. SPEAKER:** Thank you. To the motion.

**AN HON. MEMBER:** Question.

**Motion 18, Carried**

**MR. SPEAKER:** Question has been called. Recorded vote has been requested. All those in favour? Please rise.

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Crow, Mr. Arlooktoo, Mr. Kilabuk, Mr. Pollard, Mr. Zoe, Mr. Sibbeston, Mr. Morin, Mr. Pudluk, Mr. Ernerk, Mr. Whitford, Mr. McLaughlin.

**MR. SPEAKER:** All those opposed to the motion? All those abstaining from the motion?

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Wray, Mr. Allooooloo, Mr. Patterson, Mr. Kakfwi, Mr. Butters, Mrs. Marie-Jewell, Mr. Gargan.

**MR. SPEAKER:** Record of the recorded vote, 11 in the affirmative, no opposition, seven abstentions. Motion is carried.

---Carried

---Applause

**MR. SPEAKER:** Point of order. The honourable Member for Nahendeh.

**MR. SIBBESTON:** Mr. Speaker, just on a point of order. I am wondering what the effect is of a motion being made by a Member, and a Member not voting in favour of it, in fact abstaining. I just want that for clarification. Maybe you can advise the Members here if that is proper.

**MR. SPEAKER:** Thank you. I will consider the matter with regard to the point of order that the honourable Member for Nahendeh has raised, and I will report back to the House accordingly.

Motions. The honourable Member for Baffin Central.

**MR. KILABUK:** (Translation) Mr. Speaker, I seek unanimous consent to deal with the motion that I introduced, that I tabled.

**MR. SPEAKER:** Point of order. The honourable Member for Deh Cho.

**MR. GARGAN:** Mr. Speaker, I just want a copy of the motion.

**MR. SPEAKER:** The honourable Member for Baffin Central is seeking unanimous consent to proceed with the motion that he gave notice of today, Motion 17-91(1). Are there any nays? I hear a nay. We cannot proceed with the motion today. Order please.

I just want to indicate to the honourable Members that despite the fact that these motions have been pursued today, that I would really appreciate it if there would be a better process in which motions are introduced in this House and that all Members, receive notices of those motions. I think that some of the confusion and disagreement that has occurred today and over the past couple of days, has been a result of the improper introductions of motions in this House. It is unfortunate that that has happened, but I do not wish to have these kinds of incidents happen where motions that are of substantial nature are not given the appropriate consideration by all Members in this House; they should receive the attention necessary and all Members should ensure that that happens.

---Applause

Item 15, first reading of bills. The honourable Member for Amittuq. First reading of bills. The honourable Member for Inuvik.

#### ITEM 15: FIRST READING OF BILLS

##### First Reading Of Bill 38: Local Authorities Elections Act

**HON. TOM BUTTERS:** Mr. Speaker, I move, seconded by the honourable Member for Aivilik, that Bill 38, An Act to Amend the Local Authorities Elections Act, be read for the first time.

**MR. SPEAKER:** Thank you. The motion is in order. To the motion. To the motion.

**AN HON. MEMBER:** Question.

**MR. SPEAKER:** I do not recognize a quorum. The Chair does not recognize a quorum. First reading of bills. Mr. Clerk, would you ring the bell please? The Chair recognizes a quorum. First reading of Bill 38.

**AN HON. MEMBER:** Question.

**MR. SPEAKER:** Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Bill 38 has had first reading. First reading of bills. Item 16, second reading of bills. The honourable Member for Inuvik.

#### ITEM 16: SECOND READING OF BILLS

**HON. TOM BUTTERS:** Mr. Speaker, might I seek consent to give second reading to Bill 38?

**MR. SPEAKER:** Thank you. The honourable Member is seeking unanimous consent to give second reading to Bill 38. Are there any nays? There are no nays. Proceed.

##### Second Reading Of Bill 38: Local Authorities Elections Act

**HON. TOM BUTTERS:** Mr. Speaker, I move, seconded by the honourable Member for Kivallivik, that Bill 38, An Act to Amend the Local Authorities Elections Act, be read for the second time. The purpose of this bill, Mr. Speaker, is to amend the Local Authorities Elections Act, to provide that a person resident for at least 12 months in an area that is annexed to a municipality is eligible to stand as a candidate or vote at a municipal election before 12 months have expired from the date of the annexation. Thank you.

**MR. SPEAKER:** The motion is in order. To the principle of the bill.

**AN HON. MEMBER:** Question.

**MR. SPEAKER:** Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Bill 38 has had second reading and is ordered into committee of the whole for today. Item 17, consideration in committee of the whole of bills and other matters: Tabled Document 22-91(1); Bill 3 and Bill 26; Committee Report 6-91(1); Bills 30, 31, 6, 37 and 38, with Mr. Gargan in the chair.

By the authority that has been granted to me by the House, I would ask that the committee consider all its business until it deems it necessary to report.

#### ITEM 17: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS

##### Tabled Document 22-91 (1): A Position Paper On Political And Constitutional Development

**CHAIRMAN (Mr. Gargan):** When we concluded yesterday we were dealing with Tabled Document 22-91(1), A Position Paper on Political and Constitutional Development, and Mr. Sibbeston still had the floor. Mr. Sibbeston.

**MR. SIBBESTON:** Mr. Chairman, while I appreciate that we must deal with the paper before us, I still maintain the view, as I did yesterday, that the paper itself is not whole. It is not conclusive with respect to the detail, recommendations, or things that ought to be, particularly here in the West. Events have been happening around us in the last few days with respect to a constitutional commission for the West, and the Members here today adopted a motion supporting and approving, in principle, the idea of a constitutional commission and that the Minister will work toward getting the political leaders in the West to participate and take part in such a process. I think that aspect is missing from the paper, and I would hope that by the time we get to the June session, maybe the government will have another paper which will be fuller and much more complete, which will delineate all

aspects of the constitutional process that it envisages here in the West.

There is not too much that I can add to what I said yesterday. It is somewhat unfortunate that we have had to deal with a matter of this significance and paramount importance at this time in the life of our Assembly. It ought to have been dealt with in the fall or a year ago, but things happen this way sometimes and we simply have to face it as it comes, I suppose.

I do not have too much more to say, Mr. Chairman, other than to say that I look forward to seeing a revised and more complete political and constitutional development paper which the government would place before us as a definitive statement, as a definitive approach, for dealing with constitutional matters here in the North at the June session.

**CHAIRMAN (Mr. Gargan):** Thank you, Mr. Sibbeston. Mr. Morin, general comments.

**MR. MORIN:** Thank you, Mr. Chairman. I guess the process of debating the political and constitutional development paper in the committee of the whole has been short-circuited with the motion passed in the Assembly just a while ago. I do not have a whole bunch to say on this issue now. I said it in the House, but once again I would just like to say that I believe that this whole issue, and the way it was handled, could have been handled in a much more professional manner. There must be a better process, or a better timing, to work on issues of this magnitude and importance. With that, I look forward to discussing it in June again, and I will be ready to discuss it at that time. Thank you.

**CHAIRMAN (Mr. Gargan):** Thank you, Mr. Morin. General comments. Ms. Cournoyea.

#### Time Of Crisis Not Best For Discussion

**HON. NELLIE COURNOYEA:** Thank you, Mr. Chairman. Yesterday and today we have had a discussion on political and constitutional development and the requirement at this time to begin to deal seriously with the matter. There have been suggestions that the papers put forward are incomplete and inconclusive, and it may be just that reason why it is imperative and important to deal with the issue at this time. If documents were put forward as complete and conclusive, there would have been an accusation that the whole process, and the determination of the type of government that people want, whether in Nunavut or in the rest of the territory, in the Mackenzie Valley -- what type of government they would aspire to have as being the type of government that best represents them.

I believe that this particular topic has been around for a long time and every now and then, when there is a crisis, we respond and we react to that crisis. I believe right now there is not a crisis, and it gives us an opportunity to pick up the pieces from the past, try to salvage some of the good parts, and move forward in a planned, calm and collected manner. I know there are a number of people who believe that constitutional development should only be emotional and running at high speed. However, many of the residents of the Northwest Territories will remember that in a very short period of time, in the last 15 years, the discussion on political and constitutional development has been like the oil and gas industry -- boom and bust. When there is a crisis, we deal with it. When a group of people feel it is imperative, that part of their overall development and constitutional well-being and the progressive nature of where they want to go, and how they want to see decision-making -- then the other party who is not ready tends to come forward and say, "Hold it, we did not hear about that; hold it again, we did not hear about that;

no, you cannot do that because we are not ready."

The people of the Northwest Territories, on a number of occasions, way back to 1969, have been put on notice that it is important for us to deal with these issues. And even though we are approaching the political and constitutional development within the framework of land claims, we must understand the private nature of a land claim and the desire of aboriginal people to have some kind of stability in the public process of government, aboriginal government or community government, and how that fits in.

I believe that many of the problems that happen in the Dene/Metis claim are because a lot of the questions about where an aboriginal person gets his stability within decision-making were not answered. And that was the reason, primarily, that the claim had a great deal of difficulty to get over the hurdles and become an acceptable document to the Dene/Metis people. Much of that lies with the inability of this government to build up excitement, unless there is a crisis, to deal with the issue. And many of us have to take the blame for it because we did not take it up because it was not a crisis; it was somebody else's problem.

The public political and constitutional make-up of the NWT rests on our shoulders. At the same time, in developing that, we must take into consideration the private settlement of land claims between the different aboriginal groups. This is a difficult task. It takes some calm, quiet thinking. It takes time. It must require a serious plan on how we approach it. It would be easy for the cabinet to make a lot of decisions about what that make-up would be. But people change in the political mainstream of society in the NWT. People change in the aboriginal organizations and even people's opinions of what should be done, changes, because people grow. Political and constitutional development is an evolving thing and it has to take into consideration that people change and people want things different from what the past politicians have made for it.

I believe that we do not have to wait for a crisis and we should not have to wait for a crisis. I believe that politicians should not use these issues as issues that really relate against their political career. I do not think things should be staged just because there is going to be an election. I believe every day that we sit here we have to determine and help with the courses of action that have to be taken.

As Mr. Kakfwi has stated, he has tried, on a number of occasions during his mandate, to bring forward discussion papers to allow people and to stimulate people, and particularly this Legislative Assembly, to deal with those issues that were down the stream. We could have dealt with it four years ago but it was not the desire of the people. They could not get excited enough to do that, for all their own reasons.

#### Division Of Primary Importance For Inuvialuit

I really feel that for the Inuvialuit, as an MLA representing that constituency, division is primarily important to us, because there is going to be a plebiscite on division and there is going to be a determination of the Beaufort Sea communities. And in order for my constituents to grapple with answering a question on division, there has to be some progress, particularly progress in the Mackenzie Valley, because there is a desire, and very much a political position, that much of the Mackenzie Valley, particularly in the more sophisticated communities, that division should not allow the Beaufort Sea to be within a Nunatsiag riding or a Nunavut. I regret that very much, and I have not given up on that yet.

However, it is important to realize that we have a fundamental responsibility to our constituents, even though summer is

coming, there is geese hunting coming up, there are a lot of exciting things to do, and we would like to spend that time campaigning, I suppose. However, we still have an ongoing responsibility to our constituents, because what is going to be said, when down the road, about December, there is going to be a plebiscite on division? Then our constituents will say: What did you do to show us why, and what is the premise for our well-being of being in an east or a west territory?

So I do not think, as legislators, that we have the privilege or the mandate to quit working just because it is close to an election time, because it is summertime. The responsibility rests with us, come plebiscite time in 1992, to see that a certain amount of progress and discussion and knowledge on what is happening is disseminated to each and every community. I believe that if we do not do that, then we will be abrogating our responsibility.

The claims process for many years had the principles and policies that certain things could be dealt with within that mandate of claims. Certain things were left out. The things that were left out are exactly what we would like to deal with in the political and constitutional development discussions, because they are not within the claim. I think this is vitally important to every resident of the NWT, because they will have to have some intelligence of what is going to happen, or some step and some process, and some idea on some of the guiding principles that will be within the process to make sure that they are protected and how they feel a territory is going to be made up, is going to be instituted, after division.

I believe as people change and as representatives change, that we can make, from time to time, the excuse that we did not know about these things. I believe that the people who have been willing to discuss and look at options, who have taken it upon themselves to do these tasks from time to time, get discouraged because we only go so far and for some reason people get cold feet.

**CHAIRMAN (Mr. Gargan):** Madam Minister, your 10 minutes are up. General comments.

**HON. NELLIE COURNOYEA:** May I continue for a couple of minutes more?

**CHAIRMAN (Mr. Gargan):** Is the committee agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Go ahead, Madam Minister.

**HON. NELLIE COURNOYEA:** Mr. Chairman, thank you. The issue of political and constitutional development sometimes is separated from what we consider our day-to-day tasks, but each time we talk about whether a community should take over social services as a community, that is political development; that is a movement toward someone taking over more of their own decision-making. But we do not have a clear direction to be able to have a comprehensive plan so everyone gets treated equally and with due respect. In this discussion, it becomes very important because that link is not made, and I find it discouraging sometimes because that link is not made. People think because you talk about, "I want more control over the decisions in my community by taking over added responsibilities, and I want that control, not with strings attached, but with more force of being able to manoeuvre and move things around," that is political and constitutional development. But, at this point in time, the government makes ad hoc decisions because we try to accommodate different groups of people, different communities, and we do not have an overall plan and we are

attempting to have that, so that we can say, "Here is a process; this is what we are willing to do; but we have to have a clear idea from people as to where they feel that these types of responsibilities fit in." I hope that we can tie the process together with what we do on a day-to-day basis.

So with that, Mr. Chairman, I would like to thank you for the opportunity to say these few words and for giving me the extra time. Thank you.

**CHAIRMAN (Mr. Gargan):** Thank you, Madam Minister. General comments. Mr. Allooooloo.

#### **Constitutional And Political Future Of NWT At Crossroads**

**HON. TITUS ALLOOLOO:** (Translation) Thank you, Mr. Chairman. Even today in 1991, our government in the Northwest Territories, is still evolving to more responsible government, and I believe we will for a long while. And I believe the people of the Northwest Territories have the right to determine their future government and what would become the future of our great land.

We have to be prepared to discuss what we want the future to be for the Northwest Territories, and we all have to be prepared to work on our respective governments' constitutions, which will determine how the government is going to be operating.

Before the government came up to the Northwest Territories, the Dene and the Inuit were running their own governments and they had their own laws. Even though their laws were not written on a piece of paper, their laws were well respected by their people. Mostly, they tried to protect what was important to them culturally and environmentally, especially the wildlife, because they were depending on wildlife to sustain them.

Today our lives are run by what was imported to us. Even though aboriginal people are the majority in our Legislature, we are still not running the government. We once did, before the government came to us from Britain.

My dream is that after the work has been done, our constitution's political structure will be truly responsive to the need of those whom we represent. Therefore I believe that all people of the NWT have to be involved in setting up our future government.

So our future is at the crossroads at this moment, for the constitutional and political future of the Northwest Territories. As my colleague, Nellie Cournoyea, said, this issue is not new; we have tried in the past to talk about it and discuss it and take it to the people. But we were not able because of the lack of commitment on the part of some of the Members who were reluctant to do so. But now we are in the corner.

At the present time, the TFN claim is about to be ratified very shortly, I believe, which will greatly contribute to the need to work on the political and constitutional development in the Northwest Territories. As you know, the TFN claim relies very heavily on the creation of Nunavut, and we support that. In the event that we divide the Northwest Territories, we ultimately are going to have to work on the political and constitutional development of the Northwest Territories. I believe that political and constitutional development has been ongoing since the government came into the Northwest Territories.

As I stated earlier, the Inuit and Dene, before the government came into the Northwest Territories, had their own government, had their own laws. Even though they were not written, the people who applied these laws were very well respected by these people. Since the Government of Canada established

the territorial government, we have been borrowing some of the ways of doing things governing the people. We have been borrowing that from the Government of Canada.

I think that it is about time that we determined our future, which, I believe, has to be run by the people who are in the Northwest Territories, and we need to inform the public; there is a need to create the climate of discussion on the political future of the Northwest Territories. The people of the Northwest Territories have to be involved in developing these constitutional issues, constitutional discussions and the political future of all the people, not only the Inuit, but also the Dene and Metis and the Qallunaqs in the Western Arctic.

I fully support the creation of the Nunavut territory, even though I realize that, as Mr. Sibbeston said yesterday, it will make the Western Arctic aboriginal people a minority in the Territories; but I believe that if they work together to work on their constitution and their political future within the framework of public government, they will have tremendous influence on what goes on in the political and constitutional future of their territory.

My dream is that, ultimately, the people who are governing in the Nunavut region will be from Nunavut territory; people who were born in that area will be determining their own future. I, myself, have been involved. I have been an elected official for the past 18 years and have been trying to work toward that, that we should be determining, at the community level, at the territorial level, the future of our political and constitutional development, and we should be making our statutes and laws that are sensitive to the needs of the people whom we represent.

Also, as I stated earlier, the people who had their own government before the Qallunaqs came were geared toward protecting the environment and protecting the resources that enabled them to sustain themselves. I think that we should bring that importance back to be the top priority of the territorial government. I believe that we are doing that, but we should do it more, when we become the ultimate authority to govern ourselves. I will be working very hard to set up these institutions that have to be set up, in the event of division, and I will be encouraging my people to be involved in the setting up of these institutions, as well as the political future of their territory. And I would urge the Western Arctic Members to start talking about their political future and the need to talk about the constitutional and political development in their region.

I think because of the land claims that are about to be ratified, we have no choice but to talk about these issues. If the people are not involved in developing these very big questions, then ultimately the people who are elected will have to develop the constitutional and political future of the two territories. If the people are not involved, then it will be something that people might not understand. I think we have to involve the public, not just the native organizations, but also the community governments, even down to the people who are not representing anybody but themselves. They should be talking about their political future. We need to do that now. Thank you.

**CHAIRMAN (Mr. Gargan):** Mr. Ernerk.

**MR. ERNERK:** Mr. Chairperson, I had the opportunity to have my opening remarks yesterday. I would like to speak a little more; however, my honourable colleague for Natilikmiot has not had a chance to speak. I know he wants to speak. So right after he speaks or a little later, I will want to have another opportunity to speak on this very important issue.

**CHAIRMAN (Mr. Gargan):** I will allow the Members who

have not spoken to speak first and then I will go back to you. Mr. Ningark.

