



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES
DEBATES

1st Session

9th Assembly

Official Report

THURSDAY, NOVEMBER 15, 1979

Pages 62 to 108

Speaker The Honourable Robert H. MacQuarrie, M.L.A.

LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

Mr. Moses Appaqaq, M.L.A.
Sanikiluaq, N.W.T.
(Hudson Bay)

Mr. Joe Arlooktoo, M.L.A.
Lake Harbour, N.W.T.
(Baffin South)

Mr. James Arreak, M.L.A.
Clyde River, N.W.T.
(Baffin Central)

Mr. George Braden, M.L.A.
Box 583
Yellowknife, N.W.T.
(Yellowknife North)

Mr. Thomas Butters, M.L.A.
Box 1069
Inuvik, N.W.T.
(Inuvik)

Mr. Tagak Curley, M.L.A.
Rankin Inlet, N.W.T.
(Keewatin South)

Ms. Nellie Cournoyea, M.L.A.
Box 1184
Inuvik, N.W.T.
(Western Arctic)

Mr. Mark Evaluarjuk, M.L.A.
Igloodik, N.W.T.
(Foxye Basin)

Mr. Peter Fraser, M.L.A.
Box 23
Norman Wells, N.W.T.
(Mackenzie Great Bear)

Mr. Arnold J. McCallum, M.L.A.
Box 454
Fort Smith, N.W.T.
(Slave River)

Mr. Bob MacQuarrie, M.L.A.
Box 2895
Yellowknife, N.W.T.
(Yellowknife Centre)

Mr. Bruce McLaughlin, M.L.A.
Box 555
Pine Point, N.W.T.
(Pine Point)

Mr. Richard Nerysoo, M.L.A.
Fort McPherson, N.W.T.
(Mackenzie Delta)

Mr. William Noah, M.L.A.
Baker Lake, N.W.T.
(Keewatin South)

Mr. Dennis Patterson, M.L.A.
Box 262
Frobisher Bay, N.W.T.
(Frobisher Bay)

Mr. Ludy Pudluk, M.L.A.
Box 22
Resolute Bay, N.W.T.
(High Arctic)

Mr. Robert Sayine, M.L.A.
Fort Resolution, N.W.T.
(Great Slave East)

Mr. Nick Sibbeston, M.L.A.
Box 560
Fort Simpson, N.W.T.
(Mackenzie Liard)

Mrs. Lynda Sorensen M.L.A.
Box 2348
Yellowknife, N.W.T.
(Yellowknife South)

Mr. Donald Stewart, M.L.A.
Box 1877
Hay River, N.W.T.
(Hay River)

Mr. Kane Tologanak, M.L.A.
Coppermine, N.W.T.
(Central Arctic)

Mr. James Wah-Shee, M.L.A.
Box 471
Yellowknife, N.W.T.
(Rae-Lac La Martre)

OFFICERS

Clerk
Mr. W.H. Remnant
Yellowknife, N.W.T. X0E 1H0

Sergeant-at-Arms
Major D.A. Sproule C.D. (SL)
Yellowknife, N.W.T. X0E 1H0

Clerk Assistant
Mr. Pieter de Vos
Yellowknife N.W.T. X0E 1H0

Deputy Sergeant-at-Arms
Captain H.J. Mayne C.D. (Ret'd)
Yellowknife, N.W.T. X0E 1H0

LEGAL ADVISOR

Mr. Stien Lal
Yellowknife, N.W.T. X0E 1H0

TABLE OF CONTENTS

15 November 1979

	<u>PAGE</u>
Prayer	62
Continuing Replies to Commissioner's Address	62
Questions and Returns	84
Reports of Standing and Special Committees	86
Notices of Motion	89
Motions	89
Orders of the Day	108

YELLOWKNIFE, NORTHWEST TERRITORIES

THURSDAY, NOVEMBER 15, 1979

MEMBERS PRESENT

Hon. Robert H. MacQuarrie, Mrs. Sorensen, Mr. Braden, Mr. Wah-Shee, Mr. Sibbeston, Mr. Sayine, Mr. Nerysoo, Ms. Cournoyea, Mr. Curley, Mr. Noah, Mr. Evaluarjuk, Mr. Patterson, Mr. Pudluk, Mr. Appaqaq, Mr. Tologanak, Mr. Fraser, Mr. McLaughlin, Mr. Stewart, Mr. McCallum

ITEM NO. 1: PRAYER

---Prayer

SPEAKER (Hon. Robert H. MacQuarrie): Pray be seated. To begin this afternoon's proceedings I would like to read the text of a communication I just received from the Commissioner of the Northwest Territories.

Deputy Commissioner, Robert Sheffield Pilot

"Mr. Speaker, I have been advised this morning by the Honourable Jake Epp, Minister of Indian and Northern Affairs that by order in council, Robert Sheffield Pilot has been appointed Deputy Commissioner of the Northwest Territories.

The full text of the Minister's press release will be available later this afternoon. I take great pleasure in welcoming Mr. Pilot to this position. His broad experience in many parts of the Northwest Territories will stand him in good stead for continuing service to the people of the North.

John H. Parker, Commissioner."

I understand that Mr. Pilot is in the gallery this afternoon. Would Mr. Pilot please stand and receive the recognition of this Assembly?

---Applause

We will move to Item 2 on the order paper, continuing replies to Commissioner's Address.

ITEM NO. 2: CONTINUING REPLIES TO COMMISSIONER'S ADDRESS

Are there further replies today? I recognize the Honourable Member from Frobisher Bay, Mr. Patterson.

Mr. Patterson's Reply

MR. PATTERSON: Mr. Speaker, I am glad to be here. I am very pleased to be a new Member of this Assembly and may I say at the outset I am very happy with your appointment. You have experience in the Eastern Arctic and you have already shown your fairness and patience. I appreciate the spirit of good will and genuine desire to obtain consensus, already evident here. I am also very grateful to my fellow Members for the tremendous reception those of us from the Eastern Arctic, especially the new Members, have had from all the Members of the Assembly, even though you know it is no secret we have formed a caucus for those Members north of the tree line, not to obstruct or oppose but to speak with a strong, united voice to protect and maintain our collective interests. Mr. Speaker, we may protest too loudly at times but please tolerate us since in the past we have not been represented in such ample numbers.

I also wish to briefly pay tribute to my controversial predecessor, Mr. Bryan Pearson, whose sincerity and keen desire to represent the neglected interests of his constituents, particularly in the field of education, economic development and local control will not be forgotten. He was a good talker too. Too often I am afraid he was the lone voice from the East and I, Mr. Speaker, will try and encourage all those from the East to participate, even though they may be hesitant since I know that they bring here a tremendous array of talent and experience in local government, business and politics.

The Isolation Of The East

Most important, we all share a great pride in the uniqueness of our region and of our peoples. We have been particularly isolated in many respects from the rest of the world. In many ways I have come to sense that this isolation has been beneficial. Our people are not like any others. Our local governments have developed without a great deal of outside influence and new ideas have sprung up as a result. I will refer to the Baffin Regional Council and the Igloolik alcohol education committee as examples later on. As you may know I have worked for the last four years for the Maliiganik Tukisiiniakvik, Frobisher Bay legal services centre for the Baffin region, the first legal aid clinic in the Northwest Territories and I am proud to say the first employer of native court workers or native paralegals in the Northwest Territories.

I have been criticized by some lawyers who live in Yellowknife who believe that a lawyer who is foolish enough to live in Frobisher Bay would be isolated and out of touch with current developments in the law and the stimulus of regular association with other members of the bar. This very well may be true, Mr. Speaker, but I believe that I have also, if I have suffered, I have benefited from this isolation too. My board of directors for example has been in a position to influence me, and they have taught me that the Anglo-Canadian law is in many ways sometimes foreign to northerners. It is based on a different set of historical values and beliefs and a different procedure for resolving disputes.

Mr. Speaker, my board of directors have taught me that in many cases, not in all cases but in many cases, courts and court conflict can and should be avoided. If people worked together hard enough and with enough compassion, understanding and patience, almost any problem can be solved. This for me has been an invaluable lesson. I have attended many meetings in Frobisher Bay in the Baffin region. I think we probably meet as frequently as any people in the world. It is remarkable to me, Mr. Speaker, how people from my part of the world which I now call my home are willing to merge their individual opinions into the collective viewpoint. Even when polar opposite opinions are present at the beginning of meetings, even if it takes eight or ten or more hours, consensus is eventually achieved without rancour or conflict.

What Is Best For The Territories Must Be Determined

Mr. Speaker, I hope to bring to this Assembly what I have learned most particularly from the Inuit about decision making by consensus. It is especially important, I believe, that we strive to achieve consensus in this Assembly where we have no political parties or divisions. Our only obligations are to our constituents and to all the people of the Northwest Territories and I am convinced and optimistic that with enough goodwill we can together determine what is best for all the people of the Northwest Territories. At this point we do not know what that direction is. Like my predecessor I frankly admit that I had pretty well given up on the possibility of governing Frobisher Bay, Sanikiluaq, Grise Fiord or Whale Cove from Yellowknife.

I frankly do not see how much longer this huge territory can stay together as one, but whatever we decide to do let the reasons be clear and let all the interests in the Northwest Territories agree. I will not force a motion for division of the territories on this Assembly even though, Mr. Speaker, I believe that such a vote would probably carry by a majority if we had to vote on it tomorrow but that would truly be a division in the worst sense. That would be a hollow victory and very unpromising beginning for any new territory.

I would like to address the question of the capital and the new form of government for the Northwest Territories a little further on but first as is customary, I would like to bring to the attention of this Assembly, Mr. Speaker, special concerns of my constituency in Frobisher Bay. What can one say about a place like Frobisher Bay? I hate to dwell on it, Mr. Speaker, but the most grievous problem to my mind seems to be the startling rate at which young men and women are killing themselves in Frobisher Bay, nine in one year, all young and it goes on. We shudder to think of who will be next. Why are young intelligent people so desperate? Why do they do this violence to themselves? Mr. Speaker, I believe that they are angry. They are angry at a society where there is no destiny, no hope for them. Our village is a government town. It is run largely by transient outsiders. I have only been there under five years, but for a newcomer to Frobisher Bay that is a long time. Everywhere you look, the police force and hospitals, the schools, government officers, people doing the most important jobs, the decision makers are all outsiders. Even the waiters in the bar where many young people drink profusely are hired in Toronto. Many people point to drugs and alcohol as causes of this profound despair, but I think while these are factors and alcohol seems to be a common factor, I think the problem is much more deeper than that. Many of these young people do exceptionally well when you consider what they are facing, a town with limited recreation facilities where an alarming number of children drop out of school before they even reach their teens.

The People Have Lost Control Over Their Destiny

Mr. Speaker, a group of these young street people did a study of the problems in Frobisher Bay. That group was called Katitseeeyet. The study was much discussed and much criticized. Everyone is suspicious, of course, when a study is done by persons without credentials, without a scientific method and for very little money and really it is often asked "Are not the outsiders in a better position to say what is wrong?" Frankly, Mr. Speaker, I was disappointed that certain officials in the Government of the Northwest Territories seemed to be miffed because that project was funded from Ottawa. The young researchers found that most of the real decision makers in Frobisher Bay are transients. They start something, often a new program, often with the best intentions, and move on. They take the best jobs and move up and out. They might live in the best houses and they take regular trips to Montreal paid by their employers. All this I believe, Mr. Speaker, makes the Inuit majority in Frobisher Bay feel that in many ways they have lost control over their destiny. So many things are needed.

A young person in Frobisher Bay has to go to Fort Smith or elsewhere for vocational training. I am sure Fort Smith is a fine town to live in, but it is a very rare Inuk who can be happy going to school there and who can succeed. It used to be easier to get training in Ottawa but now again because of the peculiar pride in itself that the Government of the Northwest Territories has, education officials in the Northwest Territories seem reluctant to admit that the vocational training section of the Department of Indian and Northern Affairs in Ottawa which has trained Inuit for years can offer something that cannot be provided in the Northwest Territories.

Vocational Training Centre Needed In The East

Mr. Speaker, we should have a vocational training centre somewhere in the East. The need is great and urgent. Art, particularly carving, but also printmaking, drawing, sewing, jewelry making is a most valuable cottage industry in Frobisher Bay. It takes very little capital and few tools. The market is healthy but soapstone is selling for 50 cents a pound in the co-op in Frobisher Bay and it is in chronic short supply. Mr. Speaker, we desperately need a long-term solution to the problem of availability of soapstone in Baffin Island. The stone is there, it is good stone, but we need help to mine it and bring it to the carvers. Economic development, where are you when we need you?

Mr. Speaker, speaking of carving, I have been involved in a most gratifying project in the last two years called the senior citizens' carving workshop. Five senior citizens of Frobisher Bay have taught carving in the art room of the high school increasing the students' knowledge of the Inuktitut language at the same time. This was funded by Canada Works but Canada Works has been replaced by LEAP, the Local Employment Assistance Program in the Northwest Territories. This new program which has, as I understand, almost twice as much money allocated to it as Canada Works in past years unfortunately requires that a project have the potential to demonstrate self-sufficiency, especially, and I say unfortunately because especially in the remote areas it is very difficult to really demonstrate viable projects. Also it favoured youth and women. Our senior citizens are without funds. This same Canada Works program LEAP, not, unfortunately, the Government of the Northwest Territories has provided in our region major funding for the cultural inclusion program in Baffin region schools. This fund, this source of money has dried up and it is not easily replaced under the terms of the new LEAP program.

Along with the recent cutback in education these two factors have caused very great concern in my constituency, Mr. Speaker. No cultural inclusion programs to speak of, no new adult education programs, is even more serious in a place where Inuit youth seem to be already so disenchanted with the education system. We are very happy with the new teacher education program in Frobisher Bay; it must continue. I hope there will be jobs for those teachers when they graduate.

Control Must Be In The Hands Of The Local People

Mr. Speaker, I believe our education system will only work when control is placed in the hands of local people. The Baffin Regional Council has recently called for the creation of a regional education board to take charge of the Gordon Robertson Education Centre, the high school in Frobisher Bay which serves students from the Baffin region and beyond and take charge of the regional residents in Frobisher Bay.

The Baffin Regional Council has asked that the superintendent of education would report to this new board. I know that this idea is surprising and perhaps will be unpopular with the Education department officials, but this government must work to persuade them otherwise. If legislative change is required since the Education Ordinance at present does not recognize other than local authorities for schools, even though some of those schools might be regional schools, then I would hope to have the support of this Assembly for those changes.

