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

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YELLOWKNIFE, NORTHWEST TERRITORIES

FRIDAY, FEBRUARY 28, 1986

MEMBERS PRESENT

Mr. Angottitauruq, Mr. Appaqaq, Mr. Arlooktoo, Hon. Michael Ballantyne, Hon. Tom Butters, Ms Cournoyea, Hon. Tagak Curley, Mr. Erkloo, Mr. Gargan, Mrs. Lawrence, Mr. MacQuarrie, Mr. McCallum, Hon. Bruce McLaughlin, 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 Friday, February 28th.

Item 2, Members' replies. There do not appear to be any replies today.

Item 3, Ministers' statements. Item 4, oral questions. Mr. MacQuarrie.

ITEM 4: ORAL QUESTIONS

Question 112-86(1): Misleading Facts Re Shareholders In Iligiittut Ltd.

MR. MacQUARRIE: Thank you, Mr. Speaker. My question is for the Minister responsible for the Department of Public Works. It pertains to the matter of the negotiated contract with Iligiittut Ltd. of Rankin to provide leased accommodation, which was conservatively estimated to be worth approximately \$2.25 million over 10 years.

Mr. Speaker, yesterday in the House the Minister said and I quote, "The original list" -- that is the list of shareholders -- "that I saw contained about 20 shareholders, some of whom I knew. However, as late as a couple of weeks ago it has been indicated to me and I have not seen the new list of shareholders, in fact the shareholder listing has increased now to the point where there is somewhere between 30 and 40 shareholders." Later, he confirmed again saying, "Originally the list I saw contained somewhere in the neighbourhood of about 20. Now I am advised there is somewhere in the neighbourhood of between 30 and 40 shareholders."

Earlier, Mr. Speaker, it had been indicated that one of the reasons for negotiating a proposal was the fact that there was a broad base of shareholders. Yet, Mr. Speaker, I have good information that there are, in fact, only four shareholders in that company. Regretfully, Mr. Speaker, there seem only to be three possible conclusions in respect of this matter. Number one, that my information is wrong. Yet I must say, Mr. Speaker, that yesterday I visited the registered office of that company at 5108 Franklin Avenue, paid my dollar and asked specifically to see the list of shareholders and made it clear that I wanted to see a list of shareholders rather than directors. I saw the list and indeed there were four shareholders, Mr. Speaker: Guy Alikut, Eskimo Point; David Simailuk, Baker Lake; Joani Kringeyark, Repulse Bay; John Todd, Rankin Inlet. There were no other shareholders on the list. So it seems to me my information is not wrong.

A second conclusion regretfully, Mr. Speaker, would be that the Minister misled the House and the public yesterday when he indicated that he saw a list containing about 20 shareholders. Or the third conclusion might be, Mr. Speaker, that someone involved with the company, in fact, misled the Minister and/or the Executive Council. So could I ask the Minister, Mr. Speaker, which of these three conclusions is the correct conclusion if any, or would he otherwise explain the discrepancy?

MR. SPEAKER: Mr. Minister.

Return To Question 112-86(1): Misleading Facts Re Shareholders In Iligiittut Ltd.

HON. GORDON WRAY: Thank you, Mr. Speaker. I will be glad to clear it up. First of all the Member is wrong. If he knew anything about the law of the Northwest Territories, you cannot obtain a list of shareholders of any company. All you can do is obtain a list of the directors of that company and that is who is listed with the registered office, the four directors of the company, number one.

Secondly, John Todd of Rankin Inlet is not a shareholder in the company. He was originally listed as a shareholder because he was asked by this group to act as an adviser to help them to put together the shareholders, but I am advised that many months ago he was dropped from the list of shareholders and is presently only acting in a business advisory capacity, similar to what he has had for many other groups in the Keewatin including the Keewatin Chamber of Commerce.

Thirdly, Mr. Speaker, is a point of privilege, I would ask the Member to withdraw his remarks about me misleading this House. Perhaps he should come into this House with facts first before he starts standing up and making accusations. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Oral questions.

HON. GORDON WRAY: Point of privilege.

MR. SPEAKER: Point of privilege, Mr. Wray.

Point Of Privilege

HON. GORDON WRAY: Mr. Speaker, I respectfully ask the Member to withdraw his remarks about me misleading the House. Thank you.

MR. SPEAKER: The Member, if my ears served me correctly, said that that may have been one of the alternates. He did not say that you were misleading the House. That this was a possibility. I think that there were four possibilities and they were listed as possibilities. If you would like we can adjourn and then have the verbatim reports at our disposal to make sure. But that was my understanding, that he did not say directly, but rather he said that this was a possibility. On that basis I do not think that it was a statement necessarily reflecting on character. Mr. Wray.

Further Return To Question 112-86(1): Misleading Facts Re Shareholders In Iligiittut Ltd.

HON. GORDON WRAY: Thank you, Mr. Speaker. Perhaps just to clarify this matter for once and for all and to stop the type of speculative garbage that is coming from across the floor, I will list the shareholders of the company. From Eskimo Point there is: Guy Alikut, E. Alikut, Mark Kalluak, S. Issakiark, Peter Kritikliluk, Peter Mikuniak, C. Malla, J. Uppahjuak; from Rankin Inlet: Jack Anawak, R. Anawak, J. Kusugak, B. Makpah, M. Autut, D. Oolooyuk; from Baker Lake: D. Simailak, H. Ungungai, W. Tapatai, D. Pupik, W. Scottig; from Repulse Bay: J. Kringeayark, S. Netser, which adds up to 21 shareholders. I have a note here that 10 shareholders are being added from Rankin Inlet and there are five shares set aside for future exchange, and an additional 10 shareholders for after construction, because apparently some of the shareholders are going to work their equity position off by working on the construction of the building. Thank you, Mr. Speaker.

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

MR. MacQUARRIE: I am not sure whether it is a supplementary question or perhaps a question of privilege on my part, Mr. Speaker. However, I do have a copy of the relevant portions of the Companies Act and if I may read the relevant section into the record to indicate that, in fact, lists of shareholders are available to people who ask for them, Mr. Speaker. Perhaps if you wish to adjourn for a short time to sort it out I would be happy to do that.

MR. SPEAKER: You are allowed to read from a document as long as it is not at great length, according to our rules. If it is a long document then I would have to stop you. If it is a short summary. Point of order, Mr. Curley.

HON. TAGAK CURLEY: Mr. Speaker, I would like to, as the Minister responsible for Economic Development and also Minister responsible for providing financial support to any businesses or individuals in the NWT, I would caution the Member from releasing confidential information, particularly when it relates to the owners of the companies or shareholders, because these are normally held on a confidential basis because the ownership of companies differs as to how the business is being conducted. If the House accepts the fact that we are to release the individual names of any company that are doing business with the government, I would think the financial institutions or companies that are trying to raise funds would be put into jeopardy. Major corporations normally are sensitive to releasing that information so I would advise you, Mr. Speaker, that we might be developing into areas that are not really the direct privilege or responsibility of the House. Thank you.

AN HON. MEMBER: Point of order.

Speaker's Ruling

MR. SPEAKER: First to deal with Mr. Curley's point of order. The statement made by Mr. MacQuarrie on his question was that he had a paper with information that would indicate that in the Northwest Territories it, indeed, is public information who the owners of the companies are, and he was going to read that statement off of that paper. Now, if that is true it should be heard because Mr. Wray said that the shareholders were not listed, just the directors. So I understand from Mr. MacQuarrie that he is now going to read something from the law of the Territories that indicates that the shareholders, indeed, are publicly listed. This is an argument that has transpired. I think Mr. MacQuarrie has his right to set the record straight, if Mr. Wray was wrong. So I rule that it is proper that Mr. MacQuarrie can read into the record a statement relative to shareholders of companies of the Northwest Territories.

HON. GORDON WRAY: Point of order.

MR. SPEAKER: Point of order, Mr. Wray.

HON. GORDON WRAY: Thank you, Mr. Speaker. Maybe the easiest way out of this is to have the Law Clerk of the Assembly tell us whether or not shareholders listings are available. Because up until yesterday my advice is that they are not available. Perhaps the easiest way is to have the Law Clerk of the Legislature tell us.

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: It may well be that you might wish to request this information at the appropriate time. In the interim, Mr. MacQuarrie, you have the floor.

MR. MACQUARRIE: I merely wanted to read that in but if they would prefer to hear the advice of the Law Clerk, I am willing to wait until such time, Mr. Speaker.

MR. SPEAKER: Thank you. Oral questions. Mr. Erkloo.

Question 113-86(1): PCB Spill In Hall Beach

MR. ERKLOO: Thank you, Mr. Speaker. This question is directed to the Minister of Renewable Resources, the Hon. Red Pedersen. I understand some people from the Department of Environment and one of your superintendents from Frobisher Bay had to fly to Hall Beach by charter because of a possibility of PCBs spilled in Hall Beach. I wonder if you can tell me whether that is really dangerous to the people or not. Thank you.

MR. SPEAKER: Mr. Minister.

Return To Question 113-86(1): PCB Spill In Hall Beach

HON. RED PEDERSEN: Thank you, Mr. Speaker. The Member is correct. There was a team that went to Hall Beach. The possibility of a problem first came to our attention when the hamlet of Igloodik raised it with our renewable resources officer there. Apparently what had happened, Mr. Speaker, the transformers that contain PCBs and also a number of transformers which did not contain PCBs were moved to Hall Beach for transshipment to the United States as per the agreement between DND and the United States. A contractor was hired to remove these PCB containing transformers. By

checking the serial numbers of these transformers they know whether they do have PCBs or do not. Those that did not have PCBs were not shipped but were removed and taken to the garbage dump at Hall Beach. This was done without the knowledge of our department or indeed, without the knowledge of either DIAND or DND. The action that has been taken to check this is that on February 27th and 28th, today, a team headed up by our regional superintendent of Renewable Resources from Frobisher and consisting of representatives of DOE, DIAND, DND and national Health and Welfare will visit the community of Hall Beach. They will check out what has happened and assure themselves that indeed the material put into the dump at Hall Beach is not contaminated. Mr. Speaker, I have a two page piece of information on this that I would be happy to provide the Member with or I could read it now if he so wishes.

MR. SPEAKER: Thank you, Mr. Pedersen. Oral questions. Mr. Pudluk.

Question 114-86(1): Leakage Of Confidential Document

MR. PUDLUK: Thank you, Mr. Speaker. When I came here on the 15th there was a question raised in this House about the aboriginal constitutional development agreement in principle, a confidential document. I would like to know if the Minister of Aboriginal Rights could tell me how that document was released from the Executive Council to the ordinary Members.

MR. SPEAKER: Mr. Patterson.

Return To Question 114-86(1): Leakage Of Confidential Document

HON. DENNIS PATTERSON: Mr. Speaker, for better or for worse, the parties to the Inuit land claims negotiations, the Tungavik Federation of Nunavut and the Government of Canada, have decided that the particular agreement that the Member is referring to, the Inuit impact and benefit subagreement, should not be released publicly and should be treated confidentially as between the parties. Not being a party to those negotiations, Mr. Speaker, the position of the Government of the NWT is to respect the parties' wishes that the agreement be kept confidential. As a result, the position of the Executive Council is to respect that confidentiality and therefore I can tell the honourable Member that I have not, as a responsible Minister, deemed it proper to release that agreement to any Member. Although the document was reviewed by the Executive Council it remains a secret document of the Executive Council and certainly, therefore has not been released to the public or to any Member of the Legislative Assembly to my knowledge. Thank you.

MR. SPEAKER: Supplementary, Mr. Pudluk.

Supplementary To Question 114-86(1): Leakage Of Confidential Document

MR. PUDLUK: Yes, Mr. Speaker, a supplementary. The way I heard it on the radio this morning, the TFN was really confused to release that to the territorial government Executive. They said we should not have done that. We should not do it for some time. That document should not have been released until it was tabled in the House. But I thought the Executive should swear not to release anything that is a confidential document to anyone except the Executive. I thought that was a rule that was to be followed in this House. If the Minister could tell me that if something like this happens again, what will happen next?

MR. SPEAKER: That is really a hypothetical question. Mr. Minister, do you want to make any comments? Mr. Patterson.

Further Return To Question 114-86(1): Leakage Of Confidential Document

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I believe that Members of the Executive Council have taken an oath to execute their offices to the best of their ability and respect the privilege of that office. Therefore, I think every Member of the Executive Council is bound by that oath and that responsibility, for keeping documents and matters secret, which come before us, which we may be obliged by law or by the public interest not to disclose. If that responsibility is violated by any Executive Member then I think it is a cause for very serious concern and perhaps a loss of confidence. But, Mr. Speaker, I must reiterate again that to my knowledge the document has been kept secret and has not been released by myself or any Member of the Executive Council to any Member of this Assembly. The fact that documents may have leaked does not necessarily implicate this government or this Executive Council. There are other means by which documents can be leaked.

MR. MacQUARRIE: (Inaudible comment)

HON. DENNIS PATTERSON: Thank you, Mr. Speaker.

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

Request For Law Clerk's Opinion

MR. MacQUARRIE: Yes, Mr. Speaker. The Clerk informed me that I should make a formal request and so I will. Can I ask that the Law Clerk come into the House and provide the House with information as to whether laws of the NWT entitle an ordinary person to determine who the shareholders are, in companies that are registered in the NWT?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: A legal opinion is being sought and I believe we have agreement between the parties involved that they would like this matter clarified. Is there any disagreement on calling the Law Clerk?

SOME HON. MEMBERS: Agreed.

