



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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Speaker: The Honourable Donald M. Stewart, M.L.A.

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YELLOWKNIFE, NORTHWEST TERRITORIES

MONDAY, FEBRUARY 24, 1986

MEMBERS PRESENT

Mr. Angottitauruq, Mr. Appaqaq, Mr. Arlooktoo, Hon. Michael Ballantyne, Hon. Tom Butters, Hon. Tagak Curley, Mr. Erkloo, Mr. Gargan, Mrs. Lawrence, Mr. MacQuarrie, Mr. McCallum, Hon. Bruce McLaughlin, Mr. Nerysoo, Mr. Paniloo, Hon. Dennis Patterson, Hon. Red Pedersen, Mr. Pudluk, Mr. Richard, Hon. Nick Sibbeston, Hon. Don Stewart, Mr. T'Seleie, Mr. Wah-Shee, Hon. Gordon Wray

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Don Stewart): Orders of the day for Monday, February 24th. Item 2, Members' replies. Mr. Richard.

ITEM 2: MEMBERS' REPLIES

Mr. Richard's Reply

MR. RICHARD: Thank you, Mr. Speaker. Mr. Speaker, first I want to join with the Member for Iqaluit in publicly offering my congratulations to Commissioner Parker, the Government Leader, and Members of the Executive Council on the historical occasion last month of the transfer of the role of the chairmanship of the Executive Council to the Government Leader from the appointed Commissioner. That occasion, Mr. Speaker, is indeed one of the last steps toward fully responsible government for the Northwest Territories.

In noting that historical occasion I wish to offer a sincere expression of appreciation to Commissioner John Parker on behalf of my constituents for the very able and diplomatic manner in which he has carried out his duties as chairman of the Executive Council and his other duties in recent years. Mr. Parker was, during his tenure as chairman of the Executive Council, truly a man for the times and his diplomacy, integrity and respect that he held for all of the peoples of the North, Mr. Speaker, is an example for all of us.

I was pleased to hear in the Commissioner's Address of the continued progress in the transfer of federal programs to the responsibility of our government in the areas of forestry management, fire suppression, health services, highways and NCPG. I was pleased, Mr. Speaker, to see that this devolution of responsibility is continuing notwithstanding some opposition in some circles in the East. In that regard, Mr. Speaker, I was pleased to hear on the CBC recently of the support that four of my colleagues, four Eastern MLAs, gave publicly in support of the process of devolution.

On the issue of land claims I was pleased to hear in the Commissioner's Address that the government is acknowledging the increased anxiety that northern residents have about land claims and about the manner in which the public interest is being protected at the negotiating table. I look forward, Mr. Speaker, to seeing the fruits of the government's public information strategy to counter this anxiety. In this regard I note that the Dene and Metis negotiating secretariat have prepared an information package regarding the current status of their negotiations with the Government of Canada. This information package is primarily for the information of the beneficiaries of that claims process but it is also available to non-beneficiaries. This is the type of public relations, Mr. Speaker, that our government should be doing with concrete information about both major land claims.

I too, Mr. Speaker, share the concerns of my able colleague for Yellowknife Centre regarding the implications of the recent initialling by this government and the Government of Canada of the subagreement in principle with Tungavik Federation of Nunavut dealing with Inuit impact and benefit agreements. While I appreciate that there is and must be a certain amount of confidentiality surrounding the land claims negotiations between the two main parties, the Minister of Aboriginal Rights and the Government Leader have acknowledged by their responses in this Assembly last week sufficient of the details of this subagreement to confirm for me that I have reason for concern. With this subagreement the Government of Canada and TFN have in my view strayed outside of the bounds of land claims negotiations as I understand them to be, and as the Government of Canada has established those bounds in its land claims policy to date.

Concern That Constitutional Issues And Political Structures Are Being Discussed At Claims Table

In that regard, Mr. Speaker, I have been provided with a copy of a letter that the previous federal Minister of Indian Affairs, Mr. Munro, wrote to my colleague, Mr. MacQuarrie, some four years ago when Mr. MacQuarrie raised with the then Minister his concern that constitutional issues and political structures were perhaps being discussed at the land claims table. The Minister's response and I quote, "I would like to reassure you with this letter that neither Mr. David Osborn, who is the federal negotiator in our discussions with the Dene Nation, nor any other negotiators on northern claims, have a mandate to decide upon constitutional or political change of a fundamental nature."

The contents of this subagreement in my view clearly have the implication of a diminished role for public government in the North. If it forms part of the final agreement and is entrenched in the Constitution of Canada it is, therefore, in my view an incursion into the area of constitutional development. An area, Mr. Speaker, that this Assembly and the native organizations have placed in the hands of the Constitutional Alliance, the NCF and the WCF. I cannot help but wonder, Mr. Speaker, what is the position of the NCF and the WCF on this incursion into their domain?

The contents of this subagreement in my view, Mr. Speaker, or rather its implications are, in fact, in conflict with what I read in the document "Building Nunavut". Mr. Speaker, on page five of that document I read and I quote, "Nunavut is 'public government'. That is, it is a government for all the people who live in the area embraced by Nunavut whether they were born in Igloolik or Trois Rivieres, Lloydminster or Yellowknife. Nunavut is not a government only for Inuit, but a government firmly founded on the Canadian political tradition of public services and the power of participation for all people who live in a geographical area."

Representation Of All People Of NWT If Constitutional Development Is Discussed

Mr. Speaker, we are told that the report of the Coolican task force on federal land claims policy is to be released in the very near future. I am not aware, Mr. Speaker, what is in that report. Maybe some others are, but I say this, that if the Government of Canada are going to allow constitutional development to be on the table at the land claims negotiations then they must allow our government, representing all of the people of the Northwest Territories, a full seat at that table.

AN HON. MEMBER: Hear, hear!

MR. RICHARD: And our government, Mr. Speaker, must consult with this Assembly and with all of the people of the Northwest Territories before taking any positions at that table.

The Minister of Aboriginal Rights and Constitutional Development has indicated that he shares these concerns about the future role of public government in the North and as proof of that concern has tabled now a copy of his letter to Mr. Crombie. I, too, am sending a letter to Mr. Crombie outlining my concerns and I would urge other Members to do so as well. Notwithstanding the imminent arrival of the Coolican report, Mr. Speaker, I look forward to the discussion paper which the Minister has undertaken to table this session and I do hope that we will have an opportunity to discuss it. At a minimum, Mr. Speaker, I hope to learn what is on the table for discussion at the land claims negotiations and what is not on the table.

Diplomatic Communication Of Affirmative Action Plan To The Public

Returning to the Commissioner's Address, Mr. Speaker, I was pleased to hear the reference to the establishment of the Equal Employment Directorate and that the Government Leader, the Minister of Personnel, expects to have affirmative action plans drafted for all departments by next month. In this area too, Mr. Speaker, it is my hope that the government will make an extra effort in the field of public relations to communicate its commendable policies to the public. I say this, Mr. Speaker, primarily because a large number of my constituents are public servants, employees of this government, and I have had expressed to me a concern and anxiety bordering on paranoia about the government's intentions in the area of affirmative action.

I have no difficulty, Mr. Speaker, defending the government's policy and the goals of its affirmative action plans. Those goals, in so far as they relate to native employment in the public service, as I understand them, are simply to ensure that aboriginal persons have an equal opportunity for employment at all levels. As I say, Mr. Speaker, I have no difficulty with that and I will do what I can to support the government in this area.

Those departmental affirmative action plans that I have seen or heard of, I am in support of. But if these affirmative action plans are to succeed, Mr. Speaker, they will need to have the widespread support and acceptance of members of the public service and acceptance by the public. I say, Mr. Speaker, that you do not win acceptance by public statements about the abrupt removal of senior bureaucrats or public statements that other bureaucrats should not expect that their positions are secure. The government's policy on affirmative action is fine. Its goals are commendable. The government, Mr. Speaker, simply needs to communicate its policy in a more diplomatic fashion.

In the area of education, Mr. Speaker, my constituents and other residents of Yellowknife were very pleased to hear the announcement last Friday by the Minister of Education that Sir John Franklin High School would, perhaps as early as September of this year, be administered by an elected board of education. A goal, Mr. Speaker, that has been sought for a number of years by members of the community education society in Education District No. 4, by members of the board of education in Education District No. 1 and by many, many parents and by a number of Members of this Assembly.

Full Participation By Other Communities In Running High School

All of us, Mr. Speaker, those who have advocated control of that high school by an elected board are well aware that it is not only Yellowknife students who attend that school, but students from other communities as well. When the Minister and his officials commence their negotiations, they will find, Mr. Speaker, that there is not any resistance by Yellowknife residents to full representation and participation by those other communities in the running of the high school. The good will of the community education society and of board No. 1 in this regard, Mr. Speaker, has been understated so far.

Also in the field of education, as I stated to the committee of the whole last week, I wish to again underscore a serious concern among my constituents about the anticipated overcrowding in public schools in Yellowknife South in the next two or three years. The Minister of Education has undertaken to attempt to find the capital funding for temporary classrooms, in addition to the ones that he did provide last year. I am hopeful that he will be able to do that and also that he and his colleagues on the Executive Council will be able to advance the construction schedule of the new school; that planning and land acquisition funds might be made available in the coming fiscal year so that the new school might be available to be occupied in September of 1988.

Funding For Safe Shelters

Mr. Speaker, although I have not heard any formal announcement by the Minister of Social Services regarding funding for a safe shelter for battered women and their dependants, I understand, Mr. Speaker, that the Minister's budget, which we will be examining in some detail later this session, does indeed include provision for assisting with the operating expenses of a safe shelter in Yellowknife for clientele from the city and surrounding communities as proposed by the YWCA and the Society Against Family Abuse, and as well I understand provision for similar funding for a similar facility in Iqaluit. In anticipation of the Minister publicly confirming that funding, Mr. Speaker, I wish to congratulate him and his Executive colleagues for this initiative.

On the issue of NCPC, Mr. Speaker, I wish to thank the Minister responsible for Energy, the Hon. Tagak Curley, and his colleague the Hon. Red Pedersen; and my colleague for Yellowknife Centre and I am sure my colleague for Yellowknife North, join me in thanking the Ministers for attending the recent presentation by city council and the Yellowknife Chamber of Commerce on the location of the head office of the new Northwest Territories energy company.

---Laughter

The Minister at that meeting, Mr. Speaker, very correctly pointed out that this issue is being misnamed. It is not the location of the NCPC headquarters, it is the location of the headquarters for the NWT energy company. In any event, Mr. Speaker, I trust that the Minister will agree with me that those briefs presented to him were excellent ones and I know that he will give due consideration to these presentations.

---Applause

Yellowknife Would Be The Most Cost Efficient Location For Energy Company

It is the opinion of the city of Yellowknife, supported by some impact studies, that the NWT energy company would operate in a most cost efficient way if it located in the city. A Yellowknife location would be the most cost efficient; in other words, would result in the greatest savings on power rates. As was indicated to the Minister there would also be other strategic advantages such as access to the government, to the professional sector, to the trades sector in the city, and other important considerations such as recruitment attraction, retention of employees, air transportation links and consumer services. All of these factors, Mr. Speaker, are relevant in either of the two operating structures which are available to the government and which were outlined by the Minister to this Assembly last week.

The Minister has heard many people say that the residents of Yellowknife relied on the decision of the Hon. John Munro, the then federal Minister responsible for NCPC, a decision announced in February, 1984, that NCPC headquarters would be located in Yellowknife. The Minister, Mr. Curley, has indicated both at the meeting in Yellowknife recently and in this Assembly last week that Mr. Munro did not consult with our government prior to making that decision. While I, Mr. Speaker, cannot condone that lack of consultation and I will concede that point to the Minister, I would simply ask that the Minister look at that decision, the decision of the federal government once made, from the point of view of the residents of Yellowknife and particularly the private sector.

The Minister has often said, and very eloquently, how he supports the private sector, that it is the machine that drives the economy, that he supports the key role which the private sector plays in the development of a viable northern economy. How often, Mr. Speaker, have we heard private industry, the private sector, private entrepreneurs here in the North and elsewhere in Canada say "All I want to know is what the rules are", or "Just tell me what the rules are, I'll live by them. Just don't change the rules." The private sector in Yellowknife, Mr. Speaker, relied on the public announcement of the federal Minister and have expended hundreds of thousands of dollars, nay, millions of dollars, in private investment expenditures in anticipation of the federal government's pronouncement being carried.

Devolution Will Bring Opportunities For All Communities

I know, Mr. Speaker, that the Minister and all of my good friends on the Executive Council will and must, have regard to the concerns of other communities as well, when deliberating on this difficult matter. I trust that they will keep in mind that there will, in the next few years, be a devolution of other federal responsibilities and that a place must be found for all of those programs, all of those person years, all of that office space. There are other chances ahead for all of the communities.

My own view, Mr. Speaker, on this issue of the location of the head office for the energy company or crown corporation, is that economic factors should be decisive. Our power rates in the North, Mr. Speaker, are high enough already. They are the highest in Canada. The interests of all northern energy consumers must prevail and that means the interests of energy consumers in every constituency. I would ask, Mr. Speaker, that those Members of the Executive Council who will be participating in this decision, keep the economic factor foremost in their mind. Some may, for the more direct benefit of their constituents if their own constituency is being considered for the

headquarters location, have an obvious preference. Setting that aside, each Executive Council Member should be considering their own constituents who are energy consumers and ask "Which location is going to result in the least cost in the long run?" The economic factor should be the determining factor. If Yellowknife loses out on that basis, so be it. However, Mr. Speaker...

---Laughter

AN HON. MEMBER: ...with your own prejudice.

MR. RICHARD: ...sir, the Executive should be able to demonstrate to the public, once the decision is made, that they have made the decision which will result in the lowest cost to the northern energy consumer.

MR. MacQUARRIE: Hear, hear!

Increase In Air Transportation Tax Discriminatory

MR. RICHARD: Finally, Mr. Speaker, I wish to make a brief reference to the failure of the Government of Canada to respond in a positive manner to the motion of this Assembly last October regarding the increase in air transportation tax...

AN HON. MEMBER: (Inaudible comment)

MR. RICHARD: ...and its devastating impact on all northern travellers.

MR. MacQUARRIE: Returnable investment.

MR. RICHARD: As all Members are aware, the \$30 ceiling on this tax was removed on September 1st and this removal constituted, in effect, a discriminatory blow against the North. With this ceiling removed, Mr. Speaker, this tax is simply a tax on distance. The tax portion of our tickets, whether we originate our travel in Frobisher Bay, Inuvik, Yellowknife or Resolute Bay, is now \$70, \$80, \$100 -- in excess of \$100 in some cases -- while in the South, the tax amounts to \$10, \$20, perhaps \$30 at most, on most travel.

In the written reply which the Hon. Don Mazankowski, the federal Minister, sent to this Assembly the thrust of his justification was this. Last year the federal air transport program cost a total of \$1.4 billion and revenues amounted to only \$637 million. The rest, which is the shortfall, has to come out of general revenue and Mr. Mazankowski says that that amounts to a taxpayer subsidy of \$58 for every round trip ticket purchased in this country. He also indicated that the Auditor General had recommended that more of the cost of operating the air transport facilities in this country should be recovered.

With all respect to the federal Minister, Mr. Speaker, that response to this Assembly evades the issue. Because of the shorter distances in the South, because of cheaper discount rates in the South, in all likelihood, 95 per cent of Canadian air travellers are still getting all or most of that \$58 subsidy, while we in the North are stuck with all of it and perhaps more. It is comforting at least, Mr. Speaker, to know that we in the North, we in this Assembly are not alone in our belief that this tax is discriminatory. The transport committee of the House of Commons, dominated by federal Conservative MPs chaired by Patrick Nowlan, MP, tabled a report in the House of Commons in December and in that report stated that the Minister's action in lifting the ceiling and I quote, "...penalizes the long distance traveller, which is patently inequitable in a large country like Canada where air travel is so essential". That committee, Mr. Speaker, also recommended a reinstatement of the \$30 ceiling and I am hopeful that Mr. Mazankowski will have the wisdom to listen to his honourable colleagues within his own party. I would urge other Members of this Assembly, Mr. Speaker, to again write to Mr. Mazankowski in this regard. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you, Mr. Richard. Item 2, Members' replies. That appears to conclude Members' replies for today.

Item 3, Ministers' statements. There do not appear to be any Ministers' statements for today. Item 4, oral questions. Mr. Arlooktoo.

ITEM 4: ORAL QUESTIONS

Question 86-86(1): Status Of By-Law On Mayor's Salary, Lake Harbour

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. This is directed to the Minister for Local Government. I have raised it previously, on February 12th. I would like to get further response to this, if the hamlet of Lake Harbour can amend their by-law. Is this going to be pursued by your staff? I would like to know because we have not had a response up until now as to how you have been dealing with this. Thank you.