Northern Police Force

Mr. Speaker, I really want to try and do something about a northern police force. My predecessor Mr. Pearson accused me of stealing the idea of a northern police force from him when I used it in my election campaign. Well, that idea is not just his idea. Anyone who looks around and lives in the Baffin region or Frobisher Bay for awhile, can see the serious credibility problems faced by the RCMP as they now exist. Mr. Speaker, I am not in any way against the RCMP, they intend to do well, they try very hard, they have made tremendous sacrifices in serving the North and the recent tragedy in Cape Dorset comes to mind. However, any outsider, especially one who tries to enforce his will on a drunk or depressed person, is in for real trouble.

Mr. Speaker, in Pond Inlet the alcohol guards project was a great success. The alcohol committee members received a grant to demonstrate a project whereby their members were paid to deal with drinking problems. They know how to handle people they have known for years, at least they know how to handle them better than anyone else. The local police, the RCMP, in Pond Inlet were happy too. Everyone who has been familiar with police work knows that for a policeman in uniform, going into a domestic situation where drink is involved is an extremely dangerous situation. The alcohol guards did not have an easy task either but they did very well. They wanted more protection than they could give themselves on their own so they wanted to use handcuffs and, as is proper under the laws of Canada they ordered handcuffs and began to use them. Of course there are limits to the use any person can put handcuffs to but in the context of their duties under the alcohol guards program, and in the interest of protecting intoxicated persons they used the handcuffs with great care and responsibility. Unfortunately, Mr. Speaker, RCMP headquarters in Yellowknife found out and they thought the alcohol guards were going too far and perhaps they made it look like the RCMP was not completely capable of doing the job there, even though the idea had the support of the local members. So, unfortunately, Mr. Speaker, pressure from Yellowknife has resulted in such discouragement locally that the project has not moved on.

Need For Professional Policemen In The North

Mr. Speaker, this kind of thing is a shame. There is a very real need for professional policemen in the North, even trained lay people such as would participate in a northern police force do not want to handle rapes, murders, major cases on their own. We need the RCMP in there, and their expertise, but not for the average domestic complaint, the average drunk which invariably involves a high proportion of native people in our region. Let us take advantage of the credibility of young men and women in our region who want jobs. Most policing work, including I might mention, the most important task of search and rescue can be done better by local people but they need training and support from the professionals.

My predecessor asked in 1972 and again in January 1979, what the administration would do about establishing a northern police force. Members supported the motion strongly. I asked the question again the other day and I hope it will be answered soon. Mr. Speaker, I will not let this issue die, it is too important. I speak as one who has worked extensively and I believe co-operatively with the RCMP on an almost daily basis for almost four years. They do very well considering, and some of the special constables do manage to survive and serve with distinction too, in spite of their tiny numbers and inferior status. However, let us tackle this problem. I am sure we can create a new program, even if we have to design it ourselves without help from the administration. I am also sure that it will probably save money.

Concern Over The Department Of Justice

Mr. Speaker, I am tired of hearing about the clichés that native people do not like to police each other or sit in judgment on each other. They only dislike the tasks when they must do it by themselves instead of working together. This brings me to a concern I wish to express frankly, and I hope constructively, concerning our Department of Justice.

I do not know government very well yet, Mr. Speaker, I will frankly admit but I do know that department better than most. We all know that, particularly in the Baffin region, the majority of persons who go to court who have conflict with the law, and in Frobisher Bay it is from 85 to 90 per cent are Inuit or native people and that court staff and court personnel down to the lowest clerk are almost exclusively non-native persons. There are a lot of retired policemen, and I have nothing against retired policemen but I think they are more than amply represented in justice and public services. I think that native people are sorely underrepresented and should be encouraged to participate in a way which will bring more respect to the law and the administration of justice in the Northwest Territories. This must change, Mr. Speaker. A lot of good things are happening in the Baffin region and Frobisher Bay. The Qenuajuaq cultural society has set up a new alternate school for children who cannot fit into the ordinary academic stream after trying. They are not trying to compete with the school system, but where it utterly fails young persons in Frobisher Bay who drop out, mostly Inuit again, will learn how to hunt and sew. This is a project of the Solicitor General for Canada but it must have our support and the support of this government if it succeeds and if it is to continue.

Takeover Of Social Services In Frobisher Bay

Most of the social workers in the Baffin region are local persons and the great majority of them are Inuit. The village of Frobisher Bay will take over social services in a short time, over the next two years they are working toward the devolution of complete responsibility for delivering of social services in Frobisher Bay. Again I must give credit to my predecessor Mr. Pearson in his capacity as chairman of the village and also perhaps in this office for encouraging this remarkable testimonial to the fact that there is meaning, there can be meaning to this touted policy of devolution.

We have a new mental health team in Frobisher Bay which was created by another somewhat unusual development, a co-operation of federal jurisdiction, National Health and Welfare which will be transferred to the territories in due course I trust and our Department of Social Services. This is a very important development, especially in view of the tragic problems I alluded to earlier.

Alcohol problems are being fought and licked by communities in our region. More and more people are building private homes in Frobisher Bay in spite of many obstacles. Private home ownership must be encouraged everywhere by this government I believe, Mr. Speaker, and by the federal government. The future looks good, but things can be much better and I will work very strongly for increased devolution of authority to local boards of education, hospital boards, hunters' and trappers' associations, housing associations and indeed any other local groups who demonstrate willingness and eagerness to take on these most important responsibilities. In our region I am happy to say, Mr. Speaker, the people are eagerly clamoring to take on these responsibilities and the central government should be more than glad to give them away, because those of us on the scene really do know best how to handle our own problems.

Yellowknife Not Appropriate Capital For The East

Mr. Speaker, I would like to talk briefly about -- it is about Yellowknife. Yellowknife is, if you do not live here, "Yellowknife" is an amorphous person. "Yellowknife" says this, people have to check with "Yellowknife". Yellowknife is our capital and, of course, it is a good capital for the western territories, but how could it ever be considered a capital for our eastern territories? Even the territories own government in our region seems to have gone its own way as much as possible. It is no secret that our regional administration actively encouraged the formation of the Baffin Regional Council and for the first time made regional superintendents accountable to community representatives. Not that the community representatives had any power to tell them what they should do, not that the Baffin Regional Council had any law-making powers, but it had influence and it has grown in influence. Even at the Baffin Regional Council, however, it has been obvious that our regional administration has been hampered by the tight reins reaching from Yellowknife and perhaps I can cite some examples, Mr. Speaker. Our regional superintendent of wildlife, who by the way is a native person from the West, devised a meaningful training program for wildlife officers based on on-the-job training, reducing the formal academic component and instead substituting field work and on-the-job instruction. That program, although it had strong support from the Baffin Regional Council and groups, other groups in the Baffin region, has unhappily been vetoed now by Yellowknife.

In the field of local government the village of Frobisher Bay has become so frustrated with the high-handedness of the Department of Local Government in Yellowknife that it has often been remarked by officials in the village that they would like to go back to hamlet status. Recently, Mr. Speaker, a five year capital expenditure plan was developed for Frobisher Bay by the Department of Local Government. This Department of Local Government funded an expensive development plan for Frobisher Bay which required that the planner consult extensively with our community, but when it came to that same Department of Local Government setting capital priorities for the village of Frobisher Bay, the village of Frobisher Bay was not consulted about their capital priorities of course. It has now been pointed out the plan failed utterly to meet our most pressing needs for gravel and for a solution to our serious solid waste disposal problem probably through an incinerator. All the village asked for, Mr. Speaker, was consultation on setting these priorities. That is all they wanted. There was no consultation because Yellowknife thinks Yellowknife knows best what our capital priorities should be.

Now, of course, since this time a village representative has come here to try to get their attention and I hope that they are listening now. But why must we always react to Yellowknife in this way? I should say that I am confident that in the field of developing a wildlife officer training program I am encouraged to hear the Honourable Mr. Sibbeston is concerned about this urgent need as well, that we can persuade the administration here that such a program can work and can be structured in such a way as to make it palatable and something that native people will be attracted to so that they can govern their own resources with the sort of credibility that they innately have with their people.

In The Field Of Education

In the education field, Mr. Speaker, local education authorities are having to struggle for every bit of authority they can squeeze out of the reluctant administration in Yellowknife in my view. Local education authorities have little enough authority as it is under the law but they are most anxious to participate in running their schools. The Education Ordinance imposes a duty on the Minister of Education, for example, to consult local education

authorities on the selection of a school year which suits the needs of each community based on its lifestyles and special needs. Perhaps an onerous burden is cast on the administration by law, Mr. Speaker, but none the less a clear duty.

The local education authority in Igloolik eagerly and seriously responded to the challenge of picking exactly the right school year to suit their reasons and needs of their people, particularly the most important traditional family spring hunting. They proposed a legal school year which took into account the wishes of their community and their reasons and they worked hard at it. The local education authority considered the point significant. They wanted the community to see that they did in fact have some small control in how their school was to be run. Otherwise, they reasoned, quite properly I think, how could they induce parents to keep their children in school. Their principal and teaching staff supported the proposed school year. Officials in the Department of Education said, "Here are five school years and you can pick one." Well, this school year that Igloolik had worked hard to develop unfortunately did not fit into any one of the arbitrary five that the administration had selected. The administration refused to budge. The education official said that administrative convenience was important to them. If they picked a different school year for each community it would cause great administrative problems. That is undoubtedly true, but skating over the clear duty imposed by the ordinance to consult and take into account the special needs and lifestyles of the people of Igloolik, they did not say when they responded to the Igloolik committee, and we can thank them for their frankness, but they did not say, "Taking into account your special needs and lifestyle we have determined you should have the following school year." They said, "Taking into account our administrative convenience these are the school years you can choose."

Local Authorities Need To Participate In The Running Of Their Schools

Now, I am happy to say, Mr. Speaker, and to the credit of the then minister of Education, the Honourable Mr. McCallum, the people of Igloolik did get the school year they wanted but only on the eve of a lawsuit. The Education administration has in their response to the committee served notice that the matter would likely be brought before this Legislative Assembly since the law opposes such administrative burdens on the department. I hope that when this Assembly comes to considering any proposed amendment, it will see that it is not only administrative convenience that is important in considering these questions, it is the real desire of local authorities to participate and to be seen to participate in the running of their schools.

Mr. Speaker, examples abound, believe me, but I do not want to be negative, although perhaps I have sounded negative. For administrators living in a southern style town, two time zones away where mail is fast, if it takes seven days to get here from Frobisher Bay in offices, many offices where people cannot call if they do not speak English, administrative officials in this government could be a lot worse.

A Recommendation Of The Carrothers Commission

In 1966 the famous Carrothers Commission on which our Commissioner, Mr. Parker, was a member recommended that Yellowknife be the new administrative capital of the territories, replacing Ottawa. The reasons for moving the administration from the East, and it was in the East until it was moved to Yellowknife, Mr. Speaker, were many. The Carrothers Commission considered the reasons very carefully, and it makes very interesting reading now in 1979. Yellowknife was the centre of the largest population in the territories and represented average climate and living conditions, the commission said. It had the facilities and would appeal to new residents who would be drawn to the capital.

I agree that no doubt many of your government officials, many of our government officials would not want to live away from Yellowknife and away from the South and away from the shops and stores and benefits of southern society. I may say, Mr. Speaker, I find it amusing that people who live in Yellowknife seem to really believe they are living in the true North strong and free. Everywhere I go in Yellowknife I see polar bear symbols, and there are more polar bear symbols here than in the places where the polar bears live. Yet, many easterners who come here are astonished to find that their capital is a southern style city where the dominant language, values and outlook seem to be quite foreign.

The recommendation of Yellowknife as the capital of one united territory, Mr. Speaker, was based on other assumptions which have dramatically changed since 1966. First, the Carrothers Commission noted that the indigenous peoples of the eastern territories in 1966 were politically unsophisticated and economically depressed. Left alone, the commission argued after a great deal of consideration, the East would become sealed off, dominated by Ottawa and might never acquire anything more than a nominal form of self-government. It was said that the West had a greater sense of regional identity and that eastern communities were isolated from one another by distance, geography and climate. The West it was argued was the most articulate and populated part of the territories. How times have changed.

Isolation Has Strengthened The East

It was suggested that the East should not be deprived of their wisdom and population at that time. How times have changed, Mr. Speaker. Perhaps because of isolation, strong regional identities have flourished in the East. Political sophistication, beginning with a firm foundation in the local government, has focused increased world attention on the eastern part of the territories and may I cite the tiny hamlet of Baker Lake which, on its own, initially, has taken the giant step of taking the Department of Indian and Northern Affairs to court along with mining companies in a daring declaration that its aboriginal and economic interests in land are pre-eminent.

In fact, Mr. Speaker, I understand that the decision on that very important case is expected today and I am sure that the best wishes of this Assembly are with the people of Baker Lake whose chairman, Mr. Noah, is an Honourable Member for Keewatin North sitting in this House today.

The hamlet, and it is only a hamlet, of Pond Inlet has focused world attention on Lancaster Sound with its eloquent arguments to the environmental assessment review panel when it considered Lancaster Sound drilling last year.

The community of Igloolik was concerned about potential problems their community might encounter with liquor in future years, several years ago. They wanted to teach people who had not had very much exposure to liquor how to drink by counselling and community action, not by the sledgehammer blow of prohibition or the inflexible rationing route, but on an individual basis. The alcohol committee wanted to be given the power by their people and by the government under the Liquor Ordinance to say who could bring in liquor to Igloolik and who could not, and how much and depending upon how they handled it, depending upon how responsible they were to their fellow citizens. The Igloolik committee felt that you should be able to drink a quart a day in Igloolik if you do not cause anybody any trouble but the committee wanted to have the ability to cut you off if you do. Government legal advisers were at first alarmed about giving so much power to a community committee, a power which potentially could have been exercised arbitrarily. So, a compromise was undertaken allowing appeals to a justice of the peace and thereby to the courts, but giving the people of Igloolik the option to create this new model system of liquor control, which they did. The system has been going for over two years now and from what I know it is a model for not only liquor education, but a model of devolution and local control. It is people looking after their own affairs without, I might add, any cost.

The Inuvialuit Land Claims

I am not as familiar with the part of the land, barren land served by my colleague from the Mackenzie Delta, and I am thinking of the Honourable Ms. Cournoyea, but I do know that from a collection of very small communities of Inuvialuit in the Mackenzie Delta sprang the Committee for Original Peoples Entitlement, before the Inuit Tapirisat of Canada. This small organization has shown considerable courage and sophistication and endurance under utmost difficulty to struggle to obtain a land claims settlement again based on strong regional identity. It has been a difficult struggle because of competing claims of development and other interests and later today or this week I understand this House will be asked and I hope will give its support to the people of the Inuvialuit in their struggle.