---Agreed

MR. SPEAKER: Mr. Clerk, will you call the Law Clerk in please? Oral questions. Any further oral questions? Mr. Gargan.

Question 115-86(1): Study Re Housing Needs Of Smaller Communities

MR. GARGAN: I would like to direct my question to the Minister of Housing. It is with regard to a study that was supposed to be done concerning smaller communities such as Kakisa, Jean Marie River, Trout Lake, Colville Lake. Last year the Minister of Housing, who was then Mr. Wray, indicated that because of the smaller communities being denied any type of housing program, there was to be a study done in the smaller communities to establish some kind of a housing program for these smaller communities. Now there was supposed to be a study done. I would like to ask if it was done and if it was, I would like to find out the results and whether or not we might be able to get a copy of that study.

MR. SPEAKER: Mr. Minister.

Return To Question 115-86(1): Study Re Housing Needs Of Smaller Communities

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. I presume the honourable Member is talking about a needs study to determine the need in smaller communities. In the last year there has been a fair amount of work done. I will take the question under advisement and get back to the Member with the exact results of what we determined the needs to be in the smaller communities of which the Member speaks. Thank you, Mr. Speaker.

MR. SPEAKER: The question has been taken as notice. Oral questions. Mr. MacQuarrie.

Question 116-86(1): Borealis School Housed At Akaitcho Hall

MR. MacQUARRIE: Thank you, Mr. Speaker. I have a question for the Minister of Education. The chairman of the Akaitcho Hall advisory board has asked me to look into the matter of the Borealis School being housed in Akaitcho Hall. The board has been co-operative and recognizes the need for that school and has been willing to have that school in the basement of Akaitcho Hall, but of course they could very well use the space for the student activities. I am aware that the board has, in the past, asked the Minister whether other arrangements could be made. Could I ask the Minister what he intends with respect to that?

MR. SPEAKER: Mr. Minister.

Return To Question 116-86(1): Borealis School Housed At Akaitcho Hall

HON. DENNIS PATTERSON: I want to thank the honourable Member for giving me notice of this question. Mr. Speaker, I have investigated the cost of building a new residential facility and a new school and have learned that the capital costs for a residential school, sufficient to replace the present facility, would be approximately \$2.8 million and that annual operating costs, including staffing, would be approximately \$950,000 per annum. Keeping these costs in mind, Mr. Speaker, I am bearing in mind the philosophy and policy of the government with respect to children with special needs. I have been very seriously reviewing the future of Borealis School and how we might alternatively provide for services for students with special emotional and social needs.

The department, Mr. Speaker, is committed to developing support at the community and regional level to enable all special needs students to attend their local schools. There are many examples of excellent community-based programs for children with these kinds of special needs in schools across the Territories. Many children have been returned from institutions in the South and are now receiving specialized instructions in their home communities. This is equally true, Mr. Speaker, for students with serious behaviour problems. Until last year my department had difficulty providing adequate services for some of these children, but increased funding allocated to special needs programs is intended to enable regions to start developing services at the local level. Mr. Speaker, I have never felt that removing a child from a settlement and placing that child far away from home in order to meet that child's needs is in the best interests of those children. Therefore, funding allocated to special needs is going to be directed at the development of community-based, not territorially-based services. I have therefore had discussions with the staff of Borealis School and the superintendent with respect to the possibility of developing regionally-based support for these students with behavioural problems, recognizing that at present there is a very small number of students from the regions at that school.

So, Mr. Speaker, to answer the Member's question I am looking at the possibility of implementing community and regionally-based programs as early as next fall. I would like to inform the Member that this is a complex undertaking. We are only in the first stages of planning the implementation. It will require adequate levels of funding to provide support for those students from the city of Yellowknife and from the regions. My intention is to take the resources presently allocated to this school and distribute them according to needs at the community level. This will require further consultation with affected and concerned people and organizations including the community education society.

I apologize for this long answer, Mr. Speaker, but that is how we intend to deal with the issue of space, is to work toward providing services for those students in their home communities. Mr. Speaker, as I have said, we are only in the first stages of planning the implementation but my goal is to have, by next fall, plans for each affected student. I am not certain at the moment whether we will be able to move that fast. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. The Law Clerk is now present. Mr. MacQuarrie, would you put your question please?

MR. MACQUARRIE: Thank you, Mr. Speaker. Yes, Mr. Law Clerk, I indicated to the House a short time ago that I had visited, in Yellowknife, the registered offices of a company called Iligiittut Limited and had there asked very specifically to see a list of the shareholders of that company, in contradistinction to a list of directors. I made that point very clear. A minute book was opened for me and I was allowed to see a list of what, I had every right to assume at that point, was the list of shareholders. I named them. I was thereupon told, Mr. Law Clerk, that that must have been impossible because in the Northwest Territories an ordinary person, like myself, cannot find out who the shareholders of a company are. I have reason to believe that our laws do allow it. I have very good reason to believe that I saw the list of shareholders yesterday. Could you enlighten us on that please, Mr. Law Clerk?

MR. SPEAKER: Mr. Fournier.

Law Clerk's Opinion

LAW CLERK (Mr. Fournier): Mr. Speaker, the question that the Member asks is governed by section 56 of the Companies Act which states: "The register of shareholders, commencing from the date of the registration of the company, shall be kept at the registered office of the company, and, except when closed pursuant to this act, shall during business hours, subject to such reasonable

restrictions as the company in general meeting may impose, so that not less than two hours in each day is allowed for inspection, be open to the inspection of any shareholder free of charge, and to the inspection of any other person on payment of one dollar, or such less sum as the company may prescribe for each inspection."

Mr. Speaker, the act was amended in 1983. Subsection (2) goes on to state: "Any shareholder or other person may obtain from the company a) a copy of the register, or any part thereof, or b) a copy of the annual return filed with the registrar, or any part thereof, on payment of 50 cents per page, or such lesser sum as the company may prescribe."

Mr. Speaker, the act goes on to say that a company that refuses any inspection or copy required under this section, is guilty of an offence and the court may order that an inspection be allowed or a copy furnished within such time as it deems fit. So, Mr. Speaker, as I interpret the provision in the act, any person upon payment of the prescribed fee can require a copy of the shareholders list to be given to him. Failure to do so results in an offence being committed and any person may apply to court for an order that the document be produced.

MR. MacQUARRIE: Point of privilege, Mr. Speaker.

MR. SPEAKER: Point of privilege, Mr. MacQuarrie.

Point Of Privilege

MR. MacQUARRIE: Mr. Speaker, I would ask, first that the honourable Minister for Economic Development and Tourism apologize for indicating that I released information that I had no right to release. It appears to me from the Law Clerk's statement that that is public information and I had every right to say what I did.

MR. SPEAKER: I have a situation here where I have been asked by a point of privilege by two honourable Members for retractions. I will review the verbatim report on Monday morning and I will give you a reply after I have read what actual words have been stated, so that I will be sure on both counts.

AN HON. MEMBER: Point of privilege.

MR. SPEAKER: Mr. Wray.

HON. GORDON WRAY: Thank you, Mr. Speaker. I wonder if I could make a request of the Law Clerk as to whether or not -- while it may very well be that at a particular point in time...

MR. SPEAKER: I am sorry, Mr. Wray, I have a point of privilege. I thought you were on privilege too. Mr. Curley.

HON. TAGAK CURLEY: Mr. Speaker, I certainly am prepared to apologize for any offence that I may have committed to my friend over there if it is with respect to his integrity. But, Mr. Speaker, I just want to indicate that I may not be prepared to apologize for releasing names of the shareholders publicly because the act does indicate that any person may obtain it but not for the purpose of publicizing it throughout -- other than obtaining information for one's usual business. Thank you.

MR. SPEAKER: We are getting quite a distance from points of privilege at the moment. Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Speaker. I note the law does not say at all for what purpose the information may be used and I feel that this is a very legitimate purpose. Therefore, there is no apology required on my part at all.

MR. SPEAKER: The Chair has already ruled with regard to who will apologize and who will not apologize when I read the record on Monday morning. Now, we will let that subject lie. Mr. Wray, you had a point.

HON. GORDON WRAY: Thank you, Mr. Speaker. I would like to ask the Law Clerk, given that the information of shareholders is not available from public records, is it available from private records? However, the information that Mr. MacQuarrie obtained may not necessarily reflect the

present state of shareholders within that company for a number of reasons, one being that perhaps new shareholders have not been registered by the companies clerk in that law office or, in fact, that filing only takes place once a year and that any updates would not show up until a new filing is made. Could the Law Clerk advise me if, in fact, that is the case? Thank you.

MR. SPEAKER: Mr. Law Clerk.

Law Clerk's Opinion

LAW CLERK (Mr. Fournier): Mr. Speaker, the Member's question is accurate. The registers of some companies unfortunately are not kept up to date. The registered office of the company can only do the job that they are allowed to do, by entering information in the company records that is provided to them by the directors of the company. In other words, if the directors of the company add new shareholders and do not advise the registered office and the clerk of the company, in this instance, that there are new shareholders, then those shareholders will not be issued a share certificate and will not be added to the register of shareholders.

The annual return that the Minister referred to is the annual return that is required by the Companies Act to be filed once every year at the registrar of companies here in Yellowknife but that filing does not include a listing of shareholders, simply a list of directors. The list of shareholders is required to be filed on the company register at the registered office.

MR. SPEAKER: Supplementary, Mr. Wray.

HON. GORDON WRAY: Thank you, Mr. Speaker. Then I am given to understand from the Law Clerk then that, in fact, there can be shareholders in a company which are not listed with the company's law office at a particular point in time? Am I correct in assuming that, Mr. Speaker? Thank you.

MR. SPEAKER: Mr. Law Clerk.

LAW CLERK (Mr. Fournier): Yes, Mr. Speaker, that is correct.

MR. SPEAKER: Mr. MacQuarrie.

MR. MacQUARRIE: Could I have clarification then? In other words, if shareholders are not listed at the registered office, it would seem that shareholding certificates are not issued to them and they are not listed on the list of shareholders. I ask the Law Clerk, is it possible then that they can be shareholders? It would seem to me that, despite what someone may have said, they are not shareholders in the company in that case.

MR. SPEAKER: Mr. Law Clerk.

Law Clerk's Opinion

LAW CLERK (Mr. Fournier): Mr. Speaker, this is a preliminary opinion only. I would say that if a company held a meeting that was duly constituted, and decided at that meeting to sell additional shares to other persons, then beneficially those people would become shareholders upon payment of the prescribed fee. I believe that the actual issuing of the share certificate would be somewhat of a technicality although it is required eventually, as I understand the law, although I think it is pretty well understood and taken that because of the geographical nature of the Territories it is not always easy to have these things happen quickly. For instance, a reasonable time would be allowed under normal circumstances for the issuing of the share certificates.

MR. SPEAKER: Thank you, Mr. Law Clerk. Are there any other questions of the Law Clerk at this time? Mr. MacQuarrie.

MR. MacQUARRIE: Yes, the Law Clerk indicated that if there were a duly constituted meeting where other shareholders were named, that could very well be the case. I certainly accept that. Would such a meeting have to be a meeting of record and would that be subject to the laws of our territory, as well, that it would have to be duly proved that, in fact, such a meeting had occurred when, where and who was present?

MR. SPEAKER: Mr. Law Clerk.

Law Clerk's Opinion

LAW CLERK (Mr. Fournier): Mr. Speaker, probably the company's by-laws and objects require that a meeting of directors or shareholders be held only when proper notice is given or when notice has been waived by all the persons interested, either the directors or the shareholders. In this case, I would suggest that if a proper meeting was held then there should be minutes of that meeting and the minutes should be kept in the company minute book.

MR. SPEAKER: Thank you, Mr. Law Clerk. Supplementary, Mr. MacQuarrie.

Question 117-86(1): Updated List Of Shareholders Of Iligiittut Ltd.

MR. MacQUARRIE: I would ask a supplementary question then to the Minister of Public Works. As I recall, the Minister indicated yesterday that he could not recall when he saw the list of shareholders because it was some long time ago. Maybe a year ago, maybe in the middle of 1985. I find that Iligiittut Limited was incorporated on the 29th of July, 1985 and that it had its first directors meeting on August 7th, 1985. This was apparently sometime after the Minister had seen the list. Therefore, it would seem to me that at the time the company was incorporated the then existing list of shareholders would have been placed in the register and it is not in the register. So there seems to be a contradiction. The Minister apparently, and I would ask him to clarify, is suggesting that there may have been shareholders added after that time. Is that what the Minister is indicating?

MR. SPEAKER: Mr. Wray.

Return To Question 117-86(1): Updated List Of Shareholders Of Iligiittut Ltd.

HON. GORDON WRAY: Thank you, Mr. Speaker. The Member is assuming things. I am not going to respond to assumptions. All I can indicate to the House is that I was shown a list of shareholders. I believe those shareholders to be the true shareholders and in fact I am advised that there are that many shareholders. The company's clerk and the law firm just has not got around to registering those names. I am advised that as soon as we wind this House up and Mr. Richard gets back to work it will be taken care of.

---Laughter

MR. SPEAKER: Mr. MacQuarrie.

Question 118-86(1): Procedures For Inspecting List Of Shareholders

MR. MacQUARRIE: Yes, on a slightly different nature but of the Minister of Public Works. Could I ask the Minister what the procedure is when preference is given for the reason that we are trying to encourage business and there may be a broadly-based business that has many shareholders and we want to encourage that, can I ask the government whether our government bases its decision of preference on a legal document which shows a list of shareholders, such as the register of a company, or is it based on a list someone may have handwritten and shown to our Ministers? Could you inform me as to what the procedure is, please?