MR. SPEAKER: Mr. Minister.

Return To Question 86-86(1): Status Of By-Law On Mayor's Salary, Lake Harbour

HON. GORDON WRAY: Thank you, Mr. Speaker. The by-law in question has been approved and signed and sent back to the Frobisher office for transmittal to Lake Harbour. However, the proposed by-law has raised a number of very important issues, namely that of the payment of salaries to hamlet mayors, and as such the Department of Local Government will be looking at ways, perhaps through the local government act, to have, if this is the desire of the local community, a full-time salaried mayor. Then perhaps that type of by-law will have to be ratified by the voters of that community before it can be enacted. So we are looking at various ways now to bring that into the local government act. But the by-law has been approved and sent back to Lake Harbour. Thank you.

MR. SPEAKER: Thank you, Mr. Wray. Oral questions. Mr. MacQuarrie.

Question 87-86(1): Operating Structure Following Devolution Of NCPC

MR. MacQUARRIE: Thank you, Mr. Speaker. My question is for the Minister responsible for Energy. One of the outstanding questions is certainly where to relocate headquarters for a power corporation. I believe, Mr. Minister, another is with respect to the operating structure. It could raise serious issues with respect to public utilities policy. There are implications with respect to employment status and power rates. So it is a concern to me as to how that decision will be made. I fear that if there is not more widespread discussion, we, the people of the North could find out that we have a Conservative government without ever having elected one.

So I would ask the Minister, what is the plan for making that decision and what role, if any, will the Assembly have in helping to make the decision or at least to comment on the decision or recommendation that the Executive Council is making?

MR. SPEAKER: Mr. Minister.

HON. TAGAK CURLEY: Mr. Patterson, my friend here, never has to worry about political parties. He joins any one within the government party.

HON. DENNIS PATTERSON: Friend to all.

Return To Question 87-86(1): Operating Structure Following Devolution Of NCPC

HON. TAGAK CURLEY: Mr. Speaker, I would like to respond by saying that the issue that he raises is before the Executive Council at the moment and will be considered as soon as the Executive Council can arrange a meeting this week. Therefore, I really cannot at the moment, make a statement as to what the Executive Council is anticipating it will do.

As far as the federal/territorial and Yukon agreement is concerned, which I tabled sometime last week or the week before, one of the principles that we did include in the memorandum of understanding was that the fair and equitable treatment of NCPC employees on staff at the date of transfer shall be respected. I would think that the federal Minister, as well as ourselves, will be addressing that issue and I am sure it will be one of the main items when the three Ministers do get together, which we have planned to do before the end of February, but I will keep in mind the Member's concern and will make an appropriate statement as far as the operating structure of the proposed corporation has been dealt with by the Executive Council.

MR. SPEAKER: Thank you, Mr. Curley. Oral questions. This appears to conclude oral questions for today.

Item 5, written questions. Are there any written questions for today? This concludes written questions. Item 6, returns. Are there any returns? Mr. Wray.

ITEM 6: RETURNS

Return To Question 37-86(1): Amendment To Home Owners' Property Tax Rebate Act

HON. GORDON WRAY: Thank you, Mr. Speaker. Return to oral Question 37-86(1) asked by Mr. Richard on February 17th with regard to amendments to the Home Owners, Property Tax Rebate Act.

My department is developing amendments to the Home Owners' Property Tax Rebate Act, which I propose to introduce at the next session, providing for the payment of tax rebates to the members of a co-operative that owns the building in which they are residents. The purpose of the act is to encourage home-ownership and the enterprise of participating in a housing co-operative is a form of ownership which, I believe, should also be encouraged.

Other housekeeping amendments to be included at the same time will clarify the question of the method of payment of rebates and deal with applications for rebates submitted late. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. Returns. Mr. Pedersen.

Return To Question 16-86(1): Polar Bear Survey, Foxe Basin

HON. RED PEDERSEN: Thank you, Mr. Speaker. I have a return to oral Question 16-86(1) asked by Mr. Erklou on February 14th, 1986.

The Department of Renewable Resources began a polar bear mark/recapture study in the fall of 1984. In 1984, 60 bears were captured and 69 in 1985. The federal funding we were expecting in 1984 did not materialize to the extent we anticipated and our department funded all the work except for some fuel caching. The work in 1984 and 1985 was centred out of Coral Harbour but is scheduled to move north along the west coast of Baffin Island this fall. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. Returns. Are there any further returns? This appears to conclude returns for today.

Item 7, petitions.

Item 8, reports of standing and special committees.

Item 9, tabling of documents. Item 10, notices of motions. Mr. Arlooktoo.

ITEM 10: NOTICES OF MOTION

Notice Of Motion 6-86(1): Rent Calculation, Public Housing

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. I will table a motion on February 26th and it will be seconded by the honourable Member for Hudson Bay, Moses Appaqaq. The motion will be dealing with public housing rental payments. Thank you.

MR. SPEAKER: We will just drop the word "table" in your proposed motion on rentals, Mr. Arlooktoo. We will accept that as a notice of motion. Are there any further notices of motion? Mr. T'Seleie.

Notice Of Motion 7-86(1): Support For Hunters And Trappers

MR. T'SELEIE: Mr. Speaker, I give notice that on Wednesday, February 26th, I will move the following motion: Now therefore, I move, seconded by the honourable Member for High Arctic, that this Legislative Assembly recommend to the Executive Council that the trapper incentive program be enhanced by leaving the minimum eligible fur sales at \$600, eliminating the maximum amount of eligible fur sales, and paying incentives according to the following scale: 25 per cent on \$600 to

\$2000; 20 per cent on \$2000 to \$4000; 15 per cent on \$4000 to \$6000; 10 per cent on \$6000 to \$8000; and five per cent on \$8000 plus; and further, that these changes become effective in the 1986-87 fiscal year.

MR. SPEAKER: Thank you. Notices of motion. Item 11, notices of motion for first reading of bills.

ITEM 11: NOTICES OF MOTION FOR FIRST READING OF BILLS

Speaker's Ruling

Before we proceed with this item I wish to inform the House that I noted that the Hon. Michael Ballantyne gave notice on Wednesday, February 19th that he would move first reading of Bills 9-86(1) and 10-86(1) on Friday, February 21st. This, of course, is the required 48 hour notice to introduce a bill in this Assembly. On Friday, February 21st, the item, first reading of bills, was called and these two bills were not proceeded with. No indication was given the House of the Minister's intention to proceed on a different day with first reading. I have reviewed this matter and find that the bills in question, Bills 9-86(1) and 10-86(1) are dropped and will have to be reintroduced by giving notice under Item 11, notices of motion for first reading of bills. In this regard, I will request that the special committee on rules, procedures and privileges look at amending the rules to have the bills, when they are ready for first reading and second reading, listed on the order paper so that people will not overlook them in future.

Notices of motion for first reading of bills. Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: Mr. Speaker, I apologize for the oversight. Friday went by so quickly that somehow or other I missed it, so with your permission I will give notice of motion for first reading of those two bills and then also a notice of motion for first reading of two other bills.

Notice Of Motion For First Reading Of Bill 9-86(1): Public Trustee Act

Mr. Speaker, I give notice that on Wednesday, February 26th, 1986, I shall move that Bill 9-86(1), An Act to Amend the Public Trustee Act, be read for the first time.

Notice Of Motion For First Reading Of Bill 10-86(1): Society Of Management Accountants Act

Mr. Speaker, I give notice that on Wednesday, February 26th, 1986, I shall move that Bill 10-86(1), An Act to Amend the Society of Management Accountants Act, be read for the first time.

Notice Of Motion For First Reading Of Bill 4-86(1): Insurance Act

Mr. Speaker, I give notice that on Wednesday, February 26th, 1986, I shall move that Bill 4-86(1), An Act to Amend the Insurance Act, be read for the first time.

Notice Of Motion For First Reading Of Bill 5-86(1): Jury Act

And finally, Mr. Speaker, I give notice that on Wednesday, February 26th, 1986, I shall move that Bill 5-86(1), An Act to Amend the Jury Act, be read for the first time.

MR. SPEAKER: Thank you, Mr. Ballantyne. Notices of motion for first reading of bills. Item 12, motions. Motion 5-86(1), Keewatin Region Medical Services. Mr. Curley.

ITEM 12: MOTIONS

Motion 5-86(1): Keewatin Region Medical Services

HON. TAGAK CURLEY: Thank you, Mr. Speaker.

WHEREAS there are serious problems related to health care for the residents of the communities in the Keewatin;

AND WHEREAS all other regions of the Northwest Territories are administered by zone directors and support staff resident in the Northwest Territories;

AND WHEREAS the medical services branch, Department of Health and Welfare, administering medical services to the Keewatin people, is based outside the region, in Churchill, Manitoba;

NOW THEREFORE, I move, seconded by the honourable Member for Kivallivik, that this Assembly recommend to the federal Minister, Department of Health and Welfare, that the regional unit of the medical services branch be relocated to the Keewatin Region without further delay, and particularly the senior officials responsible for health care programs including: zone director, zone nursing officer, assistant zone nursing officer and environmental health services.

MR. SPEAKER: Mr. Curley, your motion is in order. Proceed, you have the floor.

HON. TAGAK CURLEY: (Translation) Thank you, Mr. Speaker. When I was speaking earlier it was pretty obvious that in the Keewatin there are a lot of problems in the health area. I believe the Keewatin Region has to get a lot of assistance from Health and Welfare Canada. They would like to transfer the medical services branch to the Keewatin Region because when the zone directors and zone nursing officers are located outside of the region of the Keewatin area, it is very hard to deal with the problems right in the region. When the people from the Keewatin area bring up their problems the Health and Welfare Canada people do not understand what to do. This has been an ongoing problem for quite some time. Besides the federal government would be able to deal with not only sick people but also people who would need help with other areas of problems regarding health. So for the reasons I have just brought up I will be wanting to seek your help. (Translation ends)

Ever since the federal government agreed to transfer and devolve a number of major territorial programs, beginning in 1967 when this government took over a number of major programs of the territorial government, I think it became very clear that this was the best route to take and that people who are administering programs should be located in the area, should be close to the people in the regions. Therefore, I am urging the federal government to take that into consideration quite quickly. The main point is the fact that federal government is interested in transferring the health programs to the Territories. I do not think it would serve to keep the medical services, who are there to represent the people, based outside of the NWT.

I can give you one example where this creates communication problems, Mr. Speaker. I can only give one example where I was involved. I attempted to represent my constituent who was very badly in need of assistance, in order to try and get attention from medical services people in the community. Obviously my communication was not all that well-received and therefore the representative from Health had complained to the zone director in Churchill and a few days later the message got through to the director of medical services here in Yellowknife responsible for the NWT. The director here phoned the GNWT representative in the head office where I was supposedly located. It went through a number of people all around me, through Manitoba, but I was not approached directly and I had to receive communication from our senior representative in the government as to what the problem was. That is one good example where communication did not get through.

Mr. Speaker, I also refer to problems in my preamble to the motion. Serious problems related to health care. Mr. Speaker, I did indicate in my reply to the Commissioner's Address there were problems on a number of occasions, and I am also concerned with the mental health aspect of the responsibilities of Health and Welfare. I think they are not being represented well by the federal government. I understand also it is being proposed that the position of co-ordinator for mental health programs of Health and Welfare be located in Churchill. I did not include that because I do not have the information whether that is clearly the case or not.

Lack Of Care For The Handicapped

Mr. Speaker, I was shocked this winter of one example again where a handicapped man who had been roaming around the community for a number of years was not treated. He does not have any place to go. He at least had a place but it was up to him to make use of that house. I did indicate that problem to my colleagues in hope that attention would be taken and proper care would be given to that man because he could not clean himself or whatever because he is partially paralysed. Many of the young kids in communities also mothers, ladies, would be frightened of the man, not because the

man is trying to frighten people but because of the nature of his case. Mr. Speaker, I was shocked that our own representatives of Health and Welfare have not had an opportunity to find a place for these kinds of people. I received word last month that this man had died. He was uncared for. He died outside, frozen. Not only that, he was later eaten by the dogs. I find that, Mr. Speaker, to be -- I do not want to exaggerate, but I did indicate to my colleagues and to the government that these kinds of people should be taken care of. That is not an exaggeration, that is the case.

Two years ago another mentally handicapped man died one night. Again, in his usual home. I knew that man personally. He died one night and he was not discovered until three days later. So that is the extent of our mental health program in the Northwest Territories. I also remember a blind man, again in the same location, another individual who did not have a place to go. From his own home he walked out into the storm one night, probably looking for people to visit and he got lost in the storm and he was not found until a few days later, until the storm was over. Again, he was frozen.

That is the kind of situation we are in, Mr. Speaker. I think the kind of action taken by the federal government to ensure that the people responsible for health care delivery be located on site in the region would only help. I think communication would definitely improve and I know that all the regional council of the Keewatin and the regional Inuit associations have already supported that and I am urging my fellow Members in the Legislative Assembly to take that small step so that we could begin to communicate and work toward better health care services in the Keewatin Region. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you, Mr. Curley. Secunder, Mr. Wray.

HON. GORDON WRAY: Thank you, Mr. Speaker. I take pleasure in seconding this motion. Perhaps some of the comments that my colleague, Mr. Curley, has enunciated in the House today and during his reply to the Commissioner's Address may seem sort of shocking and unreal to people over here and to Members of the Legislature. I can assure you that none of these comments are exaggerated, everything he has said is true and has happened. I will not elaborate on other problems today, I will do that during my reply to the Commissioner's Address, but I can tell you that in our opinion and in the opinion of the hamlet councils, the regional organizations and the regional Inuit associations, the delivery of health care in the Keewatin is nothing less than shocking.

Frustration At Community Level

It is probably the worst delivery system -- it is the worst delivery system in any region that we have in the North and is probably one of the worst in all of Canada. Part of the reason for that is that the people who are responsible for running this program do not live in the North, they do not live in the Keewatin; they are not familiar with the North, they are not familiar with the Keewatin; and they are not accountable to the North, not accountable to the Keewatin. This has caused us never ending problems for years and years, one of the unfortunate spin-offs being that because people in the region are so frustrated by their inability to get things done or even their inability to find out who is responsible -- because it is extremely difficult to find out who is responsible for what. Every time you try and call, you literally get the runaround and Mr. Curley and I, on behalf of the constituents, have been given the runaround time and time again. They pass the buck from one office to another.

What happens is that the frustrations end up being taken out on the nurses at the local community level because they are the only tangible people and the only people we can get at. It is really not fair to them because they were hired as nurses, they were not hired to administer the program or be responsible for program direction. I think that if we can move these offices into the Keewatin then perhaps first of all the people in there will quit because they do not want to come North and we can replace them with some competent people. Secondly, we can have people who live with us and who share our frustrations and maybe do not hide as easily as the people we have in Churchill right now, because they are going to have to live beside us and they are going to have to live there with their families. They are going to see what it means. Perhaps in that way we can get some action out of them. Also it will start providing a focus for the people of the region on where to go. The offices will be there. It will help to take and deflect some of the criticisms and pressures put on the nurses and allow them to do the jobs that they were hired to do.

ITEM 15: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 1-86(1), APPROPRIATION ACT, 1986-87

Department Of Local Government

CHAIRMAN (Mr. Wah-Shee): The committee will come to order. We are on page 13.02 dealing with the Department of Local Government. I would like to ask the Minister of Local Government to make his opening remarks at this time.

Minister's Opening Remarks

HON. GORDON WRAY: Thank you, Mr. Chairman. Mr. Chairman, I am pleased to introduce my first budget as Minister of Local Government. The Department of Local Government is proposing main estimates of over \$32 million in capital and \$45 million in O and M for the 1986-87 fiscal year. This represents a decrease of three per cent in capital and an increase of 11 per cent in O and M. Within the proposed estimates, approximately 22 per cent of proposed capital moneys will be allocated to the seven tax-based municipalities and 78 per cent to other communities. With regard to O and M contributions, over 20 per cent will be allocated to tax-based municipalities and about 75 per cent to non-tax-based communities.

Overall, the Department of Local Government remains the major spender of capital moneys allocated in the government's proposed main estimates. This reflects the department's role as the major physical developer of the facilities and equipment needed to deliver essential programs for the public health and improved lifestyles of our residents. The department's growth in the O and M budget also reflects the need for an increase in resources to be passed on to the communities to operate and maintain community services and facilities.

