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YELLOWKNIFE, NORTHWEST TERRITORIES

TUESDAY, JUNE 24, 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. Nerysoo, Mr. Paniloo, Hon. Red Pedersen, Mr. Pudluk, Mr. Richard, Hon. Don Stewart, Mr. T'Seleie

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Don Stewart): Orders of the day for Tuesday, June 24th.

Item 2, Members' replies. There do not appear to be any Members' replies for today. Item 3, Ministers' statements. Mr. Curley.

ITEM 3: MINISTERS' STATEMENTS

Minister's Statement 51-86(1): Transfer Of NCPC

HON. TAGAK CURLEY: Thank you, Mr. Speaker. I would like to make a brief statement on the negotiations that are presently going on with respect to NCPC. But before I do so I would just like to take an opportunity to thank you, Mr. Speaker, for travelling with the Members of the Assembly and their families in visiting the Expo site. We received a very nice reception from the staff and I think it should be noted that it certainly improved the morale, and the comment that we received from the young ambassadors of the NWT was at a very appropriate time.

---Applause

Mr. Speaker, I wish to provide the Members with an update on our work toward the transfer of NCPC to this government. With respect to the design of the new corporation, in my statement to the House on February 18, 1986, I described two alternatives we were considering for the operating structure of our energy corporation: one, a fully integrated company that would look and act like NCPC does now, or two, a government agency that would own all the generating assets but would operate these under a contract to an existing private utility company.

We are looking at this second option because the involvement of an existing larger utility in the operations would give us the best of both worlds. Consumers would benefit from the operational efficiency and greater resources of a large private utility and, at the same time, from the low profit margins and control of a government agency.

The Executive Council has decided to proceed for the time being with the contract option. We have, therefore, commenced discussions with Northland Utilities (NWT) Limited and its parent, Alberta Power Limited, with a view to concluding an agreement for their operation of our electrical system once transfer has taken place. Northland is now preparing a plan for our review for the orderly transition of NCPC operations to the NWT.

Mr. Speaker, I would like to provide assurances to NCPC's current personnel. As I said last February, no one employed by NCPC here in the NWT is going to be forced out of a job. The people who are running NCPC are needed now and will continue to be needed in the future. We are not proposing any arrangement that would see these northern jobs contracted out and performed by southerners. Furthermore, we are pursuing the principle that those employees working in NCPC's Edmonton head office who wish to move north, be given priority for jobs for which they are qualified in the head offices of the new northern utility organizations.

A personnel plan will be developed in the coming weeks. My officials will be working closely with all parties, including NCPC employee representatives, to resolve questions relating to pay, benefits, and other personnel matters.

Turning now to the determination of the financial arrangements, the basis of our bargaining position has been discussed with the federal government and we are close to completing the details of our financial position. I do not wish to be specific at this time on the price range we believe is reasonable. However, I can describe some of the issues we are taking into account.

Unexpected and sudden events such as mine closures or low water conditions in hydro zones can cause sharp increases in power rates. We would have to have the ability to insulate ratepayers from this and similar disruptions. The federal government currently provides a subsidy payment to diesel zone home-owners and small businesses. We must negotiate a financial package which will provide us with sufficient cash flow to meet this program responsibility on an ongoing basis. We are reviewing the plant and equipment requirements of the NWT utility system carefully so that future capital costs do not result in a burden to ratepayers. Lastly, we are seeking the latitude to allow us to rationalize rates according to the method recommended by the National Energy Board. This would require an increase in the amount of diesel zone subsidization.

I would like to summarize by saying that the purchase of NCPC brings with it responsibility for the operation of a utility and for subsidization, rate stabilization, and regulation. In order to fund this list of responsibilities, the GNWT will be relying on the income it obtains from its ownership in utility plant and equipment. Once the NCPC transfer is completed and we have gained experience and confidence in our ability to operate the utility successfully, I would like to explore ways of involving native and northern business interests in the utility industry. Proposals would have to be assessed in terms of the impact on ratepayers and on our ability to fund, on an ongoing basis, the social responsibilities inherited with NCPC.

MR. SPEAKER: Thank you, Mr. Minister. Item 3, Ministers' statements. Mr. McLaughlin.

Minister's Statement 52-86(1): Revised Teacher Education Program

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. I have a statement to make on behalf of my colleague, the Minister of Education, concerning the revised teacher education program.

Mr. Speaker, I would like to take this opportunity to announce that the teacher education program for the Western Arctic was evaluated in January, 1985. Major changes were recommended to make this program field-based, as it is in the Eastern Arctic, and more effective in training bilingual teachers. Both the special committee on education and the task force on language have pointed out that it is crucial that NWT schools are staffed with skilled, professional teachers who understand native languages and culture. A revised teacher education program designed to achieve this goal is scheduled to be phased in in the Western Arctic beginning September 1, 1986.

The program will now emphasize language training to be delivered at Fort Franklin, Fort Simpson and Fort Smith. These centres will function as centres for teaching and learning which will not only develop native language curriculum, but will also provide training for student teachers. Ideally, centres will eventually be established for each language group in the Western Arctic. Where possible, the staff of the existing teacher education program will be transferred to the centres for teaching and learning. The revised program will be delivered using current resources and an additional sum of approximately \$350,000 which will be provided through the aboriginal language enhancement fund.

Preference will be given to student teacher candidates who are fluent in a native language, have basic communication skills in English, have a record of successful work as classroom assistants and previous successful education or training, have the endorsement of their local education authority

and who are committed to a career in teaching. The revised program will take three years to complete and will include a combination of practical experience in schools under a supervising teacher, and course work delivered through the field-based centres or the Arctic College at Fort Smith. Field experience will be an important aspect of the program with students spending approximately 22 weeks each year in the schools. Student teachers from the surrounding communities will go to these centres several times each year for course work.

Upon successful completion of course work and field experience the students will receive an NWT teaching certificate. Negotiations are now under way with the University of Saskatchewan to grant credit for these courses toward a Bachelor of Education degree.

The revised teacher education program in the Western Arctic will increase student teachers' knowledge and understanding of their own history and culture and increase the cultural content of the school programs. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. Item 3, Ministers' statements. Ministers' statements. That appears to conclude Ministers' statements for today. Item 4, oral questions. Mr. Richard.

ITEM 4: ORAL QUESTIONS

Question 316-86(1): Negotiations With Northland Utilities

MR. RICHARD: Mr. Speaker, my question is for the Minister of Economic Development. It concerns the statement the Minister made this afternoon on the NCPC transfer issue. The Minister made reference to discussions having already been commenced with Northland Utilities for an operating agreement, assuming everything goes well and the NWT energy corporation does take over the responsibility. I am concerned, Mr. Speaker, how far along the negotiation of an operating agreement with Northland Utilities is proceeding, and particularly whether or not it is going to preclude other operating agreements being entered into, regionally or in different parts of the NWT. Can the Minister indicate whether a letter of intent, or even a tentative agreement is going to be held in abeyance until such time as the negotiations with the federal government are concluded, so that the energy corporation can contemplate one or more other operating agreements, regionally as well? Thank you.

MR. SPEAKER: Mr. Minister.

Return To Question 316-86(1): Negotiations With Northland Utilities

HON. TAGAK CURLEY: Thank you, Mr. Speaker. I would like to assure the Member that his concern is obviously the concern of the Executive Council as well; that we not move too far ahead in signing a permanent agreement. The Executive Council and I have agreed that what is required now is that the transitional plan be developed by the operator. So we have entered into an agreement with them for them to develop for us a transitional phase in the event that the agreement is reached between all three parties -- Yukon, federal government and the NWT. We are going to require the work plan as to how the transition would eventually be concluded with the operating contractor. Therefore we needed their advice as to what was going to be required from their perspective, moving the headquarters personnel as well as their other requirements. So in that regard that is the only section we have concluded with Northland Utilities. Anything beyond that is subject to review of the Executive Council and we would be again, then, either putting forward additional work plans or what have you. So in that respect, Mr. Speaker, we are not committing ourselves to a long term and the Executive Council is very firm in that, that a work plan to be worked out by Northland be not extended beyond what we are presently doing. Thank you.

MR. SPEAKER: Supplementary, Mr. Richard.

Supplementary To Question 316-86(1): Negotiations With Northland Utilities

MR. RICHARD: Mr. Speaker, if I could ask the Minister for further clarification. I take it from the Minister's response, sir, that Northland Utilities has not been chosen as the operator but rather has been chosen to devise a work or transition plan. I would ask the Minister to confirm that I am correct in that reading of his response. And secondly, what is the time frame commitment to Northland Utilities in that contractual obligation? How long does that contractual obligation extend? Thank you.

MR. SPEAKER: Mr. Minister.

Further Return To Question 316-86(1): Negotiations With Northland Utilities

HON. TAGAK CURLEY: Thank you, Mr. Speaker. I did indicate earlier as well as sometime in February that we had entered into serious discussion with Northland Utilities and the Executive Council did agree that that was the route to take. We consulted with a number of other utility companies throughout Canada and not one of them was prepared to entertain the idea of being the operating contractor to run the utility system in the Northwest Territories in the event that the federal government did transfer the assets to the Northwest Territories energy corporation. As a result of that we are left with a limited choice and we have concluded that Northland would likely be the utility operating contractor and therefore, on that basis, the Executive Council and I have been asking them to develop transitional plans so that these figures can be incorporated into the overall financial proposal that we are presently putting forward to the federal government.

Mr. Speaker, as for the time frame, presently subject to the review of the Executive Council, once the plan has been developed and brought before us, the Executive Council has given me instructions that any deal that we are presently planning not extend beyond three years. Again, assuming that the negotiations are successful, any agreement would be limited to a two or three year range.

MR. SPEAKER: Supplementary, Mr. Richard.

Supplementary To Question 316-86(1): Negotiations With Northland Utilities

MR. RICHARD: Again, Mr. Speaker, at the risk of repeating my first supplementary, the Minister just now responded that the Executive Council is satisfied, having surveyed the candidates nationally, that Northland Utilities will likely be the operator. I would ask the Minister to be clear in indicating whether or not the government has committed contractually to Northland Utilities that they will be the operator following the takeover. Is there a contractual commitment to Northland Utilities to be the operator or not? Thank you.

MR. SPEAKER: Mr. Minister.

Further Return To Question 316-86(1): Negotiations With Northland Utilities

HON. TAGAK CURLEY: Thank you, Mr. Speaker. We have signed a letter of intent to consider them as operating contractor. Therefore, as a result of that commitment, we have asked them to put forward their work plans for a transitional period and that pretty much in my view translates to a permanent operating contractor for the time specified by the Executive Council once subject to, and that is the word we use at all times, subject to a successful negotiation and the Executive Council being satisfied with the financial arrangement that we have dealing with NCPCC. So, anything that we are doing has not committed us beyond what we are presently carrying out, what we presently have been given a mandate to do by the Legislative Assembly as well as in terms of financial resources. So, all I can say is we are going step by step and I cannot speak beyond six months at the moment but a letter of intent has been put forward by my signatory along with the conditions of the Executive Council. Thank you.

MR. SPEAKER: Final supplementary, Mr. Richard.

Supplementary To Question 316-86(1): Negotiations With Northland Utilities

MR. RICHARD: Thank you, Mr. Speaker, and thank you, Mr. Minister, for that clarification. Is the Minister prepared to table the letter of intent?

MR. SPEAKER: Mr. Minister.

Further Return To Question 316-86(1): Negotiations With Northland Utilities

HON. TAGAK CURLEY: Mr. Speaker, I am not at liberty to release that document until I have consulted the Executive Council. That letter of intent is an agreement between the two parties and unless we have a clear signal from the federal government that negotiations might reach a successful conclusion, I will not at the moment be prepared to release the agreement or contract because we do have other consultants dealing with financial studies as well as work being carried out to assess all the assets of the present utility operator in the NWT. But I did assure the standing committee last week that I would be prepared to table the full report in the fall session for their consideration. Thank you.

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

Question 317-86(1): Basis For Decision To Arrange Contract With Operator.

MR. MacQUARRIE: Thank you, Mr. Speaker. This question is for the Minister of Economic Development on the same matter. The letter of intent that the Minister refers to indicates to me that perhaps things have gone a little further in that direction than I had realized, so can I ask the Minister, at what point, but more importantly, on what basis was the decision made that the best method to pursue the transfer was to place the NWT energy corporation in the hands of an operator with whom the GNWT would arrange a contract?

MR. SPEAKER: Mr. Minister.

Return To Question 317-86(1): Basis For Decision To Arrange Contract With Operator.

HON. TAGAK CURLEY: Mr. Speaker, I think I should give a preamble to my answer. The GNWT is not proposing to give the complete control of a utility to a contract operator. Assuming that the negotiation is successful with the federal government, there shall be an established NWT energy corporation. The government would then establish a board of directors along with the executive of that corporation who would actually manage the whole corporation. But they would then in turn likely have a permanent relationship or operating relationship with the contract operator who would be maintaining the utility throughout the NWT. But the governing body of the NWT power corporation would be run by the NWT energy corporation along with their chief executive officer and the board of directors which we will be dealing with through the bill in the House. Thank you.

MR. SPEAKER: Oral questions. Supplementary, Mr. MacQuarrie.

Supplementary To Question 317-86(1): Basis For Decision To Arrange Contract With Operator.

MR. MacQUARRIE: I feel that that did not really answer my question. Mr. Speaker, I know that the alternative of an operator's contract has always been considered. Another alternative, of course, could be that the NWT energy corporation owned, managed, and operated the entire utility itself. I thought there was still some flexibility as to the alternatives but it appears with this letter of intent that the decision is made that it will be an operator contract. I am asking the Minister, when and on what basis was that decision made that that is the best method to pursue?

MR. SPEAKER: Mr. Minister.

Further Return To Question 317-86(1): Basis For Decision To Arrange Contract With Operator.

HON. TAGAK CURLEY: Mr. Speaker, I was prepared to table all the documents related to that decision but what we do not have before us presently is the cost analysis of these proposals, the various options. We have always indicated that we have two major options: one was a fully integrated company, an NCPC look-alike energy corporation up here; the other was to contract the operations to a private utility. The cost for proposal was sent out to various operators including NCPC. NCPC has presently over 100 persons in their head office. If the agreement would have been, or the decision would have been to just transfer all these persons, the cost of transferring and operating personnel was a major factor in the Executive Council arriving at that decision. So it was based on cost and at the moment I am not prepared to release a document but in the fall, once a number of decisions have been made further, as well as the issue of the headquarters, then we would be able to table these documents so they can be compared with the other options that we have indicated.

MR. SPEAKER: Thank you, Mr. Minister. Supplementary, Mr. MacQuarrie.

Supplementary To Question 317-86(1): Basis For Decision To Arrange Contract With Operator.

MR. MacQUARRIE: If there was only one company that indicated interest in doing this, is the Minister not concerned that perhaps we would not be getting the best deal from this company since there is not anything to compare it to?

MR. SPEAKER: Mr. Minister.

Further Return To Question 317-86(1): Basis For Decision To Arrange Contract With Operator

HON. TAGAK CURLEY: Mr. Speaker, I think the Member would be satisfied if he had some of the information which we have. Mr. Speaker, we have analysed a number of proposals. One is that the present operator definitely has experience as well as the corporate relationship with the major utility operators throughout the country as well as direct financial resources to their parent corporation, which is Alberta Power. NUL presently is a subsidiary of Alberta Power. As a result of that, they have a number of assets in the Northwest Territories at the moment which they do operate.

Mr. Speaker, I would like to satisfy the Member but I do not think I will be able to do that through the question period but I would be prepared to write a written report to each one of them later on with some of the points that we have been dealing with. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Oral questions. Supplementary, Mr. MacQuarrie. This is your final supplementary.

Supplementary To Question 317-86(1): Basis For Decision To Arrange Contract With Operator

MR. MacQUARRIE: Okay, on a slightly different aspect of the same topic. From what the Minister has said, I understand that on-site workers for NCPC are virtually assured they will be provided employment under the NWT energy corporation, but I get the impression that that same undertaking is not available to headquarters staff of NCPC. Is that correct, Mr. Minister?

MR. SPEAKER: Mr. Minister.

Further Return To Question 317-86(1): Basis For Decision To Arrange Contract With Operator

HON. TAGAK CURLEY: Mr. Speaker, the NWT government as well as the Yukon has always taken the position that there is likely a possibility not all the personnel in the present headquarters in Edmonton will be required as a result of the transfer taking place. We have assured the company, along with the federal government's assurance through MOU, memorandum of understanding, that NCPC personnel will be treated fairly. And I am sure that Mr. Crombie will ensure that their job securities are protected whether they are transferred or not. What we are saying is, with the operating contract arrangement, there will likely be a significant reduction of the personnel requirement, mainly due to the fact that the operating contract presently possibly has a number of positions that they would not want to duplicate when NCPC personnel transfer to the NWT. Thank you.