#### **People Want More Say In Political Future**

**MR. NINGARK:** Thank you, Mr. Chairman. The position paper on political and constitutional development that is being discussed -- to me it is very exciting. I support the paper. I was born and raised in Nunavut. I feel comfortable living in Nunavut. Sometimes when I talk to my colleagues about giving more power to our communities, to our Territories, they agree with me. Sometimes we even talk about those things in our constituencies. I know the majority of the people in Nunavut, my land, our land, would like to have more say in the political future of the Nunavut territory.

We supported the western people in their endeavour to have their own say on how their government should be run. I know my colleagues from Nunavut feel the same way. I wish things were better. I wish things were moving along the way we are moving along in the eastern part of the Territories. I wish the people would get together in the western part of the Territories and come to an agreement on how they should run their future.

In Nunavut we have been meeting and talking and agreeing as to how we see our future to be. I know the history in Canada sometimes repeats itself. Many, many years ago a man named Louis Riel fought for his people. He wanted to have more say within the Canadian system for his people. If we were around then, I know we would have supported the man and his people.

Not too long ago we saw a crisis in Oka on television. Even the people who do not speak English supported the people from the southern part of Canada. We have never been there. It was the first time we heard about Oka. My kids supported it. Kids from school supported it. They even wrote a little booklet about it. The elders from my community supported it. We have seen so many people talking about wanting more say within their territory. I wish the government could give us more power to determine our own future. I wish we could have more involvement in the management of the wildlife. I wish we could have more say about mineral exploration. I heard those things so many times, and I know each and every one of you has, too.

(Translation) We want to control our government and our land. We would like to run our own affairs in the future; for example, oil and mining and some of the money we will be receiving from those mines and oil companies. We want to be able to have some say in it. Before we pass away we would like to see our children have their own land and own government, because right now it just seems that we are borrowing or babysitting the land. Before we leave them, I want to see them running their own land and government and their affairs. We do not want to be just controlled by non-aboriginal people. We want to have our own land and we want to live in our own land.

If anybody wants to live in our Nunavut, they can and are eligible to live with us. We do not have anything against them. We never have anything against them; that is why they are living in our land. But we are the people in Nunavut that want to run our affairs. We have good neighbours and we want to see them running their own affairs in the future. The Dene people and the Inuit people -- we went through hardships in our lives and we are still communicating with each other and we are good friends. For those reasons I do not want to see our children go through what we went through. We want to see them with better lives of their own. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Gargan):** Thank you, Mr. Ningark. Mr. Pedersen.

### **Will And Desire Needed For Political And Constitutional Development**

**MR. PEDERSEN:** Thank you, Mr. Chairman. I am pleased that my colleague from Natilikmiot spoke before I did because he said a lot of things that I would have wished to say. We do often agree with each other, but it is probably because we represent almost the same people. The paper in front of us is indeed an important paper, Mr. Chairman. It is also a very difficult issue, political and constitutional development, primarily because it means different things to different people.

In my constituency, as Mr. Ningark indicated in his, it means primarily self-government at the community level. Mr. Allooloo earlier alluded to the fact that we used to have that in the old days. That is indeed true. It is only in recent times, certainly easily within my memory, that we have lost self-government at the community level.

I think we can agree as much as we want and we can legislate as much as we want on the issue of political and constitutional development, but if we do not have the will and the desire to carry out what is said, what we agree upon in words, then it will not happen. I quote someone in the paper here that says, "New arrangements for the division of powers between the federal, provincial and territorial governments." This is something which all governments seem to embrace; yet we hear from the Minister of Economic Development that he is having great difficulties in the devolution of the EDA program and that certain forces within the federal government are, in fact, trying not to devolve but retain power for themselves. It is not enough that we have the words if the will is not there to do it. Nothing really happens.

On self-government, on page four of this document, one of the main elements of the big picture, as it is called, is "the continuation of the transfer of responsibility to the community level of government." We have spoken about this as a government for a long time and yet we do a pitifully poor job in doing it. We have created hamlets and we have given them funding at the time they were created and then we failed to give them increases to reflect the increasing cost of operations. We never fail to give it to ourselves, but we do fail to give it to hamlet councils. We fail to give it to boards of education. We fail to give it to whatever body we set up at the local level of government. When we wish to take over, have a greater input and more say in decision-making, the absolute decision-making thing on, for instance, economic development within the region, there are all sorts of reasons from our government why we should not do so.

In two of my communities, Mr. Chairman, desire was expressed, plans were laid out, committees were struck, things were very well planned out for taking over the social services. An opportunity was asked for by the communities to start looking after their own problems. As late as yesterday, Mr. Chairman, I received a letter from the Minister responsible for Social Services which is the most paternalistic, insulting, demeaning and infuriating letter I have ever received. That has nothing to do with setting up local government, and until such time as we have a better desire to do what we claim that we want to do with these words, there is not going to be any local government set up.

Mr. Chairman, I must comment on what is becoming the main desire, that of political and constitutional development, in my constituency. There is the matter of self-government at the community level within the context of the establishment of a Nunavut territory. That puts a number of Members in a difficult position because we were elected to serve in the

Legislature of the Northwest Territories and yet a number of us would like to see this Legislature dissolved and rather than be one, to become two. This all-consuming desire to see the establishment of Nunavut is very much there.

### **Nunavut Impatient With Waiting For West To Agree**

Mr. Chairman, I want to stress that, with many people living in Nunavut, many people have grown impatient with the process that we have followed, which is essentially a process that was dictated to us and laid out by the federal Minister, that we can have division, that we can have whatever we wish, as long as we can agree upon it. There are many people within Nunavut that have reached the conclusion that Nunavut will not happen on that basis because we will not be able to obtain agreement. I will sympathize with the inability of the Dene/Metis to reach an agreement amongst themselves on whether they should proceed with a comprehensive claim or regional claims or whatever. Nevertheless, there are a great many people in Nunavut who say that is not our problem, and we do not wish our future to be tied to whether or not someone else can or cannot agree. This should be understood, because this is a movement that is definitely growing. There can be no question about that at all. I do not think that people in Nunavut will accept much longer that the creation of Nunavut will have to be at the good will of someone else.

There is a movement in Nunavut now that says, "Division be damned. Division is one thing, but what we need is Nunavut and we are going to get Nunavut if it means secession is necessary." This is something I think the government has to recognize. As my colleague from Natilikmiot stated, we want to be involved in setting up the government. We want to be involved in how government at the community level should work. We want to be involved in that for Nunavut; but for the western territory, they really should do these things on their own: figure out how they want their governments to function, how they want their representation to be, and how they feel the aboriginal concerns in the western territory can be safeguarded.

The sentiment in Nunavut that promotes and embraces the ideas that I have just mentioned, also, Mr. Chairman, states and states quite unequivocally that the people of Nunavut do not wish to remain in a united Northwest Territories if it is merely to achieve a numerical advantage. We do not wish to remain merely so that we can become the numbers and give someone the majority over someone else. We want a Nunavut territory and we want self-government at the community level the way we used to have it. We want some control over our own lives and we will have Nunavut, whether we have it with the consent or despite the objection of the rest of the Territories.

There was a reference by someone who spoke earlier about the lack of commitment of some Members to constitutional development. Mr. Chairman, I do not think there is a lack of commitment and I do not think there ever was. There may be differing opinions on what political and constitutional development is. I also would agree with what Ms. Cournoyea said earlier, that these events should not be staged because there is to be an election. I agree with that, but I do notice that the paper does indicate that the people of the NWT will express their opinion on these issues in the upcoming election. We may be able to fire people up to express an opinion on that, and if we do, then from my constituency, Mr. Chairman, you just heard the opinion; but otherwise, I would agree with Members like Mr. Sibbeston who said that the issues would more likely be the lack of jobs, housing and the bread-and-butter issues. This is not at all to suggest that this is not important. This is going to affect the future of our children and our grandchildren for a long time to come. But



again I want to reiterate, and I close by repeating, that political and constitutional development, the perception of that in my constituency, at least, is self-government at the community level, within the context of the creation of Nunavut, and Nunavut will be created.

**CHAIRMAN (Mr. Gargan):** Thank you. Mr. McLaughlin.

**MR. McLAUGHLIN:** Thank you, Mr. Chairman. I would like to speak primarily of the Constitution, the federal one, and our own constitutional development, and just touch on the division issue.

In the Canadian Constitution the Territories are mentioned mostly to acknowledge us as a geographic part of Canada, not necessarily to give us constitutional integrity in the make-up of Canada. In fact, the very existence of the two territories is threatened during the present climate surrounding the Canadian constitutional debate. Do not think the federal government would not carve up the territories and distribute the land to the seven nearest provinces if it meant saving the country as a whole. Many provinces over the years have looked at the Arctic islands and the Yukon and the adjoining Territories and thought life would be simpler if there were just 10 provinces in the Constitution if everybody extended their boundaries north. It is not new, and it is something that is being beat around again.

For that reason alone, the Executive should continue to enhance our presence and involvement at the federal level of constitutional debate. Constitutionally we have little say now. The NWT Act is basically what gives us our powers as a Legislature and government. Right now many of the powers we have are basically given to us by the federal Minister responsible, sometimes by way of a letter, and sometimes that letter does not even have to be given previous federal cabinet approval. So those powers could be taken away from us just as easily as they were given to us by one man.

So it is important to the GNWT and this Legislature, as well as to the native rights claimants involved in the creation of two new territories, that the present act be amended immediately to reflect the present situation that exists. Our cabinet should take immediate steps to achieve all-party agreement in the federal Parliament to make the changes to the NWT Act which would reflect the present situation in the NWT.

The present roles should be established. For example, the role of the Commissioner should be established as that of lieutenant governor. The Executive Council should be recognized in the act in the same manner that a provincial executive council is recognized. As well, the role of the Government Leader should probably consequently be the same and even the title changed to Premier to acknowledge that, though that does not have to be done in the act.

#### **Positions And Funding For Northern Affairs Could Go To Nunavut**

Efforts should be made to establish a time period also to do away with the Northern Affairs side of DIAND. I have been saying for several years now that there is a lot of duplication. A lot of the people in DIAND basically just report on the money that is turned over to us and they do not actually do anything themselves any more because a lot of the programs have been turned over to us, but there are still almost as many bodies in the Indian Affairs side as there were before. It could be replaced by a secretariat that would probably, most intelligently, report to the Minister responsible for federal-provincial affairs.

These efforts and timetables could be made in conjunction with those of the Yukon and the TFN. This is especially

important for the Government of the NWT and TFN because the establishment of a new territorial government will require ongoing base funding to the newly established territorial government in the East. The redundancy of the Northern Affairs position and funding, in particular those in the Ottawa office, should be utilized for those purposes.

I would suggest that all of the person years on the ground in the NWT and Yukon could be turned over to those two governments at any time in the near future. The ones in Ottawa could be saved and used for the establishment of the person years necessary for an Eastern Arctic government, if that comes into being. That way, no new money would have to be found by the federal government to establish Nunavut and no person years would have to be pulled out of the economy in the Yukon and the NWT to establish an eastern government.

Closer to home, and within our own jurisdiction, it is important that the residents of the NWT have an opportunity to shape constitutional changes which will occur in the future in the NWT or in the two new territories, if division occurs, and for that reason I commend the Executive for coming forward with a motion that will create a constitutional commission in the western territory. I would like to reiterate its importance because there was some progress made previously by the Western Constitutional Forum. It involved all of the four major groups in the Territories -- the Metis, the Inuvialuit, the Dene and the non-native people -- and progress was made in that area, even despite the fact that there was agreement that no progress could be made unless there was unanimity by all four parties. So I would like to propose that that is put in place again, in the new commission, that nothing could proceed without either of those four parties; otherwise we will not have a constitution that is acceptable to everyone.

The other thing I would like to just briefly touch on is the motion that was proposed earlier today but failed to get unanimous consent. On the division issue, I have always basically been opposed to division of the NWT. I have not wanted the Territories to be divided in two. I have always thought that the more people we had, the better off we would be and that we could get along, but I have also never wanted to stand in the way of the wishes of the people of the Eastern Arctic if they, by majority, want to leave. I do not think that history shows, that even if the majority of the people in the West do not want them to leave, that is going to stop it. Eventually, people that want to leave and separate are probably going to get their way and should probably get their way.

I do not want to stand in the way of that happening, although I would find it difficult myself to campaign in favour of such a thing because I really think that we are better off staying together. We will have more strength within Canada if we are together than if we are apart; but that is just my feeling, and if the East does not believe that, and events such as the naying of the motion by the Member may be a good example of why people from the East should leave the West and get rid of our turmoil and foot-dragging that we seem to be doing in constitutional areas.

I would like to say also that it is stupid, I think, for Members in the House to say that this has been sprung upon them, that we have not talked about it before. The cabinet has come up with papers before; they have been tabled, I think even moved into committee of the whole, and the majority of the Members of the House, because other matters have been dealt with, have just wanted to go home because the session has been too long. That is basically why we have not dealt with it.

**AN HON. MEMBER:** That is not true.

**MR. McLAUGHLIN:** It is not a reason that the Executive Council did not make the effort; it is because the majority of the Members chose not to stay here and finish off the issue.

**AN HON. MEMBER:** That is not true.

**MR. McLAUGHLIN:** It is true. I hear from Mr. Whitford over there, speaking about this, and he says to me that people in Yellowknife South do not care about division, that they are not worried about the possible job losses. I do not think that is true. I think people have been lulled into a sense that this is not an important matter because it has not been talked about in the House as it should have been. It is not right for us to brush it aside, sweep it aside, and not talk about it just because it bothers us; and it bothers me because I do not want it to ever happen, but the people of the Territories deserve to be told by us that this thing is coming down the road. There is an agreement between TFN and the federal government that is making it come down the road, so to sit here with blinders on and not talk about it, and pretend it will not happen, would be a big disservice to the people of the Territories. I am disappointed that the motion was nayed on this issue because, even though I am against division in principle, I am certainly not against the debate occurring and giving people in the Territories an opportunity to debate it and also vote on it in a plebiscite. I just hope that somehow during this committee debate we can come up with a resolution to that and proceed in some manner with such a motion.

Briefly, in summary, I think the Executive has been good to us to bring in a motion, even if it was done at the last minute, because really all the Executive has to do, following the rules of this House, is to come to caucus on the 24th of June and say, "We have this bill here to introduce legislation to allow a plebiscite to go ahead." They have basically given us a month's notice that this is something that is possibly coming down the track. They have not sprung something on us; they have really given us a month's notice; so I would like to say that I am disappointed with what happened this afternoon, even though it fits my political agenda, because as I have said, I have never supported division of the Territories, but I do not want to stand in its way or in the way of debate around it. I just hope we can resolve something before we leave, to get us over that issue and make the Members of the East feel that this House still continues to serve them as a democratic process for debate. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Gargan):** Thank you, Mr. McLaughlin. Mr. Whitford.

**MR. WHITFORD:** Thank you, Mr. Chairman. In one way I feel like the person who has missed the train here. It has gone by here because we have already accomplished quite a bit by passing the motion to establish the commission that will review the constitutional and political issue during the months, I guess, that are remaining here and through the summer, and report back to the House, later on, its findings, the people's opinions. During a tumultuous time, as an election year for this House will be, I, too, want to say that in 1989 when we were in Norman Wells and the concept of Nunavut came up, I supported it then, and although I fear division of the Northwest Territories, I still support the concept of Nunavut and the creation of Nunavut and the creation of a western territory yet to be named.

I, too, was born in the Northwest Territories, Mr. Chairman, albeit half a mile, I guess, from Alberta, but nonetheless, I was born and raised and have lived all of my life in the Territories and I am very much concerned with what happens in the Territories, and what has happened in the Territories. I have been part of it, and I am very interested and concerned with

what is going to happen in the future as well, politically and constitutionally, socially and economically. We do, as politicians, have all of those things to worry about and, as I said, I supported then, and I still do, the eventual creation of the eastern territory.

#### Reasons To Fear Division

But, I fear division and a lot of people that I talk to fear division, because division of a population of some 55,000 into two, brings it down to 25,000 or thereabout, give or take. Why I fear it is, it is going to put native peoples in the minority in the West. Unlike the East, where Nunavut and the people of Nunavut, Inuit people, seem to be together, because there seems to be just one Inuit language, one group of people all commonly related, in the West here, we are all more different. There is a good number of different groups of people, from the coast to the border and across the border, if you want to use that imaginary 60th parallel, that divides the Chipewyan people from Alberta and the Northwest Territories.

But, there are at least six different languages, quite distinct cultures, different ways of doing things and different ways of thinking. Add to that a smattering of Metis, and add to that the EuroCanadian culture and every culture of every other world, and we have a problem, because they all think differently and they cannot always agree, and it gives us a problem in coming to resolution of serious issues like the creation of a territory, the establishment of a constitution. Even regarding political objectives, they differ. The Dene differ from the Metis; the EuroCanadians differ from both of us; and it gives us a problem in coming up with some form of a model for government.

Deeply embedded in this new political and constitutional reform of both East and West is self-government. Personally, and speaking for some of the people that I represent, those that have addressed this issue, I do not understand what that means, because I cannot conceptualize it, as to what model it is going to fall under; because I go back again to what I said about the six different groups of people, each with their own way of doing things and add the Metis and add the EuroCanadian input. So I cannot conceptualize this model of self-government. I think that is one of the problems why land claims and the issue of resolving land claims has really come to a stall.

In the East it seems a little different. We have been at this in the West for 17-odd years. In the East they started a little later and yet they seem to be farther ahead. They are so far ahead now that they already have a boundary in their minds. They have in their minds how they want to run their territory. They have in their minds who is going to belong to their territory. It seems to be well established in the East, but in the West we have difficulty and we will continue to have difficulty for a period of time. This will give the East an opportunity. If we do not do anything and sit and wait until we have our act together, it is going to hold back the East.

Again I dread to think that the Territories, where I was born and raised, is going to be cut in half. But it is inevitable. I said I did not support this in 1988. I did not support it at that time, but I said that in the future, 10 years down the road, it will come about, in spite of me, in spite of Yellowknife, in spite of the western part of the Territories. Division will come about because the people want it that way. The people in the East want it; the people in the West want it eventually, and therefore, Mr. Chairman, it will come about.