Mr. Speaker, I make these observations to provide some evidence that the people of the East are no longer politically unsophisticated. Now to be fair to the Carrothers Commission, and I think it was a fair commission, the door was left open for division. In discussing the site for a capital the commission noted that Yellowknife would be an appropriate location for the present political unit of the Northwest Territories or -- note this -- for the western part of the divided territory. Mr. Speaker, I did not mean to be disparaging of your beautiful city. In fact my wife is here for the first time. She is from Igloolik and she is amazed at its beauty, but she is anxious to go home too. This is the appropriate capital for the western part of the divided territory or territories.

A Distinctly Different Political Style In The East

You see, Mr. Speaker, at that time the economic future was uncertain and probably it was true to say that the Inuit were lacking in political development and many were totally dependent on the white man as the Carrothers Commission observed but today those words sound like ancient history. Now easterners, native and non-native people alike, are effective and eloquent politicians eagerly seeking local control from what I have observed is a somewhat reluctant government. There is a distinctly different style in the East, Mr. Speaker, which I have touched on. Local and regional governments and other organizations are models of consensus decision making. There is a very strong sense of unity based on a shared predominant language and common values, history and lifestyle. I say these decisions are based on consensus, not confrontation. They are based on a collective will rather than an individual will.

Mr. Speaker, there are little or no disputes between institutions in a settlement or village in the East. Hunters' and trappers' associations do not fight with village or settlement councils or alcohol committees. They support each other. They work together and resolve differences if any do arise.

Baffin Regional Council

If I may, Mr. Speaker, let me tell you a bit about the wonderful phenomenon of the Baffin Regional Council. I hope to have the privilege later in the life of this Assembly of explaining in more detail what the Baffin Regional Council is all about and in fact asking the support of this Assembly for legislation which would recognize the important role and the new idea of regional government that has evolved quite quickly and perhaps surprisingly out of the Baffin Regional Council in about two years.

Mr. Speaker, the Baffin Regional Council consists of the chairmen of settlement councils, hamlets and villages in the Baffin region. There are 13 in all and when they get together or when regional alcohol committees or regional hunters' and trappers' associations meet, there is remarkable unanimity and consensus

because there is a strong feeling of unity amongst the Inuit and strong regional identities. The formation of our caucus from north of the tree line is no political plot. It is natural. Our interests are all the same and we wish to speak with one voice. The Baffin Regional Council, Mr. Speaker, has had I believe remarkable success in co-operatively obtaining respect from regional administrators in the Government of the Northwest Territories. Its function is to advise the Government of the Northwest Territories in the Baffin region how best to do its work. It has no power over any officials. It seeks no legislative power. All it wants is the opportunity to present to regional administrators for their edification and enlightenment, the views of a collection of local government officials from the Baffin region and when elections are being held in Baffin region communities people know that those they are electing as chairmen of settlement councils or villages or hamlets are also going to be representatives on the Baffin Regional Council.

Giving Direction To Assembly Members

Another very important aspect of the Baffin Regional Council is that ex officio members of the Baffin Regional Council are the Members of the Legislative Assembly from the Baffin region and we have just finished a very enlightening and informative and interesting meeting in Resolute Bay prior to coming here and I am referring to the six Members of the Legislative Assembly from the Baffin region. Let me assure you we were given solid direction from those chairmen of those settlements, hamlets and villages in the Baffin region. The beauty of this new hybrid structure of regional government is that it gives us MLA's a mandate from our region as well as from our constituents and when we will speak to this Assembly from time to time on issues that have been discussed at the Baffin Regional Council we will add their collective voice to ours in urging the government to take certain directions and I am proud and happy to be a part of that process. I think there are lessons to be learned for political development everywhere in the territories from the Baffin Regional Council.

Mr. Speaker, I firmly believe that an Omiot government will be different from a province and probably different from this territory. If the East has not been well represented in past territorial councils, it may partly be because the politics of confrontation and debate are not particularly our style. A Nunavut government would be the model of consensus decision making which I hope we can achieve in this Assembly. Many people ask where would the capital of Nunavut be? As I see it, the Nunavut government's strengths would lie in its distinct regions and its fundamental strengths would come from strong local governments. The capital, if there was one, would therefore recede in importance.

Mr. Speaker, I might mention too, that at the meeting of the Baffin Regional Council in Resolute Bay we were happy to involve and include the Baffin Region Inuit Association and the Inuit Tapirisat of Canada who were ex officio participants in the meeting who presented their viewpoints and in several important respects sought support from the BRC. ITC asked for and received support of the BRC for its Nunavut proposal. Our MLA's all indicated that they were committed to participating in the BRC and welcomed the opportunity for its guidance and direction.

Nunavut Looked Forward To In Frobisher Bay

Mr. Speaker, I come from a constituency which has a very significant number of non-native persons. It is perhaps the only significant aggregate of non-native persons in my region, those people in Frobisher Bay. I want to assure you, Mr. Speaker, that although they are naturally concerned that the ten year residency requirement proposed in Nunavut is too high and I am inclined to agree that it is too high and should be lowered, I ran on a strong platform of support for this principle, I tell you that I am convinced that even the non-native residents of Nunavut are looking forward to participating in this dynamic new body.

In light of these developments in the East towards strong territorial and political development, and considering the unity of language, history and geographic interest, it is wrong to quickly assume that a new territory of Nunavut is politically unviable. The Carrothers Commission spoke about studying the economics of the territories. I am convinced, Mr. Speaker, that an important prelude to a consideration of this question of division of the territories should be a study of the cost of government, particularly those of us from the East would like to see special attention paid to the tremendous costs of travel and communication between the East and West. I think that the Nunavut territory would save the people of Canada money and I am talking about the costs, the tremendous costs of administering a government.

Political Unsophistication In The East Is Ended

Mr. Speaker, the days of political unsophistication in the East are over and the Commissioner and our government, especially some of its more powerful Yellowknife civil servants should have realized this long ago. The question, Mr. Speaker, is not is a divided territory viable, but how can a united territory survive? The question is not should the territories divide but how much longer can it stay together? Let us study this question positively, Mr. Speaker. Without assuming that division is a threat and a peril the people of Nunavut seem to know what they want. This Assembly will be expected to react and its reaction will be important, Mr. Speaker. Mr. Epp will be seeking our reaction. Let us consider this question in a responsible manner and seek a decision which will truly reflect the best interests of all the people of the Northwest Territories.

Quite frankly, Mr. Speaker, I am looking forward to hearing the case for unity of the territories. I think it is time that the case be made, that the facts be given. I am anxious to consult and receive the views of the Dene, for example. Where do they sit should the territories divide? Where do they want to go? What do they think of our move toward self-determination? These questions must be asked and studied in a hurry.

Mr. Speaker, there is much I want to do in this Assembly and there are many people perhaps who want me to stop talking right now and I shall not go on much longer but I will mention that I am very concerned about the devolution of authority and health, wildlife management, education, the question of policing, encouraging private home ownership. I think by the same token the Inuit can work collectively in policing, that groups of justices of the peace should be established who can sit together. It is true that although a significant number have been appointed, Inuit justices of the peace are reluctant to sit but I think only because they must sit alone and not collectively as is their way.

Other Languages Should Be Recognized

I would like to see the Jury Ordinance amended to recognize that many people's first language in the Northwest Territories is not English or French.

Mr. Speaker, I think it is appalling that people should be excluded from serving on a coroner's jury or on a supreme court jury because they do not speak English or French. Let us have truly, trial by one's peers in the Northwest Territories and let us recognize other official languages in the Northwest Territories. Inuktitut should be a language of government where it is spoken by a majority of the people. I concur with the Honourable Mr. Braden that mine safety and collective bargaining in the Northwest Territories should be addressed. I agree that the archaic prohibition of freedom of speech, of civil servants in the civil service ordinance is wrong. I believe it is a relic of bygone days when civil servants were thought to swing a lot of weight. Our opinions are as important as anyone else's but they have no particular influence on our people, although perhaps upper level civil servants should have the discretion and perhaps it can be reflected in any legal changes to remain independent from the political process.

An Exciting Four Years To Come

Mr. Speaker, I think the four years will rush by and I am very much looking forward to working with my colleagues in this Assembly, all of my colleagues including my colleague from the East. I may be labelled as a divisionist and separatist but I do sense a strong feeling of co-operation in our desire to participate in a constructive manner which will seek a true consensus and leave no bitterness or rancour, whatever we decide collectively. People are excited about this Assembly, Mr. Speaker, ordinary people and secretly I think many civil servants are too. Perhaps many civil servants are afraid and perhaps the ones who are afraid should be afraid. I am excited too. This Assembly is composed of a number of different, distinct elements and regions, many of which I frankly admit I am not that familiar with. We are all different. Our constituents have different but I think fundamentally the same interests. Maybe we can pull it off, maybe we can achieve a consensus here. I will do my best to participate in a constructive manner.

One final remark, Mr. Speaker, and I beg to differ with the Honourable Mr. Sibbeston, although I am sure I agree with him on many things, but this government is our government. This administration may not be our administration but this government is our government. The administration will change or it will be changed. The Honourable Mr. Fraser after a long caucus session one night last week called myself and others, the wise men from the East, and I was flattered. I think there is a lot of wisdom everywhere in this Assembly. So, let us hope we can maximize it. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Before we go on with other replies, I had meant to ask something of Members when I made the announcement of Mr. Pilot's appointment, and that is that we would very much appreciate it if each one of you would inform the Clerk of the House of your travel plans as soon as possible. We must know we will have a quorum to conduct the business of this House tomorrow. Please inform the Clerk if possible.

We will be prepared to go on to other replies but it is nearly 2:25 p.m. and if someone had a one minute or two minute reply we would be open to that. If each of you have a reply that is longer maybe we should recess. Seriously if there is someone who would just want to make few remarks for three or four minutes -- All right, in that case I will declare a recess for three or four minutes for coffee and we can carry on with replies later.

---SHORT RECESS

MR. SPEAKER: There is a quorum present so I will call this Assembly to order. We are still dealing with the replies to the Commissioner's Address. Are there further replies? The Honourable Member for the Western Arctic, Ms. Cournoyea.

Ms. Cournoyea's Reply

MS. COURNOYEA: Thank you, Mr. Speaker, Honourable Members and welcome to our guests. I would like to say, Mr. Speaker and Members of this legislature, that it appears that I am here in your presence at great odds and those great odds I will just expound on a bit. For example, in the traditional culture of the Western Arctic women provide a support role, a very valuable support role. For a number of years, I have respected that, for I believe that much of the work that we have to do is with our people, with our young people and at a community level. I am not much one for politics and I have taken this responsibility because there was a request that I do so. As well it is believed that leadership should be exercised at home in the first instance and it is also felt that leadership is lacking a great deal, leadership at the community level and the support for leadership and the main reason for lack of leadership is because people are mixed up with what leadership should be, what it was in the past and what is expected of it today.

I am also here from another oddity and that is, I think, the oddity that I am very proud of right at this point of time because it was told to me that I had been successful in being elected with a good margin, respectable margin, despite the odds that a multinational company backed my opposition. I am also here despite the fact that I had to battle a country and western band and all kinds of entertainment. But despite all these things I think the Western Arctic region in its uniqueness did provide the most exciting election that there was in the Northwest Territories. I am very proud to be here on the basis that I was sent here by the people of the Western Arctic which I have been part of all my life. It is appropriate that the new Assembly and the new Members should be looking to the future, to the next four years at least, in anticipating the task ahead, but before we can meet the challenge of the future I think we first must know where the territories is now and how it got there. Without knowing our past and without understanding the present it is unlikely we will be able to meet our commitments to the future. In my view we are at a crossroads in the development of the territories. We have choices to make about what kind of territories we really want to build and we should make these choices in the full command of the facts, with a full understanding of the implications.

On critical issues in the past the territorial Assembly and the Government of the Northwest Territories have been isolated and unresponsive to the people they are supposed to serve. It has become a self-fulfilling creature that used the aspirations and goals of this electorate as a threat to its own. A paradox has existed in the territories. The Government of the Northwest Territories continually assert that it is dominated by a colonial minded federal government. Yet it has been a few sophisticated people who have controlled the territorial government and council who eagerly wished to retain the vast entirety of the Northwest Territories as their domain.

Elected To Represent Goals And Objectives Of Constituents

I was elected to resolve the impasses created by the former assembly and correct that paradox for my constituents. I was elected because the Government of the Northwest Territories Legislative Assembly and the administration were reflecting practices and policies which were in direct opposition to the stated goals and objectives of my constituents. I was elected because the Assembly, this Assembly will be considering issues, for example, constitutional change which will have a profound effect on our lives and future and my constituents want to be involved and they know I would involve them. They know I will take back issues and options for them to discuss and they know

I will seek their direction. I will not be making decisions in Assembly without my obligations to my constituency being fulfilled. My job in Assembly is to represent the views of my constituents in the process of trying to develop consensus and this consensus in the community. If no consensus can be reached, I must find a resolution which is fair to all of my constituents and I must carry out the will of the majority while protecting the minority. I have been sent here to see if this territorial government can function to serve the people and respond to their needs and desires as this government should. In the minds of the people of the Western Arctic this Assembly is on probation.

Development Activities In The Western Arctic

The area I represent, the Western Arctic, is a relatively distinct region from the standpoint of people, climate and environment. It is a vast area of over 350,000 square miles of land and water and the Beaufort Sea has always been the main source of life for the people living in the Western Arctic including the established communities of Tuktoyaktuk, Sachs Harbour, Paulatuk and Holman Island. The Western Arctic has had a relatively long contact with development activities. Over 100 years ago it was started with commercial whaling. Men and ships from the United States and Russia moved into the Western Arctic in search of the wealth that came from wildlife products such as whale oil, baleen and furs. Their uncontrolled greed wiped out just about all the whales and the diseases they brought just about wiped out all the original Eskimo people. Today the Beaufort Sea is again the scene of southern men and ships pursuing their greed and trying to satisfy this continent's thirst for oil and gas.

We must consider what will be left behind when they have squeezed the last drop of oil from under our sea. The issues facing the people in the Western Arctic are probably the same as those facing the territories as a whole, although the priorities may differ and the solutions may be unique. The Commissioner has identified some of these issues in the present and past. They are settlement of land claims, direction and process for constitutional development of the territories, evolution and responsibility for local government, direction and development of the economy and the matter of securing financial arrangements with Ottawa. To this list I would add the need to resolve the drug and alcohol problems at the community level and the need to develop an effective educational system. I will speak to each of these items in turn.

Land Claims And Constitutional Development

Land claims and constitutional development: I can think of no greater example of a more serious failure on the part of the previous assemblies and Government of the Northwest Territories to carry out their responsibility than in the area of land claims and constitutional development. Nowhere has the isolation of the government been more profound, pronounced and more destructive. The issue of land claims and constitutional development are very much interdependent in the minds of many of the native people and the groups which represent them. This perception should not be a great surprise to anyone, nor should it create hostility between this government and the native people. It is tragic that the previous assembly acted as if they perceived land claims including constitutional development as a threat to themselves. It must be understood that the native groups are seeking solutions to the problems facing native people and the territories generally. The fact that several of the groups are putting so much emphasis on constitutional and political development is an indication that this Assembly and this government is perceived as being a problem of paramount importance.