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

Question 318-86(1): Pay Raise For Staff At Expo '86

MR. ERKLOO: (Translation) Thank you, Mr. Speaker. This is a question to the Minister of Economic Development, Mr. Curley. We have just returned from Expo. Many Dene and Inuit quit their jobs because they are not making enough money. It is obvious they do not wish to lose too much money on Expo '86. Expo '86 is very important in the recognition of the NWT. May I ask if you can research further into giving more pay to the Inuit and Dene staff at Expo '86?

MR. SPEAKER: Mr. Minister.

Return To Question 318-86(1): Pay Raise For Staff At Expo '86

HON. TAGAK CURLEY: (Translation) Thank you, Mr. Speaker. I am already aware of that problem. Even us legislators are not making enough money and the people working at Expo '86 are not making enough money as well. If we try to raise their pay, all of them will want to have a raise in pay and there is not enough money here in the Legislative Assembly. The workers at Expo '86 are the same as all the rest in the NWT. Some of the people at Expo are making more money than people in the NWT. I think it would be very hard to give them a raise in pay. If a person is working very well, they can get more pay. We are starting to work on that aspect. If we raise everybody's pay, even the ones that are not working as much, that would raise some problems with the staff at Expo. I just want you to understand that aspect. That is a very difficult situation over there.

MR. SPEAKER: Thank you, Mr. Minister. Supplementary, Mr. Erkloo.

Supplementary To Question 318-86(1): Pay Raise For Staff At Expo '86

MR. ERKLOO: (Translation) Thank you, Mr. Speaker. In regard to that question, you have answered me well. From the Executive Council I would like you to review this part. I know you have a lot of work to do but I would like to stress this aspect. In the NWT there are a lot of people being paid by welfare and they are being paid by the government. As well the sealskins are very cheap and that is why they are on welfare. Because of Expo we in the NWT can be recognized by a lot of people not just by Canadians but by the rest of the world. I think we should work harder on that part, even if the government loses money in different aspects of Expo. It can always be paid for by other means. Thank you.

MR. SPEAKER: Thank you for the speech, Mr. Erkloo. If you found a question, Mr. Curley...

Further Return To Question 318-86(1): Pay Raise For Staff At Expo '86

HON. TAGAK CURLEY: Supplementary to my response...

---Laughter

I think it should be noted here, Mr. Speaker, that as for level of pay for our personnel, I think we should take into consideration that we do provide a subsidy for accommodation, including meals as well. So with our government support, as well as the pay, I think we are doing very well. Expo '86, as Mr. Erkloo says, is a very important, significant contribution given by the young members of our staff. I think it is also important that we are giving them that opportunity, so that in future they will have a greater experience and exposure wherever they will be leading their lives. So I think as far as pay levels are concerned, we know that we are paying next to minimum levels, but I think we are doing very well. And the fact is that there are thousands of other young people in the NWT who would like to be given an opportunity to work there, even in some cases in a voluntary role.

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

Question 319-86(1): Penitentiary Parole Decisions Made In Saskatchewan

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. My question is to the Minister of Social Services regarding the people staying at the correctional centres. When the judge decided how many years and months that person is going to be staying there -- when they go on parole they have to send a letter to Saskatchewan and the decision is made in Saskatchewan. Why is this decision made so far away from the North?

MR. SPEAKER: Mr. Minister.

Return To Question 319-86(1): Penitentiary Parole Decisions Made In Saskatchewan

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. I would like to thank the Member for indicating to me that he had a problem in this area so I could look into it. The Solicitor General's office for this region operates out of Regina and therefore that is where parole for federal prisoners is administered. That is the place right now where any inquiries have to go to for prisoners who are federal and are being held in penitentiaries. So any kind of request for parole or transfer of prisoners to a federal penitentiary closer to home, for example, are initiated in that office before they are dealt with in any of the institutions in western Canada. Thank you, Mr. Speaker.

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

Question 320-86(1): Rate Increases After Transfer Of NCPC

MR. GARGAN: Thank you, Mr. Speaker. I would like to direct my question to the Minister of Economic Development concerning NCPC and Northland Utilities. I know that Northland Utilities does operate and their rates are substantially lower than the rates charged by NCPC. I would like to ask the Minister if, in fact, Northland Utilities takes over the operations of NCPC, would they be increasing their rates or are they going to be decreasing them so that it is more in line with their own rates?

MR. SPEAKER: Mr. Minister.

Return To Question 320-86(1): Rate Increases After Transfer Of NCPC

HON. TAGAK CURLEY: Thank you, Mr. Speaker. I did indicate earlier to the standing committee this morning that what we are actually after is to take control, and take control not only of the power company in the Northwest Territories but as well to bring back to the Territories regulation aspects of NCPC. This means that any proposal that NCPC or an NWT utility company would propose to raise rates would have to be reviewed by the Public Utilities Board, which is an agency established by this Legislature to regulate power increases as well as the other energy-related utility issues such as gas distribution. So what I am saying, Mr. Speaker, is that I cannot comment as to whether or not the rates would increase but they likely would make a whole lot more sense because presently NCPC rates differ from one community to another in some parts. So in the event that the NWT does take over, the Public Utilities Board would have to be satisfied the proposed increased rates are justified and that they will not unduly harm the customer. They would have to have a very strong case to raise the present rates, because at the present time we have not had an increase for the last few years, in my experience. So, Mr. Speaker, what I am saying is, it would be up to the Public Utilities Board to justify the increased rates.

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

Supplementary To Question 320-86(1): Rate Increases After Transfer Of NCPC

MR. GARGAN: Thank you, Mr. Speaker. I understand that Northland Utilities is a profit-orientated company. Certainly if you are to come up with a memorandum of understanding with the company there must have been some conditions that were favourable to the company in order to sign such an agreement. So I would like to perhaps again ask the Minister whether one of the understandings is that if Northland Utilities requires additional higher rates to the consumers to operate, then perhaps it is one of the conditions that was under the memorandum of understanding. I would like to ask the Minister whether that is the case.

MR. SPEAKER: Mr. Minister.

Further Return To Question 320-86(1): Rate Increases After Transfer Of NCPC

HON. TAGAK CURLEY: Mr. Speaker, our discussions with the Northland Utilities are centring on the fact that the present assets and hydro plants and diesel plants throughout the Northwest Territories must be maintained and operated. That is all that we are doing with the Northland Utilities, in the event that our energy corporation does take over the assets then they would have to have an operator to maintain them.

From my perspective, Mr. Speaker, it is the NWT energy corporation that would likely propose to increase rates, which is the NWT government's power corporation. They would in turn have to apply to the Public Utilities Board. As for Northland Utilities, they would merely be operating and maintaining and carrying on the present hydro plants and utilities and other diesel plants in the Northwest Territories. They would not necessarily be proposing to increase or decrease rates because that would be the responsibility of the Northwest Territories energy corporation. Thank you.

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

Return To Question 218-86(1): Fishing In Tathlina Lake

HON. RED PEDERSEN: Thank you, Mr. Speaker. I have a return to oral Question 218-86(1), asked by Mr. Gargan on June 10, 1986, in regard to non-resident commercial fishing on Tathlina Lake.

Mr. Speaker, the question has two parts and I will respond to both of them. As Mr. Gargan is aware, I raised the issue of non-resident commercial fishing in Tathlina Lake with the Minister of Fisheries and Oceans in my telex of April 14th, requesting that the licence be revoked. Shortly after, I sent a second letter in which I expressed concern with present Fisheries policy and regulations. I requested a review to ensure that domestic, recreational and resident commercial fishing sectors in the Northwest Territories are protected and that no more non-resident commercial fishing licences be issued. Minister Siddon has confirmed verbally that he is considering the matter but I have yet to receive a written response.

As to your question regarding present fishing activity, a Department of Fisheries official advised my staff that non-resident commercial fishing in Tathlina Lake ended in mid-April prior to break-up. The fishermen had a very limited catch and it was not considered a successful season. Thank you.

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

Further Return To Question 30-86(1): Additional HAP Unit, Baffin Central

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. I have a return to oral Question 30-86(1), asked by Mr. Paniloo on February 17, 1986, to do with an additional HAP unit in Baffin Central.

The Member has received a letter from me stating that although it was not possible to allocate an additional HAP house to Clyde River in 1986, the individual remains next on an allocation list for rental housing.

The 1985-86 construction program includes four four-bedroom rental houses and four HAP houses. This summer, four more four-bedroom units will arrive on sealift for construction next spring. Completion of the 1985-86 houses will enable the community to assist this individual and others. With the release of the five year capital plan, district office staff will be working with individual communities to determine the most appropriate mix of home-ownership and rental housing.

In regard to this individual's HAP application, he is to be congratulated on his initiative to build his own home and as long as his circumstances remain the same, he should be successful in the future. Thank you.

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

Return To Question 238-86(1): Bison Herd, Fort Providence

HON. RED PEDERSEN: Thank you, Mr. Speaker. This is a return to oral Question 238-86(1), asked by Mr. Gargan on June 12, 1986, regarding the bison herd at Fort Providence.

The Department of Renewable Resources shares Mr. Gargan's concerns about the possible spread of disease in the bison herd in the Fort Providence area. The bison management plan for the Mackenzie Bison Sanctuary will address ways in which we can all work toward keeping the herd disease free. Because of its geographic location we expect the herd to remain free from the types of disease found in the Wood Buffalo herd at Fort Smith. However, we cannot control acts of God which would include other forms of wildlife such as ducks, foxes or wolves transmitting a disease to the herd.

With the co-operation of local hunters and trappers from the Fort Providence area who utilize other wildlife in the area, we know we will be advised of any diseased animals that may frequent the range. Both the department and I share Mr. Gargan's concerns and realize the importance of this resource to the people of Fort Providence. Thank you, Mr. Speaker.

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

Return To Question 175-86(1): Purchase Of Material From Fort Resolution Sawmill

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. I have a return to oral Question 175-86(1), asked by Mrs. Lawrence on March 11, 1986. It is to do with the purchase of construction material from the Fort Resolution sawmill. The contract referred to by the Member was awarded to Igloo Building Supplies. I have been advised that the construction material was indeed purchased by the contractor from the Fort Resolution sawmill. Thank you, Mr. Speaker.

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

Question 321-86(1): Progress Of Study Of SLOWPOKE Reactor

MR. RICHARD: Mr. Speaker, my question is for the Minister responsible for the Science Institute of the Northwest Territories. Last year in this Assembly there was a motion calling on the Science Institute to conduct a study of the SLOWPOKE reactor that was being promoted by AECL. Can the Minister indicate the progress of that particular study? Thank you.

MR. SPEAKER: Mr. Minister.

Return To Question 321-86(1): Progress Of Study Of SLOWPOKE Reactor

HON. RED PEDERSEN: Thank you, Mr. Speaker. The study is complete and it has just been translated. Under Item 9 today I will be tabling the document.

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

MR. GARGAN: Thank you, Mr. Speaker. I want to direct my question to the Minister of Public Works. He is not here but I will put it in for the Hansard so he can perhaps answer it tomorrow.

MR. SPEAKER: I would prefer then that you would submit it as a written question rather than an oral question. Mr. Minister.

HON. TOM BUTTERS: By way of process. In the absence of Mr. Wray, Mr. Patterson and Mr. Sibbeston, Mr. Ballantyne will be answering for Mr. Wray, Mr. McLaughlin for Mr. Patterson and myself for Mr. Sibbeston -- as we are able.

MR. SPEAKER: Oral questions. Mr. Gargan.

Question 322-86(1): Resurfacing Of Access Road, Fort Providence

MR. GARGAN: Thank you, Mr. Speaker. I would like to direct my question to the Minister of Housing concerning the Department of Public Works. In the budget for 1986-87, there was an allotment of \$438,000 for resurfacing the access road at Fort Providence. I would like to ask the Minister where this money has been designated to and also why the Minister, in his opinion, does not consider the Fort Providence access road a high priority project?

MR. SPEAKER: Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: I will take that question as notice and try to get a reply to the honourable Member tomorrow.

MR. SPEAKER: Thank you, the question is being taken as notice. Oral questions. Mr. Paniloo.

Question 323-86(1): Assistance For Elders' Conferences

MR. PANILOO: (Translation) Thank you, Mr. Speaker. I realize the Minister for Education is not present but he would probably know the answer to my question. I wanted to ask him as Minister of Aboriginal Rights. I will be asking this question because I think I will be able to get an answer. I think it is understandable through the people that I am representing. It seems that this could be a responsibility for ITC. Some older people in my constituency meet once in a while and they go to another community to have their meetings from which they put forth recommendations to be dealt with in the communities. I wanted to ask the Minister if he has received any requests for these elders' conferences in some communities. Has he received any requests for funding or are they trying to do something toward this with the Department of Education? I wanted to find out if these would be used as teaching curriculum in the school program. I have heard some complaints from the older people saying that they do not accomplish very much from these meetings because they do not seem to be getting any answers to their requests. Perhaps I should have directed this question to ITC.

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

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. Just to make sure I have the question right. I believe the Member is asking two things. First, is there any response by my colleague, Mr. Patterson, in the area of funding either through the Department of Education or in his responsibility for Aboriginal Rights, if he could have funding for the travel to these meetings by elders; and second, the Member is asking if the recommendations that are being made at these meetings of elders are being considered and utilized by the Department of Education. I am not aware of this myself. But I want to make sure that that is the specific request that the Member is making so I can have the Department of Education prepare that answer for me for tomorrow.

MR. SPEAKER: Thank you. You are taking the question then as notice. Mr. Paniloo, does he have the questions right?

MR. PANILOO: (Translation) Thank you, Mr. Speaker. I believe you understand my questions. Thank you.

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

Question 324-86(1): Regional Funding Affected By Decentralization

MR. GARGAN: Thank you, Mr. Speaker. I would like to direct my question to the Minister of Housing on behalf of the Department of Public Works. I understand that in many cases where moneys are allocated that they are allocated within a particular district or region. I could be corrected on that. If that is not the case then I do have another concern. In the areas where there is a capital project where a certain amount of money has been expended, particularly in the Kitikmeot where I believe it is in the area of seven million dollars for decentralization of government offices to Coppermine, I would like to ask the Minister whether that in fact would have an effect on the reallocation of such moneys. The other thing too is the capital project itself, I would like to find out about the lands that are available to this particular project, whether it is on government, federal or private land.

MR. SPEAKER: Mr. Minister.

HON. MICHAEL BALLANTYNE: Mr. Speaker, I will take the question as notice.

MR. SPEAKER: Thank you. The question is being taken as notice. Oral questions. Mr. Paniloo.

Question 325-86(1): Medical Alert Bracelets

MR. PANILOO: (Translation) Thank you, Mr. Speaker. My question will be directed to the Minister of Health regarding the people who have asthma problems in the communities. They are not provided with a bracelet saying they have certain kinds of sicknesses. I understand these bracelets or necklaces are available to the people in the South but in my community I was approached and asked if it would be possible to give bracelets or necklaces to these people with asthma or some kind of sickness or if they have a heart problem. Could they be provided maybe by their doctors so that people will know what is wrong with them if something happens to them while they are travelling by air or any other means of travel? I just would like to get an answer for my question. Thank you.

I have another. I would like to find out if bracelets could be made available to the communities for people who have a certain kind of sickness so that they will know what kind of sickness they have. Thank you.

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

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. I am aware that these bracelets are available for patients or residents that have chronic illnesses such as diabetes or an allergic reaction to penicillin or something like that. I know there are residents of the NWT who have these so I will check with my department and Health and Welfare Canada to see what the implications are as far as funding goes. I believe in some cases they are provided by some of the national organizations which organize fund raising drives for certain diseases but I will check the details on that and get back to the Member. So, I will take notice on that, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. You are taking the question as notice. Oral questions. That appears to conclude oral questions for today. Are there any written questions? Mr. Pudluk.

ITEM 5: WRITTEN QUESTIONS

Question 326-86(1): Polar Bear Hunting Season Tags

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. This is a written question to the Minister responsible for Renewable Resources. It has to do with polar bear hunting in Resolute Bay. Polar bear hunting season in Resolute Bay opens on December 1 of each year and this is the problem of the hunters because it is too dark to see. If the residents of Resolute Bay were to move the season to start on October 1 of each year, would they have to replace the red tags that they use?

MR. SPEAKER: Thank you, Mr. Pudluk. Written questions. Mr. Nerysoo.

Question 327-86(1): NWT Highways Maintenance

MR. NERYSOO: Thank you, Mr. Speaker. This is a written question to the Minister responsible for Public Works and Highways. First, what are the present guidelines used by Highways officials in assessing the quality of maintenance on NWT highways? Second, how often do Highways officials report on maintenance conditions of NWT highways? Thirdly, how often do Highways officials meet with highways maintenance contractors to discuss maintenance conditions, quality of maintenance and concerns of contractors?