Because we have not got our land claims settled, because we have not got all of the details worked out yet, that does not mean that we should hold back Nunavut, just as much as I would oppose Nunavut from holding us back, if we had our

act together and we were ready for political and constitutional establishment of a territory or province or whatever. We have no right to hold them back, as much as they have no right to hold us back. That is why I say it is good, now that we have come to this point, and we have come to this point through the last Legislative Assembly's and past Members' speaking on it, getting this thing going, keeping it going, trying to keep it going.

I am a bit amiss because maybe it had been talked about, but not at length. Some parts of this were dropped on our tables just recently. We are not all constitutional lawyers and I have not been involved with the native movement, either Metis or Dene, to keep right up to date on it, as some of the other Members are. But they have carried that ball, and they have been running with it according to what their people are giving them instructions for, and it is moving along, albeit slow.

Getting back again to the fears I have, dividing the Territories, we become fewer people than a full football game in the new coliseum in Edmonton. It puts us at a disadvantage because the eastern part of Canada will say, "Why should 25,000 people have a say yet?" They may even think about absorbing us later on into their provincial schemes here as they extend their borders north.

#### Financial Cost Of Division

The other thing is financial. Where are we going to get the money for this? Division, but at what cost? We are very dependent, as we well know, on the federal government for a majority of our funding, and will be until such time as the government here establishes good financial programs in the North, maybe with the Northern Accord, to get our rightful share of the natural resources that we are exporting right now, gold, oil and gas, which seem to be in abundance, and energy eventually. We will be producers of energy in this area, I hope. So we have to get a fair share of that dollar so that we can pay our own way, show the rest of Canada that we are not dependent on them. Then I think we can carry on. But until that time, we have to make do with what we are going to get. How are we going to divide the billion dollars we are going to get? How are we going to divide that in half and put us at a bit of a disadvantage and put the East at a disadvantage, this kind of thing? Those questions have to be worked out.

I think that simply because we are going to do something this fall with this commission, and by the next government, does not mean that we are going to be getting a dividing line and there would be passports across into the East. In my opinion, Mr. Chairman, it is going to take six or eight more years. But they are going to be working toward it, and I think this process that we are doing now is helping to hasten this process. But still we have to work out those financial arrangements. We have to work out who is going to get what share of this pie.

Right now maybe I am only seeing things through the eyes of the West, but I see oil and gas and I see minerals; I see energy that we can produce here in the West. I do not see those things in the East. I do not see very many mines there that are going to help the economy. I do not see very many hydro projects that are going to put electricity out to consumers. Nor do I see much oil and gas potential, even.

**CHAIRMAN (Mr. Gargan):** Mr. Whitford, your time is up.

**MR. WHITFORD:** I would like to seek consent to continue.

**CHAIRMAN (Mr. Gargan):** Does committee agree?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**MR. WHITFORD:** Thank you. I say that I do not see very much in the way of resources yet that are going to pay all the bills, and the East is going to be dependent on Ottawa as well. This bothers me because I do not want to see the new territories going hat in hand to Ottawa, because who controls the purse strings? Again eastern Canada is going to look at us and say, "Gosh, now we have two of you guys instead of just one."

Again, politically in the West, when you divide the ethnic groups and separate the ethnic groups, the native people are going to be in a minority. I think this is something we have to realize. We are unique but they may not carry the day if we are not careful in establishing the ground rules. I want to make this absolutely clear, Mr. Chairman, that we cannot exclude the Eurocanadians from their rightful role in government, in enterprise, in our new society. They must be protected; their rights must be protected; just as our native rights are being protected when we are a minority.

We have to work toward those issues so that we do not, in our desire to be self-governing, to do our own thing in our own land, exclude people, nor turn around and do exactly the same thing as the southerner has been doing to us. We have to include everybody in this new political and constitutional reform package.

#### NWT Use Of Languages Unique

We are and we will continue to be unique. We are the only governing body in Canada, if not in a lot of the nations of the world, that speak any language that we want and have it simultaneously translated. We have written languages of any dialect here in the NWT that we desire. You will not find that anywhere else. This is good because right now we are forced with that issue of bilingualism in Canada; two official languages. Here, yes, we are just getting two official languages but we have always had more than two here in the Territories and maybe it is a very shaky relationship we enjoy with that, but nonetheless they become more entrenched as we use them, and we must work to continue preserving those.

Will this be allowed to continue after division, after constitutional guidelines have been established and political structure established? I certainly hope so because, again, I say we are unique in the world. I was in the parliament in Zimbabwe last year and guess what they speak? English. They do not speak the native languages in that parliament. It is sad, but that is the way it has evolved. We have our foot in the door and let us keep it there. We must accept its cost. We must accept its difficulties whenever we have to write three or four languages on a piece of paper, but that is what keeps us unique. But our uniqueness will not protect us once we have crossed that border. You can speak your native language all you want, but once you cross the 60th parallel and you are into a different environment, they may not be so eager to listen to you if you speak Inuktitut in the West Edmonton Mall or if you go to seek services in a hospital in Edmonton, because they do not have to. There is nothing in the Constitution of Canada that says they have to speak Dogrib to you if you go to talk in Parliament in Ottawa. We accept that. So therefore we must combine what we have here, the native languages, the native cultures, and we must combine that with whatever we are going to be facing once we cross the 60th parallel.

#### Preserve What Is Important In The Home

Do not just say, "I am uniquely Dogrib or Slavey or Inuit and I should preserve only that and become only that." I must

also accept the fact that I have to deal south of the border. I have to deal with other people around the world. Keep what is important. Preserve what is important in the home. If it is important to speak languages, teach it to your children. If it is important to learn to write it, teach it in your home. Do not wait for the government to do it. Do it yourself. We are getting this into the schools. Great. But do not make it compulsory to the exclusion or to the detriment or hindrance of the student to learn other things, because we have to go elsewhere, we have to communicate elsewhere.

All this is important in this new territory, Mr. Chairman. All this is going to be important in the East as well as the West. We must never forget that, because our uniqueness will certainly fade if we cannot communicate electronically, orally with other people that we do business with and that we are dependent on for our commerce and for everything that we depend on here in the Territories. Until such a time as we become like the Arabs, that we can control the oil -- then we can tell them to speak our language. But we do not and we never will. I am saying that in our political structure, in our constitution, let us marry the best of both worlds. Then we are going to have something that is truly unique.

Mr. Chairman, I was just going to get into a whole other area of political and constitutional development. However, I will not continue any more because I believe that I, and I believe that other Members of this Assembly, will have an opportunity to continue describing our vision of the North when we meet the commission and make presentations to them, should we choose to do that, and of course I will go on record as saying that we will have an opportunity to guide, over the next four years after October, this Legislative Assembly into the future, whatever that may hold for us. After the election, I am certainly hoping that I will be back here to continue, not only the work that an MLA is required to do on a day-to-day basis, but also the things that are not as tangible, such as housing and education and all those other things, the conceptual things that we must deal with when we look at a constitution and a political structure for the Northwest Territories. We will all be involved in that, and I am hoping that I will be involved in that for another four years, Mr. Chairman, and the people that are here, to carry this on.

I think that if we brace ourselves now for the shock that is going to come when the plebiscite is sought and ratified, when the report comes to this government that will determine the future of the Territories, we must be prepared for it. As Sir Winston Churchill once said, "We must brace ourselves to the task." We must brace ourselves to the task so that, should these Territories survive, people will look back at the early 1970s when this process began, the way we know it, with the establishment of the groups that will look at the settlement of land claims and guide us toward a political future. They will also look back at the 1980s and the turmoil that it had, and they will look back at the 1990s that we are in now, putting forward serious and positive recommendations for the new millennium after the year 2000.

We do not have that far to go before we cross that threshold, but what we are doing today and what we are going to be doing in the fall, what we are going to be doing in the next couple of years, what TFN has been doing, what the Dene Nation has been doing, what the Metis Association has been doing, and what this Legislative Assembly and the past ones have been doing, are going to be important things. If these Territories last for a long time, people will indeed say that this was their finest hour. Mr. Chairman, thank you for this opportunity to say these few words, and again, I look forward to meeting with the new commission when it is established to continue this dialogue toward our future.

**CHAIRMAN (Mr. Gargan):** Thank you, Mr. Whitford. Mr.

Arlooktoo.

**MR. ARLOOKTOO:** (Translation) Thank you, Mr. Chairman. I want to discuss two items. I am speaking in Inuktitut. I am in support of what has been discussed. I am easily understood. As far as the East is concerned, we do not have many words when we discuss this issue, but we understand our language and we keep our statements brief. When someone makes a long statement, I lose the meaning and do not remember it.

I am going to keep my comments short as far as my culture goes, and also I want to say that we in Nunavut, we do not want to be delayed by Dene and we have fought for the political issue, because Nunavut is not wealthy.

The Inuit that want Nunavut, I admire them. I am in support of them. In 30 years, they have developed very far, as far as developing their own government, starting in the 1960s. They have met with Europeans and now, it is 1991 and they have come this far and I admire this feat. They have no fear and they are working with difficulty and they are progressing and this is what they have been doing for a while.

Also, my constituency is in support of Tungavik on their own political self-realization and my constituency has also been given workshops this winter from Tungavik, and this has been a progress. As far as my constituency is concerned, they are all -- probably not all are in support, but what I can speak for, for more than half, want their own government, as far as my constituency is concerned.

Personally, I am looking for clearness as far as Nunavut goes. I do not have a clear vision. It looks foggy, I can see it through a fog, but my constituents, I follow their wish. Also, from what I hear from the radio, from what people are saying, it becomes very difficult to have your own self-government, but sometimes it is also positive. Sometimes it looks easy to accomplish. This is how we are today and also we do not have very many educated people. That is how we are, but we are unified regarding the constitutional issue. This is our wish to be involved as far as Tungavik is concerned, we are in full support of this.

Also, the people in school -- we are very supportive of this educational system regarding government. We are in full support of this position. We have been told many times that the leaders are too uneducated. We have been told this many times, but other people are also saying that we are working unified and this is how we are doing it.

For myself, according to my culture, whoever you are, I accept you. You are Inuit, European, Dene, Metis, I see you all with one view, but the differences are a problem for me. The wishes are different and one is stopping the other and when the situation is like this, it makes me uncomfortable. But, the wishes of Nunavut and also the Dene land -- let us please have an agreement not to disrupt one another, and this is my wish to do so. Also, we are not children, we are past being children, we do not have a child's mind and we have a vision for the future. We will not always be on this land but we would like to leave our descendants with a heritage and this is according to my culture as far as speaking from the East. Also, I appreciate the support of my fellow Easterners, and they are many. Thank you very much.

--Applause

**CHAIRMAN (Mr. Gargan):** Thank you, Mr. Arlooktoo. Mr. Pudluk.

**MR. PUDLUK:** (Translation) Thank you, Mr. Chairman. I would also like to inform you that I will be brief. When I

speaking at length I become hard to understand and I go off on a tangent.

Mr. Chairman, as far as self-government goes, it is very much an issue. In 1975 in this Assembly I sat in this chair and things are improving. In 1975 when I was newly elected, our government then was governing like a province. Later on we became aware that we do not have to be like a province in the North because we have a separate culture. Legislation had to change. Those of us in the North are following our way of life. Later as that progressed, it came about that even the people who are Northerners had different cultures within the North.

Because of this the issue of separation was discussed. As this was foremost in the 1970s, beginning in 1980 we were even told that we had to separate. In April 1982 there was a plebiscite in the Territories and those that wanted division were the majority. From that point on there was constant debate on the constitutional issue. There has been an ongoing debate on the boundary.

It is obvious that we want resolution when we disagree, although there is some agreement with the South and North, the East and West and tree line. Even sometimes when there is no issue there is disagreement. That has been the ongoing struggle. It is our concern that the people on both sides of the tree line and the West and the East that they have to have their heritage for the future. It is imperative that they do not lose this and their way of life.

To be considered as an aboriginal, an Inuit, we do not want to lose this right. We constantly work on this in the East and the West. This is our clear vision for the future. Today life is changing. It is radically different from the 1940s and 1930s. Life as it changes in Nunavut -- they did not say no to change. Change was accepted.

In my knowledge aboriginal people in the North are in a turmoil of change. We do not constantly have to say no. There are some good things. I am aware that I have tried to live without white people in my own community, just Inuit in a small community. My translator used to live where I lived also. Today I can have her as an interpreter. Today we can be involved in the process when there is constitutional change in our country; we can negotiate and we can say no or we can say yes. That is exciting for us aboriginal people; that we can be involved in this process, involved in the organization of our governmental issues. If we have our own constitution within Nunavut, everyone has to be involved in the process, not leaving out a single person, as long as it is within Nunavut. This is an ongoing process. We have worked on it for many years and we continue to struggle for self-government within Nunavut. It is still a difficult task because it is hard to see the future. Perhaps when I am no longer here it will still be an ongoing issue. I want to tell you this. My children will be here and when my children have passed on, my grandchildren will be here.

As far as self-government goes, though we are anticipating a quick change, we will not give up. When we were talking about the boundary issue in 1982, the boundary was being drawn up. It was just a concept. The people in the West wanted part of the North Pole. We had given it to them. They had perhaps thought that we are separating from Canada. We are always a part of Canada. The East and the West are always a part of Canada. We are trying to ratify things, let us try not to have too much disagreement if we want to have a clear vision of the future. Thank you, Mr. Chairman.

--Applause

**CHAIRMAN (Mr. Ningark):** Mr. Ernerk.

**MR. ERNERK:** (Translation) Thank you, Mr. Chairman. I did not complete what I wanted to say yesterday. I am not tired of working on the constitution. I want to help my fellow man. It is deeply in my heart. As an Inuit, this is our way. My people want a resolution and I know that this will be resolved. We are expecting it in the near future. It is no longer hopeless. It is only a matter of when and it is going to be resolved very soon. (Translation ends)

Mr. Chairman, I want to be clearly understood that I support land claims. I support the creation of Nunavut.

(Translation) I can say to anyone that as far as wanting Nunavut is concerned, we do not want it to be stopped by anyone. Mr. Chairman, I know a little bit about the creation of Nunavut. For five years, the Tungavik Federation of Nunavut -- I was involved in their debates and I know what it is all about. I am in support of the people that are trying to create Nunavut. (Translation ends)

Mr. Chairman, I am trying to indicate to the House and to those that want to listen to us, within my own riding, within the Nunavut communities, to see that Inuit rights, Inuit land is returned to the Inuit themselves. Nunavut lands are rightfully ours. They have always been, they will always be. There is no question about that. I want to see our children benefit from the land claims. That has to be our ultimate objective. Mr. Chairman, I support the boundary as agreed to in Iqaluit in 1987.

(Translation) My fellow people, Mr. Chairman, the Dene people and the Minister, Mr. Kakfwi, and the Inuit Tapirisat of Canada have supported Nunavut and it has been supported by the GNWT. I have also supported the line drawn up, the boundary issue according to the people that wanted the creation of Nunavut. I know that once we have established Nunavut in the Eastern Arctic, we, the Inuit people, will be able to run the Eastern Arctic. (Translation ends)

Work has already been done by the people of Nunavut. The Nunavut Constitutional Forum has done a lot of work already on the constitutional and political development of Nunavut. Tungavik Federation of Nunavut has done a lot of work in the area of what constitution might be. Regional councils in Nunavut have already done a lot of work with regard to the constitution of Nunavut. A lot of people have worked, very hard in trying to make reality the Nunavut territory, Mr. Chairman. I can also say to you, Mr. Chairman, when we begin to work on the constitution of Nunavut in the future -- and I say to you, I hope it is going to be in the very near future that we can complete the constitution of Nunavut and make Nunavut territory a reality. It is going to be completed much quicker than the land claim negotiations that have taken place in the past 15 years. We have already laid out certain amounts of groundwork for what the government of Nunavut should be. We Inuit are very much attached to the land and as a result, I can say to you that we can govern Nunavut successfully in social and economic issues, environmental issues, cultural issues, wildlife issues, as well as language, justice and more. We are ready. I am going to continue to work to the best of my ability to make sure that what we are planning is going to be good for our children as well as our grandchildren. Those of you who believe in democracy, please do not deny our Inuit people Nunavut, their right, our God-given right to govern ourselves. Please. Thank you, Mr. Chairperson.

**CHAIRMAN (Mr. Ningark):** Thank you, Mr. Ernerk. Mr. Kilabuk.

**MR. KILABUK:** (Translation) Yes, Mr. Chairman, just a short

comment on what my colleague talked about. I am an aboriginal person. I cannot speak English and I am also a political person. It is very interesting. I know what we are discussing right now is very important and it is very exciting to be involved in these discussions and to know that we were involved in the beginning of the discussions on political and constitutional issues. It has been about 30 years, as Mr. Arlooktoo said, that we have been involved with political and constitutional issues. It is very exciting. Our children have had more education than before and they can also assist in the process that we are going through at this time. I hope for the future that they will be able to run our government and run what we have started for them. They can run the government as a government for all the people in the NWT.

We have heard a lot of times on the radio people discussing what we want in Nunavut. The people from the Nunavut area have been planning and are ready to be involved, ready to pave the road for our people. We have selected lands to be used by the aboriginal people. The people that are going to be in Nunavut have had their applications already processed to plan for the reality of Nunavut. The process is going to have to go ahead because we have already planned for it. It is very important to have a good system of government in our land. We are not very educated as aboriginal people from the Eastern Arctic, but we need a lot of help from the government and from the people that know what our feelings are. We are currently being assisted by the people more knowledgeable than ourselves. When we have our Nunavut we will not forget the rest of the people. We will not forget the other side. It is very important and TFN has always stressed that. I am happy to be involved in the discussion on political and constitutional issues because we have planned it as Eastern Arctic people and we would like it to continue to progress smoothly, even though we have some obstructions. We are going to continue to stress to have Nunavut created, following the wishes of our people. We will continue to try and get support from the strong leaders and from other people for them to help and assist us to plan better and to continue as the Eastern Arctic.

I am very happy that I am involved in the discussions on these issues right now. I know that we have to assist each other for our wish to become a reality. We have been trying to assist each other to have one mind to have the wish of Nunavut created. I know there are not very many people, perhaps about 50 per cent or more, that are in support of the creation of Nunavut, and I am very happy about that. I know we will continue to need some support from everyone, and we call upon some people that could assist us in every way that they can. We are not going to forget, as Nunavut people, the reason why we wanted division in the first place. The division of the NWT has not died in our minds, as far as the Eastern Arctic people are concerned, and the people have said that they still want division.