The federal government through its decision to separate political development and land claims may have solved one of its problems but it has created one for this Assembly and for the people of the territories. If the issues are seen as being too closely related, we should not be afraid as a government representing the people of this territory to sit down with these native groups and others to work out co-operatively the direction of alternative directions for the development of the territories. We must appreciate the native people and their representative groups have a lot to contribute to the development of the territories as a whole. Whatever is achieved by native people in land claims is a contribution to the building of the territories. If we are able to achieve an understanding and co-operative approach we would see a new faith built between this government and its people. If this faith and trust were built, the formal quorum, whether it be land claims negotiation process or constitutional development, talks would be more meaningful and likely to produce better long-term results than if the adversarial confrontationist approach is continued. This Assembly must find ways to achieve that understanding and facilitate the co-operative development of our territories. I would like to speak to each of the issues of land claims and constitutional development in more detail.

COPE Agreement In Principle

On the issue of land claims: I know of no area of discussion and controversy in the territories in the last decade that has created more misunderstanding than the issue of the negotiation of the comprehensive land claim of the native people. I will speak more particularly about the negotiations undertaken by COPE, Committee for Original Peoples Entitlement on behalf of the Inuvialuit group of the Western Arctic region which is an area which roughly coincides with my constituency. The 385 Inuvialuit in Aklavik included within the Inuvialuit settlement are represented in this Assembly by the Honourable Mr. Nerysoo. In October 1978 the agreement in principle signed between the Government of Canada and the Inuvialuit represented the first and, as yet the only hope of a fair and reasonable reconciliation of interests in the Western Arctic region. The agreement proved it is possible to truly negotiate a modern, comprehensive native land rights settlement.

Inuvialuit Philosophy

The Inuvialuit have no desire for negotiations to seek special political status. The philosophy of the settlement is to integrate effectively into the Canadian mainstream while at the same time enhancing the Inuvialuit unique cultural heritage within the dynamic Canadian mosaic. The Inuvialuit share the values of most Canadians, a strong belief in our country and our democratic institutions, the importance of individual initiative and responsibility, the necessity for people to be free of the debilitating dependence upon big government and from the welfare state and a respect for our pluralistic society.

The Inuvialuit land right settlement incorporates and builds upon these fundamental values. The agreement represents the results of the dedication of the Inuvialuit to resolving the complex problems facing them within their homeland and in the context of making an effective contribution to Canada. The agreement apart from all its other merits represents good social policy. It gives the Inuvialuit a chance of equal opportunity and meaningful participation within a Canadian society. The Inuvialuit worked very hard for ten years to achieve the agreement and 98 per cent of Inuvialuit voted in favour of signing an agreement in the ratification process.

Reaction Of The Assembly And The Government

The reaction of the legislative assembly was to criticize and ridicule the agreement from the basis of ignorance. Never once did they approach COPE for clarification and explanation. The bureaucracy within Local Government and the Department of Information promoted misunderstanding with the government and public. Whether this dissemination of misunderstanding was naive or deliberate does not matter at this point in time, the effect is the same. Members elected to the legislative assembly to serve the people were opposing what their people wanted. The assembly adopted four principles which they said were a prerequisite for acceptance by the Government of the Northwest Territories of any negotiated claims settlement. Executive Committee's interpretation of these principles meant that the Government of the Northwest Territories would be opposed to all negotiations and proposed claims. The actions of this assembly and the administration were contrary to their stand supporting for an early resolution of outstanding claims.

In addition, during the negotiation the land claims secretariat of the Government of the Northwest Territories was advising the federal government about positions of the Government of the Northwest Territories which were never reviewed or approved by the Executive Committee or by the legislative assembly. The bureaucracy was operating in secret and in an adversarial way in the negotiations, and this is unacceptable.

Action Should Be Taken By Assembly

By assuming an adversarial position in assembly and during negotiations with the Government of the Northwest Territories it was increasing the isolation between government and its people. This Legislative Assembly must take appropriate action to rectify this untenable situation. My suggestions are as follows:

1. Dedicate ourselves to an early and meaningful resolution of all land claims through negotiation.
2. Rescind the four principles passed by the last legislative assembly.
3. Examine the performance and role of the land claims secretariat.
4. Develop a more meaningful, helpful and responsible approach to the resolution of land claims.
5. Determine the role of the Government of the Northwest Territories in land claims negotiations.

As you know since a new federal government has taken office there have been no negotiations on land claims issues until Mr. Epp decided to resume negotiations with the Council of Yukon Indians. The Minister, Mr. Epp, has instructed his department not to negotiate final agreement with COPE and thereby breaking Canada's obligations to the Inuvialuit many of whom are my constituents. Mr. Epp's word and actions echo the treachery of a century ago when treaties were made only to be later broken when it suited the expedient morality of subsequent governments. This Assembly must make a judgment as to the morality of this action by the federal government. This Assembly must press the federal government to honour the agreement signed with the Government of Canada and resume negotiations to a final agreement.

Minister May Not Be Operating In Good Faith

In addition while I was in Ottawa last week to meet with various cabinet ministers to inform them about the situation and convey the wishes of my constituents, I learned from these meetings that Mr. Epp is intending to take the agreement to

cabinet on the 19th of November. If this is true then the Minister is proceeding without any meaningful discussion with COPE about his perceived concerns and this is contrary to his promise. Not only has the Minister broken the agreement signed with Canada but he has broken his promise with COPE as to establishing a meaningful working relationship in order that negotiations can resume again. This all indicates to me that Mr. Epp does not intend to resolve his concerns or to negotiate in good faith from the agreement in principle to the final agreement. In the past few days he has stated in the press that he wants to take a new approach to land claims and he is creating the expectation among the northern native groups that he intends to negotiate fairly with them.

The COPE agreement has been criticized virtually by every northern native organization on the basis that the Inuvialuit bargained for far too little in exchange for surrendering far too much. Yet Mr. Epp's actions indicate that he wants to have the cabinet go back on the agreement on the basis that it is too much. Mr. Epp is buying time and appearing to have an open mind in funding and agreeing to negotiate with other native groups whose demands exceed the basic firm demand of Canada to the Inuvialuit which he seeks to defeat. Therefore the Minister has been deceitful not only to COPE but to every native organization involved in land claims negotiation. I will introduce a motion in this Assembly at the first opportunity calling for the resignation of Mr. Epp as Minister of Indian Affairs because he is not negotiating on the basis of the signed agreement between the Inuvialuit and Canada.

Constitutional Development

The question of constitutional development is another area where my constituents are not satisfied with the performance of the previous legislative assembly. The very option for political development proposed by my constituents being a form of regional government has been deliberately denied by the former assembly. In addition all proposals for division of the territories as proposed by the Inuit and Indian peoples have been denied. I am not satisfied that the former assembly gave any of these proposals due consideration. It appears to me that the territorial assembly being isolated from its electorate was rapidly trying to wrestle power from the federal government and hoard it onto themselves with only minor devolution to local levels and only when the territorial assembly decided, and if the territorial assembly decided.

Political Power Starts With The People

It is not surprising that this approach is not accepted within the Western Arctic. The former assembly has ignored the fact that political power starts with the people and they only delegate power to higher levels when they wish to. The residents, settlements, hamlets and towns of the Northwest Territories should not have to beg the territorial Assembly for constitutional responsibilities. Previous assemblies have been preoccupied with the attainment of power to the detriment of development of the ability to make informed judgments and decisions. This Assembly is really only advisory at the present and it should recognize this and not try and pretend that it is anything else. If we put our attention in this Assembly to developing a decision making process which will deliver wise decisions and recommendations, the attainment of real power will be natural and appropriate. We still have a long way to go to prove to our constituents that we should have any power at all.

Therefore to rectify the present situation with respect to the previous assembly's position on constitutional development I recommend the following: Rescind the paper on constitutional development prepared by the former assembly; establish a new forum to consider the matter of constitutional development with particular attention to developing a co-operative working relationship with all interested groups and individuals in the territories. Such a forum should deliver as soon as possible a public discussion paper which should identify options.

Economic Development Of Resources

The development of a viable producing economy is a most important component in the development of the territories self reliance. It is a most formidable task given our resources, our climate and our remoteness. However, we must make balanced and rational decisions and not merely give our non-renewable resources away to the first company that comes along. We must maximize the long-term benefits to the territories and its long-term residents. It might take longer to develop the resources but the benefits are worth waiting for.

We must at all costs protect the wildlife resources of the land and sea. No jobs can ever replace the food we eat from the land. We must also avoid the community pacification type of programs which have become so much a part of offshore development in the Western Arctic. The Government of the Northwest Territories has been guilty of being a conspirator in the soft sell of large development. There is no need for this and as long as I am in the Assembly I am sure that the Government of the Northwest Territories will fulfil its governmental obligations for objective and critical review of development projects. We must not avoid the truth and undertake risky ventures by deluding people with false expectations.

Education, Drug And Alcohol Problems Not New

The problems facing the Western Arctic in the fields of education and alcohol and drug abuse are not new problems. The solutions are found at the community and regional levels. The solutions, if they are to be found in the Western Arctic, will likely not be applicable in other areas. This Assembly must find ways to permit their communities to seek their own unique solutions.

During this Assembly we will have to make many decisions and judgments. We will have a chance to foster meaningful and harmonious relationships between government and people, between people on the land and people in the settlements, between development and conservation, between long-term and short-term residents, between native and non-native people. We have many examples of solutions tried in other places which should help us make our decisions. We have as one example the Yukon territorial government as a model of what we never want to be. The territories are certainly going to change and perhaps will change quickly. We have the chance to build a territory that our constituents want and we have the chance to build a territory that will be a good place for our children to live. The choices we make will tell us what kind of people we are and what kind of country we live in and the time is now and the responsibility is ours. Thank you.

---Applause

MR. SPEAKER: Are there other replies to the Commissioner's Address? The Honourable Member for Mackenzie Delta, Mr. Nerysoo.

Mr. Nerysoo's Reply

MR. NERYSOO: Mr. Speaker, fellow colleagues, ladies and gentlemen, I do not have any written presentation. I would like to congratulate you on your appointment as Speaker, congratulate those people who have been appointed or elected by this Assembly as Ministers.

I have stated in the past and during my election that this government is not, until such time as the Dene say it is the government, is not the government of the Dene. It does not show here any traditions or values of the Dene and in order to legitimize any kind of government the people themselves have to agree to the legitimacy of it. That has been a position I have held for a long, long time and I will hold until such time that I feel that this government respects the traditions of my people, my constituents, I cannot say that it is the government of the people.

Obviously there has been discontent with this institution and with the administration because there have been proposals made by the Dene Nation, the Inuit Tapirisat of Canada and COPE, which represent approximately two-thirds of the population of this territory and continuously in the past this institution, the legislative assembly, the administration have continued to disagree and not respect the views that have been presented to them. That has been the cause of conflict and one where we have now come to the point where people have presented views of creating I guess a separate identity. Maybe it is good. Maybe it is good for us to recognize that there is a need to, in fact, create a government that respects the traditions and the values of the group of people who wish to establish that government. This idea of Nunavut is not a new one.

In 1977 the Dene Nation presented a proposal on a metro model of government and each group had the right to decide the kind of government that wished to set up respecting always the rights of the minority people, but nothing happened. Last year they presented a position on government which they called Dene government that did not divide the people. Rather, it took the idea that there is a majority of people, there are Inuit and there are Dene and it took the traditions and values of those groups of people to be implemented into that institution or this central government. Again it was denied and not even respected, in fact. That is the cause of a lot of conflict in the communities. First, Local Government does not recognize the local community councils that have been established long, long before this administration was transferred up from Ottawa and that is the idea of the chief and councils. Rather, a new institution within the last ten or 12 years has been established and then you expect us to live with that institution. Well, I can assure you that it is going to be a very difficult thing to do. We have continued to argue with it and this argument has been from 1969 with the establishment of the Indian Brotherhood at that time. It was during the negotiation of the treaties that this argument began.

Respect Must Be Shown For Traditions

So I will tell you this argument of constitutions and constitutional development is not new, but respect has to be shown for the ideas that are being presented and if respect is not given certainly you will have discontent and you will not have anybody agreeing to the kind of institutions that are established and I certainly will not agree until I find that in here my traditions are respected and are written into the constitution.

A point that has been made quite clear from the Honourable Member from Frobisher Bay is the idea of language, that the majority of his constituency or the area is Inuit. In the Western Arctic, that has been called that for awhile now, but within the Dene Nation the majority language is the Dene language. Obviously there are five dialects. We have made that quite clear. Dene is not a term that refers to every group. There is Dinjii-zhuh in my language, in my constituency which is man, child or born of a person. Well, yet we have at least been able to compromise to using one word. We had a consensus on it. This idea of coming to a decision on consensus is not a new idea. It is an old idea, but we tend to think that reaching a consensus is such an old fashioned idea it is not worthy of our new and modern age. We come up with these ideas that we are part of western civilization. Well, yes, we are part of it, but how many people are exactly part of it? I am a traditional kind of original aboriginal western civilization. You could put western civilization in that context. I am here because I agree that you have ideas on government but I can easily leave as I have been placed here, resigning saying I do not want to be part of this because it is not respecting my traditions. I am here to ensure that those traditions are in fact put into place here.

As has been the case and has been mentioned numerous times that the last assembly did not in fact respect the positions that were placed before them as recommendations and as ideas to be discussed between the parties. Well, I am wondering right now other than the Dene communities where else are they in fact being discussed? Are they being discussed in Yellowknife? If not, then why? No one has said for one moment that those ideas are a must, that they have to be ensured and they have to be put in place. They were placed on the table for discussion and I have discussed it a long time but I do not know if anybody in this Assembly chamber has.

Unsettled Question Of Aboriginal Rights

Now with regard to development I have taken the position and I still do take the position that I do not agree with any kind of major development mainly because there is still an outstanding unsettled question of aboriginal rights. To those people who feel that it is a cause for distrust, a cause for non-development, really what does development mean? I do believe that it means the growth and if you suggest for one moment that major developments, pipelines, dams, whatever, are for the benefit and the growth of the Dene or the Inuit, you are foolish because you have not even had the decency to recognize the rights of the native people to negotiate with the federal government. You have not recognized that constitutionally the federal government has direct responsibility to those people and I suggest you take a hard look at that position and that attitude because certainly it will destroy the kind of relationship we can develop here.