MR. SPEAKER: Mr. Minister.

Return To Question 118-86(1): Procedures For Inspecting List Of Shareholders

HON. GORDON WRAY: Thank you, Mr. Speaker. There is no procedure. We take people's word when they tell us they have shareholders. In fact I know in this case, they were requested to supply us with the broad-based listing of the shareholders. In other words, we wrote to them and said "Do you have a broad base to your company?" We said we wanted to know more about the company and in fact this is probably where the original list of shareholders, that I saw, came from, with the 20 odd names. But there is no set procedure for this. I indicated during my budget speech that there are no set procedures for this type of thing. It is on a case-by-case basis. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. You are just about out of supplementaries, Mr. MacQuarrie. This will be your last.

Supplementary To Question 118-86(1): Procedures For Inspecting List Of Shareholders

MR. MacQUARRIE: Is the Minister not disturbed that there are no set procedures with respect to this? I had been thinking of stepping down from politics and I know that would make a number of people happy probably...

AN HON. MEMBER: No.

MR. MacQUARRIE: ...but I am wondering what I might do when I am finished. But now I know, I am going to go into business and get contracts with our government -- have I got a list for you!

---Laughter

That is the kind of danger you run into. So I would ask the Minister, is that not disturbing and should there not be, immediately, some procedure put in place to ensure that that cannot happen?

MR. SPEAKER: Mr. Minister.

Further Return To Question 118-86(1): Procedures For Inspecting List Of Shareholders

HON. GORDON WRAY: Thank you, Mr. Speaker. I can assure the Member he will not be receiving any contracts from this government.

---Laughter

Secondly, yes, it does disturb me and I have indicated in the House during the budget and I indicated to the standing committee on finance I am disturbed and that is why the department is preparing a lease policy. Thank you.

MR. SPEAKER: Thank you. Are there any further questions relative to the Law Clerk? Mr. MacQuarrie.

Request To Have Law Clerk Determine Shareholders Of Iligiittut Ltd.

MR. MacQUARRIE: Yes, could I put in a request to the Law Clerk, since my own investigation may certainly be in question, I am not a lawyer, could I ask the Law Clerk if he would determine who the shareholders of Iligiittut Limited are and provide that information to the House?

MR. SPEAKER: I will take that question under advisement and make a ruling and advise the Law Clerk of my decision on whether or not he can proceed and do that work that you have requested. I will advise the House on Monday of my decision. Thank you, Mr. Law Clerk, you are excused. Any oral questions. Mr. Pudluk.

Question 119-86(1): National Park On Ellesmere Island

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. I have a question for the Minister of Economic Development. The TFN did not want to support the park on Ellesmere Island and wrote a letter to Tom McMillan to meet with him concerning the park and what exactly the topics of the agreement are going to be. The TFN did not want to support that unless they get Nunavut. They were concerned with wildlife. The Minister was going to be signing some sort of agreement with the other Minister from Ottawa. What are you going to be doing about this proposal for an agreement in the future? Thank you.

MR. SPEAKER: Mr. Minister.

Return To Question 119-86(1): National Park On Ellesmere Island

HON. TAGAK CURLEY: (Translation) Your statements are true, Tom McMillan, who is in geological surveys, had a letter from TFN. There was a wildlife agreement in principle. I was in support but it was never approved from the Department of Environment. For that reason TFN wants to get more clarification in their letter. They are going to be holding a meeting pretty shortly, Tom McMillan and his officials and the TFN, to see if they can negotiate how to solve this problem. When they have their meeting they will clarify exactly about the national park on Ellesmere Island. I think it is going to be postponed for a while because they have to clarify as to what the Department of

Environment is proposing. Also we got a letter from TFN; they were seeking support as to what we can do. We will get more information on this and report to the House. Also I do not think the agreement will go ahead at this time.

MR. SPEAKER: Thank you, Mr. Minister. Oral questions. Mr. Gargan.

Question 120-86(1): Review Of Labour Standards Act

MR. GARGAN: Thank you, Mr. Speaker. I want to direct my question to the Government Leader and it is regarding the Labour Standards Act. Mr. Speaker, I have read over the particular act and it worries me because I understand it and can interpret it any way I like to. There are no clear-cut restrictions. It is pretty well open for abuse. I would like to ask the Government Leader whether or not his department intends to review the Labour Standards Act to make it more comprehensive and more compatible with the other provinces and territory.

MR. SPEAKER: Mr. Minister.

Return To Question 120-86(1): Review Of Labour Standards Act

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. Labour standards fall under my jurisdiction. We are taking a review right now of the Labour Standards Act and we are hiring somebody this summer to have a look at the whole act. If the Member has any specific concerns, I would appreciate if he would address them to me and we will definitely take them into consideration as we review the act.

MR. SPEAKER: Thank you. Oral questions. Mr. Erkloo.

Question 121-86(1): Gravel In Pond Inlet

MR. ERKLOO: (Translation) Thank you, Mr. Speaker. My question is directed to the Minister of Local Government, Mr. Wray. In Pond Inlet they have been requesting a rock crusher and in the summer they received a screening plant. While we were in Pond Inlet you were told that this crusher is not enough with the problem that we have in Pond Inlet. We know you have been making visits to that settlement and there is lots of sand and not enough gravel. I was told that your department would consult the Ministry of Transport about the rock crusher. Can you give an update on this, please? Thank you.

MR. SPEAKER: Mr. Minister.

Return To Question 121-86(1): Gravel In Pond Inlet

HON. GORDON WRAY: Thank you, Mr. Speaker. I cannot give an update on the rock crusher but I can advise the Member that we will be spending approximately \$80,000 this coming summer to process some granular material for the community, in an attempt to provide some type of gravel stockpile which is a little bit better than presently the beach sand, essentially, that they are using. I will keep the Member advised in terms of our negotiations with MOT on the rock crusher. Thank you.

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

Question 122-86(1): Radio Service In Clyde River

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. Pauloosie Paniloo was going to ask this question but he is not here. In the settlement of Clyde River there is a problem. They have not been able to use radios. I was wondering if the Department of Communications will be able to rectify this problem? The people of Clyde River would like to hear what is happening here at the Legislative Assembly. Thank you.

MR. SPEAKER: Mr. Minister.

HON. RED PEDERSEN: Thank you, Mr. Speaker. Perhaps the Member could provide me with some more information. Precisely what radio he refers to, whether it is the CBC incoming or a signal. If he could, I will then take the question as notice and provide him with an answer.

MR. SPEAKER: Thank you, Mr. Minister. I understand that you are going to confer with the Member and find out the details and take the question as notice. Thank you. Oral questions. Mr. Pudluk.

Question 123-86(1): Status Of Community Freezer For Arctic Bay

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. I tabled Document 26-86(1). In Arctic Bay they are requesting a community freezer. The present freezer is out of date so could the Minister of Renewable Resources possibly deal with this problem as soon as possible, because unless it is constructed they are not going to have a place to put their country foods? For that reason I was wondering if the Minister could help solve this problem. Thank you.

MR. SPEAKER: Mr. Minister.

Return To Question 123-86(1): Status Of Community Freezer For Arctic Bay

HON. RED PEDERSEN: Thank you, Mr. Speaker. My department is working on the tabled document Mr. Pudluk referred to. I hope before the end of this session we will be providing him with some concrete answers.

MR. SPEAKER: Thank you. Oral questions. Mr. Pudluk.

Question 124-86(1): Housing Designs

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. I would like to ask my friend the Minister of the Housing Corporation about a letter I handed him that I received from Arctic Bay concerning the home-ownership program. These houses in the home-ownership program have only one door. The people that are constructing their home have to have an extra emergency door. The people that are building their own homes have to use extra money. Can the structures of the houses possibly be changed or improved? Thank you.

MR. SPEAKER: Mr. Minister.

Return To Question 124-86(1): Housing Designs

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. We are looking at this specific problem that Mr. Pudluk has brought to our attention. I have indicated to the House that over the next very few months we will be looking at the possibility of some design changes and I have been able to offer other options. I recognize the problem Mr. Pudluk has brought to our attention but there is a greater problem, and I think it shows a need for more flexibility in our designs. We are also working on that, so as soon as possible I will get a specific response to Mr. Pudluk's query. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. Mr. Pudluk.

Supplementary To Question 124-86(1): Housing Designs

MR. PUDLUK: Supplementary, Mr. Speaker. How about the one that already affects the HAP houses? Are they going to give assistance for extra costs to put in an extra door for the HAPs?

MR. SPEAKER: Mr. Minister.

HON. MICHAEL BALLANTYNE: Yes, I said we are studying the problem and it is obviously a matter of trying to identify funds and seeing if there are other ways we deal with the problem. It is a real problem and I will get back to the Member with a specific answer to see if there is something we can do to help these particular people because of this problem, but we have some difficulties with it. I will explain all that in a letter to the Member which he will get next week.

MR. SPEAKER: You are doing all right if you have him convinced. I understand he is taking the question as notice and will be contacting you further on the matter. Are there any further oral questions? Item 5, written questions. Mr. Appaqaq.

ITEM 5: WRITTEN QUESTIONS

Question 125-86(1): Fencing Around Lake, Sanikiluaq

MR. APPAQAQ: (Translation) Thank you, Mr. Speaker. I will direct this to the Minister of Education. This is in regard to fencing around the lake in Sanikiluaq. I tabled a letter, dated

January 16, 1986, from the hamlet of Sanikiluaq and myself, requesting fencing to be built around the lake as soon as possible. The lake is very close to the new school which will be opening very soon. There has already been a child's death by drowning in the lake. Because the school playground is so close to the lake, that is why we would like a strong fence built around the area as soon as possible or at least before the new school opens.

We know that Baffin Divisional Board of Education is aware of this problem, but they do not have funding to build a fence. We are aware that the Minister of Education has the authority to allocate special funding and that is why we are asking him. Would the Minister please respond to this request as soon as possible so that I may inform the hamlet council and the residents of Sanikiluaq of his answer?

MR. SPEAKER: Thank you. Are there any further written questions? Ms Cournoyea.

Question 126-86(1): Renovation Costs On Mr. Irving's House

MS COURNOYEA: Mr. Speaker, yesterday I placed a written Question 109-86(1). I would like to add to that written question. How much was spent on Mr. Vic Irving's house before it was sold to him? I have two more questions if I could proceed.

MR. SPEAKER: Proceed please.

Question 127-86(1): Territorial Government Houses

MS COURNOYEA: Mr. Speaker, I request that the Minister responsible for Personnel provide this House with the names of all the territorial government employees that this government has leased houses from. Would the Minister responsible for Personnel also provide this House with names of territorial government employees that the government has purchased houses from and the amounts paid?

Question 128-86(1): Leasing Negotiations In Yellowknife

Second question, Mr. Speaker, to the Minister of Public Works. Would the Minister responsible for Public Works please provide this Legislative Assembly with the names of directors and shareholders of companies the government has negotiated direct leases with in the community of Yellowknife?

MR. SPEAKER: Written questions. Mr. T'Seleie.

Question 129-86(1): Fish Contamination

MR. T'SELEIE: Mr. Speaker, my question is for the Minister of Renewable Resources. My question concerns the complaints made by residents of the community of Fort Good Hope of fish contamination in the Mackenzie River. Could the Minister provide the details of what has been done, to date, with respect to addressing these complaints by the relevant federal and territorial departments? Could he also provide any information by federal and territorial departments with respect to further studies of fish contamination in this area?

MR. SPEAKER: Thank you. Written questions. Are there any further written questions? Ms Cournoyea.

Question 130-86(1): Space Heaters In HAP Units

MS COURNOYEA: Mr. Speaker, I have a written question to the Minister of Housing in the matter of space heaters for the home-ownership assistance program. Would the Minister please state why the space-heater option on the HAP units was eliminated? Thank you.

MR. SPEAKER: Thank you. Written questions. This appears to conclude written questions. Item 6, returns. Mr. McLaughlin.

ITEM 6: RETURNS

Return To Question 83-86(1): Transfer Of Health Services

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. I have a return to a written Question 83-86(1), asked by Mrs. Lawrence on February 21, 1986, regarding the transfer of health services programs: In reply to the honourable Member for Tu Nedhe, Mrs. Lawrence, I am pleased to provide the following information:

- 1) Our discussions with Health and Welfare Canada on the transfer of health services in the Baffin are proceeding well and we feel that transfer on September 1, 1986, is achievable. Discussions with respect to other regions will be more active, we hope, once we have met with the Dene board next week. Dene MLAs have been invited to participate in these meetings.
- 2) Comments of all MLAs including those whose constituency would be directly affected are always welcome.
- 3) A draft agreement of principle was prepared in December and distributed to the Dene Nation, the Metis Association, the Committee for Original Peoples Entitlement and the Tungavik Federation. This position has not yet been formally transmitted to the federal government.
- 4) Any agreement with the federal government will particularly separate out those areas that are their responsibility to the aboriginal people. The GNWT will act only as an agent in these areas and the service level and funding will be the prerogative of the federal government. Thank you, Mr. Speaker.

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

Item 8, reports of standing and special committees.

Item 9, tabling of documents. Item 10, notices of motion. Notices of motion, Mr. Curley.