MR. SPEAKER: Thank you. Written questions. That appears to conclude written questions for today. Are there any returns? Mr. McLaughlin.

ITEM 6: RETURNS

Further Return To Question 276-86(1): Increased Funding For Cultural Inclusion

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. I have a return to written Question 276-86(1) asked by Mr. Arlooktoo on June 16th concerning cultural inclusion funding. This reply is being made on behalf of the Minister of Education.

In response to Mr. Arlooktoo's question, I would like to advise that the Department of Education has no plans to increase the level of cultural inclusion funding from the present level of \$42 per pupil during the present fiscal year. However, we are in the process of establishing a new funding formula which will provide local education authorities with sufficient flexibility to permit some transfer of funding from other areas for use for cultural programs.

I would like to emphasize, though, that in addition to the cultural inclusion grants, my department has initiated numerous plans and activities aimed toward enhancement of Inuit and Dene language and cultural programs. In total, the funding for these programs will be over four million dollars in 1986-87. Three area or regional centres for teaching and learning will open this fall. Plans are for the establishment of centres in every major language area in the Northwest Territories.

Teacher training in the Eastern Arctic is being continued and in the Western Arctic we are opening three field-based teacher training centres in place of the old institutional program which has operated out of Fort Smith. The field-based teacher training centres will open in September and will be aimed at training teachers as bilingual teachers, capable of teaching students in their first language, or as teachers with special skills in teaching English as a second language.

In curriculum development, the Department of Education has been very active in developing aboriginal language and cultural curriculums and support materials. At the present time the Baffin Divisional Board of Education is undertaking the development of Inuktitut language programs on behalf of the Baffin, Keewatin and Kitikmeot Regions. Funding is being made available to the divisional board to carry out this work. Each region is represented on the curriculum development committee which guides this development work.

I am pleased to tell you that my department does have a plan for implementing the Inuktitut language arts program. The kindergarten to grade four program will be complete by the beginning of the next school year, this fall. From here on, we plan to complete one grade per year. By 1988 we will have a complete kindergarten to grade six Inuktitut language curriculum. I believe that for grades seven, eight and nine we should place greater emphasis on traditional land and cultural skills by the students, and at grades 10 to 12, place the emphasis on analysis of current cultural, social and political issues. My department has arranged for the development of an Inuit studies program at the grade 10 level, which is now under way, with implementation planned for the fall of 1987. By 1989 we will have completed the grades 10 to 12 programs in both Inuit and Dene studies.

During the past two years my department has contributed to numerous other projects, including translation of literature into Inuktitut, training classroom assistants as language instructors, language and cultural research and even assisting in the production of children's television programs.

As you can see from this brief outline of activities and plans, cultural inclusion funding is only a very small part of the total contribution by Education to language and cultural programs. As we move forward in developing funding formulas which allow maximum flexibility to local authorities,

and as more and more boards of education are established, cultural inclusion grants as a separate item will become unnecessary. Education authorities will be able to set their own budget priorities within departmental guidelines and the Department of Education will continue to carry out support activities for schools in curriculum development, teacher training, production of support material and evaluation of programs. Thank you, Mr. Speaker.

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

Item 7, petitions.

Item 8, reports of standing and special committees. Item 9, tabling of documents. Mr. Pedersen.

ITEM 9: TABLING OF DOCUMENTS

HON. RED PEDERSEN: Thank you, Mr. Speaker. I wish to table Tabled Document 74-86(1), An Interim Statement on the Feasibility of Small Nuclear Reactors in Remote Communities of the Northwest Territories, prepared by the Science Institute of the Northwest Territories. Mr. Speaker, this document has been translated.

MR. SPEAKER: Thank you, Mr. Pedersen. Mr. McLaughlin.

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. I wish to table Tabled Document 75-86(1), Report to the Commissioner of the Northwest Territories on the Examination of the Accounts and Financial Statements of the Workers' Compensation Board, Northwest Territories, for the year ended December 31, 1985. Thank you.

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

MR. ERKLOO: (Translation) Thank you, Mr. Speaker. I would like to table Tabled Document 76-86(1), a letter from the Pond Inlet Housing Association, signed by chairman Jaykolassie Killiktee. It has to do with the problems that the housing association is having in regard to user pay. There are three major things that they have talked about and it is all written in this paper. This will be helpful to the Minister responsible for Housing.

MR. SPEAKER: Thank you, Mr. Erkloo. Tabling of documents. That appears to conclude tabling of documents for today. Item 10, notices of motion. Mr. Nerysoo.

ITEM 10: NOTICES OF MOTION

Notice Of Motion 44-86(1): Terms Of Reference Of Standing Committee On Finance

MR. NERYSOO: Thank you, Mr. Speaker. I give notice that on Thursday, June 26, 1986, I shall move the following motion: Now therefore, I move, seconded by the honourable Member for Slave River, that the following terms of reference for the standing committee on finance be adopted.

MR. SPEAKER: Thank you. Notices of motion. That appears to conclude this item for today.

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

ITEM 12: MOTIONS

Motion 42-86(1): Appointment To Board Of Directors Of NWT Housing Corporation, Carried

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker.

WHEREAS there are three vacancies on the board of directors of the Northwest Territories Housing Corporation;

AND WHEREAS it is desirable to fill these vacancies;

NOW THEREFORE, I move, seconded by the honourable Member for Inuvik, that this House recommend that Mr. Gary Jaeb be reappointed for a term of three years;

AND FURTHER, that this House recommend that Mr. Steven Kakfwi, and Mr. Jaykolassie Killiktee be appointed to the board of directors of the NWT Housing Corporation for terms of three years.

Thank you, Mr. Speaker.

MR. SPEAKER: Your motion is in order. Question being called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Motions. Motion 43-86(1). Ms Cournoyea.

Motion 43-86(1): Air Cargo Tax

MS COURNOYEA: Thank you, Mr. Speaker.

WHEREAS the Government of Canada announced, in the May 1986 budget, as well as in discussions with industry and other governments, its intention to impose a tax on air cargo shipments for effect sometime in 1987;

AND WHEREAS communities in the Northwest Territories with minimal highway, rail and water transportation systems, exclusively or in large measure depend on air cargo for the movement of the necessities of life, without having the option enjoyed by most other Canadians of an alternate means of transport;

AND WHEREAS due to climate, geography and population base, northerners already face considerably higher costs of living than in other parts of Canada;

AND WHEREAS the standing committee on transport of the House of Commons of Canada recently tabled its report on northern air transportation and specifically recommended against the imposition of an air cargo tax in the North for similar and other reasons;

AND WHEREAS the efficient movement of goods at reasonable prices is critical to the development of the economy of northern Canada;

NOW THEREFORE, I move, seconded by the honourable Member for Natilikmiot, that the Legislative Assembly of the Northwest Territories endorse the recommendations of the House of Commons standing committee on transport that, "...the proposed air cargo tax not be established in the North and remote areas", and further recommend to the Minister of Transport that all commercial air services, operating to, from, and within the Northwest Territories, be exempted from any application of the proposed air cargo tax.

MR. SPEAKER: Ms Cournoyea, your motion is in order. To the motion.

MS COURNOYEA: Mr. Speaker, I believe that all Members of this Legislative Assembly are not unfamiliar with this ongoing topic -- transportation needs and requirements in the NWT. The additional costs as contemplated in the recommendation and the proposal to impose the air cargo tax is only adding already more cost to a transportation system which has been very well documented in the past as a very high expensive means of transportation. Mr. Speaker, in a number of the communities that are represented by Members here, there are no other means, except for the shipment once a year by waterways, to have the supplies to the communities. In addition, many of the smaller communities are facing the high cost of borrowing money, which has cut down on how much is available to have a significant searift, particularly to the very small communities. As a result of these higher costs and the fact of higher interest rates on borrowed money, much of the shipments come in through the winter when there are no other means of bringing supplies in other than air transportation.

Transportation System Already Taxed In A Variety Of Ways

Mr. Speaker, as well we have an increased support for the harvesting of renewable resources and also inter-settlement trade. I believe that at this time there are already a variety of taxes imposed on the transportation system, such as the additional fuel tax, landing tax, miscellaneous

airport taxes as well as passenger taxes. Many of the small airport facilities also are not up to standard and we still have not got the Canadian government or the government in Ottawa to reinstate the airports policy, so that some of these airports could be brought up to standard.

With the dependency on air transportation, it should be noted that in the Arctic this type of transportation has to be delivered at the lowest cost possible. Every charge that is added on goes back down to the consumer and limits the availability of food being transported in, also the mobility. Mr. Speaker, I feel that this ongoing issue of air transportation must be addressed in more extensive terms. However, I feel that since the group of people that did travel within the Arctic and heard submissions from many of the people who took the time and the effort to voice their concerns before this committee, that the one recommendation on the proposed air cargo tax be supported as not to be established in 1987. Thank you.

---Applause

MR. SPEAKER: Thank you, Ms Cournoyea. Mr. Angottitauruq, as seconder.

MR. ANGOTTITAUURUQ: Thank you, Mr. Speaker. I do not have very much to say on this, even though I am the seconder. The motion clearly states itself and I guess we all know what the tax would do on air cargo for the small communities and the airlines.

I have a community in my constituency that is only serviced by air and it is being subsidized by the Government of the Northwest Territories. But even though their prices are very high and that is their only means of getting their supplies -- if the air cargo tax is imposed, they will face much harder times or their prices in their stores would increase. I guess we are partly a target of the federal government because we are far away and they could fail to understand us and they could fail to listen to our needs to better our communities or to better the people's income.

Financial Hardships In Communities

There is no doubt, everybody knows that there are all kinds of -- not all kinds, but the price of fur is down and a lot of people are on welfare, and people are not really meeting their needs because of lack of income. Like the mover of the motion said, it is going to be the consumers that are going to be hit the most. I guess the motion speaks for itself. I would welcome the other Members to support it because that is one way of trying to let the federal government know that the North is a place where high cost is recognized very clearly. To add on a tax would increase the prices of everything -- whatever goes through the air, whatever is going to be distributed as merchandise for the people to purchase from their stores and, especially, the ones that will be hit the most are the ones in the remote areas that do not have roads or any other means of transportation. Even though the small communities have searift, there are unexpected times when they run out of a lot of things that are needed by the communities and a lot of them are shipped by air. So for that reason I just want to speak a little to the motion. I do not think I have anything else to say because the mover has explained well and the motion explains itself and we all know in this House what an air cargo tax would do. Thank you.

---Applause

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

Nowlan Report

HON. TOM BUTTERS: Mr. Speaker, I commend the mover and the seconder of this motion. The government welcomes the direction contained in the motion and I will seek with my Executive colleagues to move it further to a satisfactory conclusion. I think I provided Members with copies of the report of Patrick Nowlan, at least summaries of the report and translated summaries, but I would like to read from the report to cover items that have not been mentioned to date. The Nowlan report indicates that "the committee believes that the introduction of an air cargo tax cannot be justified as it would place an undue burden on northern residents who already pay high prices". And an excellent following reference too, related to the tax we are currently paying on airfares, "The committee" -- and I quote -- "the committee also wishes to comment on the air passenger tax. In our earlier report on 'Freedom to Move', we recommended that a ceiling be placed on the air passenger tax and this was adopted. The tax was set at 10 per cent of the airfare up to a maximum of \$50. However, we still believe that this places an undue burden on those who travel in the

North and remote areas because air travel there is relatively more expensive than in the South. In addition, northerners have less access to alternative means of transport. Because of this we believe that the air passenger tax should be eliminated for travellers in these areas." This relates to a motion made I believe by Mr. Richard some six months ago and the government will continue to pursue the initiative and direction indicated in that motion and in this report, just read, to date.

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

Living Up North Already Extremely Expensive

MR. ERKLOO: (Translation) Thank you, Mr. Speaker. I would just like to say to the motion that I am supporting it. As you are all aware, if I buy a small amount of groceries in a community, the tax is smaller but if I buy more expensive stuff the tax will be much greater. It increases greatly. We are all aware and I have discussed this earlier in the past. For instance, for northern allowances in the communities, the settlement allowance in Yellowknife does not exist but in Baffin Island up to the High Arctic, the government employees receive about \$5000 to \$6000 for northern allowance per annum. Considering that, I think it is understood that for the people who live up north it is very, very expensive to live, much greater than Yellowknife.

For that reason, that things that are brought up by air freight are so expensive and the tax will be so great if they bring in a whole bunch at once -- like, things that are bought in Pond Inlet are more expensive than Yellowknife groceries -- for that reason I am supporting the motion. The motion speaks for itself. Also before the planes started coming up north, they only brought up shipments by ships and there were a lot of dry goods then too and they would bring it in by bulk by ship. Today things are brought up by air freight and the dry goods are not as available. For instance, in Pond Inlet the co-op is starting to bring things in bulk by air freight because it is less expensive.

The taxes will increase I am sure if they do this in the future. For that reason I really support the motion that is on the floor. Thank you.

MR. SPEAKER: Thank you, Mr. Erkloo. To the motion. Mr. Pudluk.

Communities Without Roads Affected Most

MR. PUDLUK: (Translation) Mr. Speaker, I also support the motion. I thank the mover of the motion and the seconder. Up to today the federal government transportation -- I think they are hurting the northern people greatly, especially the transportation part. The people who are being affected the most are the islands and those that do not have roads, if they are going to start increasing the taxes on air freight or on shipping. For 12 months we get service by aircraft and the ship comes in only once a year, in the summertime, and they can only bring the heavy things in bulk once a year. As you are aware they will be using a lot more money if they propose transportation taxes. If I order one little apple in Grise Fiord it will cost around \$50 for one little apple to be shipped by freight and even though the actual cost will be less to buy it. I really support the motion and I would like you to understand that we do not like to see the tax being increased in the Northwest Territories or coming into effect in the Northwest Territories. Thank you.

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

AN HON. MEMBER: Question.

Motion 43-86(1), Carried

MR. SPEAKER: Question being called. Ms Cournoyea, do you wish to close the debate? Question being called. All those in favour? Opposed, if any? The motion is carried. Let the record indicate that it is unanimous.

---Carried

---Applause

Item 12, motions. Are there any further motions for today? Item 13, first reading of bills. Mr. Butters.

ITEM 13: FIRST READING OF BILLS

First Reading Of Bill 24-86(1): Supplementary Appropriation Act, No. 2, 1986-87

HON. TOM BUTTERS: Thank you, Mr. Speaker. I move, seconded by the honourable Member for Pine Point, that Bill 24-86(1), An Act Respecting Supplementary Appropriations for the Government of the Northwest Territories for the Fiscal Year Ending the 31st Day of March, 1987, be read for the first time.

MR. SPEAKER: I have a motion on the floor. To the motion. Are you ready for the question? All those in favour? Opposed, if any? The motion is carried.

---Carried

First reading of bills. Item 14, second reading of bills. Mr. Butters.

ITEM 14: SECOND READING OF BILLS

Second Reading Of Bill 23-86(1): Supplementary Appropriation Act, No. 4, 1985-86

HON. TOM BUTTERS: Mr. Speaker, I move, seconded by the honourable Member for Aivilik, that Bill 23-86(1), An Act Respecting Supplementary Appropriations for the Government of the Northwest Territories for the Fiscal Year Ending the 31st Day of March, 1986, be read for the second time. The purpose of this bill, Mr. Speaker, is to make supplementary appropriations and to reduce certain previous appropriations for the Government of the Northwest Territories for the fiscal year ending the 31st day of March, 1986.

MR. SPEAKER: Thank you, Mr. Butters. On Bill 24-86(1), I am not sure that I acknowledged first reading of that bill, so I will do so now for the records. On Bill 23-86(1), to the principle of the bill.

AN HON. MEMBER: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 23-86(1) has had second reading.

--Carried

Second reading of bills. Mr. Butters.

HON. TOM BUTTERS: Might I seek consent of the House, sir, to give second reading to Bill 24-86(1)?

MR. SPEAKER: Do I have the required majority to proceed with Bill 24-86(1) for second reading? Are there any nays?

SOME HON. MEMBERS: Agreed.

---Agreed

MR. SPEAKER: Mr. Butters.

Second Reading Of Bill 24-86(1): Supplementary Appropriation Act, No. 2, 1986-87

HON. TOM BUTTERS: Mr. Speaker, I move, seconded by the honourable Member for Pine Point, that Bill 24-86(1), An Act Respecting Supplementary Appropriations for the Government of the Northwest Territories for the Fiscal Year Ending the 31st Day of March, 1987, be read for the second time. The purpose of this bill, Mr. Speaker, is to make supplementary appropriations for the Government of the Northwest Territories for the fiscal year ending the 31st day of March, 1987.