Major Organizational Review Of Department

Soon after becoming Minister of Local Government, I directed my department to commence a major organizational review. I wish to emphasize that this is a serious examination directed at improving the level of programs and services we are to provide to the communities and to the general public. It is all too easy, in today's climate of sceptical public feeling about government in general, to speculate that this is yet another reorganization, aimed simply at reshuffling bureaucrats and changing titles and job descriptions. The Executive Council has approved the establishment of a second assistant deputy minister position, with the expressed intent of devoting greater attention to the undertaking of proper community planning and putting greater emphasis on providing badly needed capital infrastructure to communities across the NWT. I am proposing changes to the system of capital planning so that capital resources will be more effectively allocated to those communities facing the greatest program needs. I am encouraging my senior management to spend more time in the regions with regional superintendents and meeting with community councillors, mayors and administrative staff, to acquire a greater appreciation of the key issues and needs of today's communities.

In other words, I intend to strengthen the department's developmental approach to working with communities and assisting them to devise practical and immediate solutions to their problems. I place a great deal of emphasis on restoring the capability of the department to provide community development programs and workshops at the community level throughout the NWT. The proposed reorganization will enhance the ability of the municipal affairs division, both in headquarters and in the regions, to provide workshops and other developmental activities for community administrators and elected officials. Improved emphasis must be given to strengthening the communities' capabilities in financial management, financial and personnel management, management of capital projects, operation and maintenance, and of equal, if not greater importance, to enhancing political awareness -- the capability of community councils to take effective control over the local political development in their communities. A stated goal of the department has been competent and capable local governments, responsive and responsible to the residents, with sufficient legal authority and resources to carry out municipal responsibilities and to deal effectively with other governments and organizations.

The proposed reorganization of the department is in large part intended to give greater focus to this goal. Further, I believe it is important that the name of my department should more clearly reflect its developmental responsibilities with all communities. I intend to propose a change to the department's name to my colleagues in the Executive Council in the near future.

Airport Facilities Improvement Program

I am pleased to announce that the Executive Council has approved, as a government priority, an airport facilities improvement program which will in 1986-87 allocate \$300,000 for the provision of critical airfield improvements in nine communities in the Western Arctic not presently served under the arctic B and C airports program -- after the last four, I might think about this a second time. These communities are Snowdrift, Lac la Martre, Snare Lake, Trout Lake, Jean Marie River, Rae Lakes, Fort Providence, Nahanni Butte and Colville Lake. Beginning in the summer of 1986, low power non-directional beacons will be installed at seven of the communities to improve air navigation by providing point-to-point guidance information or position data to aircraft in flight. Also beginning in the summer of 1986, six of the communities will be provided with either electric or flare-pot airfield lighting. This equipment will improve the safety of aircraft operations, especially emergency medical evacuations during periods of darkness and restricted visibility.

This program represents a recognition by our government of urgent and pressing needs of several communities in the Western Arctic for vital improvements to their lifelines and transportation links with other parts of the North and the rest of the country. In some ways it is unfortunate that this government has had to respond to this extent, as repeated efforts have not met with success in persuading the federal government to renew the arctic air facilities policy. This House may rest assured that I will continue the best efforts of my predecessors to achieve federal renewal of this vitally important policy.

Plan For Sport And Recreation

The development of improved recreational opportunities in all communities is a high priority of mine. Increasingly, people are recognizing that adequate public recreational facilities in communities are as vital to the overall health and well-being of community residents as water and sanitation systems, proper roads and other essentials of good community life.

Accordingly, I am instructing my department to develop a strategic plan in sport and recreation which will include an assessment of the present sport delivery system and new initiatives to encourage participation and competitions at the intercommunity, regional and territorial levels. The plan will include increased levels of assistance for the construction of community recreation facilities, coupled with a move to standardize recreation buildings. I believe this approach to standardize buildings will allow more buildings, including skating, hockey and curling rinks as well as community halls and gyms, to be built for the same amount of money. The department is working closely with the Department of Public Works and Highways to develop these standard facilities. The plan will also include increased assistance for communities to hire trained recreation staff. This initiative is designed to complement the community recreation leaders' training course and will be introduced as soon as funding is approved. Communities will be eligible for funding to hire recreation directors and it is proposed that communities will automatically receive additional funds, when major recreation complexes are built, to hire facility managers for these new facilities.

The community recreation leaders' course has been launched and will produce 40 new community recreational leaders by 1993. The above ground pool program has expanded markedly -- from 11 pools in 1984 to 16 pools in 1986. I am pleased that this program which is providing community recreation opportunities, developing leadership skills through the training of lifeguards, and which is actually helping to save lives, is being so well received. In addition, we are proposing a sport outreach contribution program to reach into the smaller communities and seek out talented young athletes with potential to compete at the regional, territorial and Arctic Winter Games levels.

Proposed Amendments To Taxation Act

The present government, as well as the present Legislative Assembly and past Legislative Assemblies, has emphasized the importance of the North obtaining a better deal from the resource developments which occur in the NWT. In support of this objective, I have sponsored, along with the Hon. Tom Butters, the Minister of Finance, amendments to the Taxation Act which will, if enacted by this House, enable the government to classify property in 11 different classes, including a class for mineral resource extraction and for hydrocarbon resource extraction. This will allow the GNWT to set different mill rates for these resource industries. These rates can, and in my view, should be, over and above those which might be set for home-owners and small

business entrepreneurs. With regard to property taxation, my department is conducting a comprehensive review of the system of property assessment and taxation in the NWT and I will be sponsoring recommendations to the Financial Management Board before the next sitting of the Assembly. At present, I can say that the review has produced some rather interesting findings.

Proposed New Legislation

I would also like to advise committee Members on the current progress in developing the proposed new local government legislation. It is intended that this legislation will consist of three new acts: a local authorities elections act, a local government act, and a property assessment and taxation act.

As Members are aware, the draft local authorities elections act was tabled on October 28, 1985. On February 10, however, I advised Mr. MacQuarrie and the standing committee on legislation that I wish to have the bill withdrawn from consideration at this session. Primarily, I am concerned that some of the provisions on election rules and procedures are too complicated and may cause undue misunderstanding on election day in small communities. I want to discuss these concerns further with my department and make appropriate revisions. But additionally, if the local authorities elections act, with its many references to the present Municipal Act, were to be enacted before the enactment of the proposed local government act and property assessment and taxation act, this bill would have to be amended again after the repeal of the Municipal Act. I consider that I would be asking for too much of the House's valuable time were I to be introducing the same bill twice within approximately 12 months.

The work on the proposed local government act which will include the authorities, structures and procedures for cities, towns, villages and incorporated communities, is proceeding well within my department. I am now reviewing the proposals in the act concerning cities, towns and villages and expect to review my department's proposals concerning hamlets by the end of February. I expect to be reviewing my department's proposals regarding incorporated communities, which have also been referred to as community governments, early in April.

My department has nearly completed development of its proposals for the property assessment and taxation act and I will be reviewing them this month. This act, which will bring together in one act all the provisions for assessment, levying and collection of property taxes presently contained in the Municipal Act and the Taxation Act, is being developed in consultation with the Department of Finance.

During the next few weeks I shall be discussing with my colleague, the Hon. Michael Ballantyne, appropriate arrangements for co-ordinating the final drafting of the local government act by the Department of Justice on a priority basis. Assuming that my colleagues and I on the legislation and House planning committee are able to give this legislation the priority it deserves, I hope to table the proposed local government act, the proposed property assessment and taxation act and the local authorities elections act in the fall session.

AN HON. MEMBER: (Inaudible comment)

HON. GORDON WRAY: I just say that I propose.

Privatization Plan

As part of the overall government efforts to promote privatization, my department is completing the development of the privatization plan which will be acted upon through the 1986-87 fiscal year. I do wish to emphasize that many programs of my department are already being discharged by local governments and that there are very few GNWT programs left for my department to privatize. However, we shall be requiring municipal councils, when they tender for municipal contracts which are funded by the GNWT, to conform to the business incentive policy of our government, which gives preference to northern contractors and businesses. Where there are private contractors efficiently providing services such as gravel hauling, road maintenance and snow clearing, the GNWT capital plan will take this into account. In addition, my department will emphasize the contracting out to qualified northern firms of a major portion of the development and training work that will be a major part of the municipal affairs and community planning programs.

Capital Projects

On the capital side, some of our major achievements include the construction of the Pangnirtung water reservoir project which began this year. It is worth noting that this is, to date, the largest single capital project to be undertaken by the Department of Local Government. Although there were initial concerns that this project was being done by an outside contractor, the contractor has obtained over 75 per cent of its local labour force from the community. As well, the contractor has established a leasing company which has acquired heavy equipment being used in the reservoir project. This company will remain in Pangnirtung after the reservoir is completed. Shares in this company are presently being offered to the local residents.

A community plan and zoning by-law in Cape Dorset is nearing completion. The planning process has involved a unique approach, including an extensive training program for a local planning assistant. This year, five hamlets in the Baffin Region purchased for the first time their mobile equipment. This was a highly successful process and the communities were satisfied with this from a developmental aspect. From the government's standpoint, the process was successful because it demonstrated that communities do have the capability to take on more responsibility in capital projects and still maintain the principles of cost-effective purchasing.

Work is continuing on the Yellowknife downtown water and sewer upgrading project. The 80 per cent funding being provided by the GNWT is an extraordinary item, as funding for replacement of deteriorated infrastructure is a new demand on our programs. In addition, we are proposing to fund sewage treatment facilities to be constructed this year in Norman Wells at a cost of \$1.5 million to meet sewage treatment standards prescribed by the NWT Water Board.

Mention has been made during previous sessions, of work under way to review the various programs of capital assistance to communities. These programs have built up gradually over the past 15 years and there is a need to review them to determine whether they are meeting present day community needs and to develop comprehensive policy. I wish to report that a draft policy on capital assistance is nearing completion by the department, in consultation with the Department of Public Works and Highways. I expect to be submitting the policy to the Executive Council for review in the near future.

Mr. Chairman, I have attempted to present an overview of the major operational and capital plans of the Department of Local Government for the coming year and I now look forward to discussing the budget in more detail with Members of this committee. Thank you, Mr. Chairman.

---Applause

CHAIRMAN (Mr. Wah-Shee): Thank you for a very comprehensive presentation. Mr. Minister, would you like to request that you have witnesses appear before the committee at this time?

HON. GORDON WRAY: Yes, Mr. Chairman.

CHAIRMAN (Mr. Wah-Shee): Does the committee agree?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Minister, I wonder if you would identify your witnesses for the committee records, please.

HON. GORDON WRAY: Thank you, Mr. Chairman. On my right is Mr. Al Menard, deputy minister of the Department of Local Government. On my left, Mr. Joe Kronstal, director of finance and administration.

CHAIRMAN (Mr. Wah-Shee): Thank you. General comments. Mrs. Lawrence.

Consultation With MLAs On Capital Plans

MRS. LAWRENCE: Thank you, Mr. Chairman. Under community planning and development it was a concern that we had in our committee, that the Members of the Legislative Assembly have a role in the planning process. I would like to know what kind of improvements have been made toward our

involvement in the capital planning. I just recently received a letter from my constituents complaining about their capital planning, that when the government officials come into the community they sit down together and make plans for the capital planning and then they leave. The next thing they know a lot of it has been removed without them knowing about it. This is one of the reasons, not being involved, that we requested that we would like to participate when they sit down and do this capital planning. I just would like to know what kind of action has been taken on this. Mahsi cho.

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

HON. GORDON WRAY: Thank you, Mr. Chairman. This has been a problem in the past and I guess one of the major reasons for the problem is that in the capital planning process obviously every community in the NWT will sit down and draw up their requests and priorities. However, once these get to Yellowknife it may very well be, and in fact has been, that all of the requests from all over the communities probably cost twice as much as the department has in its budget. So there have to be cuts made. I think this has been part of the problem, that cuts have to be made, and they do not filter back down to the community. When a community asks for things, it expects to get them all. It does not realize that it is competing with 61 other communities for the same pot of money. We are proposing to change the process, whereby we will consult with the communities, then we will consult with the MLAs, and then we will consult with the regional councils. So indeed in the development of the next capital plan the MLAs will be fully consulted after the communities have been consulted. So we are going to change the process to ensure that MLAs are consulted.

CHAIRMAN (Mr. Wah-Shee): General comments. Mr. Arlooktoo.

MR. ARLOOKTOO: (Translation) Thank you, Mr. Chairman. I would like to get a further clarification. Cape Dorset is an island and they are running out of gravel. For that reason we have been wanting to get a gravel crusher for some time. I do not know how else you will deal with this. Is this included in these main estimates? Thank you.

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

HON. GORDON WRAY: No, the gravel requirements are included in the Department of Public Works estimates.

CHAIRMAN (Mr. Wah-Shee): Thank you. General comments. Mr. Arlooktoo.

MR. ARLOOKTOO: (Translation) Thank you, Mr. Chairman. Yes, I want you to know this has been requested by Cape Dorset residents. Perhaps we might be able to obtain it sometime, now that you have a new budget. Thank you.

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

HON. GORDON WRAY: Thank you, Mr. Chairman. I cannot respond to the Member presently because I do not remember what is in the Department of Public Works estimates on this item but I am sure we will have an answer by the time Public Works rolls around. Thank you.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Arlooktoo, would you be prepared to bring up the matter when we are dealing with Public Works? Mr. Gargan.

MR. GARGAN: Thank you, Mr. Chairman. I would like to ask the Minister, during our budget review in January, the Minister indicated there was going to be some demonstration project going on in the communities concerning underground water and sewage systems in some core areas of communities. Is this still the case? Is this demonstration program coming up? I have not noticed it inside the main or the capital estimates. Is this project still going to occur?

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

Planning Downtown Core Utilidor Services

HON. GORDON WRAY: Thank you, Mr. Chairman. No, there is nothing in the main estimates this year for it. It is still at the discussion stages. We have come under increasing pressure from communities, particularly the larger communities, to provide what you might call downtown core utilidor services, water and sewer facilities, particularly in areas where you have schools,

community halls, stores, large businesses, because the pressure on the local truck service is increasing. Many of the communities are finding themselves unable to keep up with the daily requirements of water and sewer. However, it is still within the discussion stages in the department, essentially because of the money involved. We are going to proceed with some type of project similar to this in Fort McPherson but only because we have an existing system which has to be repaired. I would expect that over the course of the next few months the department will finalize plans on how to proceed with this, particularly in the planning area.

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

MR. ERKLOO: (Translation) Thank you, Mr. Chairman. In the upcoming month BRC will be holding a session. They have obtained funding from the federal government to hold a meeting. That is, BRC and BRIA. The MLAs from Baffin Region have been invited. They have requested funding of \$25,000 from Local Government. Will they be given this assistance?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. The only funding that will be made available to regional councils this year is the core funding which is in the main estimates. There is no provision for additional funding.

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

MR. PANILOO: (Translation) Thank you, Mr. Chairman. I have one concern while we are on the topic. Last year I wrote to the Minister of Transport Canada and I sent a copy to the MLAs concerning the airstrip in Pangnirtung. Is there any plan by Local Government in progress for the Pangnirtung airstrip? I would like to get some kind of a response. Thank you.

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

No Money For Airport Projects

HON. GORDON WRAY: Thank you, Mr. Chairman. The situation in Pangnirtung is identical to the situation we face with all of the other airports in the NWT inasmuch as Transport Canada has put a hold on all plans for all airstrips. We did have some plans to do upgrading and major maintenance to airports including a number of projects in the Baffin Region. However, they have been stalled for a number of official reasons but the major unofficial reason seems to be one of no money. I can only give the answer to the Member that I have had to give to other Members, that it is stalled because of the arctic B and C airports program coming to an end.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mrs. Lawrence.

MRS. LAWRENCE: Thank you, Mr. Chairman. Under community airports I would like to know what is planned for Snowdrift airport. Right now we have no beacons, no lights. Last winter when we had a tragedy in Snowdrift, we had four medivacs in one week and at the end of the week we ran out of flares. If we had had another accident we would have had it. At that time even I learned to put up flares. I would really like to know at this time what is planned for airports and why they have the weather beacon in Fort Reliance. Would it be possible to have that moved to Snowdrift?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. We are planning to put a low power non-directional beacon and flare pots into Snowdrift this coming summer. With regard to Fort Reliance, it is a federal station. However, my understanding is that it is also an international station providing weather to international flights, as well as providing weather on the whole core of the barren lands for the various arctic regions. But it is a federal station so I do not know if they have any plans to relocate to Snowdrift. Certainly it would not be within our government's mandate to move that station.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mrs. Lawrence.

MRS. LAWRENCE: Thank you, Mr. Chairman. How soon will they put these beacons and flare pots into Snowdrift?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. After the budget is approved we will be ordering the supplies and sending them into the communities. So I would suspect sometime around June or July.

CHAIRMAN (Mr. Wah-Shee): Mr. T'Seleie.

Incorporating Community Governments

MR. T'SELEIE: Mr. Chairman, I would like to ask the Minister about the new municipal act. I am aware that you sent a letter to the community of Fort Good Hope, explaining that as a community government they were not incorporated in the same way that hamlets are incorporated. I would like to know whether or not, in the new municipal act, you plan to take care of that situation.