While we are discussing the political and constitutional issues, we would like support, and not to be given any obstructions, to get what we want. We will continue to need some support from the public and from the government. We will be welcoming all the support that we can get from the public and the government. We agreed with the western people when they needed support, and we have supported them in the past, and it is very good that they have said that they would support us. I said I was going to make a brief comment and I would like to make a motion. The motion that I am going to introduce, Mr. Chairman, perhaps the Members would like to have copies of my committee motion. I will read my motion, Mr. Chairman.

#### **Motion To Recommend Introduction Of Amendments To The Plebiscite Act To Permit Holding A Plebiscite On Boundary For Two Territories**

I move, that this committee recommends that the Executive Council develop, for introduction during this session, amendments to the Plebiscite Act which would permit the holding of a plebiscite approving the boundary that would divide the future western and eastern territories. That is my motion, Mr. Chairman.

**CHAIRMAN (Mr. Ningark):** Everyone has the motion on their desk. The motion is in order. To the motion. Mr. Sibbeston.

**MR. SIBBESTON:** Thank you, Mr. Chairman. Just some clarification. As I understand it, it is just really a request to amend the Plebiscite Act, changing the act so that eventually there can be a plebiscite in the North, and the boundary that we talk about here "approving the boundary" is the boundary question that is now in the hands of the federal government. Mr. Parker had done work and he has recommended a boundary, and it is the thinking that this would be the boundary that is ultimately approved by everybody and the boundary that would be included in this Plebiscite Act. Just for clarification because certainly the boundary at the moment is uncertain. We do not know what the boundary is going to be. As I said, there is a consultant or adviser that is making recommendations. Mr. Parker is making recommendations to the federal government, and let us hope that it is a suitably good boundary that everybody in the North likes and approves. I suppose that is the hope. But in the event that there are problems, one of the parties does not agree, what will happen? Are we going to be stuck with a boundary that Mr. Parker advises or recommends to the federal government? I just want to hear a little more about that issue, that by passing this motion we will be stuck with whatever boundary is recommended by Mr. Parker.

**CHAIRMAN (Mr. Ningark):** Mr. Sibbeston, I am told that you cannot ask questions to the motion that is on the floor. To the motion. Mr. Sibbeston.

**MR. SIBBESTON:** I appreciate your view on that but perhaps maybe some other Member that knows information could help us out on this matter.

**CHAIRMAN (Mr. Ningark):** To the motion. Mr. Patterson.

**HON. DENNIS PATTERSON:** Thank you, Mr. Chairman. Perhaps I can speak to some Members' concerns for some clarification on this. Mr. Chairman, Mr. Siddon now has in hand a report from Mr. John Parker which recommends a solution to the long-standing land claims boundary dispute, which has basically been outstanding since the talks failed in early 1987.

The Iqaluit Agreement, which is cited in the TFN agreement in principle, article 4, which has been signed by this government, contemplates that the land claims boundary would be the basis for a political boundary between a future western and eastern territory. So we are contemplating the successful resolution of the land claims boundary as the basis for the political boundary.

The reason for this, Mr. Chairman, is that the land claims will be different between the Inuit and the Dene/Metis lands and therefore it seems to make sense that if new governments are going to be created, they should each deal with a land claim that would have somewhat different management regimes and structures and rules and regulations with respect to aboriginal peoples.

So I would further assure Members of this Assembly that there is a step that has to take place before this question is put to the people, namely a resolution of the boundary issue which we will all know about, presumably within weeks or months, if things move as fast as the federal Minister has indicated they will move. So we will know what that land claims boundary is when we come back here in late June, I would expect, if all goes well. And furthermore, Mr. Chairman, the amendment to the Plebiscite Act, of course, would come to Members of this Assembly and they would see the line and the question before it is put to the people.

So what is now not quite certain, will become more certain by the time the amendment to the Plebiscite Act is brought forward to this House by the government. I hope that helps clarify what would happen if this motion were passed, Mr. Chairman.

**CHAIRMAN (Mr. Ningark):** To the motion. Mr. Ernerk.

**MR. SIBBESTON:** I am going to make you guys work for this.

**CHAIRMAN (Mr. Ningark):** Point of order. Mr. Ernerk has the floor. Mr. Ernerk.

**MR. ERNERK:** (Translation) Thank you, Mr. Chairman. Regarding this motion, I understand the contents of this motion perfectly and in regard to the Plebiscite Act, I understand that if we were to have a plebiscite regarding a boundary line that would divide the western and eastern territories, this will bring about two new territories and I just wanted to clarify this, Mr. Chairman, and that I would fully support this motion. Thank you.

**CHAIRMAN (Mr. Ningark):** Thank you. Mr. Sibbeston.

**MR. SIBBESTON:** Mr. Chairman, I am not going to belabour the point, and I will support this motion, but I just wanted to make my point, and my point yesterday, essentially was, while the paper was good, it provided discussion that led to the discussion we had today. It really was not complete. Some matters came to our attention late in the day as it were. Particularly the idea of a constitutional commission. Likewise the motion that was passed earlier, that similarly as a commission is set up in the West, that the government will co-operate with TFN on consultation with respect to Nunavut. This motion too, dealing with the plebiscite -- had these been contained in the paper as recommendations, I think the discussion would have been much, much clearer and I think that we would not have got ourselves into the difficulty that we did.

So, I just urge the government, in future when they make important constitutional papers, that they do think it out right to the ultimate end and not scramble at the last minute to add things and have results and motions like we are dealing with. So, it is just a point that I have to make in the interest of good government and good assemblies and so forth. So, saying that, I support this motion.

**CHAIRMAN (Mr. Ningark):** To the motion, Mr. Gargan.

**MR. GARGAN:** Mr. Chairman, the motion itself, to suggest an amendment to the Plebiscite Act, right now I do not have the copy of the act in front of me, but basically the Plebiscite Act allows for a plebiscite to be held. The amendments to the Plebiscite Act, what would that mean, to the difference in the amount that is in favour or the numbers that are required in the East and the West? I do not really know what this means. Maybe I could ask the government whether or not it just means the wording of a plebiscite and the boundaries on where the lines are drawn. Clarification, Mr. Chairman.

**CHAIRMAN (Mr. McLaughlin):** Mr. Patterson, point of order.

**HON. DENNIS PATTERSON:** Mr. Chairman, the Member's question about the Plebiscite Act was directed to the government. I would respectfully suggest that it is an act of this House, and the Law Clerk would be the appropriate person to respond. Thank you.

**CHAIRMAN (Mr. McLaughlin):** What a timely visitation we just had. Mr. Gargan, would you like to readdress your question perhaps?

**MR. GARGAN:** Mr. Chairman, just that the Plebiscite Act clearly states that a plebiscite could be held on any issue that you want to have regarding public opinion on a certain issue. The motion itself is to amend the Plebiscite Act, but which section of the Plebiscite Act is the motion intending to change? What I wanted to get from our Law Clerk is whether or not the amendment would be with regard to the wording of the plebiscite and the boundaries or where the lines are drawn.

**CHAIRMAN (Mr. McLaughlin):** Madam Law Clerk.

**LAW CLERK (Ms. MacPherson):** Thank you, Mr. Chairman. Mr. Chairman, I will have to review the legislation and take that under advisement.

**CHAIRMAN (Mr. McLaughlin):** Thank you, Madam Law Clerk. Mr. Gargan, you are the speaker right now. Do you want to continue or would you like to relinquish the floor for somebody else?

**MR. GARGAN:** I will wait for the opinion before voting on it if I could.

**CHAIRMAN (Mr. McLaughlin):** Thank you, Mr. Gargan. I have Mr. Morin next on the list.

**MR. MORIN:** Thank you, Mr. Chairman. This motion, the way I read it and understand it is, recommend to the Executive Council to develop, for introduction in June, amendments to the Plebiscite Act. There are no dates or anything involved in it, so basically my understanding of the situation is that the government, the Executive Council, can at any time bring forward amendments to legislation. So I do not really have a problem with this motion. It is kind of vague, I guess, but I really do not have a problem with it.

#### Support For Inuit People

Just to clarify for Members, I have sat here for a few hours now and listened to all the debates, all the speeches on political and constitutional development, and I would just like to clarify, myself being a Dene/Metis person, I am in strong support of the Inuit people to get control of their own lives, run their own country, have their own territory. That is what we are all working toward, both in the East and the West. Maybe we have to make changes to the Plebiscite Act to accomplish that; I do not know. But I do know that there is a process that we should be using, and we should not drop bombshells at the last moment, because they are not received well.

I also realize that my colleague from the East introduced a motion and I had no choice but to nay it because we never saw it before. It was too significant, I felt, for it to continue in the House. A motion of this type is no problem to me. It is basically just recommending to the Executive Council to change the Plebiscite Act so a plebiscite can be held. That is agreeable to me. There are no dates or anything else on it. I just want to set the record straight so people know that

I will be voting in favour of this motion. Thank you.

**CHAIRMAN (Mr. McLaughlin):** Thank you. To the motion. Mr. Gargan.

**MR. GARGAN:** Mr. Chairman, I am still not too sure what the intent of the motion is here; whether it is to amend the Plebiscite Act. The Plebiscite Act itself states that the Commissioner may direct that a plebiscite be held on the issue of a proposed boundary for division of the Territories. It gives the details of how it should be done. I would like to ask the mover of the motion what the intent is and also the Law Clerk, if it is regarding the boundaries, whether the Plebiscite Act does cover it right now.

**CHAIRMAN (Mr. McLaughlin):** Madam Law Clerk.

**LAW CLERK (Ms. MacPherson):** Thank you, Mr. Chairman. With reference to Mr. Gargan's earlier question, the current Plebiscite Act does provide that the Commissioner may direct that a plebiscite be held, and it sets out a question as attached in a schedule. However, the question in schedule A is now outdated. It was obviously intended to be put to the people at a different time and under different conditions. Therefore, the Plebiscite Act would have to be amended to provide that a plebiscite be held on this specific issue; and the question would have to be amended. Currently the question is outdated, as attached in the schedule. They would have to amend the schedule to allow a new question on the issue of the boundary to be put to the people. Most likely, sir, they would probably attach a map of the proposed boundary, as well, in any amendments that were made to the Plebiscite Act.

**CHAIRMAN (Mr. McLaughlin):** Thank you. To the motion. Mr. Zoe.

**MR. ZOE:** Thank you, Mr. Chairman. I question why we are dealing with this type of motion. Was the government not considering bringing amendments to this act? They know that this act would have to be amended in order to hold a plebiscite. So the prerogative is there for the Executive to bring forward any type of amendment to the House. Or is there some kind of opposition from the Executive that they are not anticipating to bring forward this type of amendment? Does it require us to put it in a committee motion to direct the Executive to do that? Was their intention in the first place to come forward with an amendment? Why does this type of motion have to be brought forward? My understanding was the Executive was going to do that in the first place.

I will be supporting this motion. Maybe there is some difficulty in the Executive saying "maybe not", or whatever the situation is. I am not too sure. Maybe that is why the Member is putting forward this motion at this time so that they do bring forward the amendments. Thank you.

**Motion To Recommend Introduction Of Amendments To The Plebiscite Act To Permit Holding A Plebiscite On Boundary For Two Territories, Carried**

**CHAIRMAN (Mr. McLaughlin):** To the motion. Question is being called. A recorded vote is also being asked for. All those in favour of the motion, please stand.

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Crow, Mr. Arlooktoo, Mr. Kilabuk, Mr. Pedersen, Mr. Zoe, Mr. Sibbeston, Mr. Morin, Mr. Pudluk, Mr. Ernerk, Mr. Whitford, Mr. Ningark, Mr. Gargan.

**CHAIRMAN (Mr. McLaughlin):** All those opposed to the motion, please rise. All those abstaining, please rise.

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Wray, Ms. Cournoyea, Mr. Allooooloo, Mr. Patterson, Mr. Kakfwi, Mr. Butters, Mrs. Marie-Jewell.

**CHAIRMAN (Mr. McLaughlin):** The recorded vote for the motion is 12 in favour, with seven abstentions and no votes against the motion. The motion is carried.

---Carried

---Applause

We are still in general comments on the position paper that is before us. Are there any general comments? Does the committee then agree that this matter is concluded?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Does the committee have any wishes as to where we should proceed from here? Mr. Allooooloo.

**HON. TITUS ALLOOLOO:** Thank you, Mr. Chairman. The government wishes to proceed in the following manner to deal with the bills: Bill 31, Business Credit Corporation Act; Bill 26, Motor Vehicles Act; Bill 37, Judicature Act; Bill 38, Local Authorities Elections Act; Bill 3, Liquor Act; Bill 6, Regional and Tribal Councils Act; and Bill 30, Teachers' Association Act.

**CHAIRMAN (Mr. McLaughlin):** Thank you, Mr. Allooooloo. Does the committee agree with this procedure of dealing with the bills that are left before it? Mr. Gargan.

**MR. GARGAN:** Mr. Chairman, can we defer the Teachers' Association Act?

**CHAIRMAN (Mr. McLaughlin):** Mr. Gargan, you could make a motion, or if one of the government Members would wish to respond, they could perhaps give reasons why they think it is important to keep that one on the agenda. Mr. Gargan.

**MR. GARGAN:** Thank you, Mr. Chairman. Mr. Chairman, I move that the government consider deleting Bill 30 from the orders of the committee of the whole.

**HON. GORDON WRAY:** Point of order.

**CHAIRMAN (Mr. McLaughlin):** Point of order. Mr. Wray.

**HON. GORDON WRAY:** Thank you, Mr. Chairman. I would question whether that motion is in order. Should it not wait until the bill is introduced into the committee? We are not dealing with that bill yet.

**CHAIRMAN (Mr. McLaughlin):** The procedure would be that we would get concurrence to deal with the bills in order and then when the particular bill is introduced into the House, that would be the appropriate time to have one of those bills deleted. What I am asking, is the committee generally in favour that we proceed with the bills as outlined by the government?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Bill 31: Northwest Territories Business Credit Corporation Act**

**CHAIRMAN (Mr. McLaughlin):** We are in agreement, and we will pursue with Bill 31, An Act to Establish the Northwest



Territories Business Credit Corporation Act, with Mr. Wray sponsoring the bill, I believe. Mr. Wray.

### Minister's Opening Remarks

**HON. GORDON WRAY:** Thank you, Mr. Chairman. I am pleased to introduce the Business Credit Corporation Act to the committee. When I tabled the department's economic strategy one year ago, I made a number of commitments. One of them was to create a new approach to lending, to make our services more accessible and responsive to the needs of the business community. To that end, we undertook extensive consultation with representatives of the business community to ensure that the direction proposed did, in fact, meet those needs. By creating the Business Credit Corporation we will improve access to lending services and strengthen the accountability of the business loan fund to the business community.

The current act has several limitations which this bill addresses. Before I deal with those limitations and the changes made, I would like to explain why I place such high emphasis on continuing to provide debt financing to NWT businesses. The current business loan fund is our most widely used and largest program. It provides necessary capital to a full range of businesses who have sound business ideas and plans but who lack the necessary financial security and resources to access normal bank financing. As you know, banks in the North operate on the basis of credit conditions in Canada as a whole. During recessions, banks become more conservative. It seems that the North feels these more conservative lending policies along with the rest of Canada. Applications to the business loan fund normally increase or decrease in direct response to changes in national credit conditions. As a case in point, we currently have outstanding loans and commitments of \$18 million, leaving less than two million dollars available for future lending under the limits of the current act.

In the 1990-91 fiscal year the board approved 64 loans for a total of \$5.5 million, which is over one million dollars higher than any previous year. Banking services have been improving and business volumes in the North have been growing since the inception of the business loan fund. Those services, however, are still out of reach of many businesses, particularly in smaller communities.

### Alternative To Bank Financing

The increase in demand for our program, especially in light of this being a year of recession, emphasizes the need for an alternative to bank financing. The changes proposed are intended to improve service generally and to small communities specifically. A further aim is to improve the accountability of fund management to the board and increase the board's responsibilities and accountability to the Minister.

Specific changes made which will serve to increase the effectiveness of the loan fund are as follows: The Business Credit Corporation Board will have full authority to reject or approve loans less than or equal to \$500,000. Under the current act, the Minister must approve all loans. The board can also reject or recommend to the Minister loans over \$500,000. Loans rejected by the board can be reviewed by the Minister. The increase in the lending limit up to one million dollars reflects both increasing costs of establishing businesses and the increasing abilities of business people to take advantage of more complex and costly business opportunities.

The provision of loans, guarantees or performance bonds is allowed for in the proposed act. Performance bonding is particularly important to NWT contractors to enable them to be

eligible for contracting opportunities.

Regulation-making authority has been altered, in part to allow for better targeting of the program by, for example, allowing differential interest rates for different classes of loans. Another major change proposed is to have the administration of the fund carried out through an independent agency rather than have the program continue to be run from within the department. In addition to being more independent from the department, financial arrangements will allow for the fund to grow to a maximum of \$50 million, based on fund usage and revenues. The change is intended to allow the fund to grow through interest and principal and other revenues being paid back to the fund without further changes to the act. The government can also increase the size of the loan fund by lending to the corporation.

The funding arrangements for the corporation also allow for an annual contribution to make up the difference between revenues and operating expenses.

The new funding arrangements are consistent with the current formula financing agreement with the federal government. Because of the formula, the GNWT cannot transfer the revenues to the corporation. It will be treated as foregoing revenue and deducted from the amount provided to the GNWT. Funds will therefore be lent to the corporation at a rate to be determined by the FMB, Financial Management Board. This legislation would also allow the Minister the flexibility to establish regional loan boards through regulation. The act also allows the board to delegate limited decision-making authority to staff; loans under an amount specified by the board could be made at the staff level, similar to a branch manager at a bank.

I hope to speed the lending process for small loans through this mechanism. Under the current system, a \$1000 loan takes as long as a \$250,000 loan. Mr. Chairman, if people are willing to make long-term commitments by investing in new, or expanding on existing, business opportunities, in level two and level three communities, I feel it incumbent upon this government to encourage them.

In order to promote job creation through business investment in these communities, I am proposing that there no longer be a three-year residency requirement to be eligible to apply for loans and guarantees. A residency requirement would still be in effect for bonding; however, all businesses must be registered in the Northwest Territories.

In addition to dropping the residency requirement, the new fund will no longer be required to insist on bank refusals prior to considering a loan application. This provision removes an unnecessary hurdle now faced by most applicants in small communities.