MR. SPEAKER: Thank you. To the principle of the bill.

AN HON. MEMBER: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 24-86(1) has had second reading.

---Carried

Second reading of bills. Mr. Clerk, will you add to the orders of the day Bills 23-86(1) and 24-86(1)?

Item 15, consideration in committee of the whole of bills and other matters, with Mr. Erkloo in the chair. Just so you will have some work to do, note that we will be considering Tabled Document 67-86(1), Political and Constitutional Development in the Northwest Territories (Revised); Tabled Document 37-86(1), Constitutional and Political Development in the Northwest Territories; Report of the Standing Committee on Legislation on Bills and Other Matters; Bill 21-86(1), Territorial Hospital Insurance Services Act; Bill 20-86(1), Public Service Act; Second Report of the Special Committee on Rules, Procedures and Privileges; Bill 19-86(1), Northwest Territories Energy Corporation Act; Bill 23-86(1); and Bill 24-86(1), with Mr. Erkloo in the chair.

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

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER TABLED DOCUMENT 67-86(1), POLITICAL AND CONSTITUTIONAL DEVELOPMENT IN THE NORTHWEST TERRITORIES (REVISED); TABLED DOCUMENT 37-86(1), CONSTITUTIONAL AND POLITICAL DEVELOPMENT IN THE NORTHWEST TERRITORIES; BILL 21-86(1), TERRITORIAL HOSPITAL INSURANCE SERVICES ACT; SECOND REPORT OF SPECIAL COMMITTEE ON RULES, PROCEDURES AND PRIVILEGES

Tabled Document 67-86(1): Political And Constitutional Development In The Northwest Territories.

CHAIRMAN (Mr. Erkloo): The committee will now come to order. We are dealing with Tabled Document 67-86(1), Political and Constitutional Development in the Northwest Territories. Members have the document in their files. Mr. Ballantyne, you wanted to make opening remarks?

HON. MICHAEL BALLANTYNE: Thank you very much, Mr. Chairman. On June 10th my colleague, Mr. Patterson, announced to the House the sessional paper entitled, "Political and Constitutional Development in the Northwest Territories", had been prepared. This is a revised version of the Tabled Document 37-86(1) which was tabled last session which dealt with current issues of political and constitutional development, especially the issues of comprehensive claims, devolution and division. The revised paper, I believe, was tabled on June 16th and it is hoped that in discussing this paper today that Members will give the Executive Council some guidance on these very important issues.

Members were not able to really address the initial paper tabled last session. Mr. Patterson explained on June 10th that this new revised version was produced largely because the events of the last few months had made the first paper a little out of date. These developments include the Coolican task force report, the northern leaders' summit, the signing of a memorandum of understanding with the Dene and Metis on devolution, and the TFN and Dene/Metis agreement on a boundary between claims areas. This paper addresses the three specific processes of political and constitutional development that are now taking place: division, devolution, and settlement of claims.

In the area of division there are two essential issues: agreement on a boundary and deciding on a process for ratifying this boundary. This paper recommends that another northern leaders' meeting should be held to address the boundary issues. It also recommends that the Legislative Assembly be responsible for the process of ratification. Once an acceptable boundary is chosen, a federal division commission could oversee the actual division process.

In the area of claims are also two important issues: the status of the Government of the NWT in claims negotiations if the scope of the negotiations is expanded to include aboriginal self-government, and determining what will be on the table for negotiations under a new policy. This paper recommends that the Government of the NWT should have equal status at the claims table during negotiations on matters relating to aboriginal self-government if the new policy is expanded to include aboriginal self-government. In addition the paper recommends that all parties should reach a so-called framework agreement which would outline what would be on the table for negotiations. The GNWT would also be an equal player in developing a framework agreement.

In the area of devolution, the paper recognizes that devolution should not prejudice claims or the division of the NWT. We have already worked out with the Dene/Metis the process for determining the degree of their involvement in devolution, and efforts are being made to arrive at a similar arrangement with the Inuit organizations.

Finally I want to mention the work of the Constitutional Alliance. Through the Western and Nunavut Constitutional Forums, work has been proceeding and they are to be encouraged in their search for new constitutions. Mr. Chairman, as you can see there are several threads to the constitutional tapestry in the NWT. It is essential that there be good communication between everyone who has a hand in weaving these threads together. We would like to see new lines of communication developed and the old lines renewed and approved. This paper also has some recommendations in that regard. Mr. Chairman, I would now like to thank the Members for their indulgence and to encourage them to give these important issues their active consideration. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Erkloo): Thank you, Mr. Ballantyne. Mr. Richard.

Effects Of Coolican Task Force

MR. RICHARD: Thank you, Mr. Chairman. I have a number of comments and questions I would like to address to the Minister of Justice, for he and Mr. Patterson, I guess. Perhaps initially I could indicate that when Mr. Patterson spoke on this sessional paper, he referred to the fact that Tabled Document 37-86(1) was tabled back in March and that a number of things had happened to render it, as Mr. Patterson stated, a little out of date, and specifically stated as one of the reasons why the document was out of date was that since March we have seen the release of the Coolican task force report on federal claims policy. With all respect, Mr. Chairman, since Mr. Patterson spoke those words, I am wondering if the Coolican task force report is not out of date now with what is being reported in the media, coming out of Ottawa in recent weeks.

So I would ask Mr. Ballantyne -- I do not know if he has any more inside information than the rest of us. I hope he walks the same side of the street as Mr. Crombie and others. What is the current status of the Coolican report? Because a lot of the additional information that is in Tabled Document 67-86(1), the changes from Tabled Document 37-86(1), are as a result of the wide-ranging recommendations in the Coolican task force report, I would ask if at some point Mr. Ballantyne could advise Members if anything is happening on the federal scene with respect to the Coolican recommendations and how that delay, if there is to be a delay, would affect some of the comments in this document? Thank you.

CHAIRMAN (Mr. Erkloo): Thank you. Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. I think the Member's comments are valid and point out one of the problems we face in government, that many external forces out of our control have an impact on what we do. My latest information is that Mr. Crombie will not be going to cabinet with a comprehensive land claim policy probably until the fall, so that does impact somewhat on what we have here. But I think what we have tried to put forward in this process is a fairly flexible approach, that in fact we would be able to go ahead in some elements of, for instance devolution, without necessarily waiting for Mr. Crombie's policy paper which will come out after he takes it to cabinet. So we tried to look at all eventualities in this paper. We think we have enough flexibility to move if some particular things do not happen according to the time frame we planned. Does that answer your question?

CHAIRMAN (Mr. Erkloo): Mr. Richard.

MR. RICHARD: Mr. Chairman, no, I did not expect in a serious way for the Minister to have any inside information. I suspect Mr. Crombie is not himself aware of what the future or the fall of 1986 holds with respect to a comprehensive land claims policy. I was pleased, however, getting to the changes in this Tabled Document 67-86(1) from earlier Tabled Document 37-86(1), that the authors specifically referred to the recommendation of the Coolican task force report to open up or widen the scope of claims negotiations to include political or constitutional matters; that our government is taking the position that the GNWT should have equal status with other parties at that part of the land claims process that would negotiate those political matters. So if the Minister is looking for direction today, I certainly am one who concurs with that one change in this document.

With respect to the claims process currently, it is unfortunate that Mr. Patterson is not able to be here because I wanted to personally congratulate the Minister responsible for Aboriginal Rights and Constitutional Development Secretariat for the newsletter, the first edition of which he tabled last week. That, I feel, is a direct response to some constructive criticism in this Assembly that the Government of the Northwest Territories, as an observer at the claims table was not communicating to the people of the Northwest Territories whom it purported to represent, what was going on in the last few years at the table. I think the newsletter is an excellent response to that comment or criticism in the last year. I would like to know if Mr. Ballantyne can have his colleague, Mr. Patterson, advise the Assembly what generally is the distribution of the newsletter? What is the mailing list? I am encouraged, Mr. Chairman, by the reference in the first edition of the newsletter that it is to be a monthly publication and if ever there was a sign of optimism that there is progress being made in land claims, it is the fact that you are going to publish a monthly newsletter. That assumes there is going to be some content to go in it and I, for one, am encouraged by that.

If I could turn, Mr. Chairman, from those words of congratulation. It is also unfortunate that Mr. Sibbeston, the Government Leader, is not here to hear those words so that he is clear that Members on this side of the Assembly do offer congratulations and positive comments when merited.

MR. MacQUARRIE: However, not merited often enough.

---Laughter

Dene/Metis Memorandum Of Understanding

MR. RICHARD: Mr. Chairman, if I could turn to the reference in the document to the memorandum of understanding that has been signed with the Dene/Metis. It is indicated that the memorandum of understanding seeks to categorize issues as devolution issues, as whether they are affecting land claims or not. There is, as I understand it, an attempt to build in a veto of a sort for the Dene/Metis. If the parties decide that a particular devolution issue is one which might affect land claims, then the Dene/Metis in that instance for that category of item, are to be consulted on the transfer of that particular subject matter. Can I ask, Mr. Chairman, the Minister to indicate whether under the memorandum of understanding there has yet been any activity? Has there yet been any categorization of specific subject matters? Members are aware, for instance, of the energy matter that Mr. Curley has been speaking of -- a devolution issue of a sort, we are aware of forestry, we are aware of health. Has the memorandum of understanding been implemented? Have steps been taken to categorize even some of these topics under the various categories that are contemplated by the MOU? Thank you.

CHAIRMAN (Mr. Erkloo): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: Thank you. Just a little background. The reason that we went the memorandum of understanding route was to try to get away from the issue of veto. In our original discussions with the federal government about certain aspects of devolution, some of the native organizations have some major reservations about proceeding. Mr. Crombie at that point asked that some consensus be reached. We thought that the only way we would be able to reach a consensus is to set up a process outside of the land claims process where there could be discussions to see what those concerns were. We are in the process of negotiating right now what issues will fall under that category. We are attempting in all this, putting it in its simplest terms, there was a concern of our government that if the land claims table was expanded to include such things as self-government, we as a government should have full participation in those increased discussions. There is an equal concern of the native organizations that if certain responsibilities that were devolved to the territorial government might have some impact on aboriginal rights, they wanted some opportunity for real discussion. What we have tried to do with these two processes is to set up a more informal approach where we can actually sit down and talk about what the problems are and where certain issues should fall. That is the attempt and we are in the process right now of defining even more specifically with the Dene/Metis, as to what specific issues will be discussed at what table. Does that answer your question, Mr. Richard?

CHAIRMAN (Mr. Erkloo): Thank you. Mr. Richard.

MR. RICHARD: Mr. Chairman, "in the process of" discussing these issues, I take it, means that the answer to my question is that, now, there has not yet been any subject matters categorized under the memorandum of understanding. Is that correct?

HON. MICHAEL BALLANTYNE: That is right, we are working on that right now, Mr. Chairman.

CHAIRMAN (Mr. Erkloo): Any more general comments? Mr. Nerysoo.

MR. NERYSOO: Thank you, Mr. Chairman. Firstly, I think the comments made by Mr. Richard with regard to the Coolican report are very valid. I think that it seems that the native people and our government, having pressed for significant changes in the federal land claims policy, failed to convince the federal government to proceed as quickly as they could. That is unfortunate because they could cause some difficulty with regard to the negotiations that are presently being carried out. I know that in some instances the negotiations may have gone further than the present policy and it makes it difficult for the government to respond and to see to it that there is a resolution according to the arrangements that have been negotiated between the aboriginal organizations, aboriginal groups and the federal negotiators.

Recognition Of Treaty 8 And Treaty 11

There are a couple of obviously important issues that I feel are missing. Firstly, when you read the document there is a lot of recognition of land claims settlements, there is recognition of the Canadian Constitution, but really nowhere is there recognition of treaties. Unfortunately, for those people that do not wish to recognize treaties, the reality is that there exist two treaties in the Northwest Territories, Treaty 8 and Treaty 11. Under those treaties there are certain rights that are in fact protected under the Constitution. Now, whether or not comprehensive claims settlements are renegotiated, my belief is that they are being renegotiated according to the terms that were set out by Jean Chretien during the time he was the Minister responsible for Indian and Northern Affairs. I cannot quote you the exact words, but the 1973 letter that was written to Mr. Wah-Shee who is now a colleague of ours here in the Legislature, indicated that the process that was to be used was to redefine Treaty 8 and Treaty 11 and the conditions by which those treaties were signed.

Now, I will not get into a long debate about that, but at some time I may be able to table that particular letter in this House because it is very clear what the process was intended to do. I do hope that in the content of the document when you refer to land claims settlements, and they are very different from treaties, that treaties were considered, but the context in which claims settlements are recognized in this country and in the Constitution are two separate items and two separate issues. So, I would hope that we could amend the document to recognize that there are treaties and there are certain rights that exist because of the treaties. I believe that the problems that have arisen in our discussions and particularly on the question of devolution surround the whole question of obligations under Treaty 8 and Treaty 11.

Now, if the case is that we can resolve that, then I think you will have no problem dealing with the question of recognizing the agreements as they have been negotiated. But that uncertainty exists and as long as that uncertainty exists with regard to the obligations under Treaties 8 and 11, I think you are going to have a very difficult time trying to proceed to those areas you wish to devolve. I have been a supporter of devolving responsibilities to our government and I will continue to be as long as there are certain guarantees that are given to those programs and services that are presently being offered to treaty people and may extend to other beneficiaries of claims settlements.

There is also one item that is crucial to resolve and that is the whole question of the "public interest", because there seems to be an interpretation of public interest as being only that dealing with the non-native community. In reality public interest and our government's responsibility is for all people and we must recognize that because our responsibility to aboriginal people must be taken within the context of ensuring that their well-being is considered and taken into consideration in the long-term and some of the comments that have been made with regard to the term "public interest" seem to avoid or at least not take into consideration aboriginal people themselves. I think it is crucial to ensure that people recognize that the aboriginal people are part of the public and that when we take and consider what is in the public interest, their interest has to be a part of the public interest and not a separate issue. Those are basically the concerns I had and the comments I wanted to make.

CHAIRMAN (Mr. Erkloo): Thank you, Mr. Nerysoo. Mr. Minister.

Extinguishment Of Aboriginal Rights In Treaties 8 And 11

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. Well, I will definitely take Mr. Nerysoo's comments under advisement. We are trying to deal with both those areas because there has been some problems with Treaty 8 and Treaty 11 inasmuch as in those treaties, I understand that aboriginal rights were extinguished. What we are trying to look at right now, in the whole area of devolution is to try to fit any responsibilities or obligations that the federal government had in those treaties into the process, whether it is into the constitution of the Northwest Territories or in land claims which are defined as modern treaties and will be protected by the Constitution. But I think I get Mr. Nerysoo's point, that there are certain responsibilities and obligations that should be protected in the long-term and not lost because of the new process. Do I understand you, Mr. Nerysoo?

CHAIRMAN (Mr. Erkloo): Thank you. Mr. Nerysoo.

MR. NERYSOO: Well, I just want to say that I think that the problem we have right now, for instance the rights being extinguished, was the very problem that resulted in the caveat of 1972. I think it was a matter of interpretation and as far as the aboriginal people were concerned there was no extinguishment and we were able to file a caveat. There was an appeal to the Alberta court which was a three to two ruling but that seems to be the interpretation. I think what Mr. Chretien said was that we are not worried about the differences. As opposed to that, we are now trying to work at resolving and redefining what Treaty 8 and Treaty 11 are. That was in the letter that was sent to Mr. Wah-Shee in 1973.

Since that time, there has been much discussion and much change in the approach that the federal government has taken to land claims, mainly because of precedents that have been set in the agreements that have been negotiated. I just do say, though, that certainly you do not want to have a situation where as a government taking on more responsibility, you find yourself in the position of being legally responsible when you were not aware of being legally responsible, in taking on certain programs and services. I think if you put yourself in that position without ensuring the federal government retains that responsibility and in fact funds you appropriately in those particular areas, then we as a government are ignoring what might be a responsibility we should have recognized.

CHAIRMAN (Mr. Erkloo): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: I think Mr. Nerysoo has made some valid points. His second point, I think, is an important one, and perhaps is one that as a government we have not emphasized enough. It seems Mr. Nerysoo was right, that when we talk about responsibilities of public government, it seems to be construed as responsibilities for non-native people when in fact future governments in the Northwest Territories are going to have responsibilities for all the people of the Northwest Territories. I think that is something that we should work on and clarify even more strongly than we have. I think it is a very valid point that is lost sometimes in some of these papers and discussions. So, I thank the Member for that point.

CHAIRMAN (Mr. Erkloo): Thank you. Any more general comments? Mr. MacQuarrie.