I think that I agree that development should occur in the sense of being checked continuously, and showing that no damages occur to those rights of other people. Major development, to me, has not in this Assembly or in fact up until now helped our situation or helped anybody's situation. People are looking for gas, looking for oil. We continue every year to suggest we do not have any of those resources, yet they find them and yet they manipulate us as people whether we are living here in the territories or in the South to fight among ourselves for those fuels. They do not recognize that we have other matters and other worries and I am now talking about multinational corporations. Nobody in their right mind at the time of the argument with the pipeline companies ever looked into the matter of how important that struggle was, or how important it was not only to the Dene but to all the people, that we had at least taken on and challenged the multinational corporations and their ideas of development. If anyone looked the Dene were not looking at only resource development whether it be renewable or non-renewable, what they were looking at was the development of people, that people recognized that they are as important if not more important than resources and if any new institutions are being established, that they be established according to what people want.

Future Need For Resources

Obviously in future there will be a need for resources, and maybe there is now, but I feel that there is enough in the South, there is no need to make it a point that major development is necessary for the North because I do not think it is. We have not even had a strategy, we have not developed one, nor probably do we have ideas on how we can develop our renewable resources. So, really how can you possibly suggest, anyone suggest, that major development will protect all the interests of the people because we do not know, nor do we have an idea as to how we are going to approach the most important and critical resource we have and that is people. We have not established for one moment how we will protect the best interests of the hunters and trappers. We have not developed a way in which we can make hunting and trapping a viable way of life because for a long, long time after any development we will have hunters and trappers and we have not for one moment checked that or looked into that.

Obviously it does not seem to be of much interest to this government or the administration because one of the most important, or at least what my constituents have said, one of the most important factors is hunters and trappers and a good example is the recent decision to cut out the incentive grant. That is a prime situation where there does not seem to be a concern for the hunter or the trapper, or in fact a traditional way of life, you could put it as.

In Support Of Construction Of The Dempster Highway

So, I do not support large major developments and I want to put that clear, and I want to ensure that people here recognize that. I do support development that is checked, that is looked into with regard to controlling major development -- a good example is in my constituency, the construction of the Dempster highway. The initial stages of that, my people had planned a lot of things, we were promised jobs, we were promised business, contracts and I can assure you that there are not too many people in the communities who have gotten those promises. To this day none of those things are occurring. In fact a good example again of the employment strategy or economic strategy is in fact the Department of Economic Development, they proposed a study be done on the benefits of tourism after the completion of the highway. How can you possibly study the benefits or how people can become involved in tourism after the thing has been completed? I fail to understand that. I thought that usually before any kind of development occurs you usually find out what the benefits are prior to an agreement or prior to the construction of that project.

Education System Must Change

With regard to education I feel that it is a very important element to our young people. I am young and probably the youngest person in this Assembly but more importantly the kind of education that we have in our schools is important. To suggest in the system or our curriculum, that history began when Alexander Mackenzie took his canoe down this big river here, that is the beginnings of our history, but whose history? Nowhere have you introduced the history of the Dene, the history of the Inuit and made it mandatory that children learn their own history. However, you force us to learn the history of what happened in the rest of Canada. You force us to learn what the history of Europe is. In fact you force us to learn the history of the United States and yet probably the children in the United States are not considering or thinking about what is happening here. I think that is a very good indication as to the kind of I guess administration we have had, the kind of attitude that we have had toward the Dene and the Inuit. When I am talking about respecting the traditions and values of people, we at least can respect the fact that the schools are there and we go and we try to learn as to why you people are here but you do not have the decency to teach why we are here and how long we were here. So, I really think the system of education has to change and if it means increasing the number of classroom assistants I will support that.

Fort McPherson Alcohol Centre

A very great concern within my constituency again is the alcohol situation. Over the past couple of years, within the last five years at Fort McPherson there was established an alcohol centre. It was established in the community of Fort McPherson and has been a very successful one at that. Yet, the people in Fort McPherson have had a difficult time trying to get funding to keep that operation going. It has been a very successful program. By far I feel it is the most successful native-run program in the North when you consider the fact that you have some 30 to 40 people who used to drink quite heavily and who are not now drinking. They are now participating in the labour force going back to hunting and trapping, participating in community affairs, participating as leaders and they are also working in schools to ensure that there is education regarding alcohol in schools. I feel that it is necessary to ensure that programs of this nature are continued and are sufficiently financed.

Wildlife Ordinance

I guess the other area I would like to get into is the Wildlife Ordinance. I feel that there is a need again to look at that ordinance, to re-evaluate it, to review it and this time to have complete community input as to what kind of ordinance they will have. It is great to write an ordinance that, I guess, is not respecting the rights of the aboriginal people but rather recognizing the authority in Yellowknife, but it is not Yellowknife that depends upon that way of life, it is the communities. I feel there is very little attention which has been paid to the communities regarding that field. So, I think that within the next four years at least I will at some time bring up the idea or some motions that I will want that ordinance reviewed. I will also bring up a motion that the education curriculum be reviewed because I think it is of importance to everyone. Thank you.

---Applause

MR. SPEAKER: Are there other replies? It is a formality but I would remind Members that the Rules state that the replies to the Commissioner's Address appears on the order paper for five days and tomorrow would be the last day for replies unless the session of course goes on into next week which appears could be a possibility. Even if that were to happen we would have to have unanimous consent in order to continue replies beyond tomorrow. Are there other replies? Item 3, oral questions.

Item 4, questions and returns.

ITEM NO. 4: QUESTIONS AND RETURNS

Are there any written questions? The Honourable Member from Mackenzie Delta, Mr. Nerysoo.

Question W8-79(2): Amendments To Regulate Dempster Highway

MR. NERYSOO: What is the present status of changing the recent amendments, July 1979, which regulate the Dempster highway?

MR. SPEAKER: Are there other questions? Mr. Curley.

Question W9-79(2): Television Service, Whale Cove.

MR. CURLEY: Mr. Speaker, I have two written questions. The first one is: In view of the fact that Whale Cove community is anxious to receive and utilize communications of all types, will the administration assure the people of Whale Cove that they will be provided with television service via Anik satellite at the earliest possible opportunity?

Question W10-79(2): Search And Rescue Regulations.

The other question is: In view of the harsh and dangerous risk to hunters and trappers in the Eastern Arctic are routinely faced with and in view of the recent death that occurred to members of the RCMP and hunters from Cape Dorset, what steps or regulations with regard to search and rescue measures are being made to prevent further loss of life?

MR. SPEAKER: Are there other written questions? Mr. Sibbeston.

Question W11-79(2): Employment By Government Of The N.W.T. Military Ex-servicemen.

MR. SIBBESTON: Mr. Speaker, could the administration provide this Assembly with the number of ex-RCMP and military members who are presently employed by the Government of the Northwest Territories and, specifically, those employed in the Department of Justice and Public Services?

MR. SPEAKER: Are there other written questions? Please remember to file those with the Clerk. Mr. Clerk, I believe there are some returns. Would you read them into the record, please?

Return To Question W4-79(2): Special Status, Fuel Prices.

CLERK OF THE HOUSE (Mr. Remnant): Yes, Mr. Speaker. In reply to Question W4-79(2) asked November 14 by Mrs. Sorensen the administration has provided the following information:

No assurance has as yet been received from the federal government that the Northwest Territories will be given the same fuel price compensation status which was very recently extended to the Atlantic provinces. The administration has and will continue to press the federal government for special consideration in view of the drastic effects which the pending increases in fuel and resulting increases in fuel generated power will have on residents of the Northwest Territories.

Return To Question W5-79(2): Information On Money From Capital Expenditures.

In reply to Question W5-79(2) also asked by Mrs. Sorensen on November 14, the administration provides the following information:

The forecasted cash surplus in the government's capital program has occurred as a result of problems in logistics and execution. The expenditures of capital funding was not deferred solely for the purposes of overcoming the tight money situation which has occurred this fiscal year.

This year the administration has introduced a new system to identify, control and manage these changes in projects cash flow. This system involves each program department performing a total review of each of their capital projects cash requirements. These reviews, called capital outlooks, occur three times each year. Each capital outlook is presented to the Executive Committee for their review and approval. The second capital outlook completed this September identified a potential surplus of \$2.7 million. The Executive Committee examined this situation and identified this potential surplus as a means of assisting this government to overcome the deficit in the operations and maintenance budget.

A final decision on the amount of surplus capital funding to be transferred to the operations and maintenance budget will be made by the Executive Committee early in December. Details of those projects delayed for various reasons can be shown at an early meeting of the standing committee on finance.

MR. SPEAKER: Item 5, petitions.

Item 6, tabling of documents.

Item 7, reports of standing and special committees. Mrs. Sorensen.

ITEM NO. 7: REPORTS OF STANDING AND SPECIAL COMMITTEES

Report Of The Standing Committee On Finance

MRS. SORENSEN: Thank you, Mr. Speaker. I have a report of the standing committee on finance to the first session of the Ninth Legislative Assembly of the Northwest Territories. After having met informally on a number of occasions your standing committee on finance, Mr. Speaker, consisting of the following Members -- myself as chairman, Ms. Cournoyea, Mr. Fraser, Mr. McLaughlin, Mr. Pudluk, Mr. Stewart and Mr. Tologanak -- had its first formal meeting on November 14, 1979. I have copies, Mr. Speaker, of the report which I would like to pass around, if I may, to the other Members.

The standing committee on finance has every intention of playing an active and constructive role in all financial matters concerning the Legislative Assembly and, with this in mind, has reviewed the terms of reference of the previous committee. The committee has decided to request this Assembly to amend and expand its mandate and with the consent of Members, I will later today move adoption of amended terms of reference.

In an effort to come to grips with the task facing it the committee has set for itself the following priorities:

(1) To meet head on, as elected representatives, the financial difficulties caused by inflation generally and by increases in the cost of non-discretionary items in both the 1979-80 and 1980-81 budget. The Members of the committee feel, Mr. Speaker, that this aspect should be pursued nationally at a political level.

(2) To review the 1979-80 budget to identify the impact of restraint on programs and services now being delivered to the people. In this regard the committee has reluctantly come to the conclusion that there is not much that can be done at this stage. We are aware of the fact that the administration has had to take some drastic action and at this point we can only request our elected colleagues on the Executive Committee to do whatever they can to ensure that the available funds are spent to best advantage. We would also encourage Members to make known, both to the finance committee and to the Executive Members, areas which they feel should be priorities for government spending and problems their constituents are experiencing dealing with the restraint measures.

(3) To determine a method by which the Assembly can endorse, through meaningful input, the 1980-81 budget.

(4) To begin the process and planning required for the 1981-82 budget.

(5) To examine the implications for the North of federal government spending priorities and policies in general and, more specifically, the fiscal implications of federal development projects in the North.

In order to carry out the tasks set for itself in priorities (1) and (5) the committee recommends to the Assembly that it or its chairman be authorized to accompany the Executive Committee delegation on its financial negotiating trip to Ottawa and to meet, if possible, with the Hon. Jake Epp, Minister of Indian Affairs and Northern Development, the Hon. Sinclair Stevens, president of the Treasury Board and the Hon. John Crosbie, Minister of Finance, to discuss the proposed Government of the Northwest Territories submission to the Treasury Board regarding non-discretionary items, rising energy costs, the fiscal implications of development projects in the North and the Assembly's desire for input in the original negotiation between the federal government and the companies concerned.

Mr. Speaker, the standing committee recognizes the fact that major non-renewable resource development projects in the North have tremendous impact, not only on the infrastructure of the areas concerned, but also on all other services. Past experience has shown that concentrated development in any given area stretches all services to the utmost, which could result in territorial government funding being drawn away from other areas and programs to cope with the sudden expansion requirements. We recommend then the possibility of impact funds coming through territorial revenues as a part of major non-renewable resource development projects.

We consequently recommend that this Assembly authorize us to investigate the fiscal impact of present and proposed non-renewable resource development projects on territorial social, economic and environmental programs, services and responsibilities.

We furthermore recommend that present and imminent problems in the identified high impact areas of Tuktoyaktuk, Resolute Bay and Norman Wells be investigated immediately for report by April 1, 1980. This will require the services of a consultant to be obtained for this purpose either by contract or secondment.

Timetable And Action Plan

Should the Assembly approve our priorities and recommendations, we intend to work according to the following timetable and action plan: we will meet during the week of December 10, 1979 and during that time we will review the main estimates for 1980-81 and we will begin to determine the over-all guidelines for spending priorities in 1981-82.

During the week before the February 1980 session the standing committee on finance will review and finalize the main estimates for 1980-81. On April 1, 1980 should the recommendation for the study we have proposed be accepted we will complete the study in respect to Tuktoyaktuk, Resolute Bay and Norman Wells. Sometime during May and June, 1980, we will review draft estimates for the 1981-82 fiscal year to determine if the priorities set next month were reflected and before the fall 1980 session we will review preliminary estimates for the 1981-82 fiscal year and we will finalize our recommendations regarding the development impact study. In December 1980 we will meet again to review the main estimates for 1981-82 and will begin the process all over again by determining spending priorities for 1982-83.

In conclusion, we extend to all Members an invitation to approach the committee for assistance whenever required. We hope too, that the elected Members of the Executive Committee will have the time and interest to regularly attend our meetings in their capacity as ex officio Members.

Motion To Adopt Report Of Standing Committee On Finance

Mr. Speaker, I now move, seconded by the Honourable Member for the Western Arctic that this report, the standing committee on finance, with the priorities and recommendations contained therein, be adopted.

MR. SPEAKER: To the motion. Are you ready for the question with respect to the adoption? Mr. Patterson.

MR. PATTERSON: Mr. Speaker, I wish to ask the Honourable Mrs. Sorensen what impact is identified in Resolute Bay. Is it the Arvik Mine you are referring to?

MRS. SORENSEN: Yes, Mr. Patterson, Resolute is a staging area for the Arvik proposal.

MR. PATTERSON: Thank you.

MR. SPEAKER: Is there any further discussion on the motion? Mr. Nerysoo.

MR. NERYSOO: Yes, I was going to ask are you just considering non-renewable resource impacts right now?

MR. SPEAKER: Mrs. Sorensen.

MRS. SORENSEN: We have identified three areas we would like to study immediately but we are also concerned about programs and projects that the federal government introduces with little consultation on the part of this Assembly and the administration. In particular I am thinking of Canada Works programs where projects go ahead under Canada Works, community halls, things like this and the territorial government in the end is left to carry on the operating and maintenance and they have nothing in their budget to show for that and so money must be found from other areas.

We are also thinking of policies that the federal government has on a national level and one in particular would be the increases we are expecting in fuel this next year, one dollar in January and four dollars perhaps in July and four dollars per year. This is a federal government policy we would like to see studied.

MR. SPEAKER: Is there other discussion? Are you ready for the question?

SOME HON. MEMBERS: The question.

Motion Carried

MR. SPEAKER: Those in favour please signify in the usual manner. Down. Opposed? It is carried.