In closing, Mr. Chairman, I look forward to the passage of this bill as it represents a third of three major initiatives I undertook to effect the GNWT and departmental economic strategies. The development corporation is operational and will allow for direct investment where jobs are required. The business development fund, which consolidates all departmental business contributions, will be in effect as of April the 1st and will allow for the stimulation and growth of business opportunities, especially in level two and three communities; and, finally, the business credit corporation will provide a means to ensure necessary debt financing is available to small businesses on equitable terms throughout the Northwest Territories. Thank you.

**CHAIRMAN (Mr. McLaughlin):** Thank you. Before proceeding to general comments, I would like to ask the chairman of the standing committee on legislation if this

committee has any comments regarding this bill.

**MR. ERNERK:** Yes, Mr. Chairperson. May I proceed?

**CHAIRMAN (Mr. McLaughlin):** Mr. Ernerk.

#### Comments From The Standing Committee On Legislation

**MR. ERNERK:** Thank you, Mr. Chairperson. This bill would replace the existing Territorial Business Loans Board with a new Northwest Territories business corporation and would repeal the current Business Loans and Guarantees Act. The standing committee on legislation reviewed Bill 31 on April 15, 1991. The standing committee received a lengthy presentation from the Minister of Economic Development and Tourism, the Hon. Gordon Wray, and his officials. Members were grateful for the Minister's detailed information that he provided during the committee review.

Mr. Chairperson, the standing committee found it useful during its review of the bill to focus on the manner in which the government system for making business loans will change with this new legislation.

My comments this afternoon, this evening now, will focus on those differences and why the new Northwest Territories Business Credit Corporation Act will represent an improvement over the current process. The current Business Loans and Guarantees Act establishes a territorial loans board and six regional business loans boards. The boards consider applications for loans and guarantees within their monetary limits and then make recommendations to the Minister. The boards have only the power to recommend. The final decision always rests with the Minister.

The new Business Credit Corporation Act has several structural advantages over the existing framework. The new act would create a corporation which is a separate legal entity from the Government of the Northwest Territories. The corporation will have a 12-member board of directors with the authority to designate the chairman and a vice-chairman of the board. These positions do not have to be filled by public servants. This is a welcome change from the existing Business Loans and Guarantees Act, which states that the senior positions must be government workers.

The Minister may also appoint a manager for the board, but must consult with the board members in doing so. The act also provides that regional business loans boards may be created. The regions and communities for these are to be designated by regulation. This makes board structure more flexible and responsive to changing community needs.

While this new structure represents a considerable improvement over the status quo, the standing committee on legislation was concerned about procedures for filling membership requirements of the regional boards. Members of regional boards should not be hand-picked by the Minister but should be identified through a process of community consultation so they reflect considerations of the business and social community in the region they serve.

Some Members noted that certain board appointments have been made in the past without appropriate consultation and were concerned that they should not take place with regional business loans boards.

At our meeting on April 15th the Minister provided some assurances that a complete consultation process would be used in filling membership requirements of both the territorial and regional boards. This satisfied many of the committee's concerns in this area.

Mr. Chairperson, there are some further advantages provided by the proposed Business Credit Corporation Act. In addition to granting or recommending loans and guarantees, the proposed act also provides that the board may indemnify bonds provided by bonding companies. This is a new power granted by the Business Credit Corporation Act.

Loans and guarantees indemnities may be made if they are for the purpose of stimulating economic development and employment in the NWT. The decision to include the employment development criteria is a new and welcome improvement. The Business Loans and Guarantees Act provides only that the loan or guarantee must stimulate economic development in the NWT. Under the new act as well, loan applicants must be able to obtain assistance from a financial institution, as is the case with the existing Business Loans and Guarantees Act. However, the new Business Credit Corporation Act also allows an applicant to become eligible on the grounds that there is no financial institution in the community where the business is located.

Business enterprises in the NWT will find it easier to get a loan even if they are located in a community which does not have a bank. The new act also allows the corporation more flexibility in dealing with borrowers who refuse or are unable to repay loans, by allowing the corporation to hold and dispose of shares in community enterprises to whom a loan guarantee or indemnity has been given.

Finally, the new act alters the decision-making process to give the territorial board and its manager more authority. If the loan, bond or indemnity is less than \$500,000, the board manager or its officers may approve the application. Loans exceeding half a million dollars still require Ministerial approval. The maximum amount of any loan, bond, guaranteed bond or indemnified bond that may be granted to any one business enterprise is one million dollars. Regional boards provide an advisory role in this process.

Mr. Chairperson, the standing committee on legislation expressed strong support for the improvements which will be provided by this new bill. On April 15, 1991, the standing committee on legislation agreed to recommend this bill to the House.

**CHAIRMAN (Mr. McLaughlin):** Thank you, Mr. Ernerk. I believe this bill, even though it was not a money bill, was also referred to the standing committee on finance, and I believe the chairman and the deputy chairman are both out of town on business and Mr. Whitford is going to respond on behalf of the standing committee on finance. Mr. Whitford.

#### Comments From The Standing Committee On Finance

**MR. WHITFORD:** Thank you, Mr. Chairman. The standing committee on finance did indeed review the Northwest Territories Business Credit Corporation Act, and the findings of the committee were that they expressed no particular concern with the act. The committee had hoped to see a corporate business plan for the corporation, but the Minister informed the committee that it was not available as of that time. He did assure us that our committee and this House would be provided with it as soon as it was established. Our committee recommends this act to the House.

**CHAIRMAN (Mr. McLaughlin):** Thank you, Mr. Whitford. General comments. Does committee agree we then go clause by clause?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Northwest Territories Business Credit Corporation Act. Clause 1, definitions. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 2, corporation established. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 3, agent of government. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 4, natural person. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 5, powers. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 6, board of directors. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 7, business of the corporation. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 8, by-laws. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 9, quorum. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 10, duty of chairperson. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 11, expenses and honorarium. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 12, manager. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 13, conflict of interest. Agreed?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. McLaughlin):** Mr. Gargan.

**MR. GARGAN:** Mr. Chairman, with regard to the conflict of interest only applying to the manager and the director. Is there a reason for that only? It applies to these two members of the board.

**CHAIRMAN (Mr. McLaughlin):** Mr. Wray.

**HON. GORDON WRAY:** Thank you. It applies to all the members of the board and the manager.

**CHAIRMAN (Mr. McLaughlin):** I believe what Mr. Gargan is asking is, does it also apply to the chairman when it applies to the directors? Maybe, Mr. Gargan, you can rephrase your question.

**MR. GARGAN:** Mr. Chairman, if you read clause 13, it says, "The Conflict of Interest Act applies to the manager and the director." It does not, however, say, as Mr. Wray indicated, that it applies to all the members. It does not say that.

**CHAIRMAN (Mr. McLaughlin):** Mr. Wray.

**HON. GORDON WRAY:** It says "directors" in my book.

**CHAIRMAN (Mr. McLaughlin):** Clause 13, conflict of interest. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 14, employees. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 15, confidentiality. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 16, liability. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

#### **Establishment Of Regional Business Loans Boards**

**CHAIRMAN (Mr. McLaughlin):** Clause 17, establishment of regional business loans boards. Mr. Gargan.

**MR. GARGAN:** Creating a board under regulation, would that be also at the request of the regions if they wanted to

create that type of a board?

**CHAIRMAN (Mr. McLaughlin):** Mr. Wray.

**HON. GORDON WRAY:** Thank you. That is why we are proposing to create a board by regulation as opposed to an amendment to legislation. If a region, for example, say the Sahtu, requested that they have their own little board as opposed to being part of the Inuvik board, the only way I can do it right now is to wait and then amend the legislation. This way, by regulation, I could do it a lot faster, so it gives me the flexibility to do it.

**CHAIRMAN (Mr. McLaughlin):** Clause 17. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 18, appointment to regional boards. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

#### Conflict Of Interest

**CHAIRMAN (Mr. McLaughlin):** Clause 19, conflict of interest. Mr. Whitford.

**MR. WHITFORD:** Clause 19, the Conflict of Interest Act. I am not familiar with the Conflict of Interest Act as it applies to this type of a board. I am more familiar with a Conflict of Interest Act as it applies to government employees, MLAs, and stuff like that. Does this preclude business people from being on the board because this is a corporation that could be involved with their business? Is this the type of conflict of interest we are looking at?

**CHAIRMAN (Mr. McLaughlin):** Mr. Wray.

**HON. GORDON WRAY:** Thank you. What that does, when a member of the board or an employee has a personal interest on a matter in front of the board, they must disclose that and declare a conflict of interest.

**CHAIRMAN (Mr. McLaughlin):** Clause 19, Mr. Whitford.

**MR. WHITFORD:** Under this particular section, conflict of interest, would it be necessary for a business person to declare their business involvement prior to becoming a board member or, upon appointment, to let this be known well in advance of being appointed, or as part of the appointment? If it is strictly just as they deal with something, a particular thing that may be a conflict of interest, there could be some misinterpretation. I am just wondering if they declare upon application what their business interests are, what their holdings are, so that there is absolutely no confusion in anybody's mind of how involved they are with business. Thank you.

**CHAIRMAN (Mr. McLaughlin):** Mr. Wray.

**HON. GORDON WRAY:** No, there is no requirement for, say, if a business person was going to be appointed to a board, for him to declare what his assets or companies were because he is not in a conflict of interest. The Conflict of Interest Act only kicks in when, in fact, an issue arises that would place that individual in a conflict of interest. That individual would have to declare the conflict when a matter came before the board that was a conflict; but prior to his appointment to a board no conflict exists, so therefore there is no requirement

to declare it.

**CHAIRMAN (Mr. McLaughlin):** Clause 19, conflict of interest. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 20, procedure. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 21, quorum. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 22, duty of chairperson. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 23, expenses and honorarium. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 24, administrative assistance. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 25, confidentiality. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 26, liability. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 27, application for loan. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 28, application for guarantee. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 29, application to board. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 30, recommendation by board. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 31, terms and conditions. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 32, conditions applicant must meet. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 33, final decision. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 34, further information. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 35, application to board for review. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 36, application to Minister for review. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 37, making loan. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 38, obligations of borrower. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 39, acceleration of principal. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 40, terms shall not be altered. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 41, change of terms or conditions of a loan. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 42, transfer of loan or bond. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 43, inconsistency with act. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 44, corporate seal. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 45, Business Loans and Guarantees Fund. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 46, contribution by government. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 47, loans to corporation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 48, advance from fund. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 49, losses chargeable to fund. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 50, fiscal year. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 51, regulations. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 52, Territorial Business Loans Board. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 53, regional business loans board. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 54, recommendation to Commissioner deemed approval. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 55. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 56, Business Loans and Guarantees Act. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 57, commencement. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

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

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** Are Members agreed that Bill 31 is ready for third reading?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**Bill 26: Motor Vehicles Act**

**CHAIRMAN (Mr. McLaughlin):** Next is Bill 26, An Act to Amend the Motor Vehicles Act, also by Mr. Wray. Mr. Wray, are you prepared to go ahead with an opening statement?

**Minister's Opening Remarks**

**HON. GORDON WRAY:** Thank you, Mr. Chairman. The committee has before it a bill to amend the Motor Vehicles Act. This is a housekeeping bill which will allow the Department of Transportation to deliver a better service.

The amendments involve four issues. The first amendment will extend the present 30-day expiry limit on permits in lieu of registration up to a full year. As the act stands today, a commercial transport is prohibited from registering in the NWT if it is also registered in another jurisdiction. In this situation the act provides that the registrar may issue a 30-day permit in lieu of registration that allows the transport to operate in the NWT.

As a matter of practice, the 30-day limit on the permit has been awkward and cumbersome for both the motor vehicles division and the trucking industry. This amendment will allow the division to issue registration permits for a period of up to a year; that is more convenient for all parties involved.

The second amendment establishes a 14-day period of grace for an owner to transfer the licence plate and registration from one vehicle to another. This situation often occurs when the owner sells one vehicle and buys another. Without the grace period, the owner is technically in violation of the law until the transfer transaction is fully completed.

The third amendment corrects an oversight in the act which has persisted since 1978, when the Vehicles Ordinance was amended to introduce driver licence classes to the NWT. The system of driver licence classes is one through five, and replaced the earlier system of requiring special licensing endorsements for the types of vehicles a person wished to drive. Although the class four driver's licence replaced the taxicab endorsement on the former chauffeur's licence, the references to the taxicab endorsement were never removed from either the old Vehicles Ordinance or the Motor Vehicles Act. The motor vehicles division has not issued a taxicab endorsement for many years. This amendment will bring the act into line with current practice.

The Liquor Act also makes several references to the taxicab endorsement whereby, as part of a sentence for a conviction under the Liquor Act, a judge may prohibit a person from driving a taxi. This bill also makes appropriate amendments to the Liquor Act.

The fourth amendment clarifies a requirement of a school bus carrying students to stop at all railway crossings regardless of the type of sign, warning or control device that may be in place at the crossing. This amendment is to make us consistent with the law in all other jurisdictions across Canada, which requires that school buses with students must stop at all railway crossings.

I hope the Members find that these amendments to the Motor Vehicles Act will bring the law into line with present practice and improve the service to the public. Thank you.

**CHAIRMAN (Mr. McLaughlin):** Mr. Ernerk, as chairman of the standing committee on legislation, would you like to make a comment?

**Comments From The Standing Committee On Legislation**

**MR. ERNERK:** Mr. Chairman, this bill would amend the existing legislation to allow recently purchased vehicles to be operated for 14 days with licence plates from another vehicle owned by that person. This change would likely help drivers in outlying communities to begin using their vehicles right

away rather than having to wait for a lengthy registration process.

This bill would also change some of the registration requirements for public service vehicles and commercial vehicles. When someone from another province or the Yukon wishes to operate a public service vehicle or commercial vehicle in the Northwest Territories, they need to obtain a registration permit. Under the existing legislation, the registration permit is issued for a period up to only 30 days. This bill would change that by allowing the operation of the public service vehicle or commercial vehicle for a period of up to one year.

The standing committee on legislation could see that the 30-day limit on the permit could be very awkward and cumbersome for both the motor vehicles division and the trucking industry. This amendment represents a positive change. This bill also provides a housekeeping change to provisions which deal with the licensing of taxis. Previously, taxicab drivers had to apply for a special endorsement prior to receiving their licence. This procedure was changed in 1978 with amendments to the Motor Vehicles Ordinance which established our current system of driver's licence classes.

With the 1978 amendments, the old chauffeur's licence was replaced by a Class 4 licence designation. However, reference to the outdated endorsements procedure was never removed from the legislation.

The standing committee on legislation noted that the amendments to taxicab licensing proposed in this bill will bring the act into line with current practices in the Northwest Territories.

Because the Liquor Act includes references to the outdated endorsement procedures and provisions which deal with suspension of cab drivers' licences, consequential amendments to the Liquor Act were needed and are included in this bill.

Finally, there is a fourth amendment, to clarify procedures that school bus drivers must use when approaching railway crossings. Presently, any bus carrying children must stop five metres away from any crossing that is not controlled by a flagman, warning lights or a crossing barrier, so the driver can watch and listen for an oncoming train.

This amendment would change the law so that this became necessary at all railway crossings. This provides an extra element of safety for the children in the event that the warning equipment fails and is consistent with standards in other Canadian jurisdictions.

Mr. Chairperson, the standing committee on legislation considered this bill during its meeting on March 11, 1991. The Minister of Transportation, the Hon. Gordon Wray, attended with his officials and assisted the standing committee by presenting the bill and responding to Members' questions. Following our review of the proposed legislation, Mr. Chairperson, the standing committee on legislation agreed to recommend these amendments to the Motor Vehicles Act to the House for consideration. Thank you very much.

**CHAIRMAN (Mr. Zoe):** Thank you. General comments. Member for Pine Point.

**MR. McLAUGHLIN:** Thank you, Mr. Chairman. I would like to deal with these two items under general comments rather than wait for the specific clauses. I think one was a comment I made during the committee meetings and actually made again a little later on when the Department of Justice budget was being done, and that was the fact that one of the

penalties in here is so severe that a taxicab driver charged under the Liquor Act could have his licence to operate a vehicle taken away from him by a justice of the peace. I was concerned that that was a pretty heavy fine, to actually be able to take a person's livelihood away from someone who may have dependants in their family.

In the interim I have done a little research on that, and coincidentally I found that there was a court case within the last month or so in another jurisdiction, where similar legislation to this was upheld by the courts. So I will not pursue that any further at this time, but I still am concerned that a person could have their livelihood taken away from them by a justice of the peace. I think that is a pretty onerous decision to make. I will pass that and do a little more work in that area later.

The one thing I would like to ask is, there is something in here that I find surprising, that the 30 days that was normally given for a person who took up residency in the NWT, in order to change their plates from whichever jurisdiction they came from over to territorial plates, has been extended from 30 days to a year. I think you have to look at these for two reasons. One is, I think when you are dealing with public service vehicles and commercial vehicles, you are actually looking at this as a source of revenue for a starter; and I think for any vehicle, you are looking out to make sure it is registered; and by checking that registration you are also able to find out whether or not those people are carrying insurance. So there is a benefit to the safety of other residents driving on the road. If people have to have their licence changed, they are also consequently going to find out whether or not the people have insurance, which is needed to protect third parties. I would like to ask the Minister why they have decided to do this.

**CHAIRMAN (Mr. Zoe):** Mr. Minister.

**HON. GORDON WRAY:** Mr. McLaughlin has misread; the 30-day permit being extended to a year is for commercial and public service vehicles. It is for the trucking industry. Right now we require a trucking company, say operating out of Edmonton, bringing freight into the North, to get a 30-day permit to allow him to come in. The problem is if that individual comes in on a Monday, arrives in Yellowknife on a Tuesday, goes back south on a Wednesday, the minute he crosses the border going back south, the permit expires. So if he was to turn around to come back into the North, he would have to get another permit. So we are dealing with commercial vehicles here, not private vehicles.

**CHAIRMAN (Mr. Zoe):** Mr. McLaughlin.

**MR. McLAUGHLIN:** I can see that when the vehicle in question is travelling back and forth on a regular basis between here and Edmonton, for example; but what about a company that comes up here to do a six-month contract in Yellowknife and they have a commercial plate on their vehicle while they are working in Yellowknife and maybe running around the roads with no insurance? That is what I am concerned about, basically, when they sort of almost take up residency here as a business or an extension of their Edmonton business, and the vehicle is permanently in our jurisdiction or at least in our jurisdiction actually doing business on an ongoing basis.