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

HON. GORDON WRAY: Thank you, Mr. Chairman. Yes, incorporating community governments is probably the most difficult aspect of the new municipal act, inasmuch as because it has never been done anywhere before, we essentially have to create our own rules. We hope, working with the Departments of Justice and Indian Affairs, to come up with a system whereby we can incorporate the community governments to give them a legal basis, to give them some form of legal entity. At the present time they have none. Essentially they are little more than advisory bodies. But yes, that is one of the major thrusts of the new municipal act, to find a way to incorporate those communities so that they have a legal basis from which to operate. Thank you.

CHAIRMAN (Mr. Wah-Shee): Mr. T'Seleie.

MR. T'SELEIE: Mr. Minister, you said that you were going to table this new act in the fall session. I would like to know how soon after that can we expect that legislation would be law and it would be possible for this community to become incorporated?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. We would hope to have the bill through the House in the winter session, a year from now. But it depends on the Department of Justice and just how long it takes to do the legal drafting of the act.

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

Discrepancy In Figures Clarified

MR. McCALLUM: Thank you, Mr. Chairman. Last year as well as this year, the standing committee on finance, as well as individuals, have had some concern with the person years, the confusion of position changes, really the figures that are put before us by the Department of Local Government. I notice this year that there is some confusion as well, within the budget book itself. So I am referring to this and not to some figures that we have had. I try to relate the kind of increase that this particular department has had from the past year and going back to 1984-85, including the revised forecast for last year. But there seems to be some discrepancy between the figures that are on page 13.05 for the department itself and the summary of the amounts to be voted on page vii, those figures. And there is some confusion on page viii, with the person years for the department, as well. I wonder if, because of the confusion last year, it seems that we are confused again this year with these figures. I wonder if we could get from the Minister, just what is the increase over the revised forecast for last year, that obviously takes into consideration the main estimates plus the supplementary bills that came before us, both in person years and within the total O and M amounts to be voted.

For example, in the 1985-86 revised forecast that you have, on page vii, it is listed as \$39,694,000. In the same booklet on page 13.05 it says \$40,568,000. Now that is a change of about over \$800,000. The same with the person years on page 13.05, I am not sure if you are looking for an increase of 14.1 PYs this year or whether in effect you are talking about a decrease in total -- but that is not the way the figures are presented to us. Mr. Chairman, because we have had this confusion with the department in the past, I would like to get it straight in my mind. What figures are we looking at? For 1986-87, the figures coincide, \$45,172,000 for O and M and 134.8 man years. But the corresponding figures for the previous years, 1985-86 revised main estimates

and actuals, differ on these pages for the same department. I would just like to get it straight so that we do not have to run up against some problems when we are talking in another capacity, the public accounts committee, with the changes. This was an issue last year with this committee and I think because it is not clear now within this year's figures, maybe we could get some clarification on those figures.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. I am advised that there was a mistake in the printing of the document and that the correct figures are the ones on page 13.05. Those are the figures that should be used.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. General comments. Local Government. Mr. McCallum.

MR. McCALLUM: Mr. Chairman, then I take it that we are looking at an increase of under four million dollars rather than an increase of over \$5.5 million or thereabouts and that we are talking about a total decrease in person years. Is that correct?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. GORDON WRAY: That is correct, Mr. Chairman.

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

Role Of Band Councils In Constitutional Evolution

MR. WAH-SHEE: Thank you, Mr. Chairman. As the Minister is probably aware, Mr. Chairman, the whole issue of constitutional development has been discussed in the First Ministers' Conference. One of the interesting items that was discussed was the whole issue of aboriginal self-government. I would like to ask the Minister, what is the position of the territorial government in response to the whole issue of self-government in the Northwest Territories, in particular, the involvement and role of band councils in regard to the constitutional evolution of the NWT?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. I do not know if that question should be properly addressed by me or by the Minister of Aboriginal Rights. However, at present the Executive Council is reviewing a paper to review the entire process with regard to regional and tribal councils and to community governments, to determine what our position is. I think that things have evolved rapidly probably faster than many of us thought they would and therefore we now have to consolidate our views on just where we are going particularly at the community and the regional level. There have been many different systems proposed for different regions and different communities. We are going to attempt to try and consolidate.

One of the aspects of this is the community government agreements which we are signing which, as you know, do involve the band councils heavily at the local community level. However, I would suspect that this review which will be undertaken will be probably completed and discussed by the Executive Council in the fall of this year, at which time, hopefully, we should have a clear position and a clear understanding of where the GNWT is prepared to go. Thank you.

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

MR. WAH-SHEE: Mr. Chairman, I am just as much aware as the Minister in regard to the activities of the Department of Local Government as well as aboriginal rights. I would like to indicate that I think, when we are talking about aboriginal self-government, that has direct impact and implications in terms of the legislation coming forward from the Department of Local Government because the Department of Local Government has to advise the Aboriginal Rights and Constitutional Development Secretariat in regard to the implications of the aboriginal self-government.

Now, the whole question of the role and function of band councils is very important. I do not see the Aboriginal Rights and Constitutional Development Secretariat dealing with the issue on its own. Obviously the secretariat, as I understand it, in dealing with the negotiations of the federal government depends on the other departments to advise them of their particular

jurisdiction. So obviously the Department of Local Government does have to advise in regard to the whole issue of aboriginal self-government because it deals with band councils. When you are setting up settlement councils, hamlet councils, then the role of the band council comes up. And as you know, it is very important to know what the position of the territorial government is in this area, because obviously you cannot talk about community governments in isolation from the band council system. I may add, Mr. Minister, that the band council system has been in existence long before the introduction of the municipal governments within the Mackenzie Valley area.

Place Of Band Council In New Legislation

Therefore, it is very important to us as Dene people to basically find out when you are drafting legislation in regard to the new municipal act. It certainly does reflect the attitudes and the direction that this government would like to go in regard to the area of constitutional development. Constitutional development is not isolated from the creation of community government, may I add. It is in part and parcel and that is the very essential element that we are talking about which I feel is very important. I think that it is going to have to be addressed and it cannot be avoided. In drafting your new municipal act it is important that you indicate to this House what the role and function of the band councils would be in the future. Are they going to be an advisory group that is going to be welcome to participate in the creation of your community governments at their expense? Or are you going to isolate them and tell them that they no longer should be part of a community government? I think it is important that you indicate that to this committee.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. We certainly will be indicating our views on band councils to this committee particularly within the realm of the legislation that we are proposing. We are well aware that constitutional development cannot be isolated from the development of new legislation and in fact the community government agreements are an attempt to incorporate the band council into that concept.

Legal Ruling On Authority Of Band Council

One of the basic problems that we have at present is that we have been attempting to get the federal Department of Justice to indicate to us what they feel the legal authority of a band council is outside of a reserve. As you know, the NWT is unique inasmuch as the bulk of band councils are not on reserves. Regarding the Indian Act, the federal Departments of Justice and Indian Affairs have been very slow in responding to us even though we have made repeated requests to them to give us an opinion or a legal ruling as to what they see the authority to be. We are now working with our own Department of Justice and with Indian Affairs to try and get that clarified.

However, this government has by its actions indicated that it does recognize the role of the band council. I see no reason why that would change and hopefully any proposed legislation that does come up will incorporate the band council and the concept of the band council into it. We are certainly not proposing anything different. All we are trying to do right now is find a way to legalize it. Thank you.

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

MR. WAH-SHEE: Would the Minister be prepared to indicate to this committee what recognition and arrangement has been made with the band council to recognize the band council as a municipal body? If so, what are these arrangements, separate from the other municipal arrangements that are made where you do not have the existence of the band council?

CHAIRMAN (Mr. Gargan): Mr. Minister.

Recognition In Community Government Agreements

HON. GORDON WRAY: The recognition is through their incorporation into the community government agreements. We cannot recognize band councils as a municipal body because band councils are a closed system. In other words, only band members may vote. This causes us some major problems particularly as it pertains to the charter and the fact that if we were to recognize band councils as the prime body in a community, then I do not think the band councils would be very favourable to

opening up membership to other residents of that community. So it is something that is a very fine line that we have to walk and we have to see if we can reach some accommodation to ensure that while the band council stays as the prime body, we have a method whereby other residents, non-band members, can also participate in the local government of that community. We are hoping that the community government agreements, where the band council is a major part of that community government, may be the way to do that. However, it is under review and we are studying it.

We are also, in the development of a new legislation looking at many other self-government proposals including the recent one from, I think, the Shuswap Band in BC to see if there are any of those models that we may be able to adapt in the North. So the whole system is under review and hopefully we will come up with something in the new legislation that will satisfy the requirements. Other than that, my only advice is we will have to wait and see.

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

GNWT Position Regarding Aboriginal Self-Government

MR. WAH-SHEE: Would the Minister be prepared to indicate what is the GNWT position in regard to aboriginal self-government, period?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. I would think that that question should be addressed to the Minister of Aboriginal Rights and Constitutional Development.

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

MR. WAH-SHEE: Mr. Chairman, I would challenge the Minister on that because the Aboriginal Rights Secretariat Minister has already indicated when he was appearing before this committee that the Aboriginal Rights Secretariat does not operate entirely on its own. If a question deals with renewable resources and wildlife, that department is there to advise the secretariat. The secretariat in turn negotiates on behalf of the government as a whole. Now, we are talking about aboriginal self-government which deals with your department. You, Mr. Minister, have to advise the secretariat with regard to that whole issue. It is not the other way around, may I suggest.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. GORDON WRAY: With respect, it is not the Department of Local Government that attends constitutional talks and deals with aboriginal rights and self-government and constitutional development. It is the Minister of Aboriginal Rights who attends those talks and advises us on the trends and the way those talks are going. It is based on their advice and we sit down jointly with them to work with them.

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

MR. WAH-SHEE: Mr. Chairman, it would appear that there is some confusion on the part of the GNWT with regard to the whole issue of aboriginal self-government. I would go as far as to say that they are probably trying to avoid the issue somehow. I would say that the whole issue of self-government has to be taken very seriously by our government because obviously just because the Dene have not indicated that they wish to take on reservations in order to have total self-government, that does not give the right to GNWT to say that the aboriginal people in the NWT should not even consider contemplating the whole issue of self-government. I may suggest, Mr. Minister, that the aboriginal rights negotiations and constitutional development would have to consider the whole issue of aboriginal self-government because obviously we have a different situation in the Mackenzie Valley that deals with band councils.

I can tell you right now that band councils will not die out. They are going to continue to exist. They are going to be a very important part of the Dene constitutional development evolution. It seems to me that you as the Minister responsible for Local Government have some responsibility to give some indication to the Dene chiefs as to whether you have a different program within your department with regard to that issue. I may add that the band council has negotiated Treaty 11 with the federal government which has been recognized by the federal government. Here we are talking about community government and I feel we should have some clear indication with regard to how you are going to deal with it.

CHAIRMAN (Mr. Gargan): Mr. Minister.

Review Of Community And Regional Governments

HON. GORDON WRAY: Thank you, Mr. Chairman. I do not know what the Member is getting at. I hope he is not suggesting that the government is intending to do away with band councils because quite the reverse is true. We are working with the band councils and in some cases funding certain aspects of them to develop community governments along the lines that they wish. How we intend to deal with it is by talking to the band councils, by talking to the constitutional forums, by talking to the native organizations to see if we can come up with a system of government at the community level which is acceptable. That is what I was referring to earlier -- when we do the review we will be involving all of those parties because the Department of Local Government cannot work in isolation of all the other agencies that are involved in the NWT in the area of constitutional development, which includes the Western Constitutional Forum, the Nunavut Constitutional Forum, the Constitutional Alliance, the Dene Nation, the Metis Association, the regional councils, the community governments, the chiefs, the Aboriginal Rights and Constitutional Development Secretariat, the Department of Local Government. All of these agencies and departments have a role to play and hopefully, over the next five, six, seven months as the government reviews the entire spectrum of community and regional governments, we will be able to draw on the various opinions as to how we should go. So, there is no predetermined position taken by the government and hopefully over the next few months we can work together with the various organizations and see what we can come up with.

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

Support For Concept Of Aboriginal Self-Government

MR. WAH-SHEE: Mr. Chairman, I may indicate just for the record that I am disappointed in the replies I have been getting to my question because I think the Minister is aware of the recent First Ministers' Conference on Constitutional Development which involves the aboriginal people right across Canada. One of the items discussed which the federal government has agreed to, is to work toward the whole concept of aboriginal self-government. I do believe that conference was broadcast live right across Canada. If you are not aware of it, the federal government at the present time is negotiating with some of the treaty Indians with regard to aboriginal self-government.

With regard to the limitations of the Charter of Rights, I do not believe that the Charter of Rights at the present time limits the issue of aboriginal self-government. If that was the case then obviously the federal government could not negotiate such a concept with the treaty Indians. What makes the treaty Indians in the Territories less than other treaty Indians south of the 60th parallel is really the question. Now, are we being treated a little differently up here and if so, why?

On one hand, the policy and direction of the Department of Local Government with regard to the creation of community governments is based on the concept which they interpret within the Charter of Rights which is that any form of community government that is being created in the NWT has to include everyone other than treaty Indians. Now, you deal with the same idea and concept south of the 60th parallel and it does not seem to be a problem, only because they have reservations. May I also add that in the Territories we have the option of having reservations as well. I do not believe that the Dene people have to take an extreme position, to take on reservations so that we can have aboriginal self-government.

Concept Of Self-Government Lost In Integration

If the GNWT is not flexible to include the idea and the concept of aboriginal self-government in the NWT then there is obviously something wrong. Then the whole issue of integration comes into the picture, that the Dene, the Inuit -- particularly the Dene, I cannot really speak for the Inuit. For the Dene it means that we have to go into the mainstream of society. We have to forget about having our own concept of aboriginal self-government, which I feel is a very poor starting point to negotiate the whole idea of constitutional evolution in the North. I think for far too long, as far as I am concerned, the GNWT have had some difficulty in coming to grips with the concept and what to do about band councils. I think it is better if the GNWT comes out very clearly in their ideas about the band council system, that they do not wish to have that system in the North any more, that they wish that system would disappear so that they can come with another

concept. If that is the case then I think that the Department of Local Government should come clean and indicate that to the Dene chiefs and to the Dene reps in this Assembly. Obviously we would like to participate in the constitutional evolution but we cannot do it unless we know what role the band councils are going to play. Are they going to be in an advisory capacity? Or are they going to be eliminated? Are they going to be ignored? What is the situation?

You are talking about developing a new municipal government bill. Certainly that has implications. I think it is high time that the GNWT came forward with a very clearly stated policy and direction that this government is going to go in regard to the issue of community governments in dealing with the band councils. I would like to have some further clarification on that from you, Mr. Minister.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. The honourable Member may be disappointed in the answers but I am disappointed in the questions because I am not quite sure what he is trying to prove or what he is trying to say.

GNWT Legislation Subservient To Indian Act

The process that we are undergoing right now is one that was initiated under his Ministership and there have been no changes since then. So if he has got problems with the process, then he has got problems with what he did by himself, because it is not something that I started. The biggest problem that we have is not in GNWT legislation. Our biggest problem is trying to understand what the Indian Act allows the GNWT to do with band councils off reserves because our legislation is subservient to the Indian Act. We cannot enact legislation which contradicts the Indian Act or takes any powers away from band councils that are presently contained in the Indian Act. The problem that we have is that we cannot get Indian Affairs and the federal Department of Justice to define the powers and roles of a band council off reserves. Therefore, it makes it extremely difficult for us to try and enact legislation concerning band councils. That is our major problem.

Until such time as the federal government can tell us just exactly the status of band councils off reserves, then we have an extremely difficult time coming up with our legislation. Our legislation is overridden by the Indian Act and we have written constantly. I imagine in the Member's days when he was Minister, the department was writing to Indian Affairs at that time trying to attempt to get clarification from the department. We have not been successful. We have now enlisted our own Department of Justice and asked them to discuss at very top level with Indian Affairs and with the Justice department in Ottawa just exactly what the powers of band councils off reserves are. We are not having much success because it is something that they have not had to deal with.

However, with regard to our flexibility, I think the GNWT has been one of the most flexible governments in Canada in responding to these concerns. One of our problems in developing the community government agreements is that no such other type of system exists anywhere in the country. So we do not have something to go back to and look over and see what was done in the past. We have to create something ourselves and it is not, with all respect, solely the mandate of the Department of Local Government. There are many, many other people involved in this process, notwithstanding the fact that the native organizations and the Constitutional Alliance have a major role to play in this whole development. It is not something that the GNWT can develop in isolation and we do not want to do that.