---Carried

I believe now that the coffee is hot and the doughnuts are cool if no one has objection then we will recess for 15 minutes.

---SHORT RECESS

MR. SPEAKER: I recognize a quorum and this House will come to order. We were on Item 7 and are there other reports of standing and special committees? I do not believe so.

ITEM NO. 8: NOTICES OF MOTION

Item 8, notices of motion. Mrs. Sorensen.

Notice Of Motion 18-79(2): Standing Committee On Finance, Terms Of Reference

MRS. SORENSEN: Thank you, Mr. Speaker. Mr. Speaker, I would like to serve notice of motion that on Monday, November 19, I will move that the previous terms of reference be hereby revoked and that new terms of reference for the standing committee on finance be adopted. Thank you.

MR. SPEAKER: Other notices of motion? Mr. Curley.

Notice Of Motion 19-79(2): Members' Indemnities

MR. CURLEY: Mr. Speaker, on Friday, November 16, I will move a motion to disallow the subsection of the ordinance respecting the Assembly of the Northwest Territories that allows automatic increases to Members' salaries and allowances.

MR. SPEAKER: Are there other notices of motion? Mr. Patterson.

Notice Of Motion 20-79(2): Canada Works Program

MR. PATTERSON: Mr. Speaker, if I can get unanimous consent of the House I would like to move on Friday, November 16, a motion that this Assembly urge the Government of Canada to continue the Canada Works program of Employment Canada considering the special employment needs in the Northwest Territories.

MR. SPEAKER: Are there other notices of motion? We will move to Item 9, motions.

ITEM NO. 9: MOTIONS

Before we begin if I may speak for a moment about the Rules with respect to discussion in Assembly on motions I will remind you that ordinarily we would deal with the motions in the order which they are presented on the order paper and that of course is the order in which they were received. When we get to the first motion the person whose motion it is is entitled to move it and then there will be a seconder but the Rules allow a person to speak for 20 minutes and that is a reminder to all, in formal session you are limited to speak for 20 minutes to the motion. The exception of course is that the mover has the right of last reply. So, when I as Speaker am satisfied that all who have wished to speak to the motion have done so then I give the mover the right of last reply.

If when we come to deal with each of these motions someone would like to deal with some other motion first then, of course, you may move that we do so but we would have to have the agreement of the Assembly to deal with the motions out of order. I would also remind you that in debating the motions, at any time a Member has the right to move that the matter under consideration be referred to committee of the whole for further study and that such a motion is in order and it will be dealt with. If passed, then that item will be referred to committee of the whole and will come up under the orders of the day item, committee of the whole and will not be dealt with immediately. The only exception would be if you feel that the matter is urgent, you then ask for unanimous consent to deal with it immediately and if you get that unanimous consent then it would be dealt with immediately. All right, under motions. Mrs. Sorensen.

MRS. SORENSEN: Mr. Speaker, with your permission I would like to request unanimous consent of this Assembly to waive the normal Rules of this Assembly and allow me to present the notice of motion I made concerning the terms of reference for the committee on finance.

MR. SPEAKER: The request is being made for unanimous consent. She would like unanimous consent to deal with her motion first. Is it agreed?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: No opposition? Proceed.

---Agreed

Motion 18-79(2): Standing Committee On Finance, Terms Of Reference

MRS. SORENSEN: Thank you.

WHEREAS the standing committee on finance intends to play an active role in all territorial financial matters;

AND WHEREAS the standing committee in reviewing the terms of reference of the previous committee, has found that its mandate requires expansion to enable it to become an effective instrument of the Assembly;

NOW THEREFORE, I move seconded by the Honourable Member for the Western Arctic, that the previous terms of reference be hereby revoked and that the following terms of reference be adopted. The terms of reference are as follows:

Terms Of Reference

The finance committee shall:

- (a) inquire into such matters as may be referred to it either by the Legislative Assembly or the Commissioner;
- (b) advise the Commissioner on and review the preparation of estimates, expenditures and appropriations required to defray the charges and expenses of the public service of the territories in each fiscal year;
- (c) advise the Commissioner on and review capital projects and capital planning;
- (d) in consultation with the Commissioner examine into and recommend the terms and conditions of any agreement relating to financial arrangements with the Government of Canada;
- (e) in consultation with the Commissioner examine into and recommend the terms and conditions for borrowing, lending and investing funds;
- (f) review the territorial accounts submitted to the Legislative Assembly annually by the Commissioner;
- (g) review the Auditor General of Canada's annual report to the Legislative Assembly;
- (h) review, evaluate and recommend on any revenue sources that may be available to the territories;
- (i) review existing and proposed territorial programs and the financing thereof as well as any other programs which may in the future become a charge against the territorial budget;
- (j) investigate and inquire into those matters that, in the opinion of the finance committee, require investigation;

(k) make a written report to the Legislative Assembly at the beginning of each session containing the observations, opinions and recommendations arising out of the committee's deliberations; and

(l) from time to time tender general advice and information to the Legislative Assembly on any financial matters that may come before the Assembly on any financial matters that may come before the Assembly in session.

Conduct Of Business

(1) The committee shall conduct its business in a manner approved by the Legislative Assembly.

(2) The committee shall have access to persons, papers and records as are necessary to its business.

(3) Three Members of the finance committee shall form a quorum.

(4) The committee shall be provided through the appropriations with adequate funds to defray all expenses sufficient to enable it to function effectively.

Administrative Support

The necessary administrative support shall be provided by the Legislative Assembly office.

That completes my motion, Mr. Speaker.

MR. SPEAKER: To the motion.

SOME HON. MEMBERS: Question.

Motion 18-79(2), Carried

MR. SPEAKER: Question being called. All those in favour signify in the usual manner. Down. Opposed? Carried.

---Carried

We will now return to the orders of the day and the first motion indicated is Motion 2-79(2), a motion concerning the constitutional direction for the Northwest Territories moved by Mr. Wah-Shee. Mr. Wah-Shee.

Motion 2-79(2): Constitutional Direction For The N.W.T.

MR. WAH-SHEE: Yes, Mr. Speaker, I wish to move the following motion:

WHEREAS the eighth assembly of the Northwest Territories Legislative Assembly has prepared a document entitled "The Position Paper on Constitutional Development in the Northwest Territories", dated March 1979;

AND WHEREAS this position paper should rightly be considered the constitutional direction for the Northwest Territories proposed by that assembly;

AND WHEREAS Members of the Ninth Assembly have expressed reservations and questions about the position proposed by the previous legislature;

NOW THEREFORE, I move that this Assembly not be bound by the content or substance outlined in the previous assembly's position paper. Further, this motion recognizes the significance of the North's constitutional development and stresses that the Assembly will in future give due consideration to all proposals for constitutional development, including the one prepared by the eighth assembly.

MR. SPEAKER: Thank you. You are entitled to speak to the motion, Mr. Wah-Shee.

MR. WAH-SHEE: I would like to have a seconder to that motion, Mr. Speaker.

MR. SPEAKER: I am sorry. I did not hear what you said.

MR. WAH-SHEE: I would like to have a seconder to that motion.

MR. SPEAKER: A seconder?

MR. WAH-SHEE: Yes.

MR. SPEAKER: Yes. Secunder? Mr. Patterson.

MR. PATTERSON: Mr. Speaker, I would be honoured to second the motion of the Hon. Mr. Wah-Shee.

MR. SPEAKER: Mr. Wah-Shee, you may now speak to the motion.

Reservations In Regard To Position Paper On Constitutional Development

MR. WAH-SHEE: Thank you, Mr. Speaker. I think since this Ninth Assembly has opened it has become quite clear to me that some Members of this Assembly are not happy with the position paper on constitutional development which has been put together by the eight assembly. I would hope that the motion would be considered not as tearing down the work and the efforts that have been put towards putting together the position paper and that rather that some of the Members of this Assembly have reservations and some questions in regard to some elements of the position paper that was put forth. I would just indicate some of these elements. One of these is in regard to the transfer of the administration of resources to the Government of the Northwest Territories immediately and I understand that later on in ten years time there would be ownership. I think in that area there are some reservations in regard to how this may affect the pending land claims which are yet to be negotiated.

The other elements of the paper are in regard to the federal government's special responsibility for Indians and Inuit which would be best exercised through the Government of the Northwest Territories. That to me would require an arrangement with the major native organizations of the Northwest Territories who are or will be negotiating with the federal government in regard to outstanding pending claims. I feel that at the present time the responsibility for the Inuit and the Indian people or rather the Dene lies with the federal government and that they do have special rights and special status which it is entirely up to them how they wish to deal with that area. I think that that is the area that will probably be negotiated with the federal government.

Co-Operation Between Assembly And Native Organizations

The other area is in regard to the federal government granting the Government of the Northwest Territories the status of an equal partner in the settlement of comprehensive native claims. I think in that area it has been made quite clear in the past that the role that the Government of the Northwest Territories will play in the area of negotiations of outstanding claims is yet to be discussed. I think that while this Assembly will be making some attempt to establish a serious dialogue with the native organizations who will be involved in negotiating the outstanding land claims that this Assembly would be best served in working toward a spirit of co-operation between this Assembly and the native organizations, that a serious dialogue will have to be established with the native organizations to see what kind of role that the Government of the Northwest Territories can play. To my knowledge there have not been any discussions between the Government of the Northwest Territories and the native organizations in regard to how this would be defined. I think that that area is still outstanding. Hopefully this is something that we can work out in the near future.

The other area, of course, is that the position on constitutional development of the previous assembly to my knowledge has not been adopted by the major native organizations of the Northwest Territories. I believe that the various interest groups in the Northwest Territories are very keen and interested in the area of political evolution in the Northwest Territories. I think that this Government of the Northwest Territories and the Northwest Territories Legislative Assembly for various reasons have not acquired the support of the various native groups and I

think there has been a number of Members in this Assembly who have expressed that a change of attitude is required on the part of the various Members of this Assembly not only within our own membership with this Legislative Assembly, but I think on the part of the territorial administration. I think that we have heard in the replies to the Commissioner the concerns and the aspirations and the hopes that have been expressed from the Eastern Arctic. Similar expressions have been made in the Western Arctic.

Time For A Change Of Attitude Is Now

I also know that similar feelings exist with the Dene population and that I would hope that this motion will be dealt with with a spirit of a change of attitude so that we can make the necessary changes so that we can establish a serious working relationship with the other native groups so that in areas of land claims we do not have to be in constant conflict and I believe that the time for change of attitude is now. It cannot be left any longer for the next four years or ten years. The reason for this, of course, is that I would assume that the native organizations are interested in settling the outstanding native claims and would be prepared to negotiate with the federal government. At the same time there are questions in the area of what role this government will play and there have been a number of Members in this Assembly who have expressed a willingness to work out an arrangement to bring about some change which would be acceptable to the native population. At the same time I think also to have, to establish an appreciation and understanding on the part of non-native people. I would hope that the motion that I am putting forth for consideration will not be viewed as a motion directed against members of the previous assembly but I know that they do have the Northwest Territories interests at heart. For the new Members of the Ninth Assembly I believe that we also share the same aspirations that we hope we would like to work toward, a new type of responsible government which would have a great deal to say in regard to how these natural resources are developed for the benefit of the people of the North.

The area of political development is very important. It would be rather difficult to isolate or to separate rather political evolution and the negotiation of land claims because time and time again it has been made quite clear by the major native organizations that you cannot separate political development, or the political component from the other elements of land claims, for example compensation, land, whatever. I do not intend to speak for very long, I just wanted to give you some of the background as to why I have proposed this particular motion. Thank you, Mr. Speaker.

MR. SPEAKER: Mr. Patterson, you need not speak at this time. You may speak later if you wish but as seconder you can speak now if you wish to the motion.

Paper Undercuts Aspirations

MR. PATTERSON: Mr. Speaker, I will briefly state why I am pleased to support this motion. I think it is a constructive motion in the spirit of attempting to achieve a new consensus in these rapidly changing times. I wish to make it clear again that we do not wish to throw this paper out, we simply do not wish this Assembly to be bound by it at this time. The paper exists, it obviously represents a great deal of work, and hard work. We will build upon it. There are good things in the paper but there are some things in the paper which it is apparent already fly in the face of positions taken in this Assembly by the Members of this Assembly and other groups. The paper to me seems to seek to undercut the legitimate aspirations of representatives of aboriginal peoples in land claims negotiations. It seems to have that object. This has resulted in a loss of faith on their part in us and I think the onus is now on us to show our good faith and our willingness to consult with them if they have not been consulted to their satisfaction in the past.

The important objectives of our unity committee which are still under discussion will include reviewing the idea of a single territory which is presumed in this paper. I am also concerned with the assertion that there is no place for a regional level of government, even with its own law making powers in the territories. I think it is clear that that option should not be foreclosed to the unity committee as a possible conclusion it might make, for example. I think by stating that we are not necessarily bound by this paper, but not ignoring its existence we are opening the doors for the possibility of revision and improvement of this document. We should build on its strengths and correct its weaknesses. Thank you.

MR. SPEAKER: Is there further discussion? Mr. Sibbeston.

No Other Forms Of Government Considered

MR. SIBBESTON: Mr. Speaker, I support the motion because of the following: The constitutional development paper supports the present Northwest Territories system of government without any consideration of other possible forms of government as proposed by native groups in the North.

In my view it was not prepared with full consultation of native people of the North. Indeed if all the recommendations were followed we would have provincehood in the next few years and really a further entrenchment of this government to the detriment of aspirations of the Inuit in the Eastern Arctic and their proposal for Nunavut and some of the things that COPE, Committee for Original Peoples Entitlement wants.

It promotes a straight parliamentary system of government much like you have in the provinces and in Ottawa. Secondly, many of the positions which are stated as fundamental issues on page ten of the paper go directly against many of the aspirations of native people in the North. For instance their position on land; the paper wants the administration of all resources initially and then eventually the transfer of ownership of all resources including the land. As we know land is a big matter and this will be decided by the Inuit and the Dene people.

Thirdly, the paper also has the gall to say that native interests can best be exercised through the Government of the Northwest Territories with the federal government monitoring the recognition of special rights with territorial legislation and in my view this past assembly would be the last body that I would have left my interests to because on many issues, things like game, things like the territorial government, it seemed they were undermining native people in the communities. Through settlement councils they were undermining the band councils, undermining the authority of the chiefs by setting up hunters' and trappers' associations. So, generally I think that some of the fundamental issues are just not acceptable.

Legislature Has Power

Another point I wish to make is that the constitutional paper did recommend that the Government of the Northwest Territories have status as equal partner in the settlement of land claims which to me is absolute nonsense. I will not say what I wrote on my paper but you could go on and on. What this paper recommends is a major thrust or grab for power which would have given this government provincehood within ten years.