ITEM 10: NOTICES OF MOTION

Notice Of Motion 14-86(1): Jean Chretien's Contribution To The North

HON. TAGAK CURLEY: Mr. Speaker, I wish to give notice that on March 3, 1986, I shall move the following motion: Now therefore, I move that this Legislature express its gratitude for the significant contribution made by the Hon. Jean Chretien to the North and its people. Mr. Speaker, at the appropriate time, I will be asking for unanimous consent to proceed with the motion today.

MR. SPEAKER: Thank you, Mr. Curley. Notices of motion.

Item 11, notices of motion for first reading of bills. Item 12, motions.

ITEM 12: MOTIONS

Motion 9-86(1): Devolution Of Federal Powers

Motion 9-86(1), Devolution of Federal Powers. Mr. Pudluk.

MR. PUDLUK: Thank you, Mr. Speaker.

WHEREAS representatives of Inuit Tapirisat of Canada, the Tungavik Federation of Nunavut and the Inuit Committee on National Issues held a meeting last fall which recommended that there be no further devolution of federal powers to the North;

AND WHEREAS Members of this Assembly who represent Inuit communities have a major interest in the subject of devolution;

AND WHEREAS the heads of Inuit organizations may benefit from an opportunity to discuss this matter with the elected representatives of the Inuit communities;

NOW THEREFORE, I move, seconded by the honourable Member for Natilikmiot, Mr. Angottitauruq, that this Assembly recommend that the heads of Inuit Tapirisat of Canada, and the Tungavik Federation of Nunavut meet, at the earliest opportunity, with Members of this Assembly who represent Inuit communities.

MR. SPEAKER: Mr. Pudluk, I am having some problem with your motion in that it would indicate there probably is a spending of funds involved in your motion. If this is your intent, then it should be mentioned and the Assembly here can grant moneys to be set aside to do this. I cannot allow a motion to be passed that would indicate that there is a spending of money without having some method of money being available to be spent. If your intention is that there will be no government money spent or money from this Assembly required for this meeting, then I can accept your motion. But I only accept it on that basis.

SOME HON. MEMBERS: Agreed.

MR. PUDLUK: Mr. Speaker, I thought that the organizations could pay their own way and we will look after ours.

MR. SPEAKER: Fine, then I accept the motion on the strength that there is no Assembly money being spent on this particular project. Proceed with your motion. Your motion is in order.

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. Regarding your problem, perhaps I will deal with your concern first. We would like to meet with these two parties. I would like to hear from and meet with ITC and the Tungavik Federation of Nunavut. If they are going to say we do not have any funding and we cannot come to this meeting, we will try and come up with another means of meeting with them, sometime in the near future. The reason why I put forth the motion is because I want to get along well with the two groups. As a Member of the Legislative Assembly -- I have been involved as a Member for 11 years -- I have been trying my best to attend. I would like to see the continuation of devolution from the territorial government. The Tungavik Federation of Nunavut and ITC -- I would like to have the same understanding and discuss with them what their reasons are. I do not want to have any dispute with them. I am not suggesting that. I would like to have an understanding on devolution in the North. In 1975-76 we, the Inuit organizations and the Legislative Assembly, had some problems. We were concentrating too much on the problems arising and I do not want to go back to that same situation again. The motion I made is because I would like to have discussions and have an understanding with them. (Translation ends)

I will speak in English for a while. On October 17, 1976, I replied to the Commissioner's opening Address, that was Mr. Stuart Hodgson not Mr. John Parker. Mr. Parker was there but he was the deputy commissioner. I was talking about my feelings about those organizations in the Northwest Territories. I said it was frightening when you look further, there are great conflicts between native organizations and the territorial Assembly on how the North should be governed. My own opinion is that we should be working together instead of creating conflicts as territorial Assembly Members. The discussions we have had -- a lot of them have been criticized by other organizations. It seems that those native organizations want more power than any other organization and the territorial Legislative Assembly. It seems that native organizations and our Assembly are all in a vicious circle. They just follow each others' tracks picking up each others' misfortunes to criticize each other. Instead of criticizing each other we all should be working toward the centre of the circle. This is how I would like to see the development of self-government in the North, carrying out the responsibility we each have been given.

When we reach the centre we all should discuss what we have seen in the past, what we see for the future and how we can develop the best kind of self-government for the North. It is evident we will all continue making mistakes as expected in political business. When the mistakes are recognized they can always be resolved. I am not just talking about this organization, I am also talking about this Legislative Assembly.

For that reason I do not want to go back to that situation again. I am supporting 100 per cent, ITC and Tungavik Federation and also the Metis Association. I think it will not be fair if we are just trying to see other organizations following their tracks -- trying to see what mistakes they have made and report it publicly. For that reason I make this motion to meet with them and get an explanation from them what the devolution is they are talking about and in which areas we should go ahead and try to get devolution from the federal government for I can agree with the mineral and oil exploration in the North. I do not need an explanation on that but on other devolution I need some explanation. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Pudluk. As seconder, Mr. Angottitauruq, do you wish to have the floor now?

Clarification Between Assembly And Inuit Organizations Needed

MR. ANGOTTITAUURUQ: Thank you, Mr. Speaker. As a seconder, I would like to make it brief. The motion clearly states by the mover that he wants the Assembly to meet with these native representatives, ITC, TFN, and ICNI. I guess if there is confusion between the Legislature and the organizations that are as recognized by people of the NWT and that have dealings or negotiating powers with the federal government, if there is some misunderstanding between them, it has to be cleared up.

Devolution of federal powers; I support these going to the territorial government but I also ask the question, why would they not want the territorial government to get these powers? As a Legislature, if this Assembly is being told by organizations not to carry on some of the things they wish to do and these organizations did not really explain for what reason, neither of them would work for a better future of the people. That is my understanding at this point. We just want some clarification, I guess, in a proper way, to meet face to face with these organizations and with the Members of the Assembly and ask them a few questions and totally understand each other.

I believe that these organizations are not the only ones trying to hold back or not get devolution going. Even some employees of these departments that are being turned over to the territorial government from the federal government have the same question. But I believe that such organizations as these do not inform the Assembly properly the way the mover of this motion has said. I also believe that there could be some conflict and it would not be right. I guess this motion is only asking for a proper clarification from these groups, with the Assembly present in the same room, to answer each other and ask each other some questions for clarification and also to clarify it to the whole NWT and probably Canada. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Angottitauruq. To the motion.

AN HON. MEMBER: Question.

MR. SPEAKER: Mr. Erkloo.

MR. ERKLOO: (Translation) Thank you, Mr. Speaker. I will make it brief to the motion. On my campaign I promised people of Amittuq that I would be working closely with Inuit organizations to the best of my ability and I know my constituents have been requesting devolution and they continue to say that there is a need for devolution. For that reason I have brought this up here in the House. When we get more programs from the federal government, when we are working toward this goal and we just get criticism from the Inuit organizations, I was confused as to what their reasons were. Perhaps we are not being informed by the Executive. I think they have had some discussions with the Inuit organizations. Having misunderstanding creates a lot of problems. Looking at the Baffin Region there are a lot of organizations and the BRC will be holding a conference along with the Inuit organizations in Baffin Region to get a better understanding as to who is responsible for what so that they do not duplicate responsibilities that they carry out.

We have said that they ask us who are the representatives of our constituents. This is one of the things I was confused about. What is the reason why the Inuit organizations do not want to have the Legislative Assembly have more power? There are eight Ministers, four from the West and four from Nunavut, and for that reason in my opinion there is an equal representation in the North. For those reasons, I think we should have some discussion with the Inuit organizations. We are all representatives of the northern people and I think we should come to terms and have a better understanding among ourselves. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. To the motion. Mr. Patterson.

Inuit Organizations Should Be Given Opportunity For Dialogue

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I would just like to briefly say that I think the motion is appropriate and quite in keeping with the policy of our government to pursue a constructive dialogue between our government and aboriginal groups respecting land claims and political and constitutional development. The 1980 sessional paper which was presented to and

approved by the Ninth Assembly still provides the basis for the current mandate of our government in negotiation of claims and in the matters of constitutional development and certainly encourages the development of a constructive dialogue between this Assembly, our government and aboriginal groups.

As I have indicated elsewhere in this session, Mr. Speaker, our intention as a government is to shortly present to this Assembly a strategy for clarifying and strengthening the links between political development, including devolution and land claims. It might be noted that this motion of Mr. Pudluk's calls on the native organizations, the Inuit organizations, to meet with Members of this Assembly representing Inuit communities. I think that this is a particularly important need currently, simply because of the fact that government business attracts us to Yellowknife, for example during this session, for some period of time. And yet unlike the Dene Nation and Metis Association, the offices of the major Inuit organizations are not in Yellowknife. So I understand why the government is recommending particularly that the consultation take place between Inuit organizations and those Members representing Inuit communities. Those are my comments.

MR. SPEAKER: To the motion. Mr. Gargan.

MR. GARGAN: Thank you, Mr. Speaker. I am a bit confused about the issues of the Eastern Arctic. There are Members here that support devolution. There are other aboriginal organizations in the East that are taking the position that no devolution should occur until land claims are settled. Here in the West it has been established for 20 years and it is very easy for aboriginal organizations to take control of programs that have been transferred to the GNWT. In the East it is a lot easier to take programs, such as health, as one area that could be controlled because the health programs have not been established to the extent that they cannot be devolved to aboriginal organizations. I do not know what the intent of the motion is. I have difficulty with it. I will not vote against it, but abstain from it.

MR. SPEAKER: To the motion. Mr. Arlooktoo.

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. I will be supporting the motion. I have a bit of a problem. In my constituency I am going to have to use my travelling money, for that reason I will be supporting the motion. There are different Inuit organizations, so I will be able to have a better understanding with them after meeting with them. I am supporting them only 50 per cent. Perhaps after we have a meeting with them I will support them 100 per cent, after a better understanding. Also we have to rectify and inform my constituents about Inuit organizations and also I am a leader in my constituency. For that reason I am going to have to get a better understanding of those organizations. For those reasons I am happy that he came up with this motion and if it is passed we will be able to have a meeting with them. I will support the motion. Thank you.

DEPUTY SPEAKER (Mr. Wah-Shee): To the motion. Mr. Appaqaq.

MR. APPAQAQ: (Translation) Thank you, Mr. Speaker. I just wanted to state that I will be supporting the motion. We have to come up with the agenda items. We have not clarified what we are going to deal with. It will just be a meeting to be able to understand each other, understand what devolution is all about and what their problems are with it. Those Inuit organizations and MLAs will be able to meet and explain and get a better understanding of devolution. When they informed me about the Inuit organizations being against devolution, I had a hard time understanding them. Also as MLAs, we have a very small bit of authority or power. Sometimes when Inuit people talk about this, sometimes when they have a little power they cannot do anything and that makes them unhappy. We have wanted devolution for a long time. For those reasons I want to support the motion, to be able to represent the Inuit people. Thank you.

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

MR. PUDLUK: Question please.

Motion 9-86(1), Carried

MR. DEPUTY SPEAKER: Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Motion 10-86(1), Territorial Home-Ownership Assistance Program. Ms Cournoyea.

Motion 10-86(1): Territorial Home-Ownership Assistance Program

MS COURNOYEA: Mr. Speaker:

WHEREAS the Government of the Northwest Territories, through the territorial Housing Corporation, has taken a positive step by providing residents of the NWT with the home-ownership assistance program;

AND WHEREAS this program has, to date, been proven effective in fostering the spirit of self-initiative amongst the participants of the program;

AND WHEREAS this program provides employment in communities where there is little opportunity to earn wages;

AND WHEREAS every year there is difficulty in ensuring funds are available for labour;

NOW THEREFORE, I move, seconded by the honourable Member for Tu Nedhe, Eliza Lawrence, that this Legislative Assembly recommend to the Executive Council that they urge the Canada Employment and Immigration Commission and the Department of Indian Affairs and Northern Development to place a high priority on allocating funds for a labour component to support the territorial home-ownership assistance program.

MR. DEPUTY SPEAKER: Mrs. Lawrence, do you wish to speak to the motion?

MRS. LAWRENCE: Thank you, Mr. Speaker. I have a short comment to make as seconder. I would like to emphasize the importance of obtaining funds for a home-ownership assistance program. When HAP units were given to individuals in a community, many individuals built their home with very little money and they were not properly completed. After a few years there is still work to be done and I feel that if we do not give assistance immediately they will require more funding in the future. I have been approached several times for funding for home-ownership assistance and, with limited employment at the community level, if we can obtain enough funding it would solve a lot of unemployment as well. Mahsi cho.

MR. DEPUTY SPEAKER: Thank you. To the motion. Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. First of all I would like to thank the mover and the seconder for this motion. It is very important and I appreciate the support I have been getting and the Housing Corporation has been getting from all Members on this very important subject. One of the biggest problems we are facing this year is that we are doubling the number of HAP units that will be going out into the communities. At the same time, the federal government is cutting back in some of its programs. That is making it very difficult now to get funding that is necessary both for training and skill development at the community level. You all have a copy of yesterday's proposal that I made to the federal government. I have received tremendous co-operation from my colleagues, Mr. Curley and Mr. Patterson. We are working closely together on this. But besides supporting this motion I ask all of you to go back to your communities, you can get the communities, the regional councils, anyone you can to write letters to the Department of Indian and Northern Affairs and to CEIC. Do it because we are having some problems. I tell you right now if we do not get the funding we could have one huge hassle this summer with this HAP program. So I am going to need all your support. So just get back and get as many letters and as much community support as you can. I welcome this motion and I thank you very much for the support.

MR. DEPUTY SPEAKER: To the motion.

SOME HON. MEMBERS: Question.