Consultation With Other Groups

I hope the Member is not suggesting that is what we should do. The whole purpose of the review that I have proposed to the Executive Council is to include the native organizations and the constitutional forums so that any form of community government that we can come up with is one which is in accordance with their wishes and their desires. The GNWT gets nowhere or gets nothing out of it by developing a governmental system which may be replaced within a year or two years if the Territories divide or which the native organizations may not like or which the band councils themselves may not like. So it is incumbent upon us to talk to those people and to get their points of view and I certainly do not intend to develop any legislation or any form of community government until I have a chance to talk to those people and get their ideas and see where they want to go. That is why I may be having a difficult time in clearly enunciating the department's position because, very simply, we do not have a position. This government does not sit down and

create an idea of community government. The way we do it is to talk to people and find out what people want and hopefully our legislation and our direction will reflect the aspirations and the desires of the people in those communities and the organizations that represent them. That is what we want to do.

AN HON. MEMBER: Hear, hear!

HON. GORDON WRAY: Thank you.

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

MR. WAH-SHEE: You know, Mr. Minister, if you cannot answer a question then you should really just say that you are not in a position to answer. I think you should be honest enough to indicate that. If you are confused then you should also indicate that.

HON. GORDON WRAY: Somebody is confused, but not me.

MR. WAH-SHEE: Well, I am certainly not confused because the whole issue of aboriginal self-government has been on the agenda for the First Ministers' Conference. I do not know where you were but I would like to tell you that the Dene Nation was there and they were representing the interests of the Dene chiefs.

Now, the question is, when we are dealing with aboriginal self-government what is the position of the GNWT in regard to that? Obviously if you say, "Well, we do not know", then I can accept that. I can also accept the fact that you are confused but you should not try to indicate that you cannot participate in that evolution or process. Obviously the issue of aboriginal self-government is an issue that the Dene Nation is dealing with at the present time. They will be putting forth a proposition in that regard and I would hope that the Dene Nation would sit down with your department to discuss the issue. Now, obviously from your replies so far you have not had the opportunity to sit down with the Dene Nation in regard to that whole issue. If that is the case then you should have indicated that.

GNWT Direction Poses Threat To Special Status

Now, it comes down to the involvement of the band councils. I still feel that the band council is going to play a very major part in the creation of community governments within the Mackenzie Valley, with or without reserves. Now, unless the territorial government is telling the Dene chiefs that they have to take reserves to participate on the issue of self-government then I think the department should indicate that. As for coming forward with other bills in regard to municipal governments, I would suggest that that does have implications for further discussion in negotiations on the concept of aboriginal self-government in the NWT. I do not accept the concept that in the NWT, just because we are trying to work together, that we as far as Treaty Indians go, have to give up special status that we do have -- at the expense of the Dene people, particularly Treaty Indians. I think for far too long the department has been going on that direction and I also may add that, Mr. Minister, when I was Minister of Local Government I took certain initiatives. Now, I would expect that other Ministers that followed behind me would take new initiatives and not continue to blame previous Ministers that have been running that particular department. If they have not had any initiatives and imagination then that is their problem, not mine. I would like to tell you that you are the Minister of Local Government in 1986 and I think you should start taking the full responsibility of that department and stop continuing to refer to other people within your department. You may even want to refer to previous deputy ministers if you wish but I do believe that I think Ministers of our government had better start running their department and start taking new initiatives and be fully responsible for their department. I expect that and I am sure that everybody else in this committee expects that.

AN HON. MEMBER: Hear, hear!

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. First of all, I did indicate earlier on in the questioning that I would be sitting down with the Dene Nation and all the other parties involved with regard to the constitutional development issue. That is part of the review that we are undertaking, which is a new initiative by the way, to review the entire spectrum. Also the

municipal act is a new initiative and the attempt to give some legal bases to the community governments is also a new initiative. The most irresponsible thing that can be done is to give people the illusion of power and not give them any real power because you just fool the people when you do that.

I do not mind taking responsibility for the Department of Local Government and I fully accept the responsibility. However, I do find it a little bit galling to be castigated for initiative in a process that was started by the person who is castigating me for that very same process. I think that other people should take the responsibility for what they did. I am merely continuing the process. The process has not changed and new initiatives have been taken. However I repeat, the Department of Local Government will not develop a position on aboriginal self-government in isolation of all of the other groups which are involved in the NWT. To do so would be irresponsible and I do not intend to take that action. After the proper consultation, after a review by the constitutional forums and the native organizations, after it has been properly discussed at the regional and community levels, then and only then will this government have a clear position.

Government Position Reflects Views Of People Involved

Unlike perhaps southern jurisdictions where the government takes opposing views to that of the native organizations, this government attempts to come up with views and to come up with policies that are complementary to the ideas of the various agencies involved. That is the role of this government and it has always been the role and it will continue to be the role.

I do not understand why the Member would want the GNWT to have a position on aboriginal self-government which may differ from that of native organizations of the constitutional forums. Surely we can come up with the same position if we work together. He seems to be advocating that we take an adversarial role toward aboriginal self-government. I do not see aboriginal self-government as being that way at all. I see aboriginal self-government springing from the desires of the people and the desire that they want to go that way. We have made every attempt to accommodate the band councils in our governmental system and will continue to make the attempt to accommodate them within the governmental system. However, it is incumbent upon us to talk to the people that are involved and to talk to the people that are directly affected to ensure that whatever their wishes and whatever their views and whatever their position, it is reflected in our position. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. Mr. Wan-Shee.

MR. WAH-SHEE: Mr. Minister, I have never indicated that your department should come up with a position in isolation. If you do, then obviously you are making an unwise move. Now, the point was that the issue of aboriginal self-government has been discussed months ago. It has been dealt with. It has been discussed. As far as I am concerned the whole issue of aboriginal self-government -- the NWT is not immune to that concept and if that is the case then I would like to know why.

Impact Of Municipal Act Amendments On Concept Of Self-Government

Now, obviously to deal with that issue it is going to require the native organizations sitting down with your department and the Aboriginal Rights Secretariat. It seems to me that this department has not even dealt with that issue and they are still coming up with amendments to existing municipal acts and you are coming up with a revised bill as I understand it, this coming fall. Surely, that has implications in regard to that concept that I have been talking about. I am not really interested in debating semantics. I am basically interested in seeing how this whole issue is going to be resolved and what is going to happen to the system of band councils.

It is very important to the Dene people and I think it is fair to say that the Dene people expect some clear indication from this administration in regard to what is going to happen to that system of government. You may call it traditional. You may call it anything you wish, but it has existed long before the introduction of municipal government in our communities. Therefore, it is an issue that we are going to have to come to grips with. I make no apologies for the initiatives that I have taken under my administration as Local Government Minister, but that does not excuse any other Ministers, like yourself, in regard to coming to grips with that issue. I think that if we are going to take on certain Ministries and we volunteer our names then we ought to take full responsibility for that department. I am getting a little sick and tired of hearing Ministers say,

"Well, it is the previous Minister's". Let me tell you if you can't handle that Ministry, then I would suggest that you get the heck out of there. Let somebody else that can take full responsibility from the date that they take the oath of office, and not blame anybody else. That is the kind of commitment that I would like to see coming from every Minister that appears before this committee.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. My colleague, the Minister of Aboriginal Rights, wishes to say a few words but before he does there are just a number of points. First of all, this government is not opposed to the idea of aboriginal self-government. What this government has to do is to discuss with the people in the NWT how we incorporate aboriginal self-government into the NWT. That is one of the reasons that we have a Constitutional Alliance.

Secondly, one of the reasons that I took forward to the Executive Council -- and received approval from them just last week -- the concept of a review of the regional and tribal and community governments, was so that that review can be done before the municipal act is introduced into this House. To ensure that what we are doing through legislation reflects the direction and the aspirations of the people of the Northwest Territories. I will defer to my colleague, Mr. Patterson, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. Mr. Patterson.

Advice On New Forms Of Government

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. I would just like to try and shed a little bit of light on the discussion that is taking place this afternoon. Mr. Chairman, first of all, if I may, in my view, the Government of the Northwest Territories has chosen to take advice on the development of new forms of government at the local and regional and territorial level in the North from the Constitutional Alliance.

The Member, who has been challenging us on this aspect, is in fact, I believe, a member of the Constitutional Alliance. In my view, rather than asking for clear indications from this government as to what is the government's view of how new forms of government should evolve -- new and better forms of government, recognizing, as I certainly do, that there has been dissatisfaction with the southern models that were imposed on the Dene and have not, obviously, worked especially well. Recognizing that, I think that our position is not to say, "This is what our policy is, this is how it is going to be", but rather to say to the Constitutional Alliance composed of the Dene Nation and the Metis Association and native and non-native Members of this Assembly, "What is your advice to our government about the way that we should be going?"

AN HON. MEMBER: Hear, hear!

HON. DENNIS PATTERSON: ...and, I do not think we need to apologize for having asked for advice from the people, rather than, as perhaps northern governments have done in the past, or federal governments have done in the past, imposing models that are doctored from the start. So, my feeling is that, while I believe that our government probably has a reputation in the country for being an advocate for aboriginal self-government, we have chosen to seek advice rather than give direction. The Member for Rae-Lac la Martre is, I think, in an excellent position to be telling this government what we should be doing in the way of developing new forms of community government that will respect Dene traditions, rather than asking what our government's position is.

In that regard, Mr. Chairman, I feel that there has been a great amount of work done in this area and I know that the Western Constitutional Forum for one, is, I believe, about to release its recommendation to the people of the Northwest Territories and to this government about how public government could best reflect the history and traditions and special needs of the aboriginal majority of the Northwest Territories.

Once that advice has been given, I think that our government can then be challenged for responding or not responding, but my view is that in the meantime, especially in questions of political development, we are in a way a bit of a caretaker government waiting for these new recommended forms of public government to be presented, discussed publicly and approved. Then I hope that we will aggressively pursue them, both within our present jurisdiction, through the Minister of Local Government for example, but also at the national level where we will be wanting to see these new forms of government accepted and indeed constitutionally entrenched.

The one final point that I would like to make, Mr. Chairman, is that unless I misunderstood what the honourable Member was saying, he seemed to be suggesting that the Dene people were asking for recognition of the band form of government and perhaps seeking reservation status, if that was required, in order to protect the band form of government. However, Mr. Chairman, in my understanding of what both the Dene Nation and the Inuit representatives are saying in the Constitutional Alliance, my understanding is that they are recommending that the public government vehicle, provided that there are special guarantees and special features to protect and advance the rights of aboriginal people, would be the route to go. I have not, so far, understood the position of the Dene Nation to be that public government, as opposed to ethnic government, is not the route that they wish to go. So, I am also somewhat puzzled by the Member's statements in that regard. I hope that these comments have helped to clarify the issues, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Patterson. Mr. Minister.

Powers Of Band Council Protected By Indian Act

HON. GORDON WRAY: Thank you. Just a couple more points. The community government agreements which we have, were developed by what is called the community government working group, of which band councils and settlement councils were members. But, if the Member has fears that this government is about to do something or would attempt to do something which would erode the powers of a band council, then he need not have those fears, because quite simply, the GNWT cannot enact legislation which would erode powers from band councils, because they are protected by the Indian Act which is an overriding act.

The problem that we have right now, is getting the federal Department of Indian Affairs to tell us exactly what those powers are because, unless we know what those powers are, we cannot enact legislation. That is our major problem. One of the problems with this legislation has been that we do not want to do anything that would erode those powers, but trying to get somebody to tell us what those powers are has been a whole different question. Like I say, we are working on it and we are trying to get some kind of a definition from Indian Affairs, but to date, we have not been that successful. But, there is no move afoot by this government to erode the present powers of band councils. All of that is, as my colleague says, in the hands of the Constitutional Alliance, and hopefully when they release their paper, we will get a clear understanding of how they see the role of government taking shape, particularly in the Western Arctic, and it is something that we, as a department, would respond to. Thank you.

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

MR. WAH-SHEE: Thank you, Mr. Chairman. Regarding the issue of self-government, as far as I can see I do not see any initiative on the part of the administration to implement that concept. You refer to the Inuit communities or Inuit organizations talking about special consideration which has to be spelled out. The special consideration that you are referring to in the Dene is the band council because that is our special consideration. We already have an institution in place. The Inuit do not have an institution other than the municipal form of government in the NWT. The issue is, what is the role of band councils in the Department of Local Government? Also, where is it going to go in the future? You say you are waiting for WCF to tell you or advise you what to do. Well, let me tell you, in the meantime this government is proposing legislation, bills, that deal with community governments. Now what is the implication of that with regard to the recommendation we may come out with in the future? I do not think the Minister of Aboriginal Rights is prepared to tell me today what those implications are, nor the Minister of Local Government. That is the concern. If you want me to spell it out in black and white. Where are we going here? You cannot throw the thing back to WCF and NCF. It may be that we even disagree on that issue. WCF and NCF may even disagree amongst themselves because the whole premise of those constitutional forums is consensus. Let me tell you, I represent the Dene and I do not intend to compromise the interests of the Dene on that constitutional forum. The issue of where we go from here with the band councils, I think is on the minds of all the chiefs. It has never been very clear to me as to what direction this administration is going to take in that area. When you are talking about tinkering with the existing Municipal Act or coming up with a new one, what does it mean and where do we go from here? Now that is really the concern.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Wah-Shee. Mr. Minister, would you like to respond?

Legal Status For Community Government Agreements

HON. GORDON WRAY: Thank you, Mr. Chairman. The whole concept of community government agreements is in response to that concern. We were advised loud and clear by the Dene communities that they did not want the existing form of municipal status which was acceptable in other parts of the Northwest Territories. So the government, through the community government working group which included people from the band councils, came up with this concept of community governments and community government agreements. There have been requests from several other communities to go for this community government agreement. The problem now is to try and give them some type of legal recognition. We are trying to recognize legally something that the communities wanted. That is our problem. We are trying to directly respond to that concern. One of the reasons we are doing this review is that we do not want the community government agreements to contradict anything which the Dene Nation or the Constitutional Alliance may wish to put into effect. That is why the legislation will not be through this House for at least another year to give us time to consult and to discuss with the people who are going to be affected. It is not something that we are trying to ram down people's throats. We were trying to respond to the very concerns that the Member is talking about and that is not to enshrine municipal status in Dene communities where you already have band councils. So hopefully over the next year as the review takes place and as the WCF releases its document and as our discussions with the various groups take place we will be able to come up with some form of community government which can be enshrined in law which gives it the power that will be acceptable. As far as I am concerned there are no conditions on what type of government that is. This government is entirely open to discussion and to negotiation on the various forms of government. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Mr. McCallum. Mr. Nerysoo.

Concerns Not Yet Addressed By Band Councils

MR. NERYSOO: Thank you, Mr. Chairman. I do wish to maybe speak a bit about the issues Mr. Wah-Shee raised. I think some of the confusion in the communities lies around the questions that you are asking and the concerns that you have with regard to firstly, the manner in which one recognizes the community government and the problems that surround the authority that is placed under the jurisdiction of the community government structure. I think those are questions and concerns which have not really been addressed by the Dene Nation or the chiefs themselves. They do not see where the problems lie. They have not really had the opportunity to express their concerns or express their willingness to make certain changes to their structure so that they are able to assume responsibilities that are presently under the jurisdiction of the GNWT or our Local Government structures. I think that seems to be the problem. I would suggest that that could be pointed out through you to the various band councils, as well as asking them to give their opinions as to how we might be able to rectify or at least make recommendations to improve the manner in which you could recognize community governments.

I think the approach that has been taken by communicating and having a public discussion on this is a good idea but I do not think it is in your interests to have a public discussion on some of the questions if the people do not know what the questions are. I would recommend to you that you at some time draft an information item or a letter to the chiefs and band councils to raise the concerns that you have and the problems that you are encountering as a Minister in trying to recognize the structures that they wish to recognize in the communities.

You have also raised the whole issue of negotiations. Mr. Patterson raised the idea that where we are trying to utilize the whole public government process recognizing special features in developing public government and public government institutions including community government structures. At the same time I would hope that if that is the route the aboriginal organizations wish to go that they ought to be very cognizant, in discussing or negotiating aboriginal rights agreements, interim agreements or whatever, that they be prepared to recognize that those issues might be affected in the discussions. It is not something that you as a Minister would be responsible for, but since it is the aboriginal organizations that are actually negotiating, I assume we will have to at some time present to our Minister responsible for Aboriginal Rights the concerns you might have with regard to the negotiations itself. Just a few comments from me.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Nerysoo. Would you like to respond, Mr. Minister?