I will just say that in my view we have enough power, this legislature now has enough power and what we need to do at this time is rearrange the blocks on which this government thus far has been built. It seems to me that our energies and efforts should go to rearranging these blocks so that eventually some form of government can be acceptable to everyone. So, I urge all of you to support the motion and in effect reject the constitutional development paper of the last assembly.

MR. SPEAKER: Is there further discussion? The Honourable Member from Slave River, Mr. McCallum.

MR. McCALLUM: Mr. Speaker, I think that the motion as put forward is put forward to have some discussion on it. I have heard three of the previous speakers speak about not doing away with it completely because there are some things in it they say that are good. It should not be taken, and I listened to the mover of the motion say that the motion should not be taken as an indictment if you like, against past particular houses and specifically the predecessor to this one. I do not propose sitting in the Ninth Assembly to determine what the tenth assembly should be doing, the same way the eighth did not tell the Ninth what to do, the same way the seventh did not tell the eighth what to do. I think that there are many things in here that are not acceptable to a number of people, to a large number of people in the territories, but there are things in it that obviously have to be acceptable to a number of people as well. I do not consider it nonsense.

A Right To Responsible Government

The Honourable Member has his opinion and I respect that opinion, I appreciate it but the Honourable Member must also appreciate that I have an opinion as well as to what should go on. I would like to see us sit down and discuss this particular paper because it is put there in the hope that there is a common ground to begin with. If we are going to talk unity, about getting along with everybody, then we have to make an effort. To totally reject it as the last speaker indicated and which I took was different from what the mover had suggested, I think does nothing to promote any kind of unity at all. The basic fundamental recommendations are there and some people may very well take issue with them. I do not understand how any Member of this House could go against a principle that would confirm bringing in responsible government to the Northwest Territories, the right of the people of the Northwest Territories to govern themselves.

The comment on provincial status is there, I do not deny that, but I have been in the provinces and lived in them, and I am not enamoured with living in a particular province and there may well be other kinds of things, other kinds of arrangements that can be made. Surely the second basic recommendation of the paper dealing with an orderly fiscal arrangement with the federal government and greater fiscal economy for the Government of the Northwest Territories, no matter what form it takes, and we may very well decide. I cannot visualize anyone taking exception to that.

The ITC proposal on Nunavut foresees a kind of financial commitment, that kind of financial commitment from the Government of Canada to the North. As regards the transfer of resources that would place direct control for economic development in the hands of the elected representatives of the people of the North. The effect of that recommendation, if it were realized, would be to place crucial control over the pace and the development of the resources of the North. That would seem to me to be rather inconsistent and illogical to Members on the one hand to express deep concern over the whole process of resource development and at the same time reject the principle that recommends they be given control over that kind of process.

Special Responsibility Of Federal Government For Native People

As to the Recommendation 4, recognizing the special responsibility of the federal government for native people, Members should be aware that the federal government will continue that. Nothing has been said about removing that but under the terms of the BNA Act the delivery of special services and programs would be through the Government of the Northwest Territories, no matter what form it takes. Obviously this is not the form people want, but whatever changes are made would remove from the North the need for two distinct program delivery infra-structures, bureaucrats. It would allow the Assembly to have much more influence over the shape and content of these programs. Surely Members are not supporting an increase in the federal bureaucracy in the Northwest Territories.

As to the final recommendation about the status of the Government of the Northwest Territories as a partner in the land claims negotiations, I listened with respect and appreciation and I sincerely mean that. To other Members who have indicated that the Government of the Northwest Territories has no place, in my opinion so other Members know where I stand, I believe the Government of the Northwest Territories and the people of the Northwest Territories have every right to be involved with land claims negotiations and I fully intend to participate and to fight for that kind of participation. If that is where some of us come apart, so be it. Fine. If I am to respect what you people and others are going to say about it, then the thing had better be reciprocal or you are never going to talk about unity. You are never going to talk anywhere. You have to have some common area from whence to start.

I suggest to Members here that that paper which was a response to the elected representative of the Prime Minister, Mr. Drury, because the federal government refused us to go along and inquire, to talk to individual people in the communities. They said "No, we have to do it" and did not put their minister of Indian Affairs and Northern Development in charge of it at all. "This is too big a deal for you." Whatever his name was, Mr. Allmand, regardless if it was too much for him, "I am going to have my representative. I cannot do it. I have to have my representative go do it" and refused the elected people to go along and now the former federal government of Canada had the -- you know you talk about unmitigated gall -- they have the unmitigated gall now to place as their critic in the House of Commons that minister who refused us to go around and talk to people and not only made him the critic of Northern Affairs and Northern Development or whatever the term, but he is now chairman, caucus chairman of that standing committee.

Amendment To Motion 2-79(2)

I think there are themes in there that are common ground. I think they should be discussed not by just a small group, but by everybody here. For that particular reason I would rather see this particular motion go into committee of the whole, Mr. Speaker, and I so move.

MR. SPEAKER: It has been moved that this matter be referred to committee of the whole for discussion. May I just ask for clarification, Mr. McCallum, you are not expecting it then to be dealt with immediately but when we get to items under consideration in committee of the whole?

MR. MCCALLUM: Mr. Speaker, I should have said at your convenience, at a time and place to be determined by yourself.

MR. SPEAKER: A motion that we refer this matter to consideration by committee of the whole. Is there a seconder? Mr. Stewart seconds. Discussion on that motion? Discussion on the motion that it be referred to committee of the whole. Mr. Stewart.

MR. STEWART: Thank you, Mr. Speaker. There are several things that my colleague Mr. Wah-Shee said. In fact I think the first four points that he brought up I could probably agree with, but to set the whole document to one side is something that I could not in all conscience vote for. So I would like to be able to debate the thing in committee of the whole so we can get all of these points and have a good look at this legislation and come to a decision. I would not like to throw the baby out with the bath water. I think we had better stop and have a look at it.

MR. SPEAKER: Further discussion on the motion to refer to the committee of the whole, not on the merits of the original motion. Mr. Patterson.

MR. PATTERSON: Mr. Speaker, I am not convinced that we should move into committee of the whole to discuss this paper. I am not saying I do not believe it should not be discussed by this whole Assembly as Mr. McCallum has suggested, but I am saying that now is not the time. Now is simply the time to make a motion to withdraw the paper so that we can in fact lay the groundwork for the more full discussion that obviously is required and therefore I do not think we need to enter into a huge debate at this point in time but rather simply set the stage for that discussion later and perhaps in the context of the unity committee. So I am not going to support the motion to adjourn to committee of the whole now. Thank you.

MR. SPEAKER: Further discussion on the motion to refer? Mr. Wah-Shee.

MR. WAH-SHEE: Mr. Speaker, I cannot support the motion proposed to refer this to the committee of the whole because I believe that this time now is as good as any time to debate the motion and if Mr. McCallum and Mr. Stewart are not adequately prepared to debate the motion, then I can understand their reservations. I think I am prepared to either have the motion adopted or thrown out.

Content Of Paper Should Not Be Binding

Also I think that there are some assumptions that have been made which I would like to clarify. My intention for proposing this motion is not to throw out the position paper proposed by the previous assembly. If you read carefully the motion, there is nothing in my motion that would indicate, that would state that the complete document or, rather, the position paper of the Legislative Assembly be thrown out completely. My motion states that this Assembly should not be bound by the content or substance outlined in the previous assembly's position paper. It also states that this motion recognizes the significance of the North's constitutional development and stresses that the Assembly will in the future give due consideration to all proposals for constitutional development, including the one prepared by the eighth assembly. This in a sense will allow other papers to be submitted, other ideas than the one put together by the previous assembly.

Also I believe that there are many elements within the position paper proposed by the previous assembly which I think are good ideas. We are not rejecting everything. All we want is that this Assembly will not be bound by this position paper. We would like to leave it open so that other ideas can be submitted, whatever form that that may be. We too, I think are interested...

MR. SPEAKER: Excuse me just a moment. I was going to say it is a motion to refer and, speakers, I would greatly appreciate if you would try to confine your remarks to explaining why or why not we should resolve into committee of the whole.

MR. McCALLUM: Mr. Speaker, on a point of privilege. I think if the Honourable Member will go back, I did not say that the mover recommends throwing it out. I said two of the three speakers. I referred to the third of the speakers who talked on the original motion. I did not refer to the mover of the motion saying that he wanted to. In fact if you check I am sure you will find that he said that he would want to retain parts of it.

MR. SPEAKER: Mr. Wah-Shee, do you have any clarification? I thought myself perhaps you were responding to something Mr. Stewart said but I may be incorrect. Do you want to clarify?

MR. WAH-SHEE: I merely wanted to clarify the ideas. The reason why I made this motion, I believe there has been some misinterpretation and that I just wanted to make sure that it is understood. Thank you.

MR. SPEAKER: Okay. Again I say we have a motion to refer and I would like you to confine your discussion now to that motion. Mrs. Sorensen.

A Change In Government Brings All-round Changes

MRS. SORENSEN: Mr. Speaker, I do not feel that we need to go into committee of the whole for further debate. I have spent a great deal of thought on this paper over the last several weeks, in fact predicting the day I was elected, that a motion to rescind this paper would come up. It is my opinion that with any change in government it is expected that goals and objectives and policies are reviewed. The goals and the objectives and the policies of the previous government are reviewed, perhaps even changed. We are experiencing that now at the national level with the change from a Liberal government to a Conservative government and it is causing great distress right across the country but nevertheless that is a fact of life. In this case because the motion is not to rescind the paper I am pleased because of that and I am pleased to see that we are not throwing it out, but what we are really in fact doing is beginning a process whereby our Assembly which represents all the interests of the Northwest Territories can develop its own plan through careful deliberation and thought.

Amendment To Motion 2-79(2), Defeated

MR. SPEAKER: Any other discussion on the matter to defer? Are you ready for the question?

SOME HON. MEMBERS: The question.

MR. SPEAKER: Would those in favour please signify in the usual manner? Down. Opposed?

---Defeated

We will continue discussion in the Assembly. Is there further discussion on the motion with respect to constitutional direction in the Northwest Territories? Mr. Curley.

MR. CURLEY: Thank you, Mr. Speaker. I would just like to repeat to the Assembly that I support the motion as introduced. It was very recently indicated to all the Members, particularly at the Igloolik conference, the ITC annual meeting strongly urged all of us involved, that this constitutional paper which the previous legislature adopted was not representative of them and they would like to see a better representation made in terms of formulating a development paper. I think for that reason I would tend to support the motion and I will indicate to this Assembly that it will make it a lot easier for the unity committee if accepted, to proceed with the job to find out exactly what the people in the regions all over the North are feeling and it will definitely give them a lot more open doors to the communities that the previous legislature did not have. For that reason, Mr. Speaker, I will be supporting the motion.

MR. SPEAKER: Is there further discussion? Mr. McLaughlin.

MR. McLAUGHLIN: Mr. Speaker, I would also like to speak in favour of the motion. I had no qualms about supporting the motion to begin with, however the comments made by the Honourable Member from Mackenzie Liard made me desirous of going into committee of the whole and I would just like to say that although I do support this motion now I will do my best at future assemblies to see that we go into committee of the whole to discuss this item.

MR. SPEAKER: Further discussion on the motion?

SOME HON. MEMBERS: The question.

Motion 2-79(2), Carried

MR. SPEAKER: The question is being called. Are you ready for the question? All those in favour of the motion signify by raising their hand. Down. Opposed? The motion is carried.

---Carried

The next item on the order paper is Motion 3-79(2), Previous Assembly's Position, Land Claims, moved by Mr. Nerysoo. I would remind the Members since we are all new at it that when a matter is being discussed in this last hour, that if it is the wish of Members to extend the length of the days sitting a Member may move that we sit beyond the usual hour to discuss a particular matter and that motion must be made in the last hour of the session and it is not amendable or debatable. That is just for your information should this matter arise and you want to continue beyond. Mr. Nerysoo.

Motion 3-79(2): Previous Assembly's Position, Land Claims

MR. NERYSOO: Mr. Speaker, I will just read the motion in its entirety:

WHEREAS in October, 1978, the eighth assembly of the Northwest Territories legislature approved four principles concerning the settlement of native claims in the Northwest Territories;

AND WHEREAS these principles should correctly be considered as the position of the previous assembly;

AND WHEREAS certain Members of the present Assembly have expressed reservations about the principles and their application in the Northwest Territories legislature and government;

AND WHEREAS it is the intention of this Assembly to develop new principles relative to the settlement of land claims;

NOW THEREFORE, I move that this Assembly not support nor be bound by the principles relating to the settlement of native land claims established by the eighth legislative assembly.

MR. SPEAKER: Is there a seconder for that motion? Seconded by the Honourable Member for the Western Arctic. You may speak to the motion, Mr. Nerysoo.

Principles Concerning The Settlement Of Native Claims

MR. NERYSOO: With regard to the principles, the first principle states basically that under the Northwest Territories Act this government is in fact the government and that it represents all Northwest Territories residents. That has already been proven that it is not necessarily true and work will be done with regard to the constitutional development area. Also the negotiations of aboriginal rights I doubt in fact erode any kind of constitutional authority of this Assembly and in fact may increase its authority in future. However, I do not think we should be afraid if it does, and in fact it may be that even though it does erode some of this authority it will in fact, give the communities more authority in their affairs and regional councils more authority to deal with regions.

The second states that the Government of Canada would not give to any group constitutional authority or responsibility not in place at present. I think again it would improve the chances if authority was given in some other areas, the authority would be given to all other people in the Northwest Territories and it would improve, I would hope, the kind of institution and the relationship to an institution by its people.

The settlement of native claims as number three states that they should not prejudice the continued development of strong government at the community level and I fail to recognize the kind of strong local government it would not in fact establish. I think it is somehow more appropriate, that is, the chief and band councils in the Dene communities and local councils within the Inuit areas. I think they are in fact and do have strong local authorities and with the negotiations on aboriginal rights will in fact assure that those authorities continue to exist.

Fourth is traditional use of land resources by native peoples including Metis who are not included in the land claims settlement shall be preserved. I think that that is pretty clear. I do not think that at any time has there been a nation that the Inuit Tapirisat of Canada or COPE intended their positions to, in fact, ignore the traditional use of the non-status if you want to call it that or Metis. They have been included in the agreements.

Therefore, I feel that I could not in any way support the principles, rather I would think that this new Assembly, this new House would in fact come up with new principles regarding their associations and relationship with and to the native organizations. Thank you.

MR. SPEAKER: Ms. Cournoyea.