Refinement In The Land Claims Process

MR. MACQUARRIE: Thank you, Mr. Chairman. The paper deals generally with rationalizing the various different initiatives that are being taken in the Territories: division, claims, constitutional development, devolution. I hope I will not be out of order if I just focus on one of those for the moment. I think the rationalization between the initiatives is important but also it is important to the procedures that are in place with respect to each of those elements. I think it has become clear that claims settlements can have important constitutional implications. So can I ask the Minister if there have been any refinements in the process for shaping claims positions, so that the Executive Council is well aware ahead of time with respect to the issues that are being addressed and is able to discuss them in principle long before the negotiators sit at the table to work out details? So I would just appreciate, in a general way, an indication of whether there have been some refinements. If so, what are they?

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. MICHAEL BALLANTYNE: Regarding our participation at the claims table, over the years we have found that it has not been defined as well as it might have been. What has happened is that in certain areas of claims, there was absolutely no movement for a long period of time and then suddenly, very quick movement. All of a sudden it is upon us. And that has given us some problems as a government. The way we have tried to improve the situation, and we hope to refine it even better in the future, is that we are asking to get information to us on a more timely basis, and I think that aspect of it is improving and will improve. The other aspect is that we have made very strongly our position, that if, for whatever reason, certain subagreements are initialled, that we will table our concerns along with the initialling of our negotiator, and also reserve the right to do more detailed analysis and to try to get these concerns incorporated in the agreement in principle and in the final agreement. So we have done both of those things and as the process goes along, as the land claims process is clarified by the federal government, we hope to be able to refine our participation even better. But I agree, that has given us some problem in the past.

CHAIRMAN (Mr. Erkloo): Thank you. Mr. MacQuarrie.

Involvement Of Executive Council In Land Claims Negotiations

MR. MacQUARRIE: Early in the session the Minister of Aboriginal Rights and Constitutional Development made a reply to an earlier question that had been asked by my colleague, Mr. Richard, and in it he indicated that initialling by negotiators is merely an indication that they have reached a point where they feel confident in recommending to their leadership, the provisions of a subagreement they have been negotiating. So can I ask about what we can expect for the future? If a subagreement is initialled, does that essentially mean that our negotiator has initialled it or perhaps even the negotiator and the Minister responsible, but that full Executive Council approval or support is not forthcoming at that time, but when various concerns have been clarified and the agreement in principle has been discussed, that that is when the Executive Council will become fully involved?

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. MICHAEL BALLANTYNE: One of the reasons that we tabled this document is to get input from the Assembly as to what they see the process should be and what the ratification procedure should be. Before I answer specifically Mr. MacQuarrie's last question, another thing we have done to try and streamline the process is that we have set up a constitutional and political development committee which consists of the Government Leader, Mr. Patterson and myself, that has an assigned staff to it to deal with these issues as they come up in a more comprehensive way, because many of these issues cross the boundaries of just affecting aboriginal people. So we have done that and that has improved the situation.

As it stands now the negotiator, having been party to the agreements, will make a recommendation to the Executive Council. In the last particular agreement, the Executive Council gave an agreement but qualified that by a letter -- when our negotiator initialled, there was a letter that was tabled at the same time, that we agree in principle but we want to look at various elements. I think Mr. Patterson tabled that particular letter. Now as we do the detailed work, then we will make very clear to the federal government and the aboriginal groups where we see we perhaps have some problems or where we would like to see some changes. I am not sure if that answers your question, or if you or anybody in the Assembly have a suggestion. I would be interested in how you see this process happening. The problem we find is the problem you have in all negotiations. When I was a union negotiator, the problem was trying to get approval from the body you are negotiating for, whether it be a union or a company or a board of directors. Because things move so quickly, sometimes it is difficult to do that without losing momentum or losing some valuable position that you might have. So we are grappling a little bit with that one. We are refining it, but we are really open to ways that the Members see we can refine even more.

CHAIRMAN (Mr. Erkloo): Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. I guess I would have a suggestion for the government. I feel that if in the future the Executive Council is involved at the level of principle as fully as it should be and early enough, we should not run into serious problems because presumably they will have set the parameters and when the negotiator is going to the table he will be very well aware of what those parameters are and is not likely to come back with an agreement that will not be acceptable to the Executive Council. So from my point of view, I really stress how important it is

at the level of principle for this -- even if it is the subcommittee of the Executive on political and constitutional development -- to be well aware and well ahead of time of what is intended and to try and give clear guidance to negotiators.

When a subagreement comes back, I would suggest that perhaps we could parallel the process of the federal government, where it seems to me that an initial subagreement would have the endorsement of the senior negotiator and perhaps the Minister of Indian Affairs, but that at some point later it will be taken to cabinet for full-scale discussion. I am suggesting that perhaps that will be a possibility here. In any event, I would just like it to be very clear in the future what the process is and what initialling means so that if there is no reason to get prematurely upset, then I will not get prematurely upset -- if I know precisely what it all means.

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. MICHAEL BALLANTYNE: Where the federal negotiator initials a subagreement it does not have to get the approval of the federal Minister necessarily. My understanding is that the federal Minister, once there is an agreement in principle, would say yes or no and then take it to the cabinet. So at the federal level that does not happen. From our point of view, we are trying to go one step further than they are. It is because we do not have the same influence in those negotiations, so it is more important that we have a better handle on it than the federal government. It is something that I could take back to the Executive Council -- the possibility of the Minister approving the initialling and then at the later point, once the whole package is brought in, it will come to the Executive Council for approval and I assume at some point the Legislative Assembly is going to have input into those particular agreements. But it is made more difficult because of our role as part of the federal team. Unless we have that enhanced and the claims table is expanded -- we want to have more status at the table. Now the perception of the aboriginal groups is in fact that they are negotiating with the federal government and what we are trying to do is to build in safeguards into the process without jeopardizing the process. It is a delicate balance at times. We are attempting to come to grips with it but sometimes it is not as easy as it might seem.

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

MR. MacQUARRIE: I just think it would be important also for aboriginal groups to understand clearly what an initialling by our government actually means. What level of support is there there? I do see your point about our situation being slightly different and there is maybe more reason for the Executive Council to become involved at an earlier point. But I think also that as much as possible without jeopardizing negotiations, discussions from time to time initiated by the government in this Assembly, could be desirable as well.

CHAIRMAN (Mr. Erkloo): Thank you. Any more general comments? Mr. Gargan.

Importance Of Getting Information To The Public

MR. GARGAN: Thank you, Mr. Chairman. Concerning the settlement of land claims, like Mr. MacQuarrie and Mr. Ballantyne indicated, it is a process that is between the aboriginal organizations and the federal government, and the territorial government has an input in ensuring some safeguards for the general public. I would like to ask Mr. Ballantyne at this time whether or not there was a final agreement already being implemented between COPE and the federal government where secrecy is being used until the final agreement has been signed. I would like to ask the Minister what is the format or the process that is being used now with regard to claims negotiations with the aboriginal groups because if we are going to be using a different approach and that secrecy is no longer a factor in these negotiations, I would like to know about it.

CHAIRMAN (Mr. Erkloo): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: I think one of the problems in the whole process, and this is a problem that has been recognized by the aboriginal groups and also by the federal government is that not enough information has got out. There are obviously certain elements of any negotiating process that cannot be made public because they jeopardize the process. But there are other elements that can be made public to alleviate certain fears that people have that they would not have if they knew some of the facts. We as a government, the federal negotiators and the aboriginal organizations are looking at what things can and cannot be made public without jeopardizing the

negotiations. That is something that is going to be a judgment but I think that there is a recognition of the fact that not enough information being given out to the public has created some obstacles and some fears which make a successful resolution of land claims more difficult. I think people are looking at it in a positive light rather than in a negative light. The more information you can put out there that does not jeopardize negotiations, the better success of getting consensus in the Northwest Territories to resolve land claims.

CHAIRMAN (Mr. Erkloo): Mr. Gargan.

MR. GARGAN: Thank you, Mr. Chairman. In the constitutional development document, it refers a lot to powers being designated to the Government of the Northwest Territories. However, I would like to perhaps suggest that in a lot of the communities or in the majority of the communities in the Northwest Territories the population of the community, the aboriginal population, is substantially larger than others and in these instances, what is the government's position with regard to devolving powers to these communities generally, because they do not affect the general population even if they did transfer particular powers? I am not referring to the provinces where reserves have a substantial amount of powers regarding education, social services and health and in a lot of instances they have direct control in hiring, they have direct control of the moneys that are being implemented for these type of programs. I would like to ask what is the government's position with regard to constitutional development for these particular communities that could perhaps take control over a lot of those programs that directly affect them and also whether constitutional development is taking precedence over the land claims negotiation? Because I believe if the final outcome of claims negotiation is signed, the constitutional development would have to jibe with what is being signed. I do not know what the government's position is on that.

CHAIRMAN (Mr. Erkloo): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. I think Mr. Gargan has highlighted a real problem. We are trying to deal with the fact that the process of constitutional development and the process of land claims are going ahead and at some point in time they have got to come together. How this government has decided to deal with that problem was to set up the Constitutional Alliance and the two forums. In the West the Western Constitutional Forum with representatives from the native organizations and from our Assembly are grappling with that problem right now as to what the new constitution of the Western Arctic will be. How do you integrate powers of municipal, regional and territorial governments? How is that going to intersect with powers that are given to aboriginal organizations through the land claims process? So, I think that as an Assembly we have recognized exactly what you said is a problem and right now this Assembly has charged the Western Constitutional Forum to look at new forms of government in the West and the Nunavut Constitutional Forum to look at a new form of government in the East which will try to bring all these elements together. I do not know if Mr. MacQuarrie has another comment on that but that is my understanding of how we are dealing with that particular problem.

CHAIRMAN (Mr. Erkloo): Thank you, Mr. Minister. Any more general comments? Mr. Paniloo.

Input From Communities

MR. PANILOO: (Translation) Thank you, Mr. Chairman. I am not going to really define my exact idea of the claims process and political and constitutional development in the NWT. I would like to ask a question after I make a statement. We have heard so many times regarding constitutional development in the NWT. I am not satisfied with the way the aboriginal claims process is being set up and the people are not appreciative of the agreements that are signed. Are they going to be made forever agreements or can they be changed? Constitutional development seems to be held on to by the present government. The public is not involved and their interests are not expressed in the constitutional development process. The memorandum of understanding, how could that process be used through the Executive Council? Thank you.

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. MICHAEL BALLANTYNE: The first part of the question, as regards how long agreements will be enforced, I think it is the desire of the aboriginal organizations to have any agreements protected in the Canadian Constitution and in a new constitution or constitutions in the Northwest Territories. I think that is one of the fundamental goals of the aboriginal groups to ensure that any rights they negotiated are protected in the long term.

As for community participation, I guess we have to assume that native organizations, and the Legislative Assembly through the MLAs, will be consulting with people in the communities on these issues. I think there has been a fair amount of work by both the WCF, for instance, and the NCF to let people know at the community level what they are doing. To ask for input at that level -- I think it is the responsibilities of the MLAs once we have discussions like this in the Assembly to go back to the communities and get some input from their communities. I think everybody is trying to get as much community input as possible. One of the problems has been that it has taken so long and I think sometimes in some communities people start to lose interest and start to say, "What is happening?". So, it is something we all have to keep doing, keeping our constituents involved and keeping them informed. If our constituents have problems with the process, I think as MLAs we have the responsibility to bring them up in the House.

CHAIRMAN (Mr. Erkloo): Thank you. Mr. Paniloo.

People Must Be Educated To Manage Own Government

MR. PANILOO: (Translation) Mr. Chairman, I am not going to ask a question but I am just going to give my point of view. In my constituency we know the government process and division process and the political development process is very popular, but we know that if we are going to have our land soon and if we are going to get the government soon, we will not be prepared to manage our own government. We know that we have been governing our region for 25 and 26 years and there are not many people who have completed the education process. Therefore they will not be able to manage the responsibilities of the new government. If they are going to be responsible for the government that is going to be formed, they would have to be in process for 20 years to be educated for the government to be able to organize a responsible government in the region.

The Inuit are always saying they would like to have their self-government and they would like to rule and control it by themselves, but it is obvious that, looking from a distance, their education has to be controlled by white people for a long time. It is obvious and it can be seen. How can you think of this process to be completed in the near future? I am saying this just for information purposes although I am very happy about the process that is being introduced. The Inuit and the Dene want to be in control of their own government. Is it possible? To me when I come to see the reality -- it does not seem to be possible at all with the education of the children in my region. For the Inuit to have their own self-government and the Dene have their self-government -- although they are looking forward to that eventual thing to happen, maybe within three years, Nunavut is going to be divided and they will still be under a foreign rule because the education is not up to par with the intention of the people. The Inuit have been saying this for a long time and we want the division process to be agreed upon and an agreement made. There is no management people available in our region.

Can I ask a simple question, that if the Legislative Assembly approves this process and approves the recommendations by the constitutional agreement, when can they go ahead with the process within the framework of the process that is being recommended now?

CHAIRMAN (Mr. Erkloo): Thank you. Mr. Minister, do you want to respond to that?

HON. MICHAEL BALLANTYNE: Just to say that I appreciate the Member's comments. It will take some time and it will be difficult. I think everybody in the North, all of us working together can achieve this, but it is going to take a lot of hard work over the next months and years to do it. We have started the process now and I think the process has good potential for success for everybody in the Northwest Territories. But I agree with the Member that it is going to take a lot of effort and it is going to take some time before we are successful.

CHAIRMAN (Mr. Erkloo): Thank you. Mrs. Lawrence.

MRS. LAWRENCE: Thank you, Mr. Chairman. I have some concerns with some of the process that is taking place regarding the "second table" concept involving groups such as the NWT Wildlife Federation. To my mind we let groups such as that, such as the NWT Wildlife Federation, interfere and we might have to involve newly organized groups in the future and this would just slow down the process of settling claims. I believe that everybody is well represented. I believe that all people are well represented whether they are a Member of the Legislative Assembly or other major organizations. I am just a little bit concerned about involving more organizations than we

have to. We did not have such things as the NWT Wildlife Federation at one time, it is just newly organized and I notice that they were mentioned in here, so what are they involved with? I wonder if someone can answer my question? How is this NWT Wildlife Federation involved?

CHAIRMAN (Mr. Erkloo): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: I think the NWT Wildlife Federation was given as an example. The hope is that if an informal working table is set up and there are problems with whatever groups of people in the Northwest Territories, legitimate problems that will give them some opportunities to express those problems without jeopardizing the land claims process because it would not happen at that actual negotiating table. At the informal working table, and with the agreement of the parties involved which would include the territorial government and the aboriginal groups, it might be considered in everyone's interest to listen to presentations from any number of organizations and it is not limited to this particular organization. It could be the federation of municipalities, when you are dealing with local government, it could be regional councils. What we are trying to do is set up a more informal way of letting people express their views without bogging down the main table. It would only be done with the agreement of all the parties to have that input. Does that clarify it, Mrs. Lawrence?

CHAIRMAN (Mr. Erkloo): Thank you. Mr. MacQuarrie.

Slowing Down The Division Process

MR. MacQUARRIE: If I may, Mr. Chairman, I would ask for clarification of the remarks that were made by Mr. Paniloo. They were of great interest to me. I am a Member of the Western Constitutional Forum and from time to time, not as often as I would like, but from time to time, we sit with the Nunavut Constitutional Forum to discuss the matter of division and we are told at those meetings by members of the Nunavut Forum that division of the Territories is extremely important and that it must go ahead quickly. I know also that people throughout the TFN claims area would want claims to be settled as soon as possible so that there is certainty with respect to Inuit lands and resources and yet it seems clear that the TFN claim is completely, absolutely related to the idea of division and the establishment of a Nunavut territory.

In the light of those things, I would appreciate clarification from Mr. Paniloo. It seemed to me that he was suggesting that in fact division should perhaps slow down and that there should be further work on constitutional development within a united territory to try to strengthen perhaps community and regional governments and so on. Without trying to put the Member on the spot, if he would clarify for me whether I understood his remarks correctly, I would appreciate that very much.

CHAIRMAN (Mr. Erkloo): Thank you. Any general comments? Mr. Paniloo.

MR. PANILOO: (Translation) Thank you, Mr. Chairman. In regard to what I was thinking I am going to clarify a little further. Maybe if I try and further clarify what I am thinking I would probably go right back to what I said before. The self-government idea and the separation of Nunatsiag and the constitutional process is very much appreciated by the Inuit and it has in the long process been happening in the NWT. But I was just stating that if Nunavut is going to be divided and a new government is going to be formed and if this happens within the near future, there would not be anyone to look after the government that is going to be formed. Only the Kabloona would have to be imported to look after the duties that none of our people would want to do. The people who want to have self-government do not even know that there would be anyone to look after their own government. I am worried sick about that. If we are going to have self-government for Nunavut, I am from Nunavut, I would be asked to do so many things, I am sure of that. Because of this I was asking the question: When is the agreement going to be in process and when is the settlement going to be established? You were talking about implementing the decision or agreement, when are you planning to implement it? I was not clearly answered on that aspect. This is the first question.