HON. GORDON WRAY: Thank you, Mr. Chairman. Just briefly, I appreciate the comments of the Member. There are some very constructive suggestions there. That exactly is our problem. We are attempting to respond to the communities' desire to have powers over the communities and the

activities that take place in those communities. The problem we have right now is there is nothing within the system that allows me to respond, so I have to essentially find out what we can put in place which would give them the powers that they want. That is what we are attempting to do. I would hope that over the next year or so, with full consultation of all the parties involved, we can come up with a system that allows and gives the communities the powers that they desire. That is what we are here to do. Thank you.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. I have been critical of the government during the past week so I welcome the opportunity to be supportive of...

AN HON. MEMBER: Hear, hear!

MR. MacQUARRIE: ...the things that I am hearing the two Ministers say this afternoon.

MR. RICHARD: Special edition of Hansard.

MR. MacQUARRIE: Frankly, I am confused by the remarks of the Member for Rae-Lac la Martre. Confused by the substance of what he is saying and confused as to whom he is speaking for, when he says those things, because I have been involved in these matters for some time and one thing that is very clear to me is that the Dene Nation, the Metis Association and ITC are not pressing for or pursuing aboriginal self-government. Since they are not, it is unrealistic to expect this government to take a position on aboriginal self-government in the North. In fact those native associations and this government have agreed that the kinds of concerns that aboriginal people have in the North -- at least they have agreed to this point to date -- that the kinds of concerns that aboriginal people have in the North can be best addressed by pursuing public government and attempting to shape that public government in ways that would make the government acceptable to aboriginal people. Both native associations and this Assembly have mandated the Constitutional Alliance and the two forums to undertake that work. Of course, the concept of aboriginal government is a very special concept. What it would mean, if it is pursued, is that you would be pursuing Inuit government for the Inuit, Dene government for the Dene, Metis government for the Metis and so on. That is what is involved in that concept. Apparently aboriginal associations in the North have decided at the moment that they do not wish to pursue that direction.

Role Of Band Councils In Community Government

It is a different matter when you start to talk about the role of band councils in community government. That is not necessarily pursuing aboriginal self-government. The honourable Member for Rae-Lac la Martre asked two questions: What is the role of band councils with respect to municipal government? A second one, where is that going to go in the future? I say that the two questions ought to be addressed in two different directions.

The first question is appropriate here in this Assembly. What is the role of band councils with respect to municipal governments? I say that our government is trying to address that. It is trying to address the circumstances that exist now, to try to create circumstances that are in the best interests of the people at the present time, given all the circumstances that prevail. But when you say, what is the role going to be in the future, that is more properly addressed to the Constitutional Alliance and to the Western Constitutional Forum, which must attempt to take account of that in its deliberations. Once those deliberations take place, then of course, whatever it is suggesting will be open for public discussion and comment, and comment in this Assembly. It could be that those forums will, in fact, recognize some of the important work that is being done by this government right now with respect to addressing the concerns of band councils and in fact incorporate an element of that in the constitution. I think it is inappropriate to fault this present government for not doing something which all of us mandated somebody else to do.

I would say that Mr. Wah-Shee feels concern because he says he sees no initiative to implement the concept of aboriginal self-government. I say that it is appropriate that you see no such initiative from this government because the native associations themselves at this time are not pursuing that concept. I think that they have mandated the alliance to do it and until such time as either the forums agree and come out with recommendations that will be publicly discussed and hopefully eventually implemented, or if that proves to be impossible, until such time as the native associations themselves say, "We no longer wish to pursue that other avenue. We wish to pursue

aboriginal self-government", then I can only feel that Mr. Wah-Shee's criticisms today are inappropriate. I feel that the responses given by both Ministers are understandable and clear and I wish to be supportive of them.

CHAIRMAN (Mr. Gargan): Thank you, Mr. MacQuarrie. We will take a 10 minute coffee break.

---SHORT RECESS

The committee will come to order. We are on general comments. Mr. T'Seleie.

Lease-Only Policy In Communities

MR. T'SELEIE: Mr. Chairman, I would like to ask the Minister a question about the "lease-only" policy that the Executive Council put in place last September, whereby communities can request that this policy be established in their communities. I would like to ask the Minister whether he has received that kind of a request from the Metis Association in Norman Wells, and if he has received it, I would like to know the status of it.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. To date we have received requests from Fort Franklin, Fort Providence, Fort Simpson, Fort Smith, Inuvik, Norman Wells, Pine Point, Snowdrift. We have in effect a lease-only policy in Franklin, Providence, Simpson and Snowdrift. We have informal lease-only policies in Rae, Edzo and Fort Liard and we are presently negotiating with Norman Wells on the request for that community. At present, the Metis are meeting with the hamlet council in Norman Wells to resolve the outstanding issues.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. Mr. T'Seleie.

MR. T'SELEIE: I want to also ask the Minister, how long this policy is good for. I know that once the government agrees to it, that it is good from one year of the request, but I would like to ask him if there was another community that wanted it a year down the road, whether or not it would still be possible to do that.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. The policy will apply from September 1985 to September 1986. Any request from within that year will be met. Any request later than September 1986, I will take back to the Executive Council.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. General comments, Local Government. Mr. T'Seleie.

Property Taxes Not Understood

MR. T'SELEIE: I have some questions regarding an issue that I tried to raise last year and it concerns property taxes. In terms of property taxes, for people who live in public housing -- this is rental housing -- their taxes are paid by the Housing Corporation. So, in a way, most Eastern Arctic people do not have to worry about that, but in the Western Arctic, in at least some communities in my constituency, where people are not living in public housing they have been assessed and they are beginning to get notices about paying X amount of dollars every year. Many people do not understand what this means, and I assume that somebody somewhere is keeping a record of what people owe from one year to the next.

I would like to know what the implications are regarding land claims in that area. My understanding, I guess, would be, in terms of having your rights settled, that people would at least have the house that they either built or that they have owned for a long time, that has never been subject to any kind of property tax, that they would be able to keep that. But you have a system in place where you are assessing people every year. Ten years down the road, they might end up owing this government, or whomever, thousands of dollars. I would like to know what you propose to do about all of that, about people not paying their property taxes.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. The questions that the Member asked are very similar questions to those that have been asked in the past by many, including myself. As a result of the questions, the government last year undertook a comprehensive review of the whole property tax and assessment policy. It has been undertaken by Cam Watson and Associates of Toronto. That report is almost completed and will be brought forward to the Executive Council for them to discuss.

We have had many problems with property tax and assessment, particularly at the small community level, because people do not understand the need for property taxes. Property taxes are something that have been in place for quite some time, particularly in the larger municipalities, the tax-based municipalities, and they are essentially tied into the services that the government or the municipality provide to the community. They are a method of revenue raising for the local government and where a community is not a tax-based municipality but a non-tax-based municipality, like some of the larger hamlets, then they are a source of revenue for the government to partially offset the cost of providing services to that community, snow removal, water, etc.

All of the communities in the Eastern Arctic with the exception of Grise Fiord, have been assessed for property taxes and notices have been sent out and they are paying them. However, in the West, many, particularly the smaller communities, have not yet been assessed. The communities that have not been assessed are Snowdrift, Fort Resolution, Buffalo River, Detah, Fort Liard, Jean Marie River, Kakisa, Lac la Martre, Nahanni, Rae Lakes, Reliance, Snare Lake, Wrigley, Colville Lake, and some of the other small communities like Rocher River, Willow Lake River.

Review Of Property Tax And Assessment May Give Answers

Part of the study that we are undertaking, one of the questions that is raised in the study, is in fact, should we be levying taxes in those communities? The very simple reason, is that, while there is a principle -- there are bounds in this country that everybody should pay tax -- there is a cut-off point, as far as the government is concerned. This would be, if you are raising \$3000 or \$4000 or \$5000 tax from one community, but having to spend \$50,000, \$60,000 or \$70,000 to raise that \$5000, then it really does not make much sense from a financial point of view.

So, hopefully a lot of the questions that the Member asked will be addressed in this whole review, this property taxation review that should be completed fairly soon. One of the aspects of taxation is that if, in fact, a person does not pay property taxes, the government or the municipality to whom he owes those property taxes, can literally seize his home and put it up for sale to pay the taxes. We have not done that in any non-tax-based municipalities to date and I do not think that we would do something like that until this review is completed and we have general agreement from the various communities as to how we are going to approach it. But there are some very stiff penalties in the Taxation Act which could have implications further on down the road. I think that that is one of the reasons that we wanted to make this review. The other problem is, particularly in the smaller communities, that people just do not understand the need for property taxes. They do not understand why they should pay taxes. So, we are hoping that we will have some answers in the very near future. I hope that that answers the Member's questions, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. Mr. T'Seleie.

MR. T'SELEIE: One of the questions I asked you is, if something about this is recommended in the lands settlement agreements, would you change your laws to accommodate that? The other thing I would like to tell you is I think that there will be people that will not pay these property taxes, some of them, during their lifetime, for one reason or the other. Either they cannot afford it or I know some people will not pay it on principle. At some point you are going to have to do something about that.

CHAIRMAN (Mr. Gargan): Thank you, Mr. T'Seleie. Mr. Minister.

Land Settlement Agreements Conditions Would Override Our Legislation

HON. GORDON WRAY: Thank you, Mr. Chairman. If, as part of the land settlement negotiations or agreements, there are conditions with regard to taxes, that would obviously override any legislation that we have because those land claims acts are enshrined in the constitution which would override our legislation.

With regard to people not paying taxes that is essentially an age-old question. It is not confined just to the North. I think every country that levies taxes has that problem. Ours is a little

more complicated because we are introducing taxation to an area that a lot of people question. I think it is something that will hopefully be resolved in this review. Other than that I cannot give any clear answer on that. It is just a whole thought, a whole way of doing things.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. Mr. T'Seleie.

MR. T'SELEIE: Mr. Chairman, if the Minister wants to seize most of the houses in Good Hope he is welcome to do it because a lot of them are not worth anything anyway.

CHAIRMAN (Mr. Gargan): Mr. Nerysoo.

MR. NERYSOO: Thank you. Just to pursue, Mr. Chairman, the concern that Mr. T'Seleie raised. In the comprehensive review are you also reviewing the problem of lands reserved for Indians in the communities, because we do have that problem.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. First of all, at this point in time I am not planning on seizing any houses. I just got rid of the Housing Corporation and I do not want particularly, to get it back.

With regard to the land reserved for Indians there is, I am advised, a separate investigation taking place with the feds to see what their responsibilities are in terms of paying grants in lieu of taxes but that is not part of the comprehensive review. That is a separate investigation. Thank you.

CHAIRMAN (Mr. Gargan): Mr. Nerysoo.

MR. NERYSOO: Thank you. Is the review also looking into the whole area of individual property taxes?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. GORDON WRAY: Yes, the review is about property taxes and the rationale and why have them, why not have them, the problems with them. The whole issue surrounding property taxes is in the review.

CHAIRMAN (Mr. Gargan): Mr. Nerysoo.

MR. NERYSOO: Thank you. Is the review also considering whether it is in the interest of those individuals that cannot take advantage of the lands, first, if it is in their interest to retain them as lands reserved for Indians, or whether it is in their interest to transfer it to the territorial government as Commissioner's lands, or the matter of just administrative responsibility under the jurisdiction of the GNWT?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. No, that is not apparently in the review.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Richard.

Additional Moneys For Legal Drafting Of New Act

MR. RICHARD: Thank you, Mr. Chairman. Mr. Chairman, I wanted to simply record my concern about the fact that the draft legislation has not been forthcoming this session or previous sessions. It has been a number of years, Mr. Chairman, that the government has been promising a new municipal ordinance and now a new municipal act or a local government act and I notice in the financial information provided to the standing committee on finance for this current fiscal year there was a special or an additional \$75,000 spent on legal drafting for the act which we have not yet seen. I have no doubt, Mr. Chairman, that there are thousands of other dollars that have been spent last year and the year before that and the year before that, in revising the archaic municipal legislation. I would be prepared to wager that there has been a record set for the most person years or the most dollars, or the most dollars spent on drafting one piece of legislation.

The last Minister tabled the local authorities elections act for discussion and for presentation at this session and there has been quite a bit of discussion on that draft legislation. The current Minister is not prepared to advance it at this time. I appreciate the Minister, in his remarks, stated that they are now working on these three pieces of legislation that will come in, again we are promised, within a year. That has got to be, Mr. Chairman, the fifth or sixth time that it has been promised within a year. I am wondering if in that context, Mr. Chairman, the Minister can advise the committee how many more dollars is the department planning on spending in the drafting of these three pieces of legislation in this coming fiscal year? Is there going to be another contract let for that purpose?

From our conversations in the standing committee on finance on the Department of Justice, we understand there is quite a backlog there. If the department was to go to the Department of Justice to get the legislation drafted it would be somewhere in the tall pile of legislation or amendments to be drafted. I wonder, Mr. Chairman, if the Minister could give some indication of how realistic this target is and what kind of dollars are being spent in bringing this legislation forward?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. In this fiscal year we have budgeted for \$75,000. We are doing the city, town, hamlet and village section of the act in-house. However, we may have to go to contract for the community government section of the legislation. A rough estimate may be another \$75,000, which would include our own staff hours and things like that. I cannot give a definite answer on how much it will cost other than the \$75,000 this year. Once it is completed we will see what has to be done, in terms of having the drafting done and the discussions we have with Justice, but we are trying to do most of it in-house.

CHAIRMAN (Mr. Wah-Shee): Thank you. General comments. Mr. McCallum.

MR. McCALLUM: Just again I guess dealing with this piece of proposed legislation -- and I note the Minister is talking about a new name so it may not be the municipal government or local government act -- I guess it could go anywhere from urban and rural affairs or whatever you are going to call it. I am not really concerned with what you are going to call it but obviously in the past there has been some concern raised about the relationship of JPs and local government, the conflict of interest and provisions that may have gone in the legislation. There has been some concern about what kind of financial implications there are or will be regarding this new act, and if there are to be budgetary implications to this government. I think that the committee would be concerned where government as a whole will look to get the finances for these budgetary implications. It seems to me that anytime a map is changed that there will be these kinds of financial implications.

I wonder if the Minister could indicate to me if it is intended that the new act, whatever its name, will address the question of the conflict of interest -- the relationship of JPs to local community governments? What are the budgetary implications of this new act, and if there is a budgetary implication, where does the Minister see this funding coming from in relation to the total budget?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. Let me think, there are three points. First of all, the conflict of interest will remain in the Conflict of Interest Act. In the proposed local authorities elections act, JPs will not be allowed to serve on municipal councils and as for budgetary implications, we do not see any major budgetary implications. Essentially, the local government act is, I guess, expanding upon the present Municipal Act in terms of the rules under which municipalities have to work and the powers that they have. We do not see any major budgetary implications. Thank you.

CHAIRMAN (Mr. Wah-Shee): General comments. There are no further general comments. Does this committee agree to go into budget detail?

SOME HON. MEMBERS: Agreed.

---Agreed

Directorate, Total O And M, Agreed

CHAIRMAN (Mr. Wah-Shee): Thank you. Directorate, total O and M, \$3,757,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Community Planning And Development, Total O And M, Agreed

CHAIRMAN (Mr. Wah-Shee): Thank you. Community planning and development, total O and M, \$2,486,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Lands, Total O And M, Agreed

CHAIRMAN (Mr. Wah-Shee): Thank you. Lands, total O and M, \$632,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Municipal Affairs, Total O And M

CHAIRMAN (Mr. Wah-Shee): Thank you. Municipal affairs, total O and M, \$32,747,000. Agreed? Mr. Nerysoo.

Motion To Proceed Immediately With Municipal Act, Carried

MR. NERYSOO: Thank you, Mr. Chairman. I move that the committee recommends that the Minister proceed immediately to finalize the Municipal Act and to bring it forward to the Assembly.

CHAIRMAN (Mr. Wah-Shee): Could I have a copy of that motion please? Mr. Nerysoo.

MR. NERYSOO: Mr. Chairman, I believe the Clerk has the document. It is taken from the standing committee on finance report, page 10.

CHAIRMAN (Mr. Wah-Shee): Okay, the motion reads: I move that the committee recommends that the Minister proceed immediately to finalize the Municipal Act and to bring it forward to the Assembly. Mr. Nerysoo, your motion is in order, do you wish to speak to your motion?

MR. NERYSOO: Thank you, Mr. Chairman. Just to indicate that during our discussions in the standing committee on finance, we had concern with the amount of money that it took and is taking to develop the legislation, and our recommendation is that we proceed as quickly as we can with the introduction of that act. As well to alleviate some of the confusion surrounding the development of that act.

CHAIRMAN (Mr. Wah-Shee): Thank you. To the motion. Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Municipal affairs, Mr. McCallum.

MR. MCCALLUM: Mr. Chairman, thank you. You can correct me, but is this where I may ask a question about water and sanitation services to hamlet councils, under this particular section?

CHAIRMAN (Mr. Wah-Shee): Yes, I think we can probably allow that. Proceed.

MR. MCCALLUM: Merci beaucoup.