**CHAIRMAN (Mr. Zoe):** Mr. Minister.

**HON. GORDON WRAY:** They would then be required to register here.

**CHAIRMAN (Mr. Zoe):** Mr. McLaughlin.

**MR. McLAUGHLIN:** So we are not changing the need to put new territorial plates on your car when you literally move up? We are only talking about permits?

**HON. GORDON WRAY:** Correct, Mr. Chairman.

**CHAIRMAN (Mr. Zoe):** Thank you. General comments. Is committee ready to go clause by clause?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Bill 26, An Act to Amend the Motor Vehicles Act. Clause 1. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Clause 2. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Clause 3. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Clause 4. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Clause 5. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Clause 6. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Clause 7. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Clause 8. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Clause 9. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Clause 10. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Clause 11. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Clause 12. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Clause 13. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Clause 14. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Clause 15. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Clause 16. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Clause 17, Liquor Act. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

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

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Does committee agree that Bill 26, An Act to Amend the Motor Vehicles Act, is now ready for third reading?

**SOME HON. MEMBERS:** Agreed.

---Agreed

#### **Bill 37: Judicature Act**

**CHAIRMAN (Mr. Zoe):** Thank you. The committee will now proceed to deal with Bill 37, An Act to Amend the Judicature Act. Mr. Patterson, are you ready to proceed to do this bill on behalf of Mr. Ballantyne?

#### **Minister's Opening Remarks**

**HON. DENNIS PATTERSON:** Yes, Mr. Chairman, I would like to do so. Mr. Chairman, the purpose of this bill is to increase the number of judges of the Supreme Court of the Northwest Territories from three to four. The increasing workload of the court over the last 10 years has placed increasing pressures for growth. When the Hon. Mr. Justice de Weerd was appointed to the court in 1980, he was the only resident



judge. A few years later a second position on the court was filled by the Hon. Mr. Justice Marshall.

Three years ago Mr. Justice Marshall was seconded to the Canadian Judicial Centre in Ottawa. This was a newly created judicial education initiative sponsored by the courts and funded by the federal, provincial and territorial governments. When Justice Marshall's three-year secondment was made, the federal Minister of Justice, the Hon. Ray Hnatyshyn, agreed that if we created a third position on the court by amendment to the Judicature Act at that time, the federal government would appoint a judge to fill that position. The subsequent appointment of the Hon. Mr. Justice Ted Richard maintained the number of resident judges at two while the third judge fulfilled his secondment in Ottawa. The expectation had been that following Justice Marshall's three-year secondment, he would return and the court would have all three of its judges resident and working in the Territories. However, his secondment was recently extended for an additional three years.

Therefore, in order to ensure that we have three resident judges, it will be necessary to create a fourth position in the court, which the federal government has agreed to fill. Thank you.

**CHAIRMAN (Mr. Zoe):** Thank you. Mr. Ernerk, chairman of the legislation committee, do you have any comments on this bill?

#### Comments From The Standing Committee On Legislation

**MR. ERNERK:** Thank you, Mr. Chairperson. On March 21, the Minister of Justice announced that he had secured the agreement of the federal Attorney General to the creation of a fourth judge for the territorial Supreme Court. Bill 37 provides the legislative framework that will enable our government to make this addition. Mr. Chairperson, the standing committee on legislation considered this bill at an evening meeting on Tuesday, April 16, 1991. We are grateful to the Minister of Justice, the Hon. Michael Ballantyne, and his deputy minister for attending the meeting to present the bill. The standing committee has now agreed to recommend this bill to the House. Thank you very much.

**CHAIRMAN (Mr. Zoe):** Thank you. General comments. Member for Yellowknife South.

**MR. WHITFORD:** Thank you, Mr. Chairman. I think it is a good amendment and something that, in my opinion, was a long time in coming.

**AN HON. MEMBER:** Hear, hear!

**MR. WHITFORD:** I felt that when Supreme Court Justice Marshall left several years ago we were deprived of one Supreme Court judge and it put a lot of pressure on the remaining two. I always felt that we should have had an additional one. Mr. Chairman, I certainly would like to encourage the government to look carefully at the selection here and ensure that we have input; and I would even like to go further in recommending that we look north, first of all, for judges with northern experience, and that could include, of course, the judges that were involved in the appeal court up north that live in the provinces now.

I certainly would like to also encourage the government to look seriously at a female judge for this very important fourth position. They should go to all ends to secure that. We have very talented people, and I think that would be a very valuable contribution. I was very pleased, of course, when we got a lawyer from the bar in Yellowknife to the Supreme Court, and I think again we must look in that direction without any

further delay. I would recommend that they look seriously at filling that position with a female.

**AN HON. MEMBER:** Hear, hear!

**CHAIRMAN (Mr. Zoe):** Thank you. Member for Deh Cho, general comments.

**MR. GARGAN:** I was going to suggest Nick Sibbeston.

**AN HON. MEMBER:** He is not here.

**MR. GARGAN:** Mr. Chairman, I have just been looking at the territorial statistics. In 1986 the population was 52,238 and in 1987 it went down to 51,968. In 1988 it went back up to 52,304, and this year it went up to 53,236. During the last four years the population statistics have gone up and down. I want to ask the Government Leader whether there is really a justification for that fourth judge, unless the crime statistics have gone up dramatically and we do have a situation where we require more judges to pass sentences. When they do the selection, I would like them to be very selective of judges that are quite sensitive to aboriginal issues and aboriginal people.

I have been reading the Slave River Journal, Mr. Chairman, and a remark made by Judge Halifax regarding Thebacha College students being irresponsible parents and blaming them for the crime that has been created in Fort Smith, whereas in fact it is only about 20 per cent of the students that are going to college that have committed crimes, under the Young Offenders Act, in the community. A lot of them were crimes that happened in the communities before they transferred to Fort Smith, so I thought that was a very unfair statement by this particular judge.

In order for me to support something like that, I would have to make sure that we are not supporting a fourth judge just for the sake of passing more sentences on aboriginal people, who are the ones that are going to be the target group, anyway. I just wanted to bring that to the attention of the Government Leader. Perhaps also the Government Leader might respond to my statistics on the population growth and the justification for the fourth judge.

**CHAIRMAN (Mr. Zoe):** Thank you. Mr. Patterson.

**HON. DENNIS PATTERSON:** Thank you, Mr. Chairman. I do not believe that it is population alone that is increasing the workload of our Supreme Court judges. The more important statistic is the case load, and unfortunately I am informed that the case load has increased significantly.

The other factor in the North is that justice is brought to every man's door. So when the court travels to remote communities there is an extra dimension of time to travel that you do not have in the urban centres.

Mr. Chairman, I know this from having talked to our former colleague, Justice Richard, who is on the road almost constantly. The case load is high, and that has been the problem here; and there is now quite a long waiting period for trials. So by approving this appointment, we should hopefully give the court extra manpower or womanpower so that they can reduce the waiting period of time for people in our communities. They will not have the problem, the anxiety of a court date hanging over their heads for months and months and months.

Mr. Chairman, I just want to point out that this judge would be appointed by the Minister of Justice for Canada. There is a procedure for input from lawyers in the NWT, through the Canadian Bar Association, and our committee, on that subject,

and the federal Minister of Justice may seek advice from our Minister of Justice that would be on a discretionary basis.

Having said that, I do appreciate the comments of the Members that a judge appointed to the Supreme Court of the NWT should be sensitive to aboriginal people, who are the major group appearing in criminal matters, at least, and that we do not as yet have a woman judge. I think those are very valid points which, one way or another, can be brought to the attention of the Minister of Justice for Canada as this appointment is being considered. Thank you.

**CHAIRMAN (Mr. Zoe):** Mr. Gargan.

**MR. GARGAN:** The federal Minister of Justice makes the appointment; does he also transfer the necessary O and M moneys for the judge?

**CHAIRMAN (Mr. Zoe):** Mr. Patterson.

**HON. DENNIS PATTERSON:** Mr. Chairman, I guess a bit like the Commissioner, the Supreme Court judge's salary is paid by the Government of Canada, but our government pays for the office, travel and I guess administrative support.

**CHAIRMAN (Mr. Zoe):** Mr. Ernerk.

**MR. ERNERK:** (Translation) Thank you, Mr. Chairman. I agree with my fellow Assembly Members regarding the appointment. I support the idea of female judges to the Supreme Court but I also support this bill. I have been in my seat for four years now at the Legislative Assembly. Every year we have requested many times for the aboriginal people, to have a sensitivity to aboriginal people, for aboriginal people to become judges. I have also mentioned that in Greenland, although they do not have a high level of education as far as law degrees go, though they do not have the academic qualifications, some, although not all, are also judges in that country. I envy this, and when you are an aboriginal from Canada and when you look at a country that is not Canada, just across the ocean, when you look at the judicial system, it is more relevant. They understand their own people.

I am tired of Supreme Court judges in our country who think they understand the culture. I am drained by this. I do not agree with them as far as their workload goes. Mr. Chairman, starting from now, from our constituents, the aboriginal people, if we want to support them, the Inuit and Dene people, let us have more of a recognition of their achievements as far as the justice system goes. Let us keep this foremost in our future.

**CHAIRMAN (Mr. Zoe):** Clause by clause?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Bill 37, An Act to Amend the Judicature Act. Clause 1. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

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

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Does the committee agree that Bill 37, An Act to Amend the Judicature Act, is now ready for third reading?

**SOME HON. MEMBERS:** Agreed.

---Agreed

### **Bill 38: Local Authorities Elections Act**

**CHAIRMAN (Mr. Zoe):** The committee will now deal with Bill 38, An Act to Amend the Local Authorities Elections Act. Is the sponsoring Minister in the House? Mr. Minister, are you prepared to make your opening remarks?

#### **Minister's Opening Remarks**

**HON. TOM BUTTERS:** Mr. Chairman, the proposed amendment to the Local Authorities Elections Act provides that when the boundaries of the municipal corporation are expanded to enclose a populated area, residents of that area will be allowed to vote in municipal elections as if the area had been part of the municipality 12 months prior to the boundary change.

When the boundaries of a municipal corporation are expanded to enclose a populated area, residents should not be deprived of an opportunity to vote or to be members of council because a boundary change takes place within 12 months before the election.

The focus of this amendment is to promote the eligibility of residents of an area enclosed by an expansion of the boundaries of a municipal corporation to vote and to stand as candidates at a municipal election. The amendment does not deal with the boundary expansion itself or with any rights or privileges of residents in the affected area, other than to ensure their right to vote in the elections in the municipality in which they become citizens.

**CHAIRMAN (Mr. Zoe):** Thank you. Mr. Ernerk, does the committee have comments on Bill 38, the legislation committee?

#### **Comments From The Standing Committee On Legislation**

**MR. ERNERK:** Thank you, Mr. Chairperson. This bill would amend the Local Authorities Elections Act to allow people to vote in local elections if the area in which they live is included in the new boundaries established for a municipality.

The standing committee on legislation reviewed this bill during its evening meeting last week. The committee expresses its thanks to the Minister of Municipal and Community Affairs, the Hon. Tom Butters, and his officials for attending the meeting and assisting Members in their review of the bill.

The standing committee noted that these amendments will have direct implications for residents of the Hay River/Enterprise corridor in the event that Hay River boundaries are extended to include this area. Unless this bill is passed, residents would not be able to vote in a local election in the event that the boundaries are revised.

Although that may be the issue which stimulated and brought the need for these amendments to the attention of the government, it should be noted that this provision would apply to other similar situations in which municipal boundaries are adjusted.

Mr. Chairperson, Members of the standing committee on legislation agreed to recommend this bill to the House for consideration today. Just give me a moment. Mr. Chairperson, just for the record, the standing committee on legislation met to discuss this bill on Tuesday, April 15, 1991. Thank you very much.

**CHAIRMAN (Mr. Zoe):** Thank you. Just to correct Mr. Ernerk, it is Tuesday, April 16, 1991, if it has happened this year, April 16. General comments. Is the committee ready to go clause by clause?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Bill 38, An Act to Amend the Local Authorities Elections Act. Clause 1. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Clause 2. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Clause 3. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Bill as a whole. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Does the committee agree that Bill 38, An Act to Amend the Local Authorities Elections Act, is now ready for third reading?

**SOME HON. MEMBERS:** Agreed.

---Agreed

#### Bill 3: Liquor Act

**CHAIRMAN (Mr. Zoe):** Thank you. The committee will now turn to deal with Bill 3, An Act to Amend the Liquor Act. The Minister made his opening remarks with regard to Bill 3 the other day, and we are on general comments. General comments on Bill 3. Mr. Minister.

**HON. TOM BUTTERS:** When the bill was deferred, I indicated to the committee that I would come back with two amendments, one relative to the word "area", which received some discussion. There will be an amendment to delete that. The other related to how one would identify eligible voters, and I have checked both these amendments with the Member for Rae-Edzo and also my colleague from Deh Cho. I have the amendments -- I believe they are in the Clerk's hands -- and when we come to those specific provisions or sections I will move amendments to them and have the amendments, which are translated, circulated for Members' consideration.

**CHAIRMAN (Mr. Zoe):** General comments.

**AN HON. MEMBER:** Clause by clause.

**CHAIRMAN (Mr. Zoe):** Is the committee ready to go clause by clause? Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Bill 3, An Act to Amend the Liquor Act. Clause 1. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Clause 2. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Clause 3. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Clause 4. Mr. Minister.

#### Motion To Amend Clause 4, Bill 3, Carried

**HON. TOM BUTTERS:** This is the clause that requires the amendment, Mr. Chairman. Both amendments, I believe, occurred in clause 4. If the amendments are circulated and in Members' hands, then I will move that clause 4 of Bill 3 be amended by striking out, in proposed subsection 41.1(1) of the Liquor Act, "settlement, municipality or area" where they appear and by substituting "settlement or municipality".

**CHAIRMAN (Mr. Zoe):** Thank you. Your motion is in order. To the motion. Member for Kitikmeot West.

**MR. PEDERSEN:** Mr. Chairman, I am not sure if I heard right. Was that subsection 45.1(1) that the Minister mentioned?

**CHAIRMAN (Mr. Zoe):** Mr. Minister, for the record, can you repeat your motion please?

**HON. TOM BUTTERS:** Mr. Chairman, I move that clause 4 of Bill 3 be amended by striking out, in proposed subsection 45.1(1) of the Liquor Act, "settlement, municipality or area" where they appear and by substituting "settlement or municipality".

**CHAIRMAN (Mr. Zoe):** Thank you. To the motion.

**AN HON. MEMBER:** Question.

**CHAIRMAN (Mr. Zoe):** Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Mr. Minister.

#### Motion To Further Amend Clause 4, Bill 3, Carried

**HON. TOM BUTTERS:** Mr. Chairman, I move that clause 4 of Bill 3 be amended by adding to the proposed subsection 45.1(1) of the Liquor Act the following subsection: "(4) For the purposes of this section the total number of qualified voters in the settlement or municipality is the number of voters on the list of electors at the last municipal election."

**CHAIRMAN (Mr. Zoe):** Mr. Butters, your motion, I am not too sure I heard you, but my understanding is that you want to further amend clause 4, subsection 45.1(1), because you just made an amendment previously. Am I correct?

**HON. TOM BUTTERS:** Yes, Mr. Chairman.

**CHAIRMAN (Mr. Zoe):** For the record, I will repeat the motion: I move that clause 4 of Bill 3 be further amended by adding to proposed section 45.1 of the Liquor Act the following subsection: (4) For the purpose of this section the total number of qualified voters in a settlement or municipality is the number of voters on the list of electors at the last municipal election.

To the motion. Question is being called. All those in favour? Opposed, if any? The amendment to the motion is carried.

---Carried

Clause 4, as amended. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Clause 5. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** The bill as a whole, as amended. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Does the committee agree that Bill 3, An Act to Amend the Liquor Act, is now ready for third reading, as amended?

**SOME HON. MEMBERS:** Agreed.

---Agreed

#### **Bill 6: Regional And Tribal Councils Act**

**CHAIRMAN (Mr. Zoe):** The committee will now move on to Bill 6, An Act to Amend the Regional and Tribal Councils Act. Mr. Minister, are you prepared to make your opening statement?

#### **Minister's Opening Remarks**

**HON. DENNIS PATTERSON:** Thank you, Mr. Chairman. Some of the amendments to the act are minor. However, many are in direct response to requests we have received from regional councils. For example, we have complied with requests from the Baffin Regional Council and propose to increase the terms of office for the speaker and deputy speaker from two to three years. We have proposed to increase the size and term of office of the executive of the Deh Cho Regional Council at the council's request. In addition, we have also responded with changes from sub-band to full band status in Kakisa, Nahanni Butte, Trout Lake and Lac la Martre. Further, we are proposing to change the status of Fort Liard, Fort Providence and Lac la Martre from settlement to hamlet status.

Mr. Speaker, we also propose to respond positively to the request of the Dogrib Tribal Council to change their name to the Tli Cho Regional Council.

Lastly, Mr. Speaker, we propose the name of the act be changed to Regional Councils Act. This would help prevent the present confusion between regional councils, which are

sponsored by the territorial government, and the tribal councils, which are federally sponsored. All councils would then be known as regional councils. I will be pleased to address the items in more detail if required, Mr. Chairman.

**CHAIRMAN (Mr. Zoe):** Mr. Ernerk. Does the legislation committee have any comments to Bill 6?

#### **Comments From The Standing Committee On Legislation**

**MR. ERNERK:** Yes, Mr. Chairman. This bill contains amendments that bring certain sections of the Regional and Tribal Councils Act up to date with recent developments among municipal authorities and regional councils across the Northwest Territories. Some of these developments include: a shift in status from a sub-band to full band status for certain band councils in Denendeh. This has occurred in the communities of Kakisa, Lac la Martre, Trout Lake and Nahanni.

Amendments proposed in this bill would reflect those developments in local government. Another amendment reflects the change in community status from a settlement to a hamlet in Fort Liard and Fort Providence. This amendment accommodates the fact that there are now both a chief and a mayor in those communities. This bill would add both local officials from these hamlets to the membership list of the Deh Cho Regional Council.

Also, with this bill, the name "Dogrib Tribal Council" is changed to "Tli Cho Regional Council". This is seen as a positive step for two reasons: Not only would it make use of the traditional Dene language name but it would also remove the confusion that sometimes exists between GNWT-sponsored regional councils and federally sponsored tribal councils; indeed, another amendment provided by this bill would abbreviate the title of the entire status of the statute from the Regional and Tribal Councils Act with a new title of Regional Councils Act. This would be for the same reason. It would remove any potential confusion between federal and territorial areas of responsibility.