Motion 10-86(1), Carried

MR. DEPUTY SPEAKER: Question has been called. All in favour? Opposed, if any? The motion is carried.

---Carried

Motion 11-86(1), Aboriginal Land Claims. Ms Cournoyea.

Motion 11-86(1): Aboriginal Land Claims

MS COURNOYEA: Mr. Speaker:

WHEREAS the Northwest Territories Legislative Assembly has taken a general approach to support the meaningful settlement of aboriginal claims;

AND WHEREAS there is a need to have the claims be of substance in order to be meaningful and workable;

AND WHEREAS this general support to have settlements of substance negotiated appears to have been challenged publicly;

NOW THEREFORE, I move, seconded by the Member for Sahtu, John T'Seleie, that this Legislative Assembly give their full support to the Executive Council in their positive approach toward aboriginal groups in their difficult task in negotiations with the federal government.

---Applause

SOME HON. MEMBERS: Hear, hear!

MR. DEPUTY SPEAKER: Thank you. To the motion. Ms Cournoyea.

MS COURNOYEA: Mr. Speaker, I think it has been a number of years that we have been attempting to have the native and aboriginal groups of the NWT see this Legislative Assembly as being supportive of some of the issues that arise from trying to negotiate aboriginal claims with the federal government. Over the number of years that we have been here I believe that there has been a working relationship determined between these aboriginal groups and this territorial government. In recent statements I found when I was at home, there seems to be a question of whether we are sliding back to the 1960s or 1970s where there seemed to be a continual obsession of how the native groups should fit into the mainstream of this territorial government system within the Territories. I believe there has been a lot of work accomplished and support accomplished through this relationship between aboriginal groups and this territorial government over the years and I feel concerned that we may let it slip away. I would like to see that with the work that the Executive Council has been doing and continues to do, that we give them this support in this positive approach that they have toward the aboriginal groups. Thank you.

MR. DEPUTY SPEAKER: Thank you. To the motion. Mr. T'Seleie.

Public Fears Raised Unnecessarily

MR. T'SELEIE: Mr. Speaker, I do not have any prepared remarks but I would say that it is very important that this Assembly come out with a motion like this because, if we recall several years ago, this body here was one of the big obstacles, and I am talking about the 1970s when the territorial Council was not in favour of the whole area of land claims, aboriginal rights and certainly they never ever came out clearly in support of the settlement of native claims. This body had a real credibility problem in the NWT. As an aboriginal person, I would not like to go back to my constituency and have to face what could be a lot of criticism for being a part of a government body that is not really in favour of the meaningful settlement of land claims.

The other point that I want to make here is that I really see the way that Mr. MacQuarrie raised his concerns as not entirely an honourable way to raise them. I think public fears have been unnecessarily raised and I can say as an aboriginal person that it is not my interest to have more than my fair share of whatever is to be. Certainly I believe that as an aboriginal person I have certain rights in the NWT that need to be recognized and if these involve the kinds of agreements that the Executive Council has initialled, then that is what it has to take.

We heard Mr. Butters in his budget speech say that native people in the NWT were five times less likely to be employed on major development projects and I think that if each of us were to spend a lot of time gathering statistics, we would find that those kinds of statistics are not uncommon in the North.

Therefore, the majority of people in the Northwest Territories, who happen to be aboriginal people, look to this government to support those kinds of initiatives that would give aboriginal people a fighting chance. The aboriginal people have already had foreign types of governments, rules that they have to live by. Some of them do not really understand and it puts them immediately at a disadvantage. I think if you live in Yellowknife you are exposed to mainly those aboriginal people that can function fairly well in today's society because of education, etc. That is not the case overall and I really believe that the other people in the Northwest Territories need to have a more wide understanding of the North, that it is not all in Yellowknife. What you see here in Yellowknife, I would say, is not typical of what you would find if you were to travel widely in the Northwest Territories. I do not know if those people that spend all their time in Yellowknife know that. I am assuming that they are speaking from ignorance and maybe they could be excused if they are ignorant of some of those facts.

AN HON. MEMBER: (Inaudible comment)

MR. T'SELEIE: Well, then it appears that it is not coming from ignorance. In which case, then, I would really have to say that the reasons for raising public fears unnecessarily are really not responsible and they are not honourable. I think this Assembly has a duty to support the Executive Council in a very positive approach in having a meaningful settlement with aboriginal groups. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you. To the motion. Mr. Patterson.

GNWT Position Paper, Tabled Document 1-85(3)

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I hope I will not be seen as self-serving in speaking in positive terms about this motion endorsing the approach of the Executive Council in land claims negotiations. With that caveat I would like to make a few comments, Mr. Speaker.

I would like to note that I believe this government is still governed by the 1980 sessional paper on claims and constitutional development approved by that Assembly. It was well-recognized in that paper that the two broad issues are fundamentally and perceptually interrelated. I would just like to note some statements in that paper that I think we should remember in considering this motion.

Aboriginal rights are recognized and must be more precisely defined through negotiation between aboriginal groups and the federal government. The paper advocated the expeditious resolution of claims. It advocates the pursuit of a constructive dialogue between our government and aboriginal groups respecting claims and constitutional development.

Mr. Speaker, recently the Executive Council made a public statement on its position regarding claims to the federal task force reviewing claims policy. That document was tabled in this Assembly during October, 1985 and I would like to remind honourable Members of some of the matters recommended in our government's position. Claims should be viewed as a social compact. The new policy should be open rather than limiting. Chief negotiators should be entrusted with wide discretion in the conduct and content of negotiations. Settlements should affirm, not extinguish, rights and should be final only with respect to the rights with which they deal. Third party interests must be dealt with equitably but the existence of third party interests should not be seen as having displaced the aboriginal interest. Access to and over aboriginal lands by government and the public must be provided for in the settlements. There must be meaningful and influential aboriginal involvement in wildlife and land management, as well as planning decisions for crown lands.

The new policy should provide for a royalty interest for the aboriginal people in the resources of the claim area and such royalties should continue as long as the resource continues. Canada should be open to negotiating with respect to the offshore as well as with respect to land. The process and cost of implementation should be established in settlements and not left as a detail to be worked out later.

I would like to quote from our submission because I feel this is very important. "The Government of the Northwest Territories urges the federal government to adopt a new policy which acknowledges that the solution to aboriginal and non-aboriginal relations lies in creating an ongoing and vibrant relationship, not in a once and for all real estate deal."

Exploring New Ways To Address Aboriginal Interests

Mr. Speaker, while the Inuvialuit settlement largely contains elements of a comprehensive land claims agreement, it can be said that it is in large measure a land-and-cash or real estate deal. I believe that the two outstanding claims in the Northwest Territories will hopefully be the first of the truly comprehensive settlements. In particular, new ways of addressing the aboriginal interests in land, claimed on the basis of traditional use and occupancy, are being explored.

Mr. Speaker, this aboriginal interest does place a cloud over the title to the land in question. But in my view, to provide a small portion of titled land and cash compensation in return for giving up all the aboriginal interests in the balance of the lands and resources in the settlement area, is not the only way or indeed the best way...

AN HON. MEMBER: Hear, hear!

HON. DENNIS PATTERSON: ...to deal with this issue. Government wants certainty and the removal of that cloud over the title but this can be achieved just as well by identifying just exactly what that interest is in modern terms, through the process of negotiations. Industry wants certainty and to know the rules it must follow to enable it to secure licences and permits for exploration, development and production. So as long as they know the rules and regulations and these are neither onerous nor do they undermine the viability of their project proposals, I feel that this more progressive approach to settling the question of an aboriginal interest in lands will not be opposed. Providing title to some lands as well as a few million dollars to buy out the aboriginal interests in the balance of the claim area, is not acceptable to the aboriginal groups any more. A one-time contribution, even of hundreds of millions of dollars, may be a drop in the bucket when considered over the long term or when compared to what this country spends annually on defence. The hit-and-miss game of chance in selection of lands that may have a resource development potential, is too risky in this day and age.

Mr. Speaker, I believe that other alternatives need to be found and will be explored. The Dene/Metis, for example, are exploring a fractional property interest in the resources of their settlement area. The Inuit, on the other hand, have taken the route of negotiating their own benefits package from major developments in the settlement area. That has been discussed at length in the House for the last week or so and I am not going to say anything more on that subject today.

Responsibility Of GNWT To Represent All Interests

Mr. Speaker, I am concerned that there is a fear that this new approach to dealing with aboriginal interests in land and resources jeopardizes fundamental interests of democratic government. We are committed in our ongoing participation in these negotiations to ensure that the jurisdiction of public government is not unduly eroded. As well, I would reiterate that the GNWT responsibility is to represent the interest of non-claimant residents as well. This role, sometimes difficult, of representing all interests in negotiations is certainly most clearly our responsibility.

Mr. Speaker, there are crown lands subject to these settlement areas but there also is an aboriginal interest in those lands and that must not be forgotten. As I have said, a land and cash deal to buy out that interest is only one way to address the settlement of this issue, which has not always worked well in the past. Mr. Berger has issued a report on the Alaska experience which explores the dangers of that approach in great detail.

My Inuit constituents often tell me that the land in the NWT is aboriginal land, that their land has been seized by peaceful conquest by those who would exploit it, not always having been solicitous to the original owners and occupiers of the land. I see land claims as an attempt to compensate, to put aboriginal peoples in a situation of equality of opportunity with those who have appropriated their land and sometimes disrupted their way of life.

Preference Inevitably Given To Native People

Mr. Speaker, this approach to land claims negotiations, this broader approach that I have spoken about, will inevitably touch on the jurisdiction of governments. It will inevitably give some preferences to native people. A guaranteed seat on a wildlife management board, truly, if one were to examine it, does put native people in a privileged position and puts them in a position of inequality, as compared with non-native people. But Mr. Speaker, if native claims require that

there be no encroachments whatsoever on the jurisdiction of public government, if native people in future generations are to rely exclusively on the good will of elected governments which will inevitably be chosen by a majority of non-native people, then I think we should be concerned that their culture and language and special interest flowing from aboriginal title, may be jeopardized, since not every elected representative of a non-native community may be as enlightened or as tolerant or have the same love for equality as the honourable Member for Yellowknife Centre, if native claims negotiations must result in strict equality between native and non-native people, then there may be no point in negotiating at all.

Mr. Speaker, there are some people who say that native people are being killed with kindness, that they do not deserve special treatment. However, in my view, the aboriginal people are starting from a somewhat disadvantaged position, notwithstanding the good efforts of this government and the Government of Canada. The reality, as Mr. T'Seleie has said, is that there are serious disadvantages in the area of employment, education, social costs resulting from being thrust on the cutting edge of the cultural interface and the crisis of the abrupt change from old to new ways. Aboriginal languages are threatened.

Compensation For Expropriation Of Lands

Mr. Speaker, I see land claims as, in part, giving aboriginal people the tools to pursue equality as generous compensation for what many aboriginal people view, and I sympathize with them as the expropriation of their lands. If this is an assault on the cherished principles of democracy, if there is no room for this form of compensation because it is inequitable or because the non-native constituents might be treated inequitably in some manner, then I would say my principles of justice and fairness and compensation might override my adherence to some views of cherished principles of democracy.

Mr. Speaker, I have indicated in this House that there needs to be a clarification of the jurisdiction of public government as we approach the resolution of claims. I certainly am committed to taking that approach. I would like, in speaking to this motion, to also urge honourable Members to consider that the approaches now being explored and negotiated in claims are aimed at creating an ongoing and vibrant relationship between aboriginal and non-aboriginal people. We are not aiming at creating two classes of territorial residents. We already have two classes or a number of classes in the Northwest Territories. I hope that we can significantly eradicate those differences and those disadvantages through innovative comprehensive claims settlements aimed at justice for all. Thank you, Mr. Speaker.

---Applause

MR. DEPUTY SPEAKER: Thank you. To the motion. Mr. Richard.

MR. RICHARD: Thank you, Mr. Speaker. Mr. Speaker, the first thing that occurred to me when this motion was presented was that it was premature in that the honourable Minister of Aboriginal Rights and Constitutional Development has indicated to us in this Assembly as recently as this week that he will shortly be tabling a discussion paper on this whole matter of land claims negotiations, our government's role at those negotiations and the linkage between the land claims negotiations and devolution and constitutional development.

In any event, Mr. Speaker, I do wish to speak to the motion. Firstly, Mr. Speaker, I would like to make reference to the earlier remarks of the Member for Sahtu. I do come from Yellowknife. I do not believe that I am ignorant because I spend so much time here and although I do not travel to the communities in the North as much as I used to, Mr. Speaker, I will concede to my friend from Sahtu, Mr. Speaker, that if I spent as much time in Fort Good Hope as he spends in Yellowknife, I would probably be a better person for it.

---Laughter

AN HON. MEMBER: I'll drink to that.

Motion Supports Motherhood Issues

MR. RICHARD: Mr. Speaker, I have problems with the wording of this motion and have difficulty, therefore, supporting it. I had hoped that the mover and seconder would clarify why this motion comes at this time. It clearly says something about motherhood issues. If it is asking myself as

a Member of the Assembly to support the settlement of land claims, clearly I support the settlement of land claims. I support motherhood. Is the motion, Mr. Speaker, is it an attempt to be a motion of confidence in the Executive Council? My confidence in the Executive Council very recently, Mr. Speaker, has been shaken by their decision to authorize the initialling of TFN subagreement number 15. So regrettably, Mr. Speaker, it is an unfortunate time to ask me to vote a motion of confidence in the Executive Council.