For 25 years we have had schools in Baffin Island and the people that have gone through that educational process are just starting to get into the job market and the people that have gone through the educational process are not in tune with the political development as of to date. Maybe within 20 years we would be able to implement the settlement that Nunavut would entail. I will not try to predict the future, not my own head. Thank you.

CHAIRMAN (Mr. Erkloo): Qujannamiik. Any more general comments from Members? Mr. Curley. Any more general comments? Okay, we can either go page by page or heading by heading. What is the wish of the committee?

SOME HON. MEMBERS: Coffee break.

CHAIRMAN (Mr. Erkloo): Okay, if that is your wish, we will have a 15 minute coffee break.

---SHORT RECESS

Are there any more general comments? Mr. Angottitauruq.

MR. ANGOTTITAUURUQ: Thank you, Mr. Chairman. I was not going to make any general comments but I think this is one chance to speak to the whole issue. I am not raising any questions, I am just going to make general comments on what I personally believe toward the whole development of political and constitutional development in the Northwest Territories.

Language Issue Not Seen As A Problem

We know it is progressing quite well and we are looking forward to the division but like I say, again, there are things that still bother me but I go along with the people's wish, with the wish of the majority of the people. I myself am not worried about the language. Politicians can speak their own language with the aboriginal language going ahead. I think the natives, if they were given a chance to govern their territory, can do so. Regarding Paniloo's comments there, he said that the Inuit or the natives were not quite ready yet, I think we are ready right now. We could have advisers that are experts and they do not need to be natives. I guess there are many fears that people have. I guess the reason why this whole issue of division and the land claims is taking so long is that sometimes some decision makers do not have too much faith in themselves.

I, for one, support the whole issue but then again I say that right now I am losing my fear of division. I am going for it. Some people may think that people who are working very hard for division are trying to keep other people away. I do not think it is like that. I think it is just that the natives have their own little needs and listening to the aboriginal languages issue there, it clearly showed that it was not combined. Nobody could really make anything toward the division. The language has something to do with it and lifestyle has something to do with it, I guess.

I think the people that were first, the native people, are finally saying that the two governments have been controlling us long enough. We have our own rights which we need and we want to show the Territories how -- well, the native people are finally saying we want to govern our own way, suited to our own style, to make it easier for us because the two governments, or the federal government or the territorial government, have not been playing along with our needs. I think that is all it is. I guess every country wishes that they can be heard. I believe the way it is progressing my guess is that people are just saying that they want to bring the government closer to their own lifestyle. That is what I believe. I, myself, I can say it is guaranteed that even natives can govern their territory as well as any others and they are ready now and 1986 is not the first time that they saw some government officials. It has been a long time before, a long, long time already. I think they are ready. They do not have to speak English, they just need some good advice from the right kind of people. That is all they need.

Like I said, I am not raising any question. I am just making a general comment because this is one of the times I should speak out. If I do not say it, I would not sleep and I would be sorry if I did not say it so I said what I believe. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Erkloo): Qujannamiik, Mr. Angottitauruq. Mr. Paniloo.

MR. PANILOO: (Translation) Thank you, Mr. Chairman. I am not very happy because I did not want to leave Expo '86 today. This is not going to be a direct question either but I will be mentioning this as more or less a general comment. As we start to talk about Nunavut, myself, I was just a hunter and trapper before, and after the oil and gas exploration started in our land the Inuit people were informed about what was happening and I just wanted to support Nunavut that would be coming up in the future. I realize that the money we get from the government will not cease after we get Nunavut, that we will continue getting the funding that we get from the government. We

realized that we were going to get royalties from the oil companies. I think because of this we were in agreement to the creation of Nunavut. I do not think that any apologies were made to the oil and gas exploration field workers when the creation of Nunavut was started. I do not think they were informed or given any assistance. I realize when we get self-government that it will be beneficial to us.

I just wanted to say this as a comment. I am sorry, the translator seems to be having a hard time so that will be the end of my comment.

CHAIRMAN (Mr. Erkloo): Any more general comments? Mr. Curley.

HON. TAGAK CURLEY: (Translation) I just want to talk briefly. Some of the Members are not present. Dennis Patterson is not here and I am sure he would want to speak to this. After we get Nunavut and self-government I believe we will be having our own policies. There are three major things that we are going to be dealing with so for that reason I think we have to follow the constitution. It is going to govern what our future is going to be so for that reason we have to deal with this in an important way. If we agree to it and pass it, we are going to have to live with it. While we are talking about what the future government is going to be, if it could be done, maybe all of the Members could talk on this issue.

Organizations Must Be Involved In Negotiations

I know that there are a lot of native organizations in the Northwest Territories such as the Inuit organizations and the Dene organizations and there are non-native organizations. We are going to have to talk with them in this issue here. The territorial government and the Legislative Assembly and the native organizations are going to be involved in this process just as the Nunavut Constitutional Forum will be involved and the Tungavik Federation of Nunavut and the Dene Nation and the Metis Association. This paper is dealing with those people because we have to involve them while we are discussing this. We are going to be discussing the boundaries of the territories. We are trying to transfer responsibilities to the NWT. I think you all know about the forestry management, Red Pedersen is involved in that, and the health services and the mining and energy which is going to be transferred to the territorial government. We are going to have to have a say in what kind of royalties the Inuit people or the native people will be getting but the territorial government and the Legislative Assembly cannot negotiate this unless the rest of the native organizations are involved and that is all I wanted to inform the Members about.

When we started negotiating with the federal government it was the Liberal government, but today we have not agreed on mines and energy with the present federal government. The Prime Minister of Canada stated that if we were not supported by the native organizations, such as Inuit and Dene organizations, the oil and gas exploration will not be transferred to the Territories from the federal government. That is why we have put a halt to discussions or negotiations. I think we all know that although the territorial government is in support of the division, this has to be completed, and when the native organizations finally get their agreement then -- up to today the territorial government has not really had a seat in the discussions or the negotiations. We are going to have to try to get everything negotiated such as land claims and division and the transfer of responsibilities. I will be speaking English right now. (Translation ends)

Mr. Chairman, I have one preamble to the document. I think it is a very important document and it is unfortunate many of our representatives from the other regions are not here because this political and constitutional development paper in my view is a very important framework for the development of the political and constitutional issues as well as aboriginal rights and devolution matters. These are not small potatoes as far as I am concerned but we seem to be treating it today as one of the routine matters and therefore it should be very quickly dealt with and got on with so that we can get off on our holidays. But unfortunately that is not the case, because of the time running out on our sitting here.

Interests Of Ordinary Citizens Not Represented

But I did want to indicate fundamental points that should always be the basis for resolving very tough issues relating to political and constitutional development. We have an ongoing policy that we support aboriginal rights, resolution of land claims. And I think that is important. I can see that the land claims issues are issues where our native people, Dene, Metis and Inuit, for instance, should have the first priority as far as the direct negotiations with Ottawa are

concerned. I do not have any difficulty in that and that is one process, I think, that we cannot really interfere with all that much, with respect to the direct negotiations, since the federal government is responsible. But in the other two areas, with respect to constitutional development, the present state of NWT, I think it is the business of not just interest groups like the Inuit, Dene and Metis, NCF, or the Constitutional Alliance. I think it should be the business of the citizens who believe in the free democracy of the NWT. But unfortunately we have been lumped into each interest group. Unless you are a member of the organization that is supposed to be speaking for this or that, you could not quite take part in the constitutional development of the NWT.

I regret that a little because I think in the NWT we have an opportunity to not only enhance our good government. However small we are, I think NWT has the best government that has been framed and conceived for a long time. As for the quality of representatives, in terms of membership of the population, we have it. We do represent quite a good cross section of the population. But when we get down to making major political decisions, there does not seem to be all that much of a feedback from or participation of the ordinary people out there. I regret that a little. I do not attribute that to our present government, the GNWT, or the native organizations or whatever. I think it is because of the way in which the federal government has treated the NWT ever since the Department of Indian Affairs was conceived. I think that department should be done away with. I think that should be the first priority of the people of the NWT. I do not believe in duplication of government. I do not believe in duplication of shuffling papers here and there and having two sets of departments that are parallel in running economic activities, or social, for that matter.

Some Issues Cannot Be Decided By Consensus

I think that is where all of the political problems originate. I did want to say that because in my view the political development in the NWT, as long as you put conditions such as "You must have consensus on all issues before you resolve them", is almost practically impossible. I think in democracies you cannot really say there must be a true consensus. I disagree with Mr. Crombie on this point, fundamentally, because he did say at one public meeting that the Canadian way is a consensus way. I do not agree with that. There is no Canadian consensus down south on any major, practical, important issues. From that point I think we have become aware in the NWT that to try and resolve a number of things is not going to take consensus. I know for one the Inuit in their negotiations with respect to their land claims are not going to want consensus with respect to their share of the land and resources and other programs, because that is going to be a direct negotiation with Ottawa. So consensus is not going to be possible in that area.

On the more important political development, I know that we are at a sort of crossroads and paradox now because of the way in which we have formed these organizations. We really do not know which one to believe. Obviously we get conflicting signals here and there and I think it is going to have to be our business. Whoever is going to get elected to the Legislature one and one half years from now will have to face that same thing -- how are we going to resolve and build the best government for the people of the NWT? That is going to be another interesting challenge and I think it is a challenge that we are going to leave to them. But I hope that it will be done so that, although it may be possible to divide the NWT geographically, we not divide and come to a permanent conflict for the future for people of the North.

Role In Negotiations On Devolution

But regarding the issues that relate to devolution, I think that is another major challenge because aboriginal rights and land claims are dealing with issues which I think are not necessarily just aboriginal-related matters, but of public interest, and so on. As a result of that, the role of the GNWT is always in a particularly difficult state, because we are not a party with the aboriginal rights negotiations and we are not looking for third party status with respect to the land claims negotiations, because we, that is, the government, have made a commitment to the aboriginal rights issues. But when we are dealing with devolution, we are faced with a very complicated situation because the aboriginal groups do want to have a role with the direct negotiations with devolution.

Therefore, from that point, we are not helping ourselves in the NWT because we are further enhancing the role of the Department of Indian Affairs and Northern Development, as far as their role in the NWT is concerned. I often conclude in my own mind that the Department of Indian Affairs really does not want to see any of their responsibility decrease and therefore conceiving the idea that there must be consensus on all major political and constitutional issues was initiated.

So Mr. Chairman, I just wanted to point out to the House my views on these very important issues. Whatever happens, as long as there is democracy, I know we can take pride in the fact that we, the native people, the Inuit people, are the majority of the people of the NWT. I think that is good and I think we should strive to do so. But I think it is also important that the role of the elected representatives be very clear because if there was no role for the Assembly or the Legislature at any given time, then surely I think we should conclude that the government is not important. We in the NWT, I think, have spent far too many hours and far too much time dealing with philosophical ideas as to how the NWT should be governed. As far as I am concerned, government is government whether it is blue, red or yellow. Having less government in your lives should be the objective of any free society and believing individual. So for all that matters, I think if you can change the colour blue to red, all the better. So Mr. Chairman, I just wanted to point out some of my viewpoints into the record. Thank you.

CHAIRMAN (Mr. Erkloo): Thank you. General comments. Mr. Appaqaq.

MR. APPAQAQ: (Translation) Thank you, Mr. Chairman. These are very important issues we are discussing. There was a newspaper article that was brought out on the 16th. These are very important issues. It is going to be really hard to make any changes toward this and the Minister is really well aware of these issues. It is unfortunate that Dennis Patterson is not around as he has been dealing with these issues and I am sure he would be able to answer some of the concerns that are brought up here.

I am worried about these issues we are discussing. A lot of us are not aware of it too well but we are expecting Nunavut to come into effect and where the boundaries are going to be and the people are waiting to see that happen. If we are going to get confused about this issue, if we rush into it, I do not think it is going to help the understanding of the people and our future generations who will be the leadership in years to come. If we rush into these issues I do not think it is going to be good for the people in the NWT.

Improved Economy Necessary Before Self-Government

Also, for the past few years the economy has been going down. When they first started discussing the Nunavut Constitutional Forum development was curtailed, when the Nunavut was first introduced and land was frozen, but now that we are on the way to starting the devolution, development is no longer happening in the NWT. I think there should be more research into whether there are going to be any financial arrangements possible to finance the government in the NWT, although I know that the Canadian government would be able to support the government in the NWT.

The grants from the federal government would not make it possible to run our own government effectively. I know that there are more taxes being levied on us in the NWT. If you want to have more control of your own government, you would have to levy more taxes. There is not going to be any development in the NWT where people can make money. Where would we be able to levy taxes? We would have to tax our own people to the limit of their ability and if we want to take over the government ourselves, we in the NWT would have to live very heavily burdened financially. I think we would have to do more research on how we can be financially independent. We have to have more development happening in the NWT first before we can think of having Nunavut.

The first issue that I raised was that I do not like the idea that a Minister of Aboriginal Rights is not present at this time when this issue is being discussed. Maybe I can raise this issue even in the Ministers' absence. Is that possible? Thank you.

CHAIRMAN (Mr. Erkloo): Thank you, Mr. Appaqaq. Mr. Minister.

HON. MICHAEL BALLANTYNE: Yes, it is very useful. All the discussion today is something that the Executive Council will be considering. The intent of putting forward this paper was to do just that, to allow MLAs to voice their concerns and to give us an idea if the direction that we are going is an acceptable one to the MLAs. So, the comments are very valuable and I am sure that over the next weeks and months Mr. Patterson will have an opportunity to talk to MLAs, and also Mr. Sibbeston and other Members of the Executive Council. What we wanted to do was put a paper forward to explain what we are trying to do and to listen to your concerns. We very much appreciate the concerns you have raised and we will take them into consideration in whatever steps this government takes in the future.

CHAIRMAN (Mr. Erkloo): Thank you. Any more general comments? What is the wish of the committee? Should we go page by page or heading by heading? Does the committee agree then that we will go heading by heading?

SOME HON. MEMBERS: Agreed.

---Agreed

GNWT Political And Constitutional Objectives

CHAIRMAN (Mr. Erkloo): On page one, Government of the Northwest Territories political and constitutional objectives. Any questions? Mr. Richard.

MR. RICHARD: Mr. Chairman, if you are on the page entitled, "GNWT Political and Constitutional Objectives", I had a concern. Down in paragraph two under "Principles", it states that when we are designing the public structures, presumably after division, "consideration shall be given to allow variations" and I quite frankly do not understand what that means and ask for some explanation of what principle two means. Variations from what? I suppose our current model or structure is considered the norm and it could be variations from the current norm but I would like some explanation of what principle number two means and while I have the floor, Mr. Chairman, paragraph four states that "all parties must have input" and I do not see any reference to the Legislative Assembly. I believe that if the Executive or its subcommittee is soliciting input to put together some policies in this area that this principle should include, in its list of those who have input, this Legislature. I point to paragraph six or principle number six at the bottom of the page where it clearly confirms that our Legislature has the authority and responsibility to represent the interests of all northern residents. I appreciate that principle six highlights our responsibility in this Assembly but I believe in paragraph four when it sets out, enumerates, the parties who are to have input, there is a glaring omission and that is the Legislative Assembly. Other than that, Mr. Chairman, I do not have any other comments but I would ask for some explanation from the Minister here to explain what is meant by principle number two. Thank you.

CHAIRMAN (Mr. Erkloo): Thank you, Mr. Richard. Before I allow Mr. Minister to answer that question, are we agreed that we will go heading by heading? First of all the Government of the Northwest Territories political and constitutional objectives. Do we agree? Is there any question on that? Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, this paper was brought in as a tabled document, the tabled document was moved into the committee of the whole for discussion. Is it really the intention for us to approve these principles? I thought it was just to discuss it, because I feel that the paper is prepared and basically does not have too much wrong with it but at the same time it seems to me that it is written in a discussion form and not really to the point in dealing with the issues and, I suppose, in every sentence you would want to have clarification of some words and that would take a long time. Maybe I could get some idea of what the intent is with this draft piece of paper or this discussion paper.

CHAIRMAN (Mr. Erkloo): Thank you. Mr. Minister.

Paper To Be Discussed, Not Ratified

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. The intent of the government in putting this paper forward is not to have every single detail ratified by the Assembly. It is put in the form of a discussion paper and as a catalyst to bring out Members' concerns. The government does not expect that every single recommendation or principle here is formally ratified but what we would appreciate are any comments along the way that where in the Members' opinion we may be off the mark. I agree with Ms Cournoyea, that was not the intent of the paper, to have it formally ratified.