MR. MacQUARRIE: First French speech in the Assembly.

MR. McCALLUM: I wonder what the department has been doing to develop some guidelines about the price increases for water and sanitation services to hamlets? Maybe as late as last year, the government or the department hit the hamlets with very quick price increases for water and sanitation services. Has the department promoted any or developed any kind of policy, if you like, or better estimates of what it would cost the department to look at these price increases that are laid on by hamlets? What has the department done?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. Between the Department of Public Works and the Department of Local Government, we have come up with a proposed policy which will be going forward to the FMB, either at the next meeting or the meeting after that, to try and address the problems that we had. I cannot recall right now exactly what the new proposal is, but it would be a form of subsidization, particularly for private home-owners and the private sector, so that they would not be hit with these large increases, and we are going to attempt to bring in the same levels of price in most communities. Essentially, it would be a new subsidy program, which would pay the difference between the user charges and the economic rate. The FMB sees it and either approves it or tells me to come back and then I will be able to let the committee know what the new policy is. But at this time it has not been seen by the FMB or the Executive Council.

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

MR. McCALLUM: Thank you, Mr. Chairman. In light of the Minister's reply, are there funds within this budget to look after that new program or an enhancement or does the Minister contemplate coming back to this House at another time -- hopefully while we are sitting, rather than by special warrant -- to propose some increased funding? What is the plan? Is the money in this particular budget?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. The money is contained not only within this budget but within other departmental budgets such as the Housing Corporation or Public Works in the utilities account. But actually the proposal we are going to make to the FMB should result in a decrease of cost to the GNWT and an increase in cost to the federal government through the levying of charges against the Housing Corporation and the federal government departments in the various communities. We are actually not looking at any increase in costs but a decrease in cost. Thank you.

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

Operational Evaluations

MR. McCALLUM: Thank you, Mr. Chairman, just on another matter. I note one of the goals of municipal affairs would be to visit each municipality at least once to carry out operational evaluations. What municipalities are we talking about here? Are we talking tax-based and/or hamlets or settlements or are we just simply talking hamlets and less? What kind of operational -- get the correct word, Mr. Chairman -- operational evaluations are contemplated here?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. Operational evaluations involve visits to each municipality, tax-based and non-tax-based. Ideally we try and do it twice annually but at the minimum, once annually. We do an indepth inspection of financial records and procedures, by-laws, minutes, administrative practices, that take place within the municipality and we also use the visits to provide guidance and assistance to the appointed and the elected officials of the various municipalities. We do the evaluation not only on behalf of ourselves but on behalf of the local councils as a mechanism for the government to monitor the effectiveness of a municipality and ensure that it is carrying out all its duties as laid out by the Municipal Act.

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

MR. McCALLUM: Thank you, Mr. Chairman. Has the department, Mr. Minister, a manual or a guide by which these municipalities know the parameters of how they may or may not operate, not just the so-called Municipal Act with all its revisions, but is there a guide or a manual for elected as well as non-elected personnel associated with a municipality, either tax-based or non-tax-based? You come in to do a particular evaluation, it must be based on something. What is that evaluation based on, given that you are talking of those things that you just enumerated?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. There are a number of guides. We have a community support handbook for hamlets and communities. We have a lands manual which lays out procedures for lands. For the tax-based municipalities we have the Municipal Act and our municipal inspectors have, I guess within their own department, a check list that they go in with to check various levels of municipal activities. So while there might not be a formal guide for tax-based municipalities the municipal affairs division has certainly, at the very least, a check list on which they do things.

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

Guide For Municipal Administrators

MR. McCALLUM: Thank you, Mr. Chairman. Mr. Minister, is there a manual or a guide for administrators? One of the things that this department was to do last year was to develop such a guide or a manual. Do I take it now that there is no manual for administrators? I know you have a program that is ongoing for municipal administrators and I guess they have an association, but is there a manual or a guide to which you refer so that an individual knows whether it is good, bad, or indifferent and how he is going to be graded?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. No, we do not have one per se. One of the reasons that we do not have one is -- with the new local government act and the new local authorities elections act, to produce a guide right now based on the present Municipal Act -- it would be outdated within the next few months. We will be developing such a guide in conjunction with the development of the new local government act and the new local authorities elections act. It will form part of the process for teaching municipalities all about the new acts, for the administrators of those municipalities.

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

MR. McCALLUM: Thank you, Mr. Chairman. Mr. Minister, how then do you evaluate if you do not have a guide? Are you simply using the old outdated Municipal Act together with all its amendments or is it an evaluation, based on the personnel of your department, who carry this evaluation out as to how they think the municipality should be operated? You must have some basis for doing it.

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

HON. GORDON WRAY: Thank you, Mr. Chairman. Yes, we are using the outdated Municipal Act and the various amendments. It is all we have to go on right now. We cannot use anything else but that. Also, the experience of our municipal affairs comes into play. They can tell in a community whether the staff are following the essential guidelines that are laid out in the Municipal Ordinance and whether their work is up to date, whether their financial statements are being kept up to date, minutes are being kept up to date, the method by which minutes are kept, the way the hamlet has been operated. So the experience of a municipal affairs officer comes into play but we have to use the present Municipal Act because it is all that we have to go on.

CHAIRMAN (Mr. Wah-Shee): Municipal affairs, total O and M, \$32,747,000. Agreed? Mr. T'Seleie.

Progression In Municipal Status

MR. T'SELEIE: Mr. Chairman, I would like to ask the Minister a question. It might seem like it is a hypothetical question but I think it is a question that points to the need to somehow review your government structures. I am aware that you have a structure in place where communities can go from being a settlement to a hamlet to a village to a town to a city. At some point in there that

system presupposes that every place will have a tax base, and at least for maybe the next 30 or 40 years, not every place will have a tax base. What do those people look forward to in terms of having more control of what is going on around them? Are they going to remain hamlets for the next thousand years or what?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. Essentially the only difference at present between a hamlet and a city is its ability to raise revenue. The same type of by-laws which are in a city can also be enacted by a hamlet. The difference from hamlet through village through town through city is not so much one of control, it is one of ability to raise its own revenue. I guess if things stay the way they are, then yes, a hamlet could stay a hamlet for the next 50 years. It will continue to be funded by the department so that it can provide the services. Essentially it has the same lawmaking abilities of a city for example, the biggest difference is in the revenue raising area. For the smaller communities, this is the area I was mentioning earlier, in terms of, if you cannot become a hamlet, does that mean you can have no local control? I think this is what we are trying to address through the community government agreement and hopefully we will find a way to give those community governments some type of legal base so that they can enact the same type of laws and controls presently enjoyed by a municipality. Thank you.

CHAIRMAN (Mr. Wah-Shee): Municipal affairs. Mr. Nerysoo.

MR. NERYSOO: Thank you. Mr. Chairman, through you to the Minister, is the department going to review the water and sanitation policy that they have within the department? In particular, I previously expressed my concern with regard to the direction of government going away from the utilidor system rather than trying to ensure that we maintain the utilidor system where it is possible to do it, as opposed to expanding it just for the purposes of expanding it? I have concern with regard to that.

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

HON. GORDON WRAY: Thank you, Mr. Chairman. As I mentioned earlier the department has, in conjunction with Public Works, come up with a proposal policy which will see subsidies extended toward the private sector and private home-owners which will go to FMB within the next month.

With regard to utilidor, I think the Member was out of the House at the time but I did mention that due to increasing pressure by communities, particularly the larger communities, we are still at the discussion stages but we are looking at methods to come up with at least plans for a, for want of a better term, core utilidor in the central areas that are heavily serviced or where there is a heavy demand for water and sewer. McPherson is one of those. McPherson really precipitated the whole discussion because we were faced with the situation of either taking the utilidor out and replacing it with trucked service or attempting to repair the downtown utilidor which services the six-plex and the community hall and the school. I think the department accepts that rather than convert to a trucked system, our hope is to continue to repair and to continue with that downtown utilidor core in McPherson and hopefully over the years extend that into other communities as well. Thank you.

Municipal Affairs, Total O And M, Agreed

CHAIRMAN (Mr. Wah-Shee): Municipal affairs, total O and M, \$32,747,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Community Airports, Total O And M

CHAIRMAN (Mr. Wah-Shee): Community airports, total O and M, \$637,000. Mr. Pudluk.

MR. PUDLUK: (Translation) Thank you, Mr. Chairman. I do not have too many comments to make. There are airports and airstrips in the smaller communities and when you have to approach or visit the communities the only way of going to these communities is by airplane. The Arctic Bay residents have a problem or concern regarding their airstrip. They would like an airstrip closer to their community. They have more than one reason. The road sometimes is closed or not in

operation for more than one day. The people who are employees of Panarctic have to be brought to the place by plane. Their plane could land on the strip but the planes that are not charters of Panarctic are not able to land there. I would like to know if the Department of Local Government has thought about this problem.

The second concern they have is that the vehicles in the communities are used a lot and also they use the heavy equipment to clear the airstrip. Is it possible for the Canadian Transport Commission to come up with some funding for heavy equipment to be used to clear up the airstrip, because they use this heavy equipment within the communities and they use it a lot. Also, in the High Arctic the wind blows really hard and there is a tendency for snow to build up on the airstrip. For these reasons, I would like to get some heavy equipment that will be used only to clear up the airstrip. I was wondering if the Canadian Transport Commission would be able to come up with some sort of funding for this heavy equipment. Thank you.

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

HON. GORDON WRAY: Thank you, Mr. Chairman. I am beginning to sound like a broken record on this issue. First of all, in Arctic Bay we do recognize the problems and Frobisher Bay has promised to assist the community to look at new locations and also try and help them keep their airstrip going.

The other one with equipment. The bulk of equipment which we operate at the airports is what is called joint use equipment. In other words, it is paid for by Transport Canada and by ourselves on a shared basis. It is to be used on a shared basis in the community and the airport. Once again, the problem with Arctic Bay and the problem with the equipment is that with the demise of the arctic B and C policy -- there is just no money. Transport Canada have no money and will not approve any money for any airport or for any new airport or improvements to existing airports -- for any new equipment, anything to do with the airports we control in the NWT. They just flatly say there is no money which, as I said before in this House, is causing some major problems.

CHAIRMAN (Mr. Wah-Shee): Community airports. Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. At one point last year I had raised a concern that was brought to me by one of my constituents who is a pilot and who flies into some of the smaller communities around Yellowknife, and who noted that in some of these communities there are not even very basic safety aids. He was recommending that at least non-directional beacons and perhaps flare pots should be provided at these communities. On August 13th, I did get a letter from the previous Minister of Local Government saying, "My officials have been working on this problem for some time. Seven communities have been identified as needing this equipment and we have estimated that it will cost \$160,000 to purchase and install non-directional beacons in these seven sites. These funds were not previously identified but have been put forward as a B level submission to the capital planning committee. I am hoping to get approval to include these items and proceed with them in the near future." So, could I just ask the present Minister whether this has been followed up and where it stands at the present time?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. As I stated in my opening address, when I presented the department's budget, we are allocating \$300,000 for the provision of airfield improvements in nine communities in the Western Arctic. These communities are Snowdrift, Lac la Martre, Snare Lake, Trout Lake, Jean Marie River, Rae Lakes, Fort Providence, Nahanni Butte and Colville Lake. It is for the provision of low power, non-directional beacons and flare pots. Thank you.

CHAIRMAN (Mr. Wah-Shee): Community airports. Mr. Nerysoo.

Motion To Recommend That GNWT Pursue Funding For Community Airports, Carried

MR. NERYSOO: Thank you, Mr. Chairman. I move the committee strongly recommends that the government pursue funding from other sources, such as the economic and regional development agreement and its subsidiary agreements, and to negotiate within the framework of these agreements an access component for community airports construction to service arctic communities.

CHAIRMAN (Mr. Wah-Shee): Thank you. Your motion is in order. Do you wish to speak to the motion, Mr. Nerysoo?

MR. NERYSOO: Thank you, Mr. Chairman. I just want to indicate that during our discussions in the meeting of the standing committee on finance, we did express our concern with regard to funds that would be made available for the construction of community airports, particularly in those communities that presently do not have any airports or those communities that required additional funds to extend their airports, to enable them to receive the same air service as those communities that had airports within their municipal boundaries or those communities which had access to airports. I believe that we realized the concern that the Minister has expressed with regard to the obligations of the federal government to the arctic airports policy, but we also feel that there might be an opportunity and we are recommending that we pursue other means of financing for these particular airports.

CHAIRMAN (Mr. Wah-Shee): Thank you. To the motion?

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Wah-Shee): Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Community Airports, Total 0 And M, Agreed

We are dealing with community airports, total 0 and M, \$637,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Sport And Recreation, Total 0 And M

CHAIRMAN (Mr. Wah-Shee): Thank you. Sport and recreation, total 0 and M, \$4,009,000. Agreed? Mr. Nerysoo.

Motion That Smaller Communities Be Primary Focus For Recreation Facilities Development, Carried

MR. NERYSOO: Thank you, Mr. Chairman. I move that the committee recommend to the Minister that smaller communities across the Northwest Territories be a primary focus for future development of recreation facilities, to increase intercommunity competition, to encourage native participation in sport activities and to foster higher calibre athletes in competitive events. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Wah-Shee): Mr. Nerysoo, your motion is in order. Do you wish to speak to your motion?

MR. NERYSOO: Thank you, Mr. Chairman. It certainly is not our intention to recommend that the government not proceed with the initiatives that they have taken, but to recommend that there are communities that require facilities that are presently not available to them. I realize also that there is a commitment on the part of the government and we just want to show as well that the committee is supportive of the initiative taken by the government in providing facilities to those communities that require it.

CHAIRMAN (Mr. Wah-Shee): Thank you. To the motion?

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Wah-Shee): Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Sport and recreation, total 0 and M, Mr. Nerysoo.

Motion To Develop Policy On Capital Assistance For Recreation Facilities, Carried

MR. NERYSOO: Thank you, Mr. Chairman. Mr. Chairman, I move that the committee strongly recommend that a fair and equitable policy be developed on capital assistance for recreation facilities, and that this policy be adhered to in the interest of fairness and consistency.

CHAIRMAN (Mr. Wah-Shee): Mr. Nerysoo, your motion is in order. Do you wish to speak to your motion?

MR. NERYSOO: Thank you, Mr. Chairman. In reviewing the policy with regard to recreation facilities, we found that there were some questions and inconsistencies, and some unfairness in the policy itself. It is my belief, and from the comments that were made by the Minister during our review as a standing committee, the government is in fact pursuing a review of the present recreation facilities policy and is prepared to consider changes. We want to recommend and show our interest and support for that review as well as ensuring that the major municipalities also receive their fair share of the finances that are to be made available for recreation facilities.

CHAIRMAN (Mr. Wah-Shee): Thank you. To the motion. Mr. Richard.

MR. RICHARD: Thank you, Mr. Chairman. The Minister, during the standing committee meeting, did indicate that the current policy on the capital funding for recreation facilities in municipalities was under review. But today I thought that I heard the Minister indicate in his opening remarks that overall, for capital assistance for capital projects in municipalities, that there was a policy being established. I am wondering if the Minister would clarify if there is going to be an overall policy for capital projects or is there going to be a specific one for recreational facilities in municipalities. This is what this motion calls for, a fair and equitable policy to be developed on capital assistance for recreational facilities.

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

HON. GORDON WRAY: Thank you, Mr. Chairman. There will be one global policy, but encompassed within that, will be different standards and criteria on each capital program. So, we will have one policy, but we will break it down in each capital area with different standards and criteria. Thank you.

CHAIRMAN (Mr. Wah-Shee): Thank you. Sport and recreation, \$4,009,000.

AN HON. MEMBER: There is a motion on the floor.

CHAIRMAN (Mr. Wah-Shee): Sorry. We have a motion on the floor. To the motion.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Wah-Shee): Question has been called. Settle down now, this is a committee meeting here. All those in favour? Opposed, if any? It is unanimous. The motion is carried.

---Carried

Sport and recreation, Mr. Nerysoo.

Motion To Review Participation In Arctic Winter Games

MR. NERYSOO: Thank you, Mr. Chairman. I move that the committee recommend that the government examine its participation in the Arctic Winter Games in view of the high cost of participation, and the limited access to competition for smaller communities...

AN HON. MEMBER: Hear, hear!

MR. NERYSOO: ...this review should examine the cost benefits of holding annual territorial games in lieu of the Arctic Winter Games.

CHAIRMAN (Mr. Wah-Shee): Your motion is in order. Do you wish to speak to the motion, Mr. Nerysoo?