On the other hand, I do commend the Executive Council for authorizing the Minister of Aboriginal Rights to send the letter of concern to Mr. Crombie and to Mr. Milortuk. So, Mr. Speaker, although I am in favour of motherhood, in favour of settlement of land claims including "settlements of substance", whatever that means, I do have difficulty with the wording. One of the whereas clauses states "and whereas this general support", and I am presuming, Mr. Speaker, that the "general" refers to the Legislative Assembly's general support, "whereas this general support to have settlements of substance negotiated appears to have been challenged publicly", I have to ask myself, Mr. Speaker, if that refers to Mr. MacQuarrie's recent speech. And I disagree that this Assembly's support of settlement of land claims has been challenged by Mr. MacQuarrie. If this motion, Mr. Speaker, is a response to Mr. MacQuarrie's speech then it is as unimpressive as the response we have heard in the media by the TFN negotiator to Mr. MacQuarrie's speech. I am told, Mr. Speaker, that after Mr. MacQuarrie's speech received some wide recognition in the media that members of the media approached the TFN senior negotiator and they said to Mr. Kadlun, "Mr. Kadlun, what is your reaction to the words of Mr. MacQuarrie?" And the members of the media all waited with bated breath, Mr. Speaker, for Mr. Kadlun's response. His response was, Mr. Speaker, "Where did Bob MacQuarrie learn those words?" That is the depth of the response to date, Mr. Speaker. I similarly have some difficulty -- if this motion is an attempt to respond to Mr. MacQuarrie's speech then I must frankly say I am disappointed because it attempts to ask the Assembly to agree with what, for lack of a better term, has become a motherhood issue, the legitimate claims of aboriginal groups. Mr. MacQuarrie, Mr. Speaker, in my view in his speech did not challenge this Assembly's support of settlement of land claims.

Mr. MacQuarrie stated to this Assembly his serious concern about the initialling of this particular subagreement, number 15. I have a similar concern. Other Members of this Assembly have a similar concern. As it turns out, Mr. Speaker, the Minister of Aboriginal Rights and his colleagues in the Executive Council have identical concerns as evidenced in the letters that the Minister wrote to Mr. Crombie and Mr. Milortuk on January 17th, long before Mr. MacQuarrie raised the matter in this House.

Motion Does Not Go Far Enough

The motion, Mr. Speaker, deals with only a portion of the role of the Executive Council in the area of land claims negotiations between the aboriginal groups and the Government of Canada. As Minister Patterson has said on a number of occasions in this Assembly and has just now stated, there is a role of the Executive Council at the aboriginal land claims negotiations table to represent the interests of non-claimant participants as well. It has been expressed in other terms on earlier occasions, to represent all of the peoples of the NWT. The motion of support to the Executive Council does not refer to all of its responsibilities and that is why I have a difficulty with it, Mr. Speaker. However, sir, I am not terribly upset by it. It is too nice a day outside to be upset by anything on this Friday morning.

MR. McCALLUM: I have not been outside yet.

MR. RICHARD: If I could put my position this way, Mr. Speaker, if one could imagine that Minister Patterson named to his observer team at the land claims negotiations the honourable Member for Nunakput, the honourable Member for Sahtu and myself, if one can imagine that, and we were sent down to the land claims negotiations in Ottawa or in Frobisher Bay or in Fort Good Hope, wherever, and just before we were to go into the room my colleagues for Nunakput and Sahtu said to me, "Now, let's all agree before we go into this room. Remember, now, we stand for motherhood", I would have to say, Mr. Speaker, "Just a moment, I stand for motherhood and apple pie." And that is my point, Mr. Speaker. This motion dealing with a very legitimate concern does not go far enough. It calls on the Assembly to support the Executive Council in part of their responsibilities and not all of them.

But as I say, Mr. Speaker, I cannot get too upset by the motion. I am not sure if it passes what the effect will be. I have a little bit of concern that perhaps Mr. Patterson and his colleagues are putting the finishing touches to this discussion paper which has been promised to us this

session. If this motion passes I am not sure if they are going to hold the presses. I hope not. I would like to see the discussion paper as soon as we can in this Assembly and I think we can have a more meaningful discussion about the role of the Executive Council and our government at the negotiations table after we see the discussion paper and we all have a chance to review it and state our opinions on it. Thank you, sir.

--Applause

MR. DEPUTY SPEAKER: Thank you. To the motion. Mr. McCallum.

MR. McCALLUM: Thank you, Mr. Speaker. I want I guess to take a few words because I apparently am part of the MacQuarrie team as well as indicated in here...

AN HON. MEMBER: No, no, Arnie.

MR. RICHARD: Left wing.

MR. McCALLUM: Left wing.

MR. T'SELEIE: Come on, Arnold.

Legislative Assembly Support For Land Claims Resolution

MR. McCALLUM: Where are we going, John? Speak to me. I have in the beginning as well some difficulty with the wording of the whereas clauses and most assuredly with the wording of the resolution clause. I have not been around this Assembly as long as some Members, Mr. Butters or Mr. Sibbeston or Mr. Stewart, who have been here longer than I. But I do not recall in the times I have been here that the Legislative Assembly has ever gone against the resolution of land claims. I think that every Assembly I have been involved with has taken the approach that they do support the resolution of land claims.

I would expect that you are going to get a land claim. Aboriginal people know what they want to have in it and therefore it would be meaningful as far as they are concerned. I do not have any difficulty with that either. I do not know where this support of the Assembly has been challenged publicly. I do not know where the Assembly has been challenged publicly. There have been questions asked of various Ministers and not just of the Minister of Aboriginal Rights, but other Ministers on particular specific aspects of the last two subagreements that were signed.

I have a concern with it and I do not apologize for my concern as I am sure other people do not apologize for their concerns or their approval of it. I represent an area that is not totally of my colour of skin. I come from a community that is pretty well split in half. I represent those people, all of them, and they have a concern about what the Executive Council has done in initialling and showing support of what was in the particular subagreement on the Inuit benefits. I have a concern, as I said, with the resolution clause that now this Assembly is supposed to give its full support to the Executive Council in their positive approach toward aboriginal claims, in which negotiations they are only off to the side because the government does not have a direct involvement in trying to settle the negotiations with the federal government. I have a difficulty with that and I may be quoting the wrong newspaper but there are people quoted in here. I find that it is not only the Iqaluit MLA but also the Aivilik MLA who expressed concern about the agreement as well. Now maybe they were misquoted by the person who wrote this but Mr. Curley, if I may be so bold as to suggest, does not favour having two rules regarding resource benefits, one for Inuit and one for non-Inuit.

Concerns Within The Executive Council

Again, Mr. Patterson, who is the Minister of Aboriginal Rights, has been concerned and he has written the federal Minister of Northern Affairs about the concerns raised by other Members. If in the Executive Council itself there are people that have concerns about these agreements and if they are not being chastised for those but only the three people who supposedly represent the non-native people that are raising this challenge publicly -- I find that very difficult to reconcile. If in fact the Executive Council cannot come together on it, why should you expect to get the full support of this Legislative Assembly to support the Executive Council? Maybe that is what is meant by it. Maybe we should be giving full support to the Executive Council who are not in agreement

about what is going on in these subagreements. If that is what it means, then I guess I could lend my support to that because I believe that not everybody in Executive Council agrees. But if it is to say that this particular resolution indicates that I have to get up and support them for what they are doing when I do not believe that what they are doing is right, then I refuse to do that. I believe that for the people I represent, I can do that representation and bring forth their concerns. It is very ironic that it is not just the whites who are kicking about it. There are other people, native and Dene, Inuit and Metis people who are complaining about what is in the particular agreements as well.

So, Mr. Speaker, before the time comes to vote, whether it is recorded or not, I would hope that the mover of the motion would indicate to me just what the resolution clause really means so that when it comes time to vote I will know which way to vote. If it is a vote to give support to an Executive Council that are not sure that what they have signed or initialled was right, then I can go along with that. But if it is to vote to give full support to the Executive Council to continually go on and initial subagreements that I have a concern about, then I will not vote for it. Thank you.

---Applause

MR. DEPUTY SPEAKER: To the motion. Mr. Pudluk.

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. I am pleased to see a motion put forward such as this. This has been dealt with for some time, the land claims. It seems that the territorial government has never fully supported this. The aboriginal people have made efforts to and I for one am an aboriginal person, and am proud of my land. I will live on this land and I will be buried on this land. For this reason, I am pleased about this and also the next generation are proud that they are aboriginals of the NWT. It is certain that all the aboriginal people are happy. For that reason I will support this motion. (Translation ends)

I will now talk in English. Yes, Mr. Speaker, again a couple of years back when I was replying to the Commissioner's Address I was mentioning about how I was treated when the non-natives moved into the North, how they treated aboriginal people when they moved into the North. I was going to ask is that fair treatment? I do not think so. I do not have to agree with the people who are sitting at the end of this table all the time. They might be messengers but they are not saviours.

We, the aboriginal people, have to fight the hard way to grow up like this. We are not going to throw that fight back to those who come to the North to live in it. I am in favour of the non-native people living in the North. They are also my friends, my relatives. I have some relatives, lots of them. But those aboriginal land claims settlements should be supported fully by this government. Thank you, Mr. Speaker.

---Applause

MR. DEPUTY SPEAKER: To the motion, Mr. Curley.

HON. TAGAK CURLEY: (Translation) Thank you, Mr. Speaker. I have asked my colleagues that this motion could be discussed. Firstly, I am a full-blooded Inuk. When we started the ITC, we established their goal. I am going to support this for the reason that when we started the ITC, in Labrador or anywhere land claims had to be put forward. When I was the president of ITC, in supporting the aboriginal people, the ITC was trying to implement ways to represent the Inuit people. Even if some of these people want to represent others, they cannot please the people all the time. It is very hard to do.

For these reasons I wanted to mention today, if they were to think what I am responsible right now for, even if they felt I was not doing a good job as a Minister, I would not have to fully support other people's opinions. Also I wanted to mention that these people sometimes think about the role of our department, some of these oil explorations or employment of labour forces, sometimes today, in trying to get land claims, some of these are problems that arise in the way. I think that this is going to be put to a halt before land claims are completed. These two are the major problems we have. We have to define what is going to be the first priority as a government in land claims, and also if we have to make this a first priority. Also in my department, we are going to have to define exactly what we are doing. I wanted to mention that in this motion. I am an Inuk person and if the next generation is going to be well-supported this matter has to be rectified. (Translation ends)

I am in support of the motion because I asked my Executive Council Members and they agreed that this was a free motion. In that respect I am speaking as an MLA as well as an Executive Member. I have no problem with any motion that asks for full support for the Executive Council in their approach toward aboriginal people and so on.

Positions Of Native Organization Important

I am an aboriginal person and I do not think there should be any mistake about it at all. I am one of the first persons that ever put forward, with the Inuit organization, that there should be an objective to settle native claims. I will not be undermined in any way, shape or form if there is an attempt to try and misunderstand my comments. I think they should be taken in the context that this is. You know, we live in a relatively free democracy, I believe. If we create controversy I do not think we should be afraid of it. But if it is understood that I am conflicting with the Executive Council's position or I do not have the confidence of my colleagues in the Legislature, I have always said that I would not want to be part of the Executive if I do not have the confidence of my colleagues or the Legislature. That is, the integrity of the Legislature to me is more important than my own personal integrity, as long as it is dealing with my role as an appointed Member of the Executive Council as far as the Legislature is concerned. Yes, I do have my own integrity to protect but I do not think the business of the House normally devolves into a matter of personal integrity. Therefore, I want to make it clear and I do not want to be misunderstood that I am opposed to certain actions in the negotiations of native organizations. I will say that we are at a particular point where we really have to prioritize our priorities. My Energy Ministry does conflict with some of the activities that are taking place. I do not think in many respects we can probably do them jointly because when we are dealing with the resource revenues for instance, we have been asked by our native organizations that we really should hold off. Therefore, I think we must adopt that position in the Legislature. I certainly think my colleagues have supported the fact that the positions of the native organizations are important. Mr. Crombie is well aware of the fact that we cannot proceed without consensus of the native organizations and that I think is his position. I am not going to override that because to do that would mean that I do not have the confidence of my colleagues of the Legislature.

Mr. Speaker, I have no problem with the motion but if I have any other problems in association with my role as an Executive Member then I certainly feel that I will be advised of them. Thank you.

MR. DEPUTY SPEAKER: To the motion. Mr. Angottitauruq.

United Front Will Maintain Momentum

MR. ANGOTTITAUURUQ: Thank you, Mr. Speaker. I guess each individual MLA in the House can say as they please as representatives of the people of the Northwest Territories. For a moment I thought I was going to oppose the motion but studying it closely I am going to support the motion. We all know that land claims and all kinds of negotiations toward that have been carrying on for a long time. Each of us Members, whenever we have the opportunity to make a reply, say what we please about all kinds of things to do with the land. I am pretty sure the good trust of the MLAs is not always there. I believe that if this motion should be carried that we would have a little moment of settlement in our minds of the direction in which other people are going. So I guess the negotiations have been carrying on for a long time. In the news we hear that people are getting tired. There are all kinds of news that we hear, like division is stalling. That is part of what I believe it is connected to. It is the same thing as the one we are talking about. There are all kinds of things that we hear. As Members of the Assembly, we are the leaders of the people, so therefore we have to be united if we want something done for the people of the NWT. For that reason I am going to support this motion in hope that we are all working together for one thing. We have the opportunity to vote against it, but if we are leaders of the NWT we have to find out now if we support each other because it has been a long time and our comments are making us not trust each other. That is how I understand this motion. I may be wrong, but that is how I believe it and for that reason I am going to vote in favour of the motion.