CHAIRMAN (Mr. Erkloo): Thank you, Mr. Minister. Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, I also get a bit concerned about the word "ratified". I did not know we were going to ratify this paper at this time to any extent. I realized we were going into discussion but being the issue that it is I did not realize that we were going to ratify some points or all of them or some of them. I feel the discussion is helpful and I do not mind moving along and picking out the points from section to section but I do not think at this point in time I would be prepared to ratify the paper. Thank you.

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. MICHAEL BALLANTYNE: That was my point. We would be interested in comments but we are not asking for formal approval for this paper but just comments as we go along.

CHAIRMAN (Mr. Erkloo): Any further discussion? Mr. Minister.

HON. MICHAEL BALLANTYNE: Mr. Chairman, would you like me to respond now to Mr. Richard's questions?

CHAIRMAN (Mr. Erkloo): Yes, go ahead.

HON. MICHAEL BALLANTYNE: The intent of principle number two for you, Mr. Chairman, is to allow the Nunavut Constitutional Forum and the Western Constitutional Forum to look at some alternatives to the parliamentary system form of government that we find in southern Canada. I think Mr. Richard is aware that the WCF is looking at some possibilities of guaranteed representation. The whole philosophy of consociation is being explored. What we are saying here is that we endorse the principle of some flexibility of the two constitutional forums to explore more innovative ways of dealing with government that are not necessarily traditional in the South. If I could ask his question on number four. No problem with that. That was the intent; that the Legislative Assembly is part of that process.

CHAIRMAN (Mr. Erkloo): Thank you. Mr. MacQuarrie.

Constitutional Proposals To Be Ratified By Legislative Assembly

MR. MacQUARRIE: Yes, if I could clarify a question that Mr. Curley raised. This may provide further information but it is certainly the intention of the WCF that any constitutional proposals that are tentatively adopted by the Western Constitutional Forum must be ratified by all parties in the forum. That certainly includes the Dene Nation, the Metis Association and possibly COPE if it is part of the forum at some point, but it certainly also includes the Legislative Assembly so that any package would have to be brought to this Assembly and discussed by Members here. I suppose at some point it will be decided by the Assembly as to whether it would be western Members who would vote on the western constitution and eastern Members on an eastern constitution but at any rate that may seem to make some sense. Even then, the WCF's intent is still that after all of the parties have agreed to the package of proposals, that package would be put to the people who are going to be affected by it, in some form of plebiscite so there should be lots of opportunity for public input and certainly input here from the elected representatives of the people.

CHAIRMAN (Mr. Erkloo): Thank you, Mr. MacQuarrie. Any more discussion on this? Mr. Appaqaq.

MR. APPAQAQ: (Translation) Thank you, Mr. Chairman. I believe that this paper should be presented to the aboriginal organizations and other interested parties. I believe that if we approve these, we should present this paper to other organizations so that they will know what we are discussing because they are involved in other areas of the constitutional process. Whatever the Tungavik Federation of Nunavut is stuck on, they should not be eliminated from this process that we are dealing with. That is what I believe. That we should be consulting with every organization in the NWT regarding our idea of a change in the process of claims. Right now I believe that whatever we decide today will not be of any use to the NWT unless it is the other organizations that are involved. Thank you.

CHAIRMAN (Mr. Erkloo): Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: This paper was sent out to the different aboriginal organizations and we asked them for their comments on the paper.

CHAIRMAN (Mr. Erkloo): Thank you. Any more discussions on the Government of the Northwest Territories political and constitutional objectives? Mr. Appaqaq.

MR. APPAQAQ: (Translation) I believe that a copy of this document was sent to organizations. Wherever there is a meeting in the NWT we always hear what is happening to each other in all the meetings taking place in the NWT. I believe that I have never been told that there is going to be a discussion on this subject in our Legislative Assembly. None of the other organizations were aware of the fact that we were going to be discussing this subject at this time in our Legislative Assembly. This is all that I want to state. Thank you.

CHAIRMAN (Mr. Erkloo): Mr. Minister, do you want to respond to that?

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. The original paper was tabled in this Assembly in February. I think all Members have known that a discussion was forthcoming on this particular matter and because we were not able to discuss it at the first part of the session, it has been revised and we are discussing it here. Everybody has been aware of the fact that this was coming into committee of the whole since February.

CHAIRMAN (Mr. Erkloo): Thank you. Mr. Gargan.

Memorandum Of Understanding, Inuit Organizations

MR. GARGAN: Thank you, Mr. Chairman. I understand that this revised version has been based on probably a memorandum of understanding with this government with regard to constitutional development. What is the intent of this government at this time with regard to the Inuit organizations in signing a memorandum of understanding with them? I believe that this report was done by the Executive but it involves the Constitutional Alliance. I do not know -- not having a memorandum of understanding with the GNWT and the Inuit organizations complicates this, because eventually we will have a third revision to this particular document. I would like to get the government's response because I thought that this was strictly a discussion paper and we are not going to go into the details of agreeing to all these clauses and then find out later on that we have already agreed to it and there are no further discussions on it. I have a concern over that.

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. MICHAEL BALLANTYNE: As I stated earlier, we perceived this as a discussion paper. We are not asking for formal agreement of this particular discussion paper. In the coming sessions of the Assembly, circumstances will change and I think it is important that we have further discussions. As for a memorandum of understanding with the Inuit organizations, we are working on that right now. We have had some meetings with them and when we have the next northern leaders' summit, hopefully we can come to some agreement with the Inuit groups. That is what we would like to do.

CHAIRMAN (Mr. Erkloo): Thank you. Any more discussions? Mr. Gargan.

MR. GARGAN: So what is the procedure that is going to be used with regard to addressing the issues of this report? Mr. Chairman, you are going to say "agreed" and there is agreement -- what does that mean? I do not know. Does that mean that we approve of this document or does it just mean that we go forward and go to the next one because we agreed on the first one? Eventually you have to have agreed on all of them, but what does that mean? I do not know what the implications are.

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. TAGAK CURLEY: My understanding is that all anyone is agreeing to is the fact that they have read it and they have had an opportunity to comment on it. You are not agreeing that you agree with every point in this paper. This is just a paper for us to get a better idea of your feelings as a Legislative Assembly on these issues. We are not asking for formal agreement on each point or on the whole paper. So when you agree, as far as I am concerned, it means that you have read it and you have given it whatever comments.

CHAIRMAN (Mr. Erkloo): Any more discussion on this? Mr. Arlooktoo.

MR. ARLOOKTOO: (Translation) Regarding the aboriginal claims, since the paper has been sent to the aboriginal organizations and since the aboriginal organizations can state their interest, can we see their interested ideas after all the ideas have been collected from the other organizations? Would you be presenting a new document after that? Thank you.

CHAIRMAN (Mr. Erkloo): Mr. Minister.

Direction May Be Modified By Input

HON. MICHAEL BALLANTYNE: I do not see a new, extensively changed document, but depending on what happens with the Coolican task force, depending on what Mr. Crombie decides to do as regards the land claims policy, depending on whether or not we can reach some sort of a memorandum of

understanding with the Inuit, over the next months or until the end of this Assembly, it might be necessary to update our approach as a government. There are many forces outside of our control that will dictate some of the things we will have to do as a government to respond. So for now, this is the basic direction of our government and I see that that will be modified as we become aware of new realities, as things change. Does that answer your question, Mr. Arlooktoo?

CHAIRMAN (Mr. Erkloo): Mr. Arlooktoo.

MR. ARLOOKTOO: (Translation) Thank you, Mr. Chairman. He answered my question properly and I understood it. But I am concerned. We were saying that when the new developments come, it seems that there would not be able to be input into the new legislation regarding the claims process. It does not seem that we are talking about a bill or legislation. The Baffin Regional Council would be very much interested in this discussion paper and they would be telling us what to do. We are the representatives of the Baffin Regional Council. Baffin Region people do not want to be the cause of slowing the process down. I think if we do not rush the process and when the eastern people understand better and as MLAs we understand our responsibilities in this regard a lot better, I believe that in the following month that this is going to be discussed. If we let the organizations know first and our own organizations in our region, we know what they are thinking. Thank you.

CHAIRMAN (Mr. Erkloo): Thank you. Myself, as chairman, I cannot allow this process to slow down. Mrs. Lawrence.

MRS. LAWRENCE: I have two large assemblies taking place in my constituency this summer. One is the Metis Assembly in Fort Resolution, starting Thursday, which I will be attending, and as well, the Dene Nation Assembly in Snowdrift, next month on July 14th. At that assembly I will be discussing this paper with them. Up to then, there is not too much I can say or have an input into, so I will just have to sit here and listen. Mahsi cho.

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. MICHAEL BALLANTYNE: To answer both Mrs. Lawrence and Mr. Arlooktoo, the intent of the government is to get this paper as widely distributed as possible. It will be very useful for MLAs to talk to regional councils and organizations in the communities and then come back in the fall with any ideas they might have and let us know in the meantime any concerns or ideas you might have.

CHAIRMAN (Mr. Erkloo): Thank you. Before I recognize Mr. MacQuarrie I would like to recognize Kathy Makela, niece of Eliza Lawrence. Miss Makela has just recently graduated from Nakawic Senior High School in New Brunswick. She currently achieved two distinct awards, the President's Scholarship and the Bishop Barry Scholarship. She will be attending the St. Thomas University this fall.

---Applause

Mr. MacQuarrie.

MR. MacQUARRIE: Yes, in view of some of the comments, I guess I have to clarify something with the Minister. Would it be my understanding that unless there be objections to something that is in the paper or specific directions to the contrary to what you intend here, that in a general way that this is the direction that the government will pursue over the next coming months?

CHAIRMAN (Mr. Erkloo): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: I think that the discussion paper is also an update on what we are doing as a government. So generally this is the general approach that we will be taking as a government unless we hear vehement opposition to that. Once you people have had some time to absorb all of this, it might well be that the majority of this House wants us to go in a different direction, in which case we will. But I think it is fair to say that unless we hear some vehement opposition to what we are doing as a government, in a general way this is the approach that we are taking right now and that we will be taking.

MR. MacQUARRIE: Did you hear Mr. Curley's concern?

CHAIRMAN (Mr. Erkloo): Mr. Gargan.

MR. GARGAN: We have gone through this particular sessional paper and have discussed it for about three hours. Most of the Members have expressed their concern and made some suggestions and recommendations and I believe that this issue is completed. There is no recommendation in this tabled document and it is only for discussion. To move clause by clause and title by title -- I understand some Members would like to leave by Friday...

SOME HON. MEMBERS: Agreed.

MR. GARGAN: ...and I would like to say that this particular document is concluded.

CHAIRMAN (Mr. Erkloo): Thank you. Okay, we will go quickly. There is a decision to go heading by heading. There was no motion. Mr. Gargan.

Motion To Conclude Discussion Of Tabled Document 67-86(1), Carried

MR. GARGAN: Mr. Chairman, I would like to move that Tabled Document 67-86(1) is completed.

CHAIRMAN (Mr. Erkloo): There is a motion on the floor. To the motion. Mr. Richard.

MR. MacQUARRIE: Adjourn debate? Is that debatable?

MR. RICHARD: Mr. Chairman, I wanted to have further comments over on page 11 where they talk about division. I for one would like a little more time, without keeping people here until Friday. So I am not in support of deferring this. I notice that although the paper has been called up-to-date and out-of-date, that maybe the author presumed somebody would defer it until the fall because it says on the front, on the very cover, "prepared for the eighth session" and this is only the seventh session. So actually this paper is ahead of itself in that sense. But I am not in favour of deferring it or concluding it. I would like us to spend a little more time at it. Thank you.

CHAIRMAN (Mr. Erkloo): To the motion.

MR. MacQUARRIE: Point of order.

CHAIRMAN (Mr. Erkloo): Point of order.

MR. MacQUARRIE: According to Rule 41(e) a motion to adjourn debate is not itself debatable. I believe we should just vote on it and whichever way it goes, get on with it.

CHAIRMAN (Mr. Erkloo): All those in favour of the motion, raise your hand. Opposed, if any? The motion is carried.

---Carried

Can we have order please. Does the committee agree that Tabled Document 67-86(1) is concluded? Apparently Tabled Document 37-86(1) is an old version of this.

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 21-86(1): Territorial Hospital Insurance Services Act

CHAIRMAN (Mr. Erkloo): Bill 21-86(1), An Act to Amend the Territorial Hospital Insurance Services Act. Mr. McLaughlin, would you like to make opening remarks?

Minister's Opening Remarks

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. The reason this piece of legislation was originally required was because on September 1st we expect to take over the services delivered by Health and Welfare Canada in the Baffin. Negotiations will be complete and our government will take over that responsibility on September 1st. The legislation presently only allows for a board

of management to be responsible for operation of a facility and therefore we had to amend the legislation to allow for a board of management to have responsibility for more than one facility. So the present hospital board in Baffin will become a regional health board and it will be responsible for the hospital in Frobisher Bay as well as for all the nursing stations except for in Mr. Appaqaq's community. The board will have responsibility for more than one facility so the prime reason for this legislation is really to pluralize that word "facility" to "facilities". In consequential amendments, we are also giving the Minister responsible the authority under legislation for appointing boards of management and other agents which are presently set aside for the Commissioner to do. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Erkloo): Mr. MacQuarrie, as the chairman of the legislation committee would you like to make some remarks?

Comments From The Standing Committee On Legislation

MR. MacQUARRIE: Thank you, Mr. Chairman. A question was raised during the review of this bill, after it was explained by the Minister as to the matter of the devolution of health care services. Essentially the thrust of the question was whether the bill was intended to effect the devolution of those services quickly or was this merely in the nature of enabling legislation. The Minister informed the committee that the bill was intended generally as enabling legislation which is necessary, he pointed out, because the federal government is devolving the authorities in the Baffin Region in two phases. Phase one was to take over the hospital there and in phase two is the takeover of 13 nursing stations in the Baffin area. He advised the committee that these takeovers are due to become effective September 1st of 1986, so that this legislation was necessary.

In commenting further about that point, the Minister noted that transfers in the Kitikmeot and Keewatin Regions have also been approved, and will probably go ahead by April 1st of next year, but he acknowledged that in the Western Arctic area, there are difficulties with respect to the transfer of Health, difficulties with the Dene Nation and the Metis Association. He indicated to the committee that he would not negotiate the transfer of facilities in these areas without attempting to involve the Dene Nation and the Metis Association in those discussions. He did point out that the matter is rather complex because of areas such as Inuvik which are complicated because there are a number of different user groups in an area like that. At any rate, after the general discussion the committee agreed to recommend this bill to the committee of the whole as it is presented but there were a couple of other concerns that were raised and addressed in various ways and I will address those, Mr. Chairman, as we go through the bill.

CHAIRMAN (Mr. Erkloo): Thank you, Mr. MacQuarrie. Any general comments? Mr. Richard.

MR. RICHARD: Mr. Chairman, I was just listening to Mr. MacQuarrie's comments about the discussions in the standing committee. I do not understand, I am sorry, what these amendments have to do with the takeover of the federal hospitals and nursing stations. Could the Minister of Health explain what the connection is?

CHAIRMAN (Mr. Erkloo): Mr. Minister.

Regional Health Boards To Manage More Than One Facility

HON. BRUCE McLAUGHLIN: Yes, Mr. Chairman. As I said, the initial reason for requiring any changes to the THIS legislation was the fact that the present wording only allows a hospital board of management to operate a health facility and so we had to amend the legislation so that regional health boards could be established that could manage more than one facility because in the Baffin, the nursing stations will be turned over to us hopefully by September 1st and we require the legislative authority to change the Baffin Regional Hospital Board into a Baffin Regional Health Board which will govern the operation of the hospital in Frobisher Bay and the nursing stations in the Baffin. In addition to that, Mr. Chairman, we are also changing the authority of the Commissioner to appoint boards of management, etc., to giving the Minister responsible the authority for appointing those boards. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Erkloo): Thank you. Any general comments? Does the committee agree then that we go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 1, board of management. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 2, term of office. Mr. MacQuarrie.

MR. MacQUARRIE: On clause 1, just to note that in subsection 11.2(3) the bill provides that the Minister shall solicit from the council of that community names of persons suitable for appointments as members of the board of management. It was explained to the committee when it asked what is meant by "council" that it could mean community council but also Dene band council or Metis locals, but that it did not refer to local health committees and at that point one of the Members of the committee expressed the concern that if that is the nature of soliciting names to serve, that Inuvialuit community corporations should be consulted as well and the Minister gave the undertaking that in fact he would make the arrangements to make sure that the consultations would include those community corporations.

CHAIRMAN (Mr. Erkloo): Any more general comments? Clause 1. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 2. Agreed? Mr. MacQuarrie.