MR. NERYSOO: Mr. Chairman, I do not want to give to this House or to the general public the impression that we are opposed completely to the Arctic Winter Games. My feeling and the feeling of Members of the standing committee was that we have to ensure that there is participation of communities in sporting activities in the Northwest Territories. Further, that we have to consider what the options are for our athletes in the Northwest Territories, whether or not we are getting the best opportunity for our athletes and whether or not there is a different way of attaining the same result and better result for the money that we invest in our athletes in the NWT.

CHAIRMAN (Mr. Wah-Shee): To the motion, Mr. Richard.

MR. RICHARD: Thank you, Mr. Chairman. Mr. Chairman, although I am a Member of Mr. Nerysoo's finance committee, I have some difficulty with the motion. As my chairman has indicated, the wording of the motion unfortunately gives the implication that there is something wrong with the government's participation in the Arctic Winter Games and I am opposed to any such implication being read into this motion. I have long been an ardent supporter of the Arctic Winter Games. I think whatever our budget is this year it is money very well spent and I would be reluctant to see this government diminish the funding or the support for the Arctic Winter Games.

Our unit, the NWT unit of the three main units, participating with Alaska and Yukon, benefits the most from this, Mr. Chairman. We have had, in the last few games, a magnitude of 2000 participants across the Territories competing for the regional trials and the territorial trials leading to the selection of 300 athletes to go to the Arctic Winter Games. The games take place every two years, but for each games, Mr. Chairman, there has been a wider participation in the smaller communities. Each year the team that is selected to represent the NWT comes from a wider range of communities. The program of mass participation in these games is working. If there is any difficulty in the government finding money to fund AWG, I would suggest the first place we look is the money that is spent to participate in the Canada Games.

AN HON. MEMBER: Hear, hear!

MR. RICHARD: The Canada Games, Mr. Chairman, are for elite athletes in this country. The Arctic Winter Games has an emphasis on mass participation by as many individuals as possible, not elite athletes. Although I realize it is the federal government that spends the majority of the dollars on the Canada Games, if our government is stretched for its sport dollars then it should reallocate the Canada Games dollars to the Arctic Winter Games.

Therefore, Mr. Chairman, I examine this motion in that context. It simply calls on the government to examine its participation with a view to the cost benefits, compared to having annual territorial games in lieu of Arctic Winter Games. I suppose because the motion does not come down one way or the other, Mr. Chairman, I do not feel obliged to vote against it or perhaps my safest route is to abstain. I just have a little difficulty with the implied message in the motion, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Wah-Shee): To the motion. Mr. T'Seleie.

Participation At The Territorial Level

MR. T'SELEIE: Mr. Chairman, just to say that I like the idea of having territorial games rather than games that involve the Yukon and Alaska. I think the same objective that Mr. Richard wants, which is mass participation, could be accomplished. Could I ask the Minister how much this government spends on the Northwest Territories participation in the Arctic Winter Games? As a result of this motion I would not like to necessarily see the total amount lowered. What I would rather see is more participation from smaller communities. Because the way it is right now, I think the larger communities in the NWT are more represented in these games and in the smaller communities, the young people do not have the same access to raising moneys as they do in the more populated areas. So they are at a really bad disadvantage when it comes to having to participate. For those reasons I would like to see our own territorial games. If I could ask the Minister, what has this government been paying to AWG?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. We do not pay directly for the cost of the AWG. We provide a contribution of \$345,000 to Sport North, out of which they pay some of the costs of the AWG. Also, in that contribution is their administrative costs. I believe the total budget for the AWG is slightly over one million dollars. But about two-thirds is raised through bingos, lotteries, dances, etc. So by far the large bulk of the money is raised through private means.

We do recognize, however, that there are some problems at the community and regional level and as such, in this year's budget, we have set aside a \$100,000 under the title of community competitions which will be an ongoing base figure every year -- essentially, it is a new program to assist smaller communities with the cost of intercommunity competition -- as well as a \$98,000 increase in our O and M budget, with a new sport outreach program which will be delivered through Sport North which is targetted at getting smaller, more isolated communities involved in organized sport. I think that there perhaps may be a way to accomplish both things, that is to keep the AWG but also to enhance the level of competition at the community and regional level which will obviously benefit the AWG because then there will be more competitiveness from the smaller communities and regions when it comes to territorial playoffs.

We do recognize the problem but I think it should be pointed out that the vast bulk of the money for the AWG is raised from outside of government sources. About \$650,000 as opposed to, I would suspect, \$250,000 which Sport North may use from their contribution to pay for AWG. Thank you.

CHAIRMAN (Mr. Wah-Shee): To the motion. Mr. Nerysoo.

MR. NERYSOO: Thank you. Mr. Chairman, as I indicated, I do not think that the committee wants to give the impression that they are opposed to the AWG because we are not. What we do want to have happen is a review of the advantages for communities participating, because I think our experience shows that we key only on one competition every two years. So, what happens during the year that no competitions or the AWG is not being held? Absolutely nothing, or very little, except trying to encourage the people to raise money so that they can go to another community to participate in other games. There is no attempt -- I should not say there is no attempt. There is an attempt to develop the skills but not to the extent we want to develop the skills of the athletes in the NWT. I think that is basically the question and the concerns that we have with regard to the Arctic Winter Games themselves.

The other thing is the concern of utilizing in the best way, the dollars that we have for our athletes; encouraging a larger participation, encouraging more regions, more communities to participate. It also will have to be a review of the games that are included in the Arctic Winter Games, whether or not we are going to take the initiative to encourage additional sports or whether or not we are going to remove sports that are part of the games. Those are some of the things that have to be reviewed.

Motion To Review Participation In Arctic Winter Games, Carried

CHAIRMAN (Mr. Wah-Shee): Thank you. To the motion. Question has been called. All those in favour? Opposed, if any? Motion is carried.

---Carried

Mr. McCallum, are you wishing to comment on this sport and recreation? Mr. McCallum.

MR. McCALLUM: Mr. Chairman, thank you very much. Seeing as we are on sport and recreation that is exactly what I wanted to do -- ask some questions. The department has a new program out called the recreation leaders trainee program. It is my understanding that trainees have to be recommended by communities with the idea that those communities would then hire these trainees at the end of the training period. The question is, how many students are now enrolled in the program and therefore how many communities are enrolled in the program at the present time?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. The new course allows for 10 people, therefore 10 communities, to start on April 1, 1986. We have received 17 applications. However, we have not gone over the list yet but there are spots for 10 people in the course, which by extension means 10 communities. Thank you.

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

MR. McCALLUM: Just a supplementary to that, Mr. Chairman. Of the 17 applications that you have, how many are from smaller communities, that is non-tax-based municipalities? Because I think that is where the emphasis should be placed.

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

HON. GORDON WRAY: Thank you, Mr. Chairman. Of the 17 applications, two are from tax-based municipalities and 15 are from the smaller communities or non-tax-based municipalities.

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

Territorial Sports Hall Of Fame

MR. McCALLUM: On another topic if I may, Mr. Chairman. It goes back a couple of years. I was pleased to see in the Commissioner's Address, in the field of sport and recreation, about the recreation leaders training course. There is a further topic related there that without any kind of ulterior motive intended and I do not presuppose anything but I am glad to see that we have now established a territorial Sports Hall of Fame. Could we get some information on it?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. We are in the process of putting together, I guess you can call it, an interim committee from broad bases across the Territories, to sit down and decide how we are going to implement it. There has been an idea that perhaps it should be a travelling hall of fame that can be sent to schools and communities for exhibit, as opposed to a permanent exhibition place. Things like costs, etc. There is a whole bunch of ideas that have been tossed around. So we are in the process of forming that committee to toss these ideas around, to set down criteria. Things like, how do you select people to be in the Sports Hall of Fame, what are the criteria for getting in there? Things like that. Thank you.

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

MR. McCALLUM: Thank you, Mr. Chairman. I note that in the Commissioner's Address that he indicated that the Minister would be providing further details during this session. Is it his intention then to come up with something before we leave here, so that we would have some idea, or is that the sum and total of the details?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. We had hoped to be able to do that, but unfortunately we will not be able to do it within this session, but certainly by the fall session we will be able to provide the details. I think that it is going to take a little while to work out because, you know, in talking to southern sports halls of fame, some of them have cautioned us on the way we do it, particularly in terms of setting standards, setting criteria. The one caution that we get from all of them right across the country, is that we have to be extremely careful because its costs can run right out of control, depending on the standards and criteria you set. So, I think we want to take our time to ensure that what we come up with, is not only a good proposal, but also beneficial, in general, to the residents of the NWT. One of the problems is that if you establish it in one particular community, then really, how many of the residents of the NWT will get to see it or appreciate what it is? So, there are some of those questions that have been tossed around that we have to answer. So, hopefully by the fall session, I will be able to provide further details on it. Thank you.

CHAIRMAN (Mr. Wah-Shee): Thank you. Sport and recreation, total O and M, \$4,009,000. Agreed?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Wah-Shee): Thank you. Assessment, total O and M, \$904,000. Agreed? Would anybody else like to comment? Mr. Richard.

MR. RICHARD: Mr. Chairman, my hand was up, back on sport and recreation. Mr. McCallum saw it. I am going to vote for him into the hall of fame.

---Laughter

AN HON. MEMBER: They won't have him.

MR. RICHARD: Mr. Chairman, under sport and recreation, I note in the main estimates book here, one of the objectives of this activity is to implement new funding arrangements for the sports governing bodies. I am wondering if the Minister could give some information on the department's intentions there. Thank you.

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

HON. GORDON WRAY: Thank you, Mr. Chairman. Essentially what we intend to do is, in conjunction with Sport North, to attempt to provide funding for sports special services to be obtained and provided to smaller communities, in the area of coaching and training. I am going to try and attempt to send specialists into some of the small communities to develop interest there and hopefully develop some kind of community support.

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

MR. RICHARD: Mr. Chairman, do I take it that that new kind of funding, to put specialists into the communities for training, will be done directly by the department as opposed to being done through a sports governing body?

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

HON. GORDON WRAY: Thank you. I must apologize, I missed the Member's question. Could he repeat it for me, please?

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

MR. RICHARD: Mr. Chairman, I was asking whether this plan of the example the Minister gave, of providing funding to put specialists into the smaller communities for training, is that going to be done directly by the department as opposed to being done through a sports governing body?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. No, the contributions will be provided to the sports governing bodies and the amounts will be based on the level of participation within that particular sport. So the sports governing bodies will deliver the program, not the department. Thank you.

Sport And Recreation, Total O And M, Agreed

CHAIRMAN (Mr. Wah-Shee): One more time, sport and recreation, total O and M, \$4,009,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Assessment, Total O And M, Agreed

CHAIRMAN (Mr. Wah-Shee): Assessment, total O and M, \$904,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Detail Of Grants And Contributions

CHAIRMAN (Mr. Wah-Shee): Details of grants and contributions. Municipal affairs, sport and recreation, \$825,000.

Total Grants, Agreed

Total grants, \$825,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Total Contributions

CHAIRMAN (Mr. Wah-Shee): Directorate, community planning and development, municipal affairs, sport and recreation, total contributions, \$33,723,000. Mr. Nerysoo.

MR. NERYSOO: Thank you, Mr. Chairman. Earlier under directorate I missed a motion that I was to introduce with regard to regional and tribal councils. So I will introduce the motion now.

Motion To Review Regional And Tribal Councils, Carried

Mr. Chairman, I move that this committee recommends to the Minister that a major review be undertaken on regional and tribal councils across the Northwest Territories to define the role, legislative authority and levels of financial support for these bodies.

CHAIRMAN (Mr. Wan-Shee): Thank you. Mr. Nerysoo, your motion is in order. Do you wish to speak to your motion?

MR. NERYSOO: Thank you, Mr. Chairman. Again, I realize that the Minister is already pursuing this area. However, I want to indicate that as a standing committee we did have some concern with the manner in which financial support was being given, as well as the questions that surround the authority and the role of the regional and tribal councils as they relate to the community councils or the Legislative Assembly. We hope that the review can address the concerns that we have and as such we are recommending this action.

CHAIRMAN (Mr. Wah-Shee): Thank you. To the motion. Question has been called. All those in favour? Opposed, if any? Motion is carried.

---Carried

Mr. Richard.

MR. RICHARD: Mr. Chairman, under municipal affairs, although not dealing strictly with contributions, I asked earlier under the O and M on municipal affairs, about the expected cost of spending one more year in drafting the municipal legislation. I now, Mr. Chairman, have some information that was provided I believe by the department since January, since the finance committee meetings, on the cost of developing proposed local government legislation in the last three fiscal years including the current year. These figures, Mr. Chairman, I understand are to December 31, 1985. To my surprise, Mr. Chairman, they total \$761,128, which is, I am advised the total cost of developing the proposed local government legislation in 1983-84, 1984-85 and the current fiscal year to December 31st, 1985. This \$760,000, Mr. Chairman, is comprised of expenditures for contracting legal research and drafting, consultation meetings with municipal, community and band representatives and an allocation of staff salaries.

Mr. Chairman, I had indicated earlier this afternoon that I was prepared to wager that there would be a record set in expenditures in drafting one piece of legislation and I think this legislation easily wins first prize and I doubt that it will ever be matched. Would the Minister agree with me, Mr. Chairman, that that is -- what is a good adjective?

MR. McCALLUM: Horrendous.

MR. RICHARD: A horrendous amount of money to spend...

MR. MacQUARRIE: Horrendous is not a good adjective.

MR. McCALLUM: Oh, sorry. Substantial?

MR. RICHARD: ...in drafting legislation that this Assembly has not yet seen?

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

HON. GORDON WRAY: How about "excessive", Mr. Chairman?

AN HON. MEMBER: Agreed.

CHAIRMAN (Mr. Wah-Shee): Is that the only comment you wish to make at this time, Mr. Minister?

HON. GORDON WRAY: Mr. Chairman, what else can you say? The Member has said it all.

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

MR. RICHARD: Well, Mr. Chairman, in seriousness, in relation to that figure, over three years that is an average of \$250,000 a year. What amount is the government going to be spending in the coming year, hopefully the last year, in the major project? Will we top the one million dollar mark for one piece of legislation?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. No, it will not top the one million dollar mark.

MR. McCALLUM: (Inaudible comment)

HON. GORDON WRAY: We have the \$75,000 in budget for the legal drafting and I am hoping that the only other money which may be used, is the money already in the budget for staff salaries, etc. It really depends on how complicated this community government issue is and whether we have to go outside for outside legal help to draft it. Thank you.

Total Contributions, Agreed

CHAIRMAN (Mr. Wah-Shee): Total contributions, \$33,723,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Total Grants And Contributions

CHAIRMAN (Mr. Wah-Shee): Total grants and contributions, \$34,548,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Total O And M, Agreed

CHAIRMAN (Mr. Wah-Shee): Any questions on page 13.16, detail of work performed on behalf of third parties? Any questions on the following pages 13.17, 13.18, revenues recoveries and transfer of payments. Any questions? Total O and M for the department, \$45,172,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): That concludes O and M for the Department of Local Government. Do you wish to proceed to capital or do you wish to call progress? Progress has been called. All in favour?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): On behalf of the committee we would like to thank the Minister and his witnesses for appearing before this committee. Thank you.

MR. SPEAKER: This House will come to order. Mr. Wah-Shee.

ITEM 16: REPORT OF COMMITTEE OF THE WHOLE

REPORT OF COMMITTEE OF THE WHOLE OF BILL 1-86(1), APPROPRIATION ACT, 1986-87

MR. WAH-SHEE: Mr. Speaker, your committee has been considering Bill 1-86(1) and wish to report progress, with six motions being adopted, and request leave to sit again.

Motion To Accept Report Of Committee Of The Whole, Carried

Mr. Speaker, I move that the report of the committee of the whole be concurred with.

MR. SPEAKER: Thank you, Mr. Wah-Shee. Members have heard the report of the chairman of the committee of the whole. Are you agreed?

SOME HON. MEMBERS: Agreed.

---Carried

MR. SPEAKER: Mr. Clerk, announcements and orders of the day.

CLERK OF THE HOUSE (Mr. Hamilton): Announcements, Mr. Speaker. There will be a caucus meeting tomorrow morning at 9:30 a.m.

ITEM 17: ORDERS OF THE DAY

Orders of the day for Tuesday, February 25th, 1986.

1. Prayer
2. Members' Replies
3. Ministers' Statements
4. Oral Questions
5. Written Questions
6. Returns
7. Petitions
8. Reports of Standing and Special Committees
9. Tabling of Documents
10. Notices of Motion
11. Notice of Motion for First Reading of Bills
12. Motions
13. First Reading of Bills
14. Second Reading of Bills
15. Consideration in Committee of the Whole of Bills and Other Matters: Bills 1-86(1), 3-86(1), 7-86(1)

16. Report of Committee of the Whole

17. Orders of the Day

MR. SPEAKER: This House stands adjourned until 1:00 p.m., Tuesday, February 25th.

---ADJOURNMENT

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