MR. DEPUTY SPEAKER: To the motion. Mr. Erklou.

MR. ERKLOO: (Translation) Thank you, Mr. Speaker. I am going to be supporting this motion because it deals with a lot of topics. I will be mentioning a few things for those reasons. There are a lot of reasons and I cannot mention anybody's name or what they said, but the Legislative Assembly and also the Executive Council on land claims have not seemed to be supporting, or some people say

they do not seem to support the land claims. There are two territories to be divided and they are different. Some people mentioned there is some confusion going on concerning these two territories. Also in the Inuit communities they have been mentioning self-government, not having white people. This is not what we are trying to get in our territory.

The other thing is the land claims on Nunavut. The reason is for the Inuit people, like myself, to be able to have the opportunity to have self-government or have Nunavut and be able to get support in whatever way possible. For those reasons the organizations are trying to have Nunavut and also the Dene people are trying to have their own territory. For those reasons I think the motion has to be supported. We are not trying to say that we separate from Canada. We are not trying to have the whole territory to ourselves, it is just that we want to have the opportunity to be able to say that we want Nunavut. I will not even understand those people who are not supporting this and that is the reason I want to support the motion.

MR. DEPUTY SPEAKER: Thank you. To the motion. Mr. Pudluk, point of order.

Motion To Extend Sitting Hours, Carried

MR. PUDLUK: Mr. Speaker, I move, seconded by the Member for Kitikmeot West, that we extend the sitting hours to conclude this matter.

MR. DEPUTY SPEAKER: Thank you. The motion is not debatable. All those in favour? Opposed, if any? The motion is carried.

---Carried

To Motion 11-86(1), Mr. Appaqaq.

MR. APPAQAQ: (Translation) Thank you, Mr. Speaker. I will make my statement brief. I want to support the motion. I also know that my ancestors used to live in the land I live in now, the Northwest Territories. They were born there and they died there. They did not even think about these marketable products and they lived off the land. They were just getting by from the wildlife they had around them. Also, today we are still in the traditional way of living and we are going to have to help the next generation also to understand and also keep them living the traditional way. We have to have some kinds of powers or self-governing bodies in our communities. I think this motion is just showing something that has to be kept in mind. We keep hearing different things about Nunavut claims. Our support has to be shown for this motion so we can show that we are in support of having land claims or Nunavut. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: To the motion. Mr. Pedersen.

HON. RED PEDERSEN: Thank you, Mr. Speaker. The question has been raised by a number of Members as to what the intent of this motion is. I feel that the debate on the motion has by now determined the intent of it and it seems to me that the issue in this motion is support of land claims. I would like to state very clearly that I find it regrettable that land claims, by some Members, are equalled with motherhood and apple pie.

AN HON. MEMBER: Hear, hear!

HON. RED PEDERSEN: Land claims are the primary concern and the biggest issue of the majority of the residents of the NWT. When some Members in this House refer to the public lands over which certain negotiations take place, my constituents do not refer to it as that, they refer to those lands as their private lands. The whole issue of land claims negotiations is often called into question by people in my constituency who feel and who wonder why they are negotiating with the government to get a small share of lands which they consider theirs, rather than the government negotiating with them to get a share of what legitimately belongs to the aboriginal people of the NWT.

The claim that these lands are public lands does not become any more valid just because some Members of this House keep repeating it over and over. As I said, I think the issue comes down to whether we merely say we support land claims and call it motherhood and apple pie or whether we truly do support land claims. If we do, then it becomes a matter of principle and if there are a

few small technical things we disagree with, surely we cannot let technicalities override the major principle of support for land claims. Mr. Speaker, I will not keep talking because most of it has been said already. But I am fully in support of the motion and will be voting for it. Thank you.

MR. DEPUTY SPEAKER: To the motion. Mr. MacQuarrie.

Settlements Of Substance Not Challenged Publicly

MR. MacQUARRIE: Thank you, Mr. Speaker. The motion in itself is very general and as many Members have noted, it is not clear precisely what the intent of the motion is. I do know that in one of the "whereases" it says that, this general support to have settlements of substance negotiated appears to have been challenged. I was a little surprised that the mover, who is often noted for direct speech, had not used direct speech in this case or in the resolution part of the motion itself, and therefore it is a little unclear as to what is intended. I have to say that if that "whereas" was intended for my benefit, because of the remarks that I had made in this House, that I reject that settlements of substance appear to have been challenged publicly.

It is well-known that the mover of this motion was a major participant in the advancement of the COPE settlement. I support that settlement entirely. There was one element that came into the House at one time which I could not support and it was to entrench a preference on contracts and I rejected that because that was an element that is very similar to what we see in the recent TFN subagreement. But with that element removed, I fully support that land claim. Is the mover of the motion saying that that claim which she promoted is not a claim of substance? It would be a shame to admit that to the people on whose behalf she negotiated or helped negotiate it. I believe it is a claim of substance and I support it.

The motion is calling on all of us to offer full support to the Executive Council in their positive approach toward aboriginal groups in their difficult task of negotiations with the federal government. Now if that were to be taken at face value, that our government in a general sense has supported aboriginal rights and the settlement of land claims in a more positive manner than other governments in Canada, I would have no problem whatsoever in endorsing the motion. Because in most ways I do approve of the approach our Executive Council has taken and I particularly approve of the letters which our Executive Council sent to Minister Crombie and to Donat Milortuk of TFN, expressing a concern on a principle that was involved in that land claims agreement. There seemed to be a contradiction in the two letters. The one to Mr. Milortuk says that it was clear that the Executive Council would not let a concern with the principle stand in the way of initialling the subagreement. If that was the position of the Executive Council, I fully support that and endorse that, that is, that qualification: Although as I said before, I believe our government, if it had that concern, should not have initialled the agreement. It is a contradiction. So if that is what the motion meant, I would have no problem supporting it and voting in favour of it.

If, on the other hand, it means and calls upon our government to yield to everything that is suggested by aboriginal negotiations at the land claims table, then I cannot support it because I believe that this Assembly and the Executive Council have an independent mandate from people to recognize the concerns of all people and address them in a thoughtful and responsible way.

I note with great interest and admiration, the courage of some of our MLAs from Nunavut, who did not simply yield because an aboriginal association was suggesting that a particular course of action had to be followed. Rather, like honourable and thoughtful men, they have appraised the situation and I do not say which of the two sides is right, but they have appraised the situation and felt that they had a difference of opinion with that aboriginal association. I commend that kind of course of action and I could only commend it to our own Executive Council as well. So I say that if this motion is a calling upon them merely to yield and roll over every time some suggestion is made on the part of aboriginal groups, I cannot support it. That would be irresponsible of them to do and I would hope that all Assembly Members here would not wish them to do that.

More particularly, and this is what it seems to be, based on the comments of a number of people who have spoken here, more particularly, if the motion means that this Assembly should endorse the principle that is the foundation of the TFN subagreement, then I say, absolutely not. I cannot support the motion because I do not support that principle.

Rights Conflicting With Democracy And Equity

I would like Members to understand -- somehow the appearance is given that you either support something or you do not support something. Throughout the whole history of mankind, decent people who have tried to make progress in the world, have not often been confronted between obvious rights and obvious wrongs. Rather they have been confronted with a thorny problem of seeing two rights and yet in some way the two rights contradict. So how does a decent person resolve that conflict? What I am saying is that I have no problem sincerely saying that I support a land claims effort and one that will be meaningful to aboriginal people and one that will have substance. I have no problem supporting that at all. But it happens that there is something that I support that is even more important to me. That is the foundation of a society that believes that there should be equity, that there should be democracy in society. If I see that there is any kind of an agreement that jeopardizes that, then I must say I have got to think seriously about this because that is what I support more than anything else. I deeply believe that in that particular subagreement there is that kind of danger and so I am faced with a problem of two rights. Yes, land claims are good but so is democracy and equity. To me it is the more important right and so if I see an intrusion into it, I must speak about it at the risk of being called many things because I believe, in speaking on behalf of it, that in the long run that will be better not just for me, but for all people including aboriginal people.

It is easy for some honourable Member to say that I am ignorant about the circumstances in the North. I say that is an unfair criticism because I am not. I have travelled thousands and thousands of miles and stayed hours and hours and talked to hundreds of people about their aspirations. I believe I am familiar with it but it is still the prerogative of an honourable Member to say that I am ignorant about it. But he cannot say that I am ignorant about the history of mankind and the fight, the dedication and the sacrifice of people down through the centuries to try to win a society where it was not status that gave you benefits. What was commonly owned was equally available to all. I am not ignorant about that in the least. I know the fight that occurred and I will not rest if I see that there are things that will put that kind of circumstance in jeopardy.

I do say most sincerely, not trying to buy cheap votes, that this agreement puts that kind of practice in jeopardy. Mr. Pedersen perhaps put his finger on the issue. I say that the Northwest Territories is a part of Canada. I say that the aboriginal people of the Northwest Territories are Canadians. Now, there may be some who challenge that. If so, I invite you to raise that issue in the public forum and let that battle be fought out on some other field. To me, there is no question about that. That is a given, and if we are to have justice we must try to secure justice from that point. Justice for all. It is a ringing phrase but the phrase dies away in the wind and what is really important is, he who said it, what does he do to show you that his words meant something? So we have to examine what is being done here and as to whether it is just and equitable or not.

Lands And Resources Commonly Owned

I say that it is not because I believe this is fully a part of Canada. Even the TFN agreement recognizes that these are crown lands. Then I say that there are lands and resources that are commonly owned. This agreement would have the effect of saying that within a political jurisdiction in Canada, a certain group of people would stand in a different relationship to those commonly owned resources than other groups of people. I not only say that it would be a constitutionally entrenched law, I say that is nothing else but discrimination if that were to occur.

I have said elsewhere, but I will say it again for this record, that there would be no difference if there were a white organization in the province of Manitoba that were able to arrange things so that there was a constitutional law that said that whenever public resources were to be developed in Manitoba, the resource developer would first have to negotiate with the white organization under constitutional law. And that afterwards the Government of Manitoba would try to negotiate for everybody else. If there were such a law that would be seen as racist, rightly, around the world. And yet I say that is precisely what is being recommended in the TFN agreement except it will be the Inuit who have that entrenched preference and everyone else will be without.

Entrenching Discrimination Forever

The question arises about affirmative action. Mr. Patterson indicates that this is merely a tool to pursue equality. I understand affirmative action and accept it. But I say that it always must have a specific objective and a limited time frame because if you, through constitutional entrenchment, confer additional benefit on someone, not only does it enable them to attain equality after a period of time but since it is perpetual it obviously creates the conditions where they become unequal, much better, more equal than everybody else. I acknowledge when Mr. T'Seleie says the unemployment rate is bad. I acknowledge when Mr. Pudluk says that he was not treated well by white people at one time. These may very well be the case. The shoe has been on one foot too long, but what is our objective? To take the shoe off that foot and put it on the other foot. I do not think so. I think our objective is to try to make sure that there are shoes on both feet. We do not want to get into the business of entrenching discrimination forever. I would ask Members to seriously consider that if this motion intends support for that agreement that you will be supporting in law, discrimination on behalf of a particular group of people in a public government jurisdiction in Canada. Would you equally support discrimination against those people in other public jurisdictions in Canada?

HON. DENNIS PATTERSON: Every law discriminates.

MR. MacQUARRIE: If you would not, then I suggest that you should not support this agreement. I will call for a recorded vote. It will be maintained in the records of this Assembly for a long time. I ask you to think if there are some concerns, if you feel the concerns I am expressing have some validity, at least abstain rather than have your name alongside those, such as the prime minister of South Africa, who would be proud of that kind...

---Laughter

...of an initiative. It is that serious and I ask you to think about it seriously. I understand that it would be very difficult for aboriginal Members to vote against something like this but hopefully at least you may be able to abstain and seek to find out more about what the real problem is in all of this. Thank you very much, Mr. Speaker.

---Applause

MR. DEPUTY SPEAKER: Thank you. I believe everybody wants to speak to this motion. Mr. Gargan.

MR. GARGAN: Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Mr. Gargan.

MR. GARGAN: Thank you, Mr. Speaker. I guess first of all I want to question the intent of the motion. The way I interpret the intention of the motion is to reaffirm the Executive of this Assembly's support as signatories to the land claims process. Also, I would like to say with regard to the land claims process both in the East and the West that in the West there have been three subagreements that have been signed. In the East, there have been 17 subagreements. I would also like to think that the type of agreements that are going to be signed in the West are going to be comparable with the East's, or with COPE's or even better. I also would like to say that in the West with Dene Nation we have been negotiating for the last 20 years on the land claims process. The reasons why it has taken so long and with very few subagreements is that we have been yielding to the non-native people for their concerns and aspirations. I think it is time that these people also yield to our concerns and aspirations. We as aboriginal groups of this Legislature -- as some Members say we are in a democratic society and the majority still rules -- the aboriginal people are the majority in this session.

Delay In Wildlife Subagreement

Also, Mr. Speaker, in the Eastern Arctic they do not have particular interest groups that would oppose certain portions of the subagreements that have been signed as is the case in the West. The subagreement that was signed just recently regarding wildlife was delayed at least three to six months because of groups such as the NWT Wildlife Federation that had some concern over this particular agreement. This has been the case in the West and it will still be the case for further negotiations. I would like to think that that would not be, but I believe it will be.