Mr. Chairman, the standing committee on legislation reviewed this bill during its pre-session meeting on Wednesday, January 16, 1991. Members were pleased to receive a presentation from the Government Leader, the Hon. Dennis Patterson, who carries responsibility for the office of devolution. In its review, the standing committee recognized that the amendments in this bill are straightforward and reflect current levels of community development. Members agreed that this bill should be recommended to the House for its consideration in committee of the whole. This concludes comments from the standing committee on legislation with regard to this bill. Thank you very much, Mr. Chairman.

**CHAIRMAN (Mr. Zoe):** Thank you. General comments. Is the committee ready to go clause by clause?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Bill 6, An Act to Amend the Regional and Tribal Councils Act. Clause 1. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Clause 2. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Clause 3. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Clause 4. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Clause 5. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Clause 6. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Clause 7. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Clause 8. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Clause 9. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Clause 10. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Clause 11. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Clause 12. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Clause 13. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

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

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Clause 15. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Clause 16. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. The bill as a whole?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Does the committee agree that Bill 6, An Act to Amend the Regional and Tribal Councils Act, is now ready for third reading?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Mr. Gargan.

**MR. GARGAN:** Mr. Chairman, I move that we report progress.

**CHAIRMAN (Mr. Zoe):** There is a motion on the floor which is not debatable. All those in favour? All those opposed? The motion is defeated.

---Defeated

### Bill 30: Teachers' Association Act

We will now go to Bill 30, An Act to Amend the Teachers' Association Act. Mr. Minister, are you prepared to make your opening remarks at this time?

#### Minister's Opening Remarks

**HON. STEPHEN KAKFWI:** Thank you. Mr. Chairman, the union or the association that represents the teachers in the Northwest Territories has requested this Legislature to consider certain changes to the legislation that governs them, in a way that they believe will help them to conduct themselves as an association that would benefit their members. There are a couple of changes requested of this Legislature, and I know that, in short, there are two changes that are requested.

One is to allow teachers who are on a leave of absence to continue to be active members of the association. Those persons who are considered teachers in the Northwest Territories, who go on leave, now under legislation do not have the provisions that allow them to continue to be active members in the association. So, that is being requested at this time.

The other change that is requested of the Members here is to make changes that would allow an association president who retires at the end of his or her term of office to continue to be an active member for a period of one year.

Mr. Chairman, the government has received a letter from the Secondary Board of Education, the board that is responsible for Sir John Franklin High School, the high school which serves the students from the Deh Cho region, the Kitikmeot, the Sahtu as well as the Yellowknife area and the Dogrib area, that they believe that in order to conduct good programs,

education, proper planning, that this Legislature should support the changes that are being requested. A letter has been sent to us requesting that we support the changes that are contained in Bill 30.

I believe that the school board that is responsible for Sir John Franklin deserves our support. We give them, under legislation, the responsibility to administer to the educational needs of the high school children that attend Sir John. They are charged with doing the planning to meet the needs of the students there, and it is their opinion, and I support it totally, that this request is required to support them in running their operations and it is in line with our continued support of recognizing the autonomy of the school boards that we support all across the NWT.

I believe that from a principle point of view, that these are good suggestions and deserve our support. Thank you.

**CHAIRMAN (Mr. Zoe):** Comments from the standing committee on legislation on Bill 30.

#### Comments From The Standing Committee On Legislation

**MR. ERNERK:** Mr. Chairperson, this bill was brought before the standing committee on legislation on March 14, 1991, by the Minister of Education, the Hon. Stephen Kakfwi. Members of the committee were appreciative of the presentation provided by the Minister and by his frank response to our concerns.

Mr. Chairperson, this bill would amend the Teachers' Association Act by changing certain provisions that deal with membership in the association. These amendments would allow a teacher who had been serving as president of the association to continue as past president of the association, even if he or she retired from teaching at the conclusion of that term of office. The second change would allow teachers who are on leave of absence to maintain an active membership in the association.

Members of the committee agreed with the amendment to membership provisions as they pertain to teachers on a leave of absence. Serious opposition was expressed by some Members of the committee, however, with regard to the proposed amendment dealing with post-retiring continuation of association membership for immediate past presidents.

Certain Members were concerned that this amendment had been framed solely to meet the circumstances which surround the current president of the Teachers' Association. Apparently this gentleman is eligible for retirement but has indicated that he will return to his former post as principal of the territorial high school in Yellowknife unless the legislation is amended to allow his continuation as past president of the Teachers' Association. If he retired the following year, the board of secondary education would then need to find another principal.

Mr. Chairman, the standing committee was sympathetic to the Minister's concerns about maintaining continuity in school administration. At the same time Members were concerned that our territorial statutes should not be altered to meet the personal needs or interests of individual cases. This seemed to some Members to be a personnel management problem which the Minister was attempting to resolve with the legislative solution. Because this issue remained unresolved, the standing committee on legislation was able to provide only conditional support for this bill.

The standing committee agreed to refer this bill to proceed into the House with recommendations for passage of all contents except subclause 3.(3). I anticipate the honourable

Members may wish to address the matter of subclause 3.(3) in additional detail during committee of the whole proceedings this evening. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Zoe):** Mr. Gargan.

**MR. GARGAN:** Mr. Chairman, the chairman of the standing committee just about covered what I was going to say with regard to those amendments to the Teachers' Association Act. Mr. Chairman, we as legislators must keep the integrity of laws so we can administer the delivery of government services, et cetera, to the public. I see this purpose of one section in this act being put in there to satisfy one individual. If this act passes, he retires; he goes down south but is still an active member for one year after retirement. However, in the event that this act does not pass, he would be forced to take a one-year term as principal of Sir John Franklin High School. So in order for this bill to pass, there is a precondition put on Members to try and support that particular section. I do not think that is our position, to take that kind of a position lightly. I would suggest that I do not support that particular amendment and I will vote against it.

Mr. Chairman, at this point I would like to request that we defer this bill.

**CHAIRMAN (Mr. Zoe):** Mr. Gargan, can you repeat your motion?

#### Motion To Defer Bill 30, Defeated

**MR. GARGAN:** Mr. Chairman, I move that Bill 30 be deferred.

**CHAIRMAN (Mr. Zoe):** I have a motion to defer Bill 30. The motion is in order. To the motion. Mr. Ernerk, point of order.

**MR. ERNERK:** We have no quorum, Mr. Chairperson.

**CHAIRMAN (Mr. Zoe):** Thank you. Madam Clerk, can you ring the bells please? Thank you. I have a motion on the floor. To the motion.

**AN HON. MEMBER:** Question.

**CHAIRMAN (Mr. Zoe):** Question has been called. All those in favour? Seven. All those opposed? Seven. For the record, the vote is a tie and the Chair would have to cast the last vote. The motion is defeated.

---Defeated

General comments. The Member for Yellowknife South.

**MR. WHITFORD:** Thank you, Mr. Chairman. I am puzzled by these amendments. As much as I respect the good judgment of the Teachers' Association for advising the Minister on what they would like to do, I find it difficult to agree on some of the things. For example, the membership to the association. I wonder if it is going to exclude teachers' assistants, who make a valuable contribution to the Territories in the work they do.

The most puzzling, I guess, is amendment number three. I fail to see any reason for that at all, and I am uncomfortable with it because I do not understand what they are getting at. When a person retires, they retire. I would like to know the rationale behind the whole thing, "after holding the office of president may continue to be an active member for a period of one year". If they go back to being a teacher, they are an active member; if they retire completely, what is the point?

**CHAIRMAN (Mr. Zoe):** Thank you. Any comments, Mr. Minister?

### Past President Helps New President Of NWT Teachers' Association

**HON. STEPHEN KAKFWI:** Mr. Chairman, the way that the NWT Teachers' Association operates, and the way they believe it is good practice to run and take care of the interests of their members, is to have the past presidents of the association serve for one year after their term in a support and advisory role to the incoming new president, whoever he or she may be. They believe it is essential for the good running of their association that this practice be allowed to continue. What we find is that for the first time in the history of this association, the current president is not a person who is going to go back to the business of teaching once his term is up, but rather the current president intends to retire at the end of his term, so he is not going to go back to an active teaching position. The association is faced with the possibility that this practice of keeping past presidents involved in an advisory capacity to the incoming president is going to be broken.

While it is true, what the chairman of the standing committee on legislation said, that it does appear that it is going to benefit one individual, many pieces of legislation do sometimes appear that way. In fact, my view is that it is going to benefit the students who attend Sir John Franklin High School; it is going to benefit and meet the requests of the Secondary Board of Education, and it is going to benefit the children and the parents who have a vested interest in the smooth operation of the schools. As a government, I think it is going to benefit us, because this is the way that the union thinks it will contribute to the smooth operation of their association, the Teachers' Association, and the high school. The people responsible for planning for the high school also argued very strongly that they do not want to have a situation where they are changing principals of Sir John Franklin High School every year.

The Members may be aware that the current principal is leaving Sir John at the end of this school year. The fact is, the current president of the Teachers' Association, who is planning to retire at the end of this year, has the commitment to have his old job back as the principal for Sir John Franklin, if he chooses to continue teaching. If that is the case, we will have one principal this year, who will finish in June; and the coming school year we will have another principal for one year, who will retire at the end of that year; and we will be faced with looking for a new principal in two years' time. So you will have, in fact, three principals in a span of three years. This is what I think the Teachers' Association has drawn our attention to.

The Secondary Board of Education has drawn our attention to this, we think, potentially major disruptive scenario and, as I said earlier, I am not going to argue with the fact that it appears to benefit only one individual, but no one is dictating this legislative amendment to the Members. We are just arguing that we find ourselves in a particular situation and that in the interest, not of just one individual, but in the interest of the people who are charged with running the high school, of the students who are attending that high school, of the teachers who have to work under the principals of that high school, that we should lend our support to this request. That is the issue as I see it, and I think it should not be deferred and I think Members should find more than sufficient reason to support this. It is a good request; it is a request that is going to benefit many communities, many regions, not just Yellowknife, but many regions.

The Sahtu students attend Sir John, the Kitikmeot students attend Sir John, the Dogrib students attend Sir John, the students from the Deh Cho that attend Sir John, and these students require, in order to have a good stable environment

for learning, that there is some continuity in the principalship of these facilities. It is shown by studies that to change principals continually is a major disruption to the learning of students and it lessens the capability of teachers to give maximum teaching to the students.

**CHAIRMAN (Mr. Zoe):** Thank you. Member for Yellowknife South.

**MR. WHITFORD:** Thank you, Mr. Chairman. I thank the Minister for his explanation, and he almost had me convinced there. But, I lost it somewhere along the way here. I can understand the continuity in principalship of a school, but it does not have anything to do with the principal of the school. If the president of the association happens to be a principal, now seconded to the union, he or she can go back to teaching as a principal, but if a principal retires, he retires, good bye. It says here that the president may remain an active member for one year afterward, but what does this have to do with continuity at the school? If the Minister can explain that to me. I fail to see the connection here. The current president happens to be the principal from Sir John Franklin School. But he is not going to go back, so what good is he going to do the students anyway? He is retiring. Maybe I am missing something.

**MR. McLAUGHLIN:** That is okay. When you left the station all your cars were empty anyway.

**MR. WHITFORD:** I am not asking the Member; I am asking through the chairman to the Minister of Education. When you become the Minister of Education, you can answer my question, honourable Member.

**CHAIRMAN (Mr. Zoe):** The honourable Member for Yellowknife South, through the chairman, is asking the honourable Minister of Education a question. Mr. Minister, would you like to respond to my colleague?

**HON. STEPHEN KAKFWI:** Mr. Chairman, I did not touch on that point at all and I think the Member is right, I did not touch on that as fully as I should have. The situation is that the current president of the union wants to fulfil his obligation to the union to stick around and support the next incoming president of the union. He cannot do that under the present legislation. He cannot retire and do that, because he will be no longer an active member of the association. So his only recourse would be, in order to fulfil his obligation to the union, to go back to teaching. And the teaching job that he has promised to him is the principalship of Sir John Franklin School. He wants to make sure that he is not being disruptive.

So in all due respect, the union said that in order to meet everybody's interests, let us put forward an amendment that would allow a retiring president to remain an active member of the union for one year. So this way he can retire and not have to go back to teaching and still fulfil his obligation to the union. Did I lose everybody else?

**CHAIRMAN (Mr. Zoe):** I think everybody understands. Mr. Whitford.

**MR. WHITFORD:** I understand what the intent behind this amendment is; I fully understand, and I appreciate the Minister of Education for explaining it. Now the public understands it. Thank you.

**CHAIRMAN (Mr. Zoe):** General comments. Mr. Gargan.

**MR. GARGAN:** Mr. Chairman, if this act is passed and he becomes an active member, is he still on salary and on all the benefits, even though he is retired?

**CHAIRMAN (Mr. Zoe):** Mr. Minister.

**HON. STEPHEN KAKFWI:** No.

**CHAIRMAN (Mr. Zoe):** Mr. Gargan.

**MR. GARGAN:** In that case, could they not make arrangements for this person, whenever the need is required by the association, to transport him up here as a consultant, as opposed to changing legislation?

**CHAIRMAN (Mr. Zoe):** Mr. Minister.

**HON. STEPHEN KAKFWI:** Mr. Chairman, I think that is the intent. The only problem is that we have to make provisions for this individual to remain an active member of the union.

**CHAIRMAN (Mr. Zoe):** Thank you. Mr. Gargan.

**MR. GARGAN:** Mr. Chairman, I am a bit confused. When the Minister responded to Mr. Whitford's question with regard to -- if he stays with the union he is a valuable asset to the association, but if he does not go back to Sir John Franklin, he is a valuable asset, too, because he does not come back. So I am a bit confused. In one case, the integrity of the principal is questioned by the association, but the Minister has also questioned his integrity, that if he goes back to Sir John Franklin School he will probably screw up the whole education process, is what I am hearing.

**CHAIRMAN (Mr. Zoe):** Could I ask my honourable friend from Deh Cho to withdraw some unparliamentary words that he used?

**MR. GARGAN:** Mr. Chairman, I withdraw the statement "screw up", and I will not use anything because I cannot think of a better term than that.

**CHAIRMAN (Mr. Zoe):** Thank you. Any comments, Mr. Minister? General comments? Is the committee ready to go clause by clause?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Bill 30, An Act to Amend the Teachers' Association Act. Clause 1. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Clause 2. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Clause 3. Mr. Gargan.

#### **Motion To Amend Clause 3, Bill 30, Ruled Out Of Order**

**MR. GARGAN:** Mr. Chairman, I would like to make a motion regarding clause 3. Mr. Chairman, I move that clause 3 of Bill 30 be amended by striking out proposed subsection 16.1.(3).

**CHAIRMAN (Mr. Zoe):** Thank you. Mr. Gargan, can the Chair have a copy of your motion? At the same time I will send it in to our administration for translation and return to the Chair and I will make my ruling on it. In the meantime, we will recess for the translation to be completed.

---SHORT RECESS

Thank you. The motion that was made by Mr. Gargan is translated and distributed to all Members. The motion reads: I move that clause 3 of Bill 30 be amended by striking out proposed subsection 16.1.(3). I rule the motion out of order. Clause 3. Mr. Gargan.

**MR. GARGAN:** I would like to request a recorded vote on clause 3.

**CHAIRMAN (Mr. Zoe):** The honourable Member for Deh Cho is asking for a recorded vote on clause 3. It is a bit unusual for our committee, but the honourable Member has that right to call for a recorded vote. Clause 3, all those in favour? Please stand.

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Whitford, Mr. Wray, Ms Cournoyea, Mr. Alloo, Mr. Patterson, Mr. Kakwi, Mr. Butters, Mrs. Marie-Jewell, Mr. McLaughlin, Mr. Pedersen.

**CHAIRMAN (Mr. Zoe):** Opposed, please stand.

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Gargan.

**CHAIRMAN (Mr. Zoe):** All those abstaining, please stand.

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Crow, Mr. Arlooktoo, Mr. Kilabuk, Mr. Pudluk, Mr. Sibbeston, Mr. Ernerk.

**CHAIRMAN (Mr. Zoe):** Clause 3. Ten yes; one no; six abstentions. Clause 3 is carried, passed.

---Agreed

Clause 4. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Bill as a whole. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Does the committee agree that Bill 30, An Act to Amend the Teachers' Association Act, is now ready for third reading? Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. That concludes the list that was agreed to by the committee. Can the committee give direction to the Chair? Mr. Sibbeston.

**MR. SIBBESTON:** Mr. Chairman, there is a matter, that of a public accounts committee report. I do not know whether I can bear, I guess, requesting the indulgence and patience of the Members to deal with that report now. If there is a feeling that I should not, then I am prepared to wait until June, and I would be willing to go according to the Members' wishes on that matter. I would say that we could probably deal with it very quickly and I do prefer to have it dealt with so that it is finished and out of the road so that the government can begin acting on it. It is preferable, so if the Members can bear with me, can we quickly deal with it, please?

**CHAIRMAN (Mr. Zoe):** Does the committee agree that we



deal with Committee Report 6-91(1)? Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. Zoe):** Thank you. Mr. Sibbeston.

**CR 6-91(1): Report Of The Standing Committee On Public Accounts**

**MR. SIBBESTON:** Mr. Chairman, thank you. The public accounts committee held a public hearing on January 29 and 30, 1991 and dealt with the report "on 'other matters' for the year ended March 31, 1990"-- this is the Auditor General's report -- and as a result of these meetings, the committee has come up with, I believe, 10 recommendations and I will just go over them very quickly. These recommendations are all very good recommendations, well thought out, and if followed by the government will result in efficiencies and improvements in the way the government handles its financial and other matters.

**Motion To Adopt Recommendation 1, Carried**

So I will just begin with recommendation 1: Departments should monitor expenditures, strictly comply with the Financial Administration Act, and obtain approval -- transfers, supplementary appropriations or special warrants -- before they spend money. When they fail to do this, they should account to the Legislative Assembly. Any overexpenditures shall be accounted for to the Legislative Assembly and should come out of their next year's funding. Mr. Chairman, I move that this recommendation be adopted by the committee.

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

**AN HON. MEMBER:** Question.

**CHAIRMAN (Mr. Zoe):** Question has been called. All those in favour? All those opposed? The motion is carried.

--Carried

Mr. Sibbeston.