Terms Of Hospital Board Members Not Limited In Number

MR. MacQUARRIE: Thank you, Mr. Chairman. There was some discussion in committee concerning the matter of limiting the number of terms that hospital board members can serve to two and it was pointed out in committee that in fact occasionally you have people who are particularly interested and very well qualified and that that is precisely the kind of people you should be aiming to have on these boards. At the same time, however, the Minister noted that there had been complaints voiced in the past that in some of these boards the same people get on again and again and again and continue recommending one another, so that it was important to have a mechanism to make sure that there was an opportunity for new blood to get onto these boards.

The Minister also pointed out that where it is evident that people have ability and interest, there are provisions in this bill to make sure that they can be reappointed and these are two things: first, in clause 2 of the bill, subsection 11.3(1) provides that the chairperson of a board shall hold office during pleasure, so as long as that person is performing the job well they may remain in the job. The Minister further pointed out 11.3(5), which indicates that notwithstanding subsection (3) the Minister may, where it is in the public interest, designate any member of the board of management to hold office at pleasure, so that competent, qualified, interested people could be assured of continuing presence on these boards.

CHAIRMAN (Mr. Erkloo): Thank you. Mr. Gargan.

MR. GARGAN: Thank you, Mr. Chairman. I guess, perhaps going a bit further on what Mr. MacQuarrie was saying with regard to qualifications of people on the boards of management, this amendment concerns the Baffin Region with the transfer of the hospital right now. What is the situation right now with regard to qualifications on the board of management and are there people from the committee that are actually on that board because of the calibre of qualifications that is required to be on that particular board?

CHAIRMAN (Mr. Erkloo): Thank you. Mr. Minister.

Qualifications Of People On Boards

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. Generally, when appointments are made to hospital boards, what we are looking for are residents of communities that are just ordinary persons. In other words, they are lay persons as far as medicine goes and the health profession goes. They are just ordinary people in the community who are interested in the medical services being delivered to

them. On occasion a board might ask us to appoint an accountant or possibly a lawyer who might have particular interest or sometimes, if the hospital is undergoing some construction, they might ask us to appoint a businessman who is in the construction industry to oversee the project. In general, an ordinary lay person who is interested in medicine is all that we are looking for, someone who has a keen interest in having good medical services. Usually that person is recommended by the community and in the Baffin it is usually the chairman of the local health committee who is recommended to us -- and on occasion there is a specific request to have a person with a certain knowledge and we usually try to accommodate that if we can. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Erkloo): Thank you. Mr. McCallum.

MR. McCALLUM: Thank you, Mr. Chairman. I would just ask a question of the Minister. Is the chairman of the Baffin Regional Hospital Board, as I guess it is now, is that chairman still the regional director of the Baffin Region?

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. No, when Mr. Black was transferred to Fort Smith I decided that it was time that the board recommended from among its members a non-government employee, so Mr. MacRury, who is the present regional director, is now the vice-chairman. Thank you.

CHAIRMAN (Mr. Erkloo): Any more general comments? Clause 2, term of office. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 3, reappointment. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 4, vacancy. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 5, appointment during pleasure. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 6, body corporate. Agreed? Mr. McCallum.

MR. McCALLUM: Thank you, Mr. Chairman. Just in terms of clause 6, the second part of it, the change of name. I take it from what the Minister has been saying earlier, it is a possibility now that it will not be the Baffin Regional Hospital Board but it may be the Baffin Regional Health Board or this may apply to any board in the Territories which has responsibility for health facilities. Is that correct?

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. BRUCE McLAUGHLIN: Yes, Mr. Chairman. Another example is that when the new project is finished in Yellowknife they want to call themselves, I believe, a health centre board of management rather than a hospital board of management. That is another example of a name change. Thank you.

CHAIRMAN (Mr. Erkloo): Clause 6. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 7. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 8, audit. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 9, liability. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 10, public administrator. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 11, contract management. Agreed? Mr. MacQuarrie.

Validity Of THIS Questioned

MR. MacQUARRIE: Yes, just before we conclude the matter, Mr. Chairman. Before we conclude the matter, there was a question of a general nature in dealing with it because this is an amendment to the Territorial Hospital Insurance Services Act. A question arose in committee which has risen before on a number of occasions and that is with respect to the validity or the worth-whileness of the Territorial Hospital Insurance Services Board. It was understood by some Members of the committee that the government had at one point undertaken to review that board and determine whether in fact it was a necessary part of administration or whether it was in fact just an obstacle to effective management of health care institutions. I think that a number of Members feel that it is the latter. So this matter was raised in committee as to whether that review had been done. The Minister indicated that he personally felt that the THIS board had a valid role to play but nevertheless it was evident that a number of committee Members wanted to see the government carry out what they felt was a commitment -- that is, to review its effectiveness. Before that questioning the Minister indicated eventually that he at one point had prepared draft legislation that allowed for an administration system without the THIS board and that this draft could be made available to Members of the standing committee. He indicated further that he would raise the matter with the Executive Council and report to the Legislative Assembly on what the results of the consideration at the Executive Council level were, so the House may at the fall session look forward to something on that matter.

CHAIRMAN (Mr. Erkloo): Thank you, Mr. MacQuarrie. Clause 11. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Does the committee agree that Bill 21-86(1) is ready for third reading?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Mr. Butters, what is next?

HON. TOM BUTTERS: Mr. Chairman, I do not wish to have Bill 20-86(1) discussed in Mr. Sibbeston's absence, so possibly we could proceed to the next item of business.

Second Report Of Special Committee On Rules, Procedures and Privileges

CHAIRMAN (Mr. Erkloo): Okay, we will go to the second report of the special committee on rules, procedures and privileges. Mr. Richard, would you like to make a remark?

MR. RICHARD: Thank you, Mr. Chairman. The second report has been distributed and I believe it has been translated today. This report, Mr. Chairman, arises out of the trip of the special committee on rules, procedures and privileges to Toronto, Ottawa, Charlottetown and Fredericton last month. The Members of the committee had an opportunity to meet with counterpart committees in those four jurisdictions and compare rules and procedures. Also in three of the four jurisdictions our committee spent some time observing the House and committees of those Houses in carrying out their functions. Members of the committee, in visiting the four jurisdictions, noticed that recent changes are being made in all four jurisdictions and it was the common theme running throughout the changes being made to the procedures that each was attempting to give more weight to the role of a private Member. This is confirmed, Mr. Chairman, in the fact that of the four jurisdictions, three of them have in the last year implemented daily Members' statements which, as Members will recall, was a recommendation of our first report which was adopted last week.

Positive Comments Received

Secondly, Mr. Chairman, as noted in the report, it was not entirely a learning process by our committee. As you are aware, Mr. Chairman, we did receive a number of positive comments or observations on our own procedures where MLAs or Members of Parliament in other jurisdictions were somewhat jealous, in a sense, of the way we are conducting our procedures to date. Two particular areas that they noted that they wished they were able to do themselves were the way in which we consider our estimates and the fact that our budget estimates are all approved prior to the start of the new fiscal year. That is simply not done in the other jurisdictions but they all agree that it should be done.

There is a note here in the report, Mr. Chairman, that our counterparts in the South were impressed with the positive working relationship between our standing committees and the Executive Council.

---Applause

Members will take from that, Mr. Chairman, how positive and forthcoming and congratulatory we were when we visited those other jurisdictions.

Finally, Mr. Chairman, there was the observation by our counterparts in the other jurisdictions of the ability of our standing committee on legislation to study draft bills prior to their being tabled in this Assembly. That was noted with some surprise by other legislators.

Other areas that were discussed, Mr. Chairman, if I might go through jurisdiction by jurisdiction, just to speed this up. In the province of Ontario we visited the Ontario Legislature at Queen's Park, met with a number of groups and some of the areas that we highlighted there were Members' statements. The restriction that we have not included in our own recommendation is that the period of time in the orders of the day for Members' statements is limited to 10 minutes in total. As Members are aware, we did not include any such limit in that every Member in this Assembly, when the new rules come into effect in the fall, will be able to speak once under that item for two minutes each day of sitting.

Under Ministers' statements, again there were limits on the way they use Ministers' statements. All Ministers' statements cannot exceed 20 minutes in total. One thing we picked up there that we have included in our recommendations in our first report was that advanced copies of Ministers' statements are distributed to Members of the opposition prior to the Minister's rising to give this statement. We are hoping that that will be an improvement on our system as well.

HON. TAGAK CURLEY: We do not have an opposition.

MR. MacQUARRIE: We just have friends.

MR. RICHARD: The other matter that is done in Ministers' statements there, Mr. Chairman, is to give the opportunity for Members of the opposition immediately after the Ministers' statements to comment but again for a total of five minutes only.

In committee reports, in Ontario, we noted a provision that requires the government to respond to a committee report within "x" number of days and that is 120 days. Similarly, on the issue of petitions, when a petition is presented in their Legislature the rules provide that the government or the responsible department must provide a reply within two weeks and we will later in this report, Mr. Chairman, be including that in a recommendation for the changes for our own rules.

Next, Mr. Chairman, there is a reference in the report to the manner in which the Legislative Assembly in Ontario receives recommendations with regard to Members' own salaries, indemnities and allowances. As Members will recall, in our first report last week we recommended that this Assembly adopt a recommendation for a similar procedure here.

Use Of Television In Legislature

The use of television in the Ontario Legislature is quite extensive and they are really moving forward with the technological changes to the television industry and are basically on the forefront now of moving to an electronic Hansard totally.

Finally, in the section on Ontario we noted that they have a standing committee on agencies, boards and commissions and again our committee is going to do some further study on this. We are awaiting the report from the Executive Council on our own agencies, boards and commissions. Members of our special committee on rules, Mr. Chairman, are strongly considering making a recommendation this fall for a similar standing committee for this Assembly.

Before concluding the Ontario section, Mr. Chairman, I should indicate that when I say that the Members of the Ontario Legislature were suitably impressed with the way we do some of our rules and procedures, we have just received confirmation today that Members of the rules committee of Ontario are going to be visiting our jurisdiction to learn from us this summer. It is not a coincidence that they are going to travel here for a visit during the summer months.

The visit to the House of Commons, Mr. Chairman, as you are aware, unfortunately resulted in our not having the key meeting we hoped to have in Ottawa with Mr. Cooper's committee on rules and procedures. The time that was allotted to us was taken away because Members of that committee had to go into the House for other, more urgent matters but we did, again, in Ottawa note the procedure for petitions. Again, the government is required to prepare a response within 45 days of the presentation of a petition. With Ministers' statements, again there is an opportunity in the House of Commons for opposition spokesmen or critics to comment briefly on a Minister's statement. As yet our committee is not recommending that particular change.

As most people are aware, the committee system in Ottawa has changed as a result of the implementation of the recommendations of the McGrath committee. The standing committees have been changed to quite an extent. The membership of those committees has been reduced in most cases to seven but they provide alternate Members of the committee that can substitute when each of those seven Members cannot attend.

Issues Of Confidence In A Consensus Government

The other major part of the visit to Ottawa, Mr. Chairman, was when we met with a constitutional expert by the name of Professor Eglinton who is going to prepare a paper for us on issues of confidence or non-confidence in a consensus government. There is a brief reference to that in our report on page six.

The next stop was to the province of Prince Edward Island where we met with Members of a committee there who had just earlier this year completed a revision of their rules. Again we saw some similar changes to -- one was introducing the motion of Members' statements. We did discuss with them the manner in which they handle petitions. They have a restriction on their petitions, as does the province of Ontario, in that a petition is not allowed to be received if it calls for an expenditure of public funds and although that is the case in PEI and Ontario, Members of our committee are not recommending any such restriction.

---Laughter

MR. MacQUARRIE: You guys can handle it.

MR. McCALLUM: The only time we get them to...

MR. RICHARD: There is a similar observation we made, Mr. Chairman, in dealing with their rules in Prince Edward Island. They have a provision which governs the conduct of the debate when they are considering their estimates or their budget. Motions during that debate are not allowed if they seek to increase, transfer, substitute or attach conditions to items in the main estimates. However, motions are permitted to delete items in the estimates or to reduce them or decrease them.

In both PEI and New Brunswick and also in Ontario, Members there are struggling, as we are in a sense, with the notion of questions of privilege and each jurisdiction is attempting to write up a layman's version of what constitutes or does not constitute a question of privilege. Hopefully our committee will be able to do something like that for its report later this year.

Turning to the part of the report dealing with the New Brunswick jurisdiction, again there is a similar observation about the use of petitions. There is a similar committee in New Brunswick, a standing committee on crown corporations, which is established with other standing committees at the beginning of each Assembly. Annual reports of the agencies, boards and commissions are automatically referred to that standing committee.

Date Restriction For Introduction Of Government Bills

Another one we observed, Mr. Chairman, that the government might take note of because our committee has got it under consideration, is that there is a provision in the rules in New Brunswick that puts a limit on the date when the government can bring in government bills, prior to the introduction of new bills. There is a deadline each session and the government must bring in the bill before that date or it will not be considered by the Assembly.

MR. MacQUARRIE: Yea, yea! Hear, hear!

MR. RICHARD: I suppose, Mr. Chairman, I should not jump over the one recommendation or one observation that we made about the treatment of the media in New Brunswick. We did note in the New Brunswick Legislature, and we were told that it was the only jurisdiction, they have a much smaller room than we do, it is very crowded there but at this end of the small room, outside of the ropes or the rail, the media are permitted to sit right on the floor of the Assembly and I am told, Mr. Chairman, that historically that privilege was continued only because the media are so well behaved in New Brunswick...

---Laughter

...while in the Assembly. But, in seriousness, there is quite a number of accommodations made to the media that stood out because, it was explained to us and we toured the building next door where the press gallery is located, they are given office space and limited facilities like desks and one phone and if they want to add to it, they can add at their own expense. Noteworthy, though, is that there is an accredited press gallery in that jurisdiction. It is totally self-disciplined by the members of the media. Of course these accommodations or privileges are only accorded to accredited members of that press gallery.

The next part of the report, Mr. Chairman, deals with the general comments. I believe I have referred to Ministers' statements and the possibility of a standing committee on agencies, boards and commissions. Without further ado, Mr. Chairman, I want to return to the recommendations on pages 12 and 13. The special committee wishes to make....

MR. MacQUARRIE: It is 6:00 o'clock.

MR. RICHARD: Oh, I am sorry. I did not know we were even that close.

AN HON. MEMBER: Progress.

CHAIRMAN (Mr. Erkloo): The hour being 6:00 o'clock, I will rise and report progress. Thank you.

MR. SPEAKER: Mr. Erkloo.

ITEM 16: REPORT OF COMMITTEE OF THE WHOLE

REPORT OF COMMITTEE OF THE WHOLE OF TABLED DOCUMENT 67-86(1), POLITICAL AND CONSTITUTIONAL DEVELOPMENT IN THE NORTHWEST TERRITORIES (REVISED); TABLED DOCUMENT 37-86(1), CONSTITUTIONAL AND POLITICAL DEVELOPMENT IN THE NORTHWEST TERRITORIES; BILL 21-86(1), TERRITORIAL HOSPITAL INSURANCE SERVICES ACT; SECOND REPORT OF THE SPECIAL COMMITTEE ON RULES, PROCEDURES AND PRIVILEGES

MR. ERKLOO: Mr. Speaker, your committee has been considering Tabled Documents 67-86(1) and 37-86(1); Report of the Standing Committee on Legislation on Bills and Other Matters; Second Report of the Special Committee on Rules, Procedures and Privileges; Bills 19-86(1), 20-86(1), 21-86(1), 23-86(1) and 24-86(1) and wishes to report progress. And Mr. Speaker, Tabled Documents 67-86(1) and 37-86(1) are now concluded. And further, Mr. Speaker, the committee considered the Second Report of the Special Committee on Rules, Procedures and Privileges and wishes to report progress. And further, Mr. Speaker, Bill 21-86(1) is now ready for third reading.

Motion To Accept Report Of Committee Of The Whole, Carried

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

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

SOME HON. MEMBERS: Agreed.

---Carried

MR. SPEAKER: Thank you. Announcements and orders of the day. Mr. Clerk.

CLERK OF THE HOUSE (Mr. Hamilton): Announcements, Mr. Speaker. There will be a meeting of the Management and Services Board tomorrow morning at 10:30 a.m.

ITEM 19: ORDERS OF THE DAY

Orders of the day for Wednesday, June 25th 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
13. First Reading of Bills
14. Second Reading of Bills
15. Consideration in Committee of the Whole of Bills and Other Matters: Second Report of the Special Committee on Rules, Procedures and Privileges; Report of the Standing Committee on Legislation on Bills and Other Matters: Bills 20-86(1), 19-86(1), 23-86(1) and 24-86(1)
16. Report of Committee of the Whole
17. Third Reading of Bills
18. Assent to Bills
19. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until Wednesday, June 25th at 1:00 p.m.

---ADJOURNMENT

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