I guess as far as the history of the aboriginal people goes, the history, the land and the culture is something that I will not compromise. I think they should be guaranteed through the land claims process and supported by this Assembly. Some Members said that there are a lot of high unemployment rates and poor health among native people and I would like to think that if there is ever a settlement that these would improve substantially with a land claims settlement. For this reason, I would like to reaffirm my support to the Executive and I would be supporting this motion.

MR. DEPUTY SPEAKER: To the motion. Mr. Wray.

HON. GORDON WRAY: Thank you, Mr. Speaker. I was not intending to speak to this motion but when I heard the bombastic and scare tactic remarks made by the Member from Yellowknife Centre I was moved to stand up. As a non-native resident of Nunavut that the honourable Member seems to be wanting to defend the last few days, I would like to remind him and others who may be so inclined, that the non-native residents of Nunavut or the Eastern Arctic territory are quite capable of looking after themselves and looking after their own interests and we do not need a western politician telling us how to do it.

One of the reasons that we have been able to survive as a distinct group in the East is because we have been able to live with and work with the people who live over there and not take the types of positions that the non-native people in the West have taken historically, which has led to the splits and diversions of the people in this part of the country.

HON. DENNIS PATTERSON: Hear, hear!

HON. GORDON WRAY: Perhaps that is one of the reasons that we want to divide, Mr. Speaker, because we do not want to be associated with people like him and people who think like him because we are fed up with hearing -- and what bothers me in the whole process, and not just when we were talking about the Inuit impact and benefit agreement, but the time that has been wasted in this House in the last few mornings in question period about negotiating leases with native companies and how it is not right and not equal and fair. And the same thing with the benefit agreements, it is not right, there should be justice for all. What those people are saying, Mr. Speaker, is "Let's preserve the status quo." That is what they are really saying. And what does the status quo mean in the NWT? The status quo means high unemployment for native people, that the economic power of the NWT will rest in the hands of a few non-native people. That is what they are really saying to us.

Political Versus Economic Power

And when we challenge that concept and when we challenge the concept of native people sharing in economic benefits and sharing in the private sector, they do not like that. Sure, they will pay lip service to political power but let us not challenge the economic status quo because economic power, as we all know, is what really counts in this world today. And that is what the Member and other Members like him are challenging because for the first time, native people have realized that they can have all the political power in the world, but if they do not have jobs and wealth, then all the political power in the world is not going to do them any good whatsoever. So they are scared and they are running scared and people like the Member from Yellowknife Centre represent that view. I think sometimes they do not realize what they are saying but they are saying, I hear this, "Justice for all," and it says to me, where were they 15, 20, 25 years ago? Where are they today with the 60 and 70 per cent unemployment in the native communities? With the alcohol and suicide problems. It is not going down it is going up. Where is the justice for the native people in that kind of system?

Where is the justice for the native people in this system of government? They have not seen it yet, so why should they trust us to do it five years from now or 10 years from now? Has Con or Giant or Little Cornwallis Island or Nanisivik or the Norman Wells pipeline or Pine Point or Tungsten, have they ever provided economic benefits to the native people of the NWT? A few, but I come over here and I do not see too many wealthy native people running around Yellowknife. I do not see too many wealthy native people owning all these businesses that we see. No, what they are saying, Mr. Chairman is, we will pay lip service and we will make these great public speeches about how we are in favour of land claims and how we will recognize that you have special rights, but let us as the government or individual Ministers, actually put some meat into that statement, then it is a whole different story. Then it is "No, you cannot do that. It is not equal. It is not fair." And I say to people like him "If you do not think it is fair, then leave the NWT because we

do not need you here." Because if you want to maintain the status quo, if you want to see native people perpetually on the bottom end of the economic scale then we do not need you here. Maybe that is why those of us in the East can get along a lot better because we recognize and I am not scared as a non-native person to say, yes that company should have preference and yes that company should get special rights because I can look after myself. Native people one day too, will be able to look after themselves, but if we maintain the status quo they will never even be given the chance to get to an equal footing. I have no problems in supporting the motion on the floor, Mr. Chairman, and I have no problem in negotiating leases with native companies and I never will have problems. Thank you, Mr. Speaker.

---Applause

MR. DEPUTY SPEAKER: To the motion. Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. I think I will try to put my thoughts in maybe a little different way because...

HON. DENNIS PATTERSON: ...court jester.

HON. MICHAEL BALLANTYNE: ...when I saw the motion, I saw the potential for this acrimony and this sort of division here in the House, and I do not think that that is what we are aiming for. I think that emotions run high and I think that a lot of people here today spoke from their heart on what they believed. Most of what everybody said is right. We have had some major difficulties to come to grips with, as a Legislature, as a government and as people of the North.

I see this motion, on land claims, and I think that this government, this Assembly is on record strongly supporting land claims. Mr. T'Seleie has talked about those non-natives as if they are one group which is all the same, who do not understand. Some of us, at least, partially understand. Some of us have travelled in the North, some of us have travelled and lived in the North. Also, some of us have travelled the world. I have probably been to more countries in the world than most people here. Sometimes we in the North get things out of perspective, because we have opportunities here in the Northwest Territories that few people anywhere in the world have or will ever have. Once we recognize that, we must recognize that we have to work together to solve these problems.

Accusations Do Not Solve Problems

I think that the concerns raised by Mr. MacQuarrie are valid concerns. I think Mr. Wray's responses are valid responses. I think as an Executive Council we have been wrestling with this. How do you bring together all the streams? How do you somehow rationalize devolution, division, aboriginal self-government, land claims? How do you do that? There are so many groups now involved. I think, for an ordinary person in a community, it is becoming more and more confusing. We are trying, as an Executive Council, to put something together to bring in front of this House and have a full debate. I do not think differences are bad. I think that they are great. I think that there are real problems and we cannot solve them with accusations flying back and forth. There are some real differences, some real problems, some real conflicting principles. We have a responsibility here in this particular House of coming to grips with them.

I have seen this now, and in the last two years, that we have broken down time and time again into personality conflicts and to accusations back and forth. I think that the aboriginal groups are undertaking their very difficult mandate, to the best of their ability. I think that we are doing the same thing. I think that it is time that we all got together and started exactly explaining to each other what we are supposed to be doing, what they are supposed to be doing, how we can work together, how we cannot work together and I think that process is happening.

I disagree with Mr. Wray, that in the West there are all of these differences. The realities in the West now are that the Dene, the Metis, many people in the West and this government are coming very close to having a very fine working arrangement. I think that we have come a long way since 1975. I think that there are many non-natives, including Mr. MacQuarrie, including Mr. Richard, who have been on the record time and time again, supporting aboriginal rights, supporting the rights for native people to have equal opportunity for everybody in the Northwest Territories.

On some points, on some principles, there are disagreements. That is also their right. But 99 per cent of the time, I think that people in this room are all aiming for the same objectives. I think that we should remember that and we should keep it in perspective. I think what Mr. Pudluk said brought it home to me. What is happening here? What is happening among northerners? There are only 45,000 of us and if we cannot work out these differences, how the hell can the rest of the world work out anything? Surely 45,000 people can get together and work out a way to make this all happen and happen properly.

So, I see this sort of discussion, if the personalities are left out of it, is good. Let everybody put their concerns on the table and from that point, let us figure out how we can all work it. I, for one, as a Member of the Executive, am going to abstain from this motion. This motion is supporting the Executive. I feel it is somewhat like giving yourself a medal to support something that -- when we are getting the credit...

MR. MacQUARRIE: And it may not be deserving...

Proposed Paper To Bring Understanding

HON. MICHAEL BALLANTYNE: That is right. But I want to assure every Member here, that we as an Executive, I know our Leader, I know Mr. Patterson, I know all Members of the Executive, are really aware of the concerns and the problems. Time is moving so quickly, things are happening so fast for all of us and it is very difficult for all of us and I think all those concerns are being considered right now. Hopefully we can put the paper in front of you in the next two weeks that will be the beginning of some understanding among all of us of how we can work together to achieve the ends, I think, which are common to us all. So I will be abstaining from the motion but I look very positively at the future, not negatively. Thank you.

MR. DEPUTY SPEAKER: To the motion. Mr. Paniloo.

MR. PANILOO: (Translation) Thank you, Mr. Speaker. I am going to speak my opinion on the motion. I was brought up in Appak camp in my constituency and I always have thought this land belonged to us and I make money off the land. I am able to help my fellow people. I can teach igloo-making, hunting skills, observing weather concerning how to survive. My opinion is I think the land belongs to us and when I participated in organizations like ITC and as an MLA -- we have to start getting an economic basis from our land and at present as an MLA I see a lot of the aboriginal Members needing the support. Dene and Inuit have different needs and support. Yes, I believe that the white people in the North are working -- I cannot criticize Inuit and white persons. My father is a white person and my mother is an Inuk woman. I believe all the aboriginal people in the North will have to be aware of their rights. Observing all the agreements on land claims, as a leader in Inuit society my opinion does not change too often. I would like to help the Inuit and that is the only reason why I ran as an MLA. If I am not re-elected then I will go back to hunting because I enjoy being out on the land. For these reasons I will support the motion that was put forward. If I were not to support it I would be neglecting the aboriginal rights. I have many comments to make but they were already brought up. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you. To the motion. Ms Cournoy, would you like to conclude the debate?

MS COURNOYEA: Mr. Speaker, I do not know if there are any other words left in the vocabulary. I think they have all been used up.

I had about three or four pages of questions that refer to the motion but I will not attempt to answer them, mainly because the motion that is on the floor really was a motion to assure the Executive Council that the way that they are progressively dealing with the aboriginal groups should be supported in this House. This motion also takes mainly into consideration my knowledge of the aboriginal groups who are attempting to negotiate claims with the federal government and all the other interests taken into consideration at that negotiation table. The people who are negotiating those claims have been going at it for a long time. The people they represent are wondering why it takes so long to resolve the issue of claims and why the negotiations continue to go on and on.

I would like to say, Mr. Speaker, that when the motion was brought forth I do not know whether it really referred to whatever Mr. MacQuarrie said at some time that I was not here. Over the last while people have begun to fear that if the claims mean anything, if they have anything in them, there will be an objection toward the settlement of those claims. There is a fear and maybe statements made by Mr. MacQuarrie, whatever they may be, might contribute to the fear and foster the fear.

The claims process is a difficult process. Many people, who have very little past experience in dealing at this kind of negotiating level with the federal government, with hundreds of people sitting around the room looking after the interests of everybody, find it difficult. At this time, and because I know that at some future date this government will bring forth a document, I believe that people may not continue to have confidence if we do not again say that the kind of relationship that has been building up between the Executive Council and the claimant groups, is good. As a matter of good faith we endorse that type of interreaction between those groups and the Executive Council, which we put into the position to do a job while the rest of us ordinary MLAs are doing other things.

Native Organizations Need Support

In the matter of documents, I am not apprized of documents that have been referred to and that are on the table. I do not know what they say and I suppose it would probably take a lot of effort and time on my part to understand the wording exactly because these things I notice often have two or three words that we can question. I do support the Executive Council in the kind of approach they are taking and I believe at this time the native organizations need that. They need to be assured in this relationship that the Legislative Assembly is behind and supporting them, trying to resolve a situation that has been with us too many years.

So, Mr. Speaker, I could go on and on about all the questions that are put on the floor. But I would like to say one thing, that any claim or any document or agreement will never always satisfy everybody and that at some point in time certain people have to make decisions about what is going to proceed and what is going to be stalled. I hope that this motion will be taken in the light that this Legislative Assembly is putting forward their support of good faith toward the native organizations in their hard task and that we do say and believe that this government has to be behind that process. Thank you.

---Applause

MR. MacQUARRIE: Recorded vote.

MR. DEPUTY SPEAKER: Before I call the vote on this very important motion, the House would like to recognize the high school students from Montreal. I understand they are on their way to Gjoa Haven for a 10 day exchange visit.

---Applause

A recorded vote has been requested. So now I would like to call the vote. All those in favour, please stand.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Erkloo, Mr. Pudluk, Mr. Paniloo, Mr. Appaqaq, Mr. Arlooktoo, Mr. Gargan, Mr. T'Seleie, Mrs. Lawrence, Mr. Wray, Mr. Patterson, Mr. Curley, Mr. Sibbeston, Mr. Pedersen, Mr. Angottitauruq, Ms Cournoyea.

MR. DEPUTY SPEAKER: All those opposed.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. MacQuarrie.

MR. DEPUTY SPEAKER: Abstentions.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. McCallum, Mr. Richard, Mr. Ballantyne, Mr. Butters, Mr. McLaughlin.

MR. DEPUTY SPEAKER: The result of the vote is 15 in favour of the motion, one opposed and five abstentions. The motion is carried.

---Carried

I will now recognize the clock and ask for the orders of the day.

CLERK OF THE HOUSE (Mr. Hamilton): Announcements, Mr. Speaker. Members are reminded that the bus for the L.A. Angels' trip to Rae-Edzo will depart at 2:30 from the front door of the building.

ITEM 17: ORDERS OF THE DAY

Orders of the day for Monday, March 3rd, at 1:00 p.m.

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. Notices of Motion for First Reading of Bills
12. Motions: Motions 12-86(1), 13-86(1), 14-86(1)
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), 2-86(1), 3-86(1), 4-86(1), 5-86(1), 7-86(1), 8-86(1), 9-86(1), 10-86(1)
16. Report of Committee of the Whole
17. Orders of the Day

MR. DEPUTY SPEAKER: Thank you. This House stands adjourned until Monday, March 3rd, at 1:00 p.m.

---ADJOURNMENT

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