**Motion To Adopt Recommendation 2, Carried**

**MR. SIBBESTON:** Mr. Chairman, recommendation 2 is: Government should investigate the possibility of changing the estimates process to consider the uniqueness of statutory expenditures. Mr. Chairman, I move that the recommendation be adopted.

**CHAIRMAN (Mr. Zoe):** Thank you. The motion is in order. To the motion.

**AN HON. MEMBER:** Question.

**CHAIRMAN (Mr. Zoe):** Question is being called. All those in favour? All those opposed? The motion is carried.

--Carried

Mr. Sibbeston.

**Motion To Adopt Recommendation 3, Carried**

**MR. SIBBESTON:** Recommendation 3 is: The comptroller general should record all significant liabilities at year end. Any liability that causes any departmental activity to overexpend must be recorded. Mr. Chairman, I move that

this recommendation be adopted.

**CHAIRMAN (Mr. Zoe):** Thank you. The motion is in order. To the motion.

**AN HON. MEMBER:** Question.

**CHAIRMAN (Mr. Zoe):** Question is being called. All those in favour? All those opposed? The motion is carried.

---Carried

Mr. Sibbeston.

**Motion To Adopt Recommendation 4, Carried**

**MR. SIBBESTON:** Recommendation 4 is: The government should review its legislative and policy framework to determine which laws and policies should apply to boards, remove inconsistencies, update laws and policies accordingly, and provide all boards with an interpretation in lay terminology. It should also provide boards with the Government of the Northwest Territories policy manual and other manuals that apply to them. Mr. Chairman, I move that this recommendation be adopted.

**CHAIRMAN (Mr. Zoe):** Thank you. The motion is in order. To the motion.

**AN HON. MEMBER:** Question.

**CHAIRMAN (Mr. Zoe):** Question is being called. All those in favour? All those opposed? The motion is carried.

---Carried

Mr. Sibbeston.

**Motion To Adopt Recommendation 5, Carried**

**MR. SIBBESTON:** Thank you. Recommendation 5 is: The government should resolve the question of interest earned by boards and agencies by determining 1) initial cash advances, 2) retention of surpluses, and 3) interest earned. The responsible departments should monitor these to ensure that they do not exceed defined levels acceptable to government. Mr. Chairman, I move that this recommendation be adopted.

**CHAIRMAN (Mr. Zoe):** Thank you. The motion is in order. To the motion.

**AN HON. MEMBER:** Question.

**CHAIRMAN (Mr. Zoe):** Question is being called. All those in favour? All those opposed? The motion is carried.

---Carried

Mr. Sibbeston.

**Motion To Adopt Recommendation 6, Carried**

**MR. SIBBESTON:** Mr. Chairman, recommendation 6 is: The Departments of Education and Health should notify boards of the amounts of their contributions as soon as is practicable. They should give boards enough lead time to allow them to plan and to carry out day-to-day operations. Mr. Chairman, I move that this recommendation be adopted.

**CHAIRMAN (Mr. Zoe):** Thank you. The motion is in order.

**AN HON. MEMBER:** Question.

**CHAIRMAN (Mr. Zoe):** Question is being called. All those in favour? All those opposed? The motion is carried.

---Carried

Mr. Sibbeston.

**Motion To Adopt Recommendation 7, Carried**

**MR. SIBBESTON:** Recommendation 7 is: The Departments of Education and Health should ensure that annual reports and financial statements meet all the requirements of the Financial Administration Act, are standardized, and are consistent in their application of accounting policies, including the recording of all employee leave and termination benefits. Any deficit incurred by a board during a given year should be brought to the attention of the Legislative Assembly annually. Mr. Chairman, I move that this recommendation be adopted.

**CHAIRMAN (Mr. Zoe):** Thank you. The motion is in order. To the motion.

**AN HON. MEMBER:** Question.

**CHAIRMAN (Mr. Zoe):** Question is being called. All those in favour? All those opposed? The motion is carried.

---Carried

Mr. Sibbeston.

**Motion To Adopt Recommendation 8, Carried**

**MR. SIBBESTON:** Mr. Chairman, recommendation 8 is: The government should define and publish its policy objectives for the development of education and health boards. It should evaluate the lessons learned from the implementation of the transfer policy to determine whether it still reflects government policy objectives for the development of education and health boards, whether the number of exceptions to the policy have nullified the policy, and appropriate revisions. Mr. Chairman, I move that this recommendation be adopted.

**CHAIRMAN (Mr. Zoe):** Thank you. The motion is in order. To the motion.

**AN HON. MEMBER:** Question.

**CHAIRMAN (Mr. Zoe):** Question is being called. All those in favour? All those opposed? The motion is carried.

---Carried

Mr. Sibbeston.

**Motion To Adopt Recommendation 9, Carried**

**MR. SIBBESTON:** Recommendation 9 is: The government should establish a mutually binding, comprehensive memorandum of understanding, or some similar mechanism, to define its relationship with each board. The MOU should spell out mutual roles and responsibilities and cover all essential areas, including legislative requirements, policy directives, administrative procedures, reporting requirements, standards, evaluation procedures, and sanctions. Mr. Chairman, I move that this recommendation be adopted.

**CHAIRMAN (Mr. Zoe):** Thank you. The motion is in order. To the motion.

**AN HON. MEMBER:** Question.

**CHAIRMAN (Mr. Zoe):** Question is being called. All those

in favour? All those opposed? The motion is carried.

---Carried

Mr. Sibbeston.

**Motion To Adopt Recommendation 10, Carried**

**MR. SIBBESTON:** Mr. Chairman, the final recommendation is: The Departments of Education and Health should establish a comprehensive monitoring system for boards. This system should set up annual objectives and indicators for measuring performance, provide for the comprehensive evaluation, on a value-for-money basis, of individual boards, programs and services, ensure regular reviews, program audits and checklists, and provide reporting mechanisms to the Ministers, who in turn report to the Legislative Assembly annually. I move that this recommendation be adopted.

**CHAIRMAN (Mr. Zoe):** Your motion is in order. Question is being called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Mr. Sibbeston.

**MR. SIBBESTON:** Mr. Chairman, that ends the recommendations, and I thank Members for their patience and indulgence.

**CHAIRMAN (Mr. Zoe):** Does the committee agree that Committee Report 6-91(1), Standing Committee on Public Accounts, is now concluded?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Zoe):** That concludes all the business in committee of the whole. The Chair will now rise and report progress.

**ITEM 18: REPORT OF COMMITTEE OF THE WHOLE**

**MR. SPEAKER:** I would like to call the House back to order. Item 18, report of committee of the whole. The honourable Member for Rae-Lac la Martre.

**CHAIRMAN (Mr. Zoe):** Thank you, Mr. Speaker. Your committee has been considering Tabled Document 22-91(1) and Bills 31, 26, 37, 38, 3, 6 and 30 and Committee Report 6-91(1) and wishes to report that Tabled Document 22-91(1) is concluded, with one motion being adopted, and that Bills 31, 26, 37, 38, 6 and 30 are now ready for third reading and that Bill 3 is now ready for third reading, as amended, and that Committee Report 6-91(1) is concluded, with 10 motions being adopted. Mr. Speaker, I move that the report of committee of the whole be concurred with.

**MR. SPEAKER:** Thank you. Is there a seconder? The honourable Member for Baffin Central. The motion is in order. To the motion. Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

**Speaker's Ruling**

Prior to proceeding with the next item, I would like now to provide my ruling on the point of order raised by Mr. Sibbeston earlier today. Mr. Sibbeston raised a question as to whether or not it was appropriate for a Member to abstain

from voting on a motion that they had earlier proposed. I have reviewed our procedures and the procedural authorities and find that there is no requirement for a Member, proposing a motion, to vote in favour of it. Our Executive Council usually chooses to abstain from voting on motions which direct them to undertake certain actions. Admittedly, the situation is somewhat different in that a Member of the Executive Council proposed such a motion. I would provide three citations that are appropriate to this point of order:

1) Our own Rule 53(2) states, "When a recorded vote is requested, the Speaker shall call upon those voting in the affirmative and in the negative to rise successively, and their names shall be recorded in Hansard. The Speaker shall then call upon those abstaining, and their names shall also be recorded in Hansard."

2) Citation 307 of Beauchesne's Parliamentary Rules and Forms, Sixth Edition, states, "A Member may not be compelled to vote."

3) Erskine May Parliamentary Practice, 21st Edition, states on page 343, "A Member who makes a motion is entitled to vote against it provided that he gives his voice with the noes when the question is put from the Chair."

Therefore, I do not feel that any rules of order have been breached in this instance and I find that Mr. Sibbeston does not have a point of order.

--Applause

The honourable Member for Yellowknife South.

**MR. WHITFORD:** Thank you, Mr. Speaker. I would like to seek unanimous consent to return to Item 9, petitions.

**MR. SPEAKER:** Thank you. The honourable Member for Yellowknife South is asking unanimous consent to return to Item 9, petitions. Are there any nays? There are no nays. Proceed.

#### REVERT TO ITEM 9: PETITIONS

**MR. WHITFORD:** Thank you, Mr. Speaker. I would like to submit a petition to the House, Petition 19-91(1). It deals with the deposit/refund program for liquor containers, and it contains 142 signatures. It is very similar to the one that I tabled yesterday. It is just that they neglected to get them to me in time, sir.

--Applause

**MR. SPEAKER:** Thank you. Item 19, third reading of bills. The honourable Member for Kivallivik.

#### ITEM 19: THIRD READING OF BILLS

**HON. GORDON WRAY:** Mr. Speaker, I would like to seek consent to proceed with third reading of Bill 31.

**MR. SPEAKER:** Thank you. The honourable Member for Kivallivik is seeking unanimous consent to proceed with third reading of Bill 31. Are there any nays? There are no nays. Proceed.

#### Third Reading Of Bill 31: Northwest Territories Business Credit Corporation Act

**HON. GORDON WRAY:** Thank you, Mr. Speaker. I move, seconded by the honourable Member for Iqaluit, that Bill 31, Northwest Territories Business Credit Corporation Act, be read for the third time.

**MR. SPEAKER:** The motion is in order. To the motion.

**AN HON. MEMBER:** Question.

**MR. SPEAKER:** Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Bill 31 has had third reading. Third reading of bills. The honourable Member for Kivallivik.

**HON. GORDON WRAY:** Thank you, Mr. Speaker. I would like to seek unanimous consent to proceed with third reading of Bill 26, Motor Vehicles Act.

**MR. SPEAKER:** The honourable Member is seeking consent to proceed with third reading of Bill 26. Are there any nays? There are no nays. Proceed.

#### Third Reading Of Bill 26: Motor Vehicles Act

**HON. GORDON WRAY:** Thank you, Mr. Speaker. I move, seconded by the honourable Member for Sahtu, that Bill 26, An Act to Amend the Motor Vehicles Act, be read for the third time.

**MR. SPEAKER:** Thank you. The motion is in order.

**AN HON. MEMBER:** Question.

**MR. SPEAKER:** Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Bill 26 has had third reading. Third reading of bills. The honourable Member for Sahtu.

**HON. STEPHEN KAKFWI:** Mr. Speaker, I seek unanimous consent to proceed with third reading of Bill 30.

**MR. SPEAKER:** Thank you. The honourable Member for Sahtu is seeking consent to proceed with third reading of Bill 30. Are there any nays? There are no nays. Proceed.

#### Third Reading Of Bill 30: Teachers' Association Act

**HON. STEPHEN KAKFWI:** Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 30, An Act to Amend the Teachers' Association Act, be read for the third time.

**MR. SPEAKER:** Thank you. The motion is in order. To the motion.

**AN HON. MEMBER:** Question.

**MR. SPEAKER:** Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Bill 30 has had third reading. Third reading of bills. The honourable Member for Iqaluit.

**HON. DENNIS PATTERSON:** Mr. Speaker, I move, seconded by the honourable Member for Sahtu, that Bill 37, An Act to Amend the Judicature Act, be read for the third time. And may I seek consent to proceed?

**MR. SPEAKER:** Thank you. The honourable Member is

seeking consent to proceed with third reading of Bill 37. Are there any nays? There are no nays. Proceed.

### Third Reading Of Bill 37: Judicature Act

**HON. DENNIS PATTERSON:** I move, seconded by the honourable Member for Sahtu, that Bill 37, An Act to Amend the Judicature Act, be read for the third time.

**MR. SPEAKER:** Thank you. The motion is in order. To the motion. Question has been called. All those in favour? Opposed, if any? Bill 37 has had third reading.

---Carried

Third reading of bills. The honourable Member for Iqaluit.

**HON. DENNIS PATTERSON:** May I seek consent to proceed on third reading of Bill 6, An Act to Amend the Regional and Tribal Councils Act?

**MR. SPEAKER:** Thank you. The honourable Member is seeking consent to proceed with third reading of Bill 6. Are there any nays? There are no nays. Proceed.

### Third Reading Of Bill 6: Regional And Tribal Councils Act

**HON. DENNIS PATTERSON:** Thank you. Mr. Speaker, I move, seconded by the honourable Member for Amittuq, that Bill 6, An Act to Amend the Regional and Tribal Councils Act, be read for the third time.

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

---Carried

Bill 6 has had third reading. Third reading of bills. The honourable Member for Inuvik.

**HON. TOM BUTTERS:** Mr. Speaker, I seek consent to proceed with third reading of Bill 3, as amended.

**MR. SPEAKER:** The honourable Member is seeking consent to proceed with Bill 3, as amended. Are there any nays? There are no nays. Proceed.

### Third Reading Of Bill 3: Liquor Act

**HON. TOM BUTTERS:** Mr. Speaker, I move, seconded by the honourable Member for Sahtu, that Bill 3, An Act to Amend the Liquor Act, as amended, be read for the third time.

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

---Carried

Bill 3 has had third reading. Third reading of bills. The honourable Member for Inuvik.

**HON. TOM BUTTERS:** Mr. Speaker, I seek consent to give third reading to Bill 38, An Act to Amend the Local Authorities Elections Act.

**MR. SPEAKER:** The honourable Member for Inuvik is seeking consent to proceed with third reading of Bill 38. Are there any nays? There are no nays. Proceed.

### Third Reading Of Bill 38: Local Authorities Elections Act

**HON. TOM BUTTERS:** Mr. Speaker, I move, seconded by the honourable Member for Kivallivik, that Bill 38, An Act to Amend the Local Authorities Elections Act, be read for the third time.

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

---Carried

Bill 38 has had third reading.

I have been informed that the Commissioner of the Northwest Territories is prepared to assent to bills today. Mr. Clerk, would you ascertain if the Commissioner is prepared to assent to bills?

### ASSENT TO BILLS

**COMMISSIONER (Mr. Dan Norris):** Ladies and gentlemen, please be seated. Mr. Speaker and Members of the Legislative Assembly, as Commissioner of the Northwest Territories, I hereby assent to Bill 2, Department of Justice Act; Bill 3, An Act to Amend the Liquor Act; Bill 4, An Act to Amend the Medical Profession Act; Bill 5, An Act to Amend the Reciprocal Enforcement of Judgments Act; Bill 6, An Act to Amend the Regional and Tribal Councils Act; Bill 8, An Act to Repeal the Bulk Sales Act; Bill 9, An Act to Amend the Financial Administration Act; Bill 10, An Act to Amend the Insurance Act; Bill 15, An Act to Amend the Northwest Territories Power Corporation Act; Bill 16, Locksmiths, Security Guards and Other Security Occupations Act; Bill 18, An Act to Amend the Boilers and Pressure Vessels Act and to Amend An Act to Amend the Boilers and Pressure Vessels Act; Bill 23, An Act to Amend the Property Assessment and Taxation Act; Bill 24, An Act to Amend the Social Assistance Act; Bill 25, An Act to Amend the Marriage Act; Bill 26, An Act to Amend the Motor Vehicles Act; Bill 29, An Act to Amend the Public Utilities Act; Bill 30, An Act to Amend the Teachers' Association Act; Bill 31, Northwest Territories Business Credit Corporation Act; Bill 32, An Act to Amend the Corrections Act; Bill 37, An Act to Amend the Judicature Act; Bill 38, An Act to Amend the Local Authorities Elections Act.

Members of the Legislative Assembly, this has been a long but interesting session. May I take this opportunity of wishing Members a good spring and break, and I look forward to seeing you all reassemble in the latter part of June. Thank you very much.

---Applause

### Speaker's Closing Remarks

**MR. SPEAKER:** Please be seated. Now it is my turn. Not too many opportunities for me in this Assembly. Prior to proceeding to the next item of business, I wanted to make some remarks that I know that all Members would want me to make. I know that all Members would want me to express the appreciation of all Members of the House to our staff; the interpreters;

---Applause

to the staff of the Executive Council for their contribution to the business of this House and to the success of the business of this House;

---Applause

also to the Clerk; to our research staff;

---Applause

last, but not least, the Sergeant-at-Arms and all the Pages that have served us so well during the session.

**AN HON. MEMBER:** Hear, hear!

---Applause

**MR. SPEAKER:** I also would not want to forget the Hansard staff, because without them our notes of worth would not be noted in history.

---Applause

I thank you for giving me that time. If I have forgotten anyone at all -- I know that our Assistant Clerk would not want me to forget her.

---Applause

But I do want to say that I think that at times there was some question whether we would ever get anything done in this House, but that is always the case. But I think we have been quite successful as usual; we have got through some strenuous days and uncertainties, but we have been successful in completing the work that has been proposed by the government and by Members of this House. So I just want to wish everyone well on their return home and in their work during the spring until we see you in June. With that, I wish you all well.

---Applause

Mr. Clerk, Item 20, orders of the day.

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Speaker, meetings for June 25th: at 9:00 a.m., ajauqtit; and at 10:00 a.m., caucus.

#### ITEM 20: ORDERS OF THE DAY

Orders of the day for Tuesday, June 25th.

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Oral Questions
6. Written Questions
7. Returns to Written Questions
8. Replies to Opening Address
9. Petitions
10. Reports of Standing and Special Committees
11. Tabling of Documents
12. Notices of Motions
13. Notices of Motions for First Reading of Bills
14. Motions

15. First Reading of Bills

16. Second Reading of Bills

17. Consideration in Committee of the Whole of Bills and Other Matters

18. Report of Committee of the Whole

19. Third Reading of Bills

20. Orders of the Day

**MR. SPEAKER:** Thank you, Mr. Clerk. This House stands adjourned until 1:30 p.m., Tuesday, June 25th, 1991.

---ADJOURNMENT

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