Interpretation Of The Principles

MS. COURNOYEA: Mr. Speaker, I have been a member of the Committee for Original Peoples Entitlement and been to negotiating meetings with various levels of government and one of the things I have learned is that when words are put on paper sometimes the words may appear to be one thing but how they are interpreted in another. What I see in the four principles -- I have been subject to negotiations where the interpretation of those principles have not really been in the best interest of what would normally be understood. The principles are rather general and when we get to talk about specific things, in my experience those specific things have been brought up under the various principles to say that basically the interpretation of the four principles is, anything the territorial government may ever want should not be contained in a land claims settlement. The situation where the erosion of the constitutional authority of the Government of the Northwest Territories has been interpreted to mean any kind of government that people would want other than what already exists is not available. So, the interpretation we have had in terms of dealing with the government is that this principle says there will be no respect for another kind of government.

I think these principles have caused a great deal of hardship and I would like to see this territorial Assembly try to come to grips with an attitude of good faith and right now I think we are on the threshold of trying to come to a co-operative management of how we are going to get to where we all want to go. It has always been my strong belief that the aboriginal people of the Northwest Territories are the biggest contributors to the long-term attractiveness of the North. They have a lot to offer and I think this Assembly at this time can show that good faith by saying that we will not place before you four principles that are rather general and can be interpreted in many ways.

I think these four principles have created hostility and really do not contribute to anything. I could get into some specifics but maybe I will not bore you with those details. I think at this time we have that opportunity to sort of start afresh. I think the spirit of the four principles is good and I think very quickly that working together, if these things are not placed before us as something we have to deal with, I think we have the opportunity to put forth good will by getting this motion and having these principles put aside.

MR. SPEAKER: Mr. McCallum.

Amendment To Motion 3-79(2)

MR. McCALLUM: I move that this motion be put into committee of the whole at a time and place when you determine.

MR. SPEAKER: There is a motion to refer this matter. Is there a seconder to the motion to refer? Mr. McCallum, would you like to speak to the motion?

MR. McCALLUM: I think it should be referred because obviously this Assembly is very much concerned with land claims. It has been identified already as the single most important thing that this Assembly should determine by the Members who have spoken on the topic. I think the wording of the motion clearly demonstrates that as well. If that is so and I recognize that it is that, I think it is clearly a responsibility of this Assembly to adopt a particular stance, a philosophical position on land claims, some agreed upon principle locked together in good faith to guide the handling of all claims. That is what the four principles propose to do, to put down some fundamental guidelines for discussion on all claims. To not support them and do away with them, not be bound by them without putting something else in its place I think it should be then in the committee of the whole at your discretion as to the time that we should be discussing that, if that is such a particularly vital issue and a most important issue as other Members have indicated.

Amendment Defeated

MR. SPEAKER: Mr. Stewart, do you wish to speak to the motion to refer? Any discussion on the motion to refer? If there is no discussion, are you ready for the question? All those in favour of referring this matter to committee of the whole signify by raising their hands. Opposed? The motion to refer is defeated.

---Defeated

Further discussion on the motion? Mr. Patterson.

Special Rights And Interests Of Aboriginal Peoples

MR. PATTERSON: Mr. Speaker, there seems to be a fundamental assumption in the constitutional development paper and the principles respecting settlement of land claims in the Northwest Territories that there are no special rights in any other group other than the Northwest Territories government under the law of Canada or under the constitution of Canada. I believe that while the Government of the Northwest Territories certainly has a history and a strong legitimacy of its own by virtue of the Northwest Territories Act and its long process of development to date that it is not going too far to suggest that it should express any other rights of any group and particularly a group of aboriginal peoples for them, since my view of the law, and apparently this is also the view of the federal government, is that aboriginal peoples do have a special right under the law and special interests that no other government or group may have.

For that reason a whole question of native rights and special rights has been placed on the agenda of the first ministers' conference on amending the Canadian constitution and, Mr. Speaker, it is therefore not surprising that not only the Government of the Northwest Territories has been asked and is expected to appear and make submissions and have a status at that most important conference but the major native organizations in Canada and those who have aboriginal rights, which are still as yet unresolved by agreement or by litigation, those major native organizations have also been asked to participate with a status which I think is being planned now and is probably as yet unclear but likely will be at least for that item on the agenda full participant status. That is my understanding of the role at least that Inuit Tapirisat of Canada and undoubtedly the Indian Brotherhood will be given by the federal government at these most important talks.

Not Taking A Backward Step

This paper, these principles, pardon me, seem to suggest that no other group other than the government of the territories should be given any constitutional authority or responsibility. That alone if it were to be followed, for example by the Government of Canada in planning this constitutional first ministers' conference could well include the participation of representatives of the aboriginal peoples. I think that there are probably elements of these principles which we can build on as I feel there are elements in the constitutional development paper that we can build on, but again especially in view of the strong declaration of the position of Inuit Tapirisat of Canada expressed by the Honourable Mr. Curley who attended their most recent annual assembly.

I think, again to show our good faith and our respect for the many diverse groups which constitute the Northwest Territories and the special interests and unique interests of aboriginal peoples that we will not be taking a backward step if we agree not to be bound by this paper. It is not again that we are going to reject it completely. It is just that we are showing our good faith and our willingness to look at it again in the light of rapidly changing developments and I think from my point of view that this first ministers' conference on constitutional amendment is a most important development, quite in addition to any negotiations that are now taking place with respect to land claims. In fact it is my view that if the organizations, major native organizations wish as they seem to wish to have a comprehensive land claims which takes into account a number of very wide ranging social and political issues, that it is not just through land claims negotiations whereby the federal government has seemed too up-to-date have a limited mandate but, rather, also through constitutional discussions, I would hate to see this Assembly take a position which would jeopardize the right of native organizations to extract constitutional concessions from the first ministers' conference and the federal government which the Government of the Northwest Territories themselves might not have the legal status to even seek.

A Positive Step

So in that spirit I will support the motion and for those reasons. Again I want this to be viewed as a positive step. I certainly hope that our not being bound by this motion will not preclude the sort of discussion in this Assembly that Mr. McCallum and Mr. Stewart have recommended because I too agree that we must try and resolve these issues here and I am not averse to this kind of important discussion going on here. It is just at this time and in view of the preparations under way for the first ministers' conference I think the proper thing to do is state we will not be bound by these principles and I will vote in support of the motion. Thank you.

MR. SPEAKER: Further discussion on the motion? Mr. Sayine.

MR. SAYINE: Thank you, Mr. Speaker. I guess what I want to say is that I do not have too much to add to what else has already been said to the motion, but myself, being a band chief and unfortunately the only one in this Assembly, I thought that I should say that I am in support of this motion. It is very unfortunate that we do not have too many, maybe at least one or two or three band chiefs here regarding land claims, but I think it is important enough that these kinds of issues are represented by the people. When I say the people, I respect other Members for maybe not going along with this motion, but also I think what has to be considered here is that, speaking for myself, the reason I am interested in these two issues which to me in the past have been sort of obstacles in the way of native organizations in whatever progress they were trying to make toward land claims and yet some of us still have the guts, shall I say, or whatever it takes to stand here and say "We agree with unity."

To me there is something wrong with this talking about unity. If you are going to have things like that and realizing there are obstacles and trying to get away with it -- anyway what I wanted to express was that I came here as a Member for my constituency to vote or to present whatever feelings to this Assembly, brought to me by my constituents. I am not here to speak at my own discretion or vote or whatnot. Anyway this is all I have to say on this thing. I support the motion. Thank you.

MR. SPEAKER: There is no clock in this chamber so I think it is my duty to inform you it is 5:55 p.m. Mr. Braden.

Developing New Principles

MR. BRADEN: Thank you, Mr. Speaker, I will be brief to give you time. I want to speak in support of the motion we are considering and I want to make just a few comments on the four principles we have been discussing.

I would hope that in future this legislature and this government, when they are determining principles governing a position on education, native claims, whatever takes a positive approach. So, let me read you a few phrases from each of these principles. Canada through the settlement of native claims shall not be ruled the constitutional authority. That is number one. Number two, the Government of Canada shall not give to the settlement of native claims -- further down there is another "has not" clause. Moving on to number three, the settlement of native claims in the Northwest Territories shall not prejudice the continued development of a strong and democratic government at the community level. Mr. Speaker, in my mind I think that in developing new principles concerning our views on the settlement of native claims we should take a positive approach.

SOME HON. MEMBERS: Hear, hear!

MR. BRADEN: Bringing this sort of thing out in public clearly as far as some of the native organizations are concerned indicates a very negative perception of what the outcome of a native rights settlement should be.

Earlier on this afternoon we heard the Honourable Member from the Western Arctic indicate a number of suggestions which this Assembly should consider in taking appropriate action about these four principles and coming up with something new. I will read the last two: Develop a more helpful and responsible approach to the resolution of land claims, and that is a reference to the Legislative Assembly's responsibility and, number five, determine the role of the Northwest Territories government in land claims negotiations. I think those suggestions should be seriously considered by this House in developing a new approach, new principles, the position of this Assembly and whatever future roles we have to play in the negotiation, settlement and implementation of native claims.

I will conclude by saying that as I understand the native claims they are comprehensive, they focus on things like education, our system of justice, social services, housing. If you take the time to read the document you will find references to these subjects. These are areas where we, in part, have jurisdiction. So, I see that just because of that we will eventually, at some time in the future, have to become involved in claims. Mr. Speaker, to give you time I guess I will stop. Thank you very much.

MR. SPEAKER: Mr. Curley.

MR. SIBBESTON: On a point of privilege.

MR. SPEAKER: On privilege.

Motion To Extend Hours Of Sitting

MR. SIBBESTON: I wish to make a motion that we continue discussion of the present motion under consideration until its conclusion.

MR. SPEAKER: Is there a seconder? Seconded by Mr. Braden. The motion is not debatable. All those in favour? Down. Those opposed? It is carried.

---Carried

Mr. Curley.

MR. CURLEY: Thank you, Mr. Speaker. I would like to express my views on these four principles as I understand them because accepting them to me would mean like the Honourable Member Mr. Braden suggested, there would never be native settlement with the Government of Canada and the native peoples of the Northwest Territories. It also tells me what this government does not have, which it means it has no constitutional right to expropriate certain lands, that means that what it cannot do that Ottawa should not do with the native people by expropriating certain lands that they have traditionally used and therefore give to the native people. That is the way I read this document and no wonder I would conclude then that there have been difficulties in arriving at or making a deal with the Government of Canada and the native people. As a result there has been no fair land claims settlement. So, by expressing my support to the motion I would go along and say let us open the doors for fair and unprejudiced settlement and not be prejudicing the negotiation with the native people of Canada. I think this government should express that, it should be open and it should support the open government concept with the new government.

So, in conclusion I can only say this would open the doors to possibly a better relationship which we want if we are going to continue as the responsible government of the Northwest Territories. Thank you.

---Applause

MR. SPEAKER: Any further discussion? Mrs. Sorensen.

This Is Not A Government

MRS. SORENSEN: Thank you, Mr. Speaker. I will be very brief. Just to add to what has already been said I too wish to speak in support of the motion. I have great difficulty, Mr. Speaker, with the very first principle which states that the Government of the Northwest Territories is the senior government in the Northwest Territories. The fact is a federal civil servant, Mr. Parker, can veto the decisions that our elected representatives might make at any of the Executive Committee meetings. This is not a government. The Minister of Indian and Northern Affairs can disallow any ordinance, our way of making legislation, up to a year after we pass it. This is not a government. This government's finances

are determined as part of the Department of Indian and Northern Affairs budget. We do not negotiate on a government-to-government basis. This is not a government. Therefore I cannot approve of a principle that does not even make sense. Thank you.

---Applause

MR. SPEAKER: Further discussion on the motion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: I hear the question being called. Mr. McLaughlin.

MR. McLAUGHLIN: Mr. Speaker, I have always had the attitude that I would be fair and openminded on most of these things and I do not think there is any doubt of my constituents feelings or many of the other Members as to what I say to them on a day-to-day basis or discussions in caucus or whatever. I am in favour of the development of the resources of the Northwest Territories but I feel that through the development of these resources we are going to develop the human resources of the Northwest Territories and we will develop the constitutional process by which we become autonomous. I consider that the land claims, I will not call it a settlement right now, but the land claims negotiations which are going on right now are at a halt and one of the, I guess, legal arguments that the federal government has, or one of their reasons they can say they do not feel like continuing to negotiate is by using these principles, assuming the basis that this House represents all of the Northwest Territories.

So, on my basis and that of other Members of the House, obviously those principles are unrealistic, they are not supported by the majority of the Members of this House and I do not think they are supported by the majority of the population of the Northwest Territories.

Principles Are Unrealistic

I considered amending the motion so it would read "not be bound by all principles" but I understand the motion to mean that in general the principles are unsatisfactory and I would like to support this motion because I feel that the land claims lack of negotiation is holding up the development of the Northwest Territories. I think that through our education system which was initiated by the Roman Catholic church and carried on by both federal schools and ultimately the territorial government school systems, it has reached out into all the communities, to the young people and helped them into adult life in the Northwest Territories and they have been educated to a different system of life than they originally had. I think an expectation has been presented to them and the failure to develop these resources is going to cause amongst them a feeling of anguish and despair that is actually shared by the people who have moved up to the Northwest Territories who are interested in developing resources in the Northwest Territories and making this their home. I will just reiterate that I feel I can easily support this motion because I feel that the principles are so hard-drawn and unrealistic that it makes land claims negotiations impossible and therefore makes the development of the people and resources of the Northwest Territories which has to be done hand-in-hand also impossible.

MR. SPEAKER: Is there further discussion on the motion? I believe you have already spoken to this motion, Mr. McCallum.

MR. McCALLUM: Mr. Speaker, I would question your statement that I have already spoken to the motion. I spoke on the motion to defer.

MR. SPEAKER: I said "I believe" and if I believe incorrectly you can set me right.

MR. McCALLUM: The end result is that you will not allow me to speak now?

MR. SPEAKER: I do believe you spoke to this motion once before and during speaking to it you made a motion to defer it to committee of the whole. I do not want to stifle discussion at all and if you can pause a moment I can find out from the Clerk of the House whether customarily that would have been considered a time of speaking to the motion. Will you bear with me for a moment?

My ruling is this, Mr. McCallum, and for the benefit of others as well: There is truly some question as to whether he spoke before or not. When he first rose it seemed to me he was addressing the motion and only at the end of his remarks did he say, "I therefore move to refer this to the committee of the whole." I will assume it was his intention immediately when he rose to refer it to committee of the whole and therefore that he has not addressed this motion already but I will state now that it will be a principle which I will follow in the future that if it is your intention to refer to committee of the whole that your first words when you stand are, "I move that this matter be referred to committee of the whole" and you thereafter explain why it ought to be, so there is no doubt in my mind that that is what your intention is. So, Mr. McCallum, will you proceed, please?

Explanation Of Principles

MR. McCALLUM: Mr. Speaker, thank you. Mr. Speaker, I would simply again express an opinion on the principle that obviously is contrary to everybody else but if that is the role that I have in these kinds of things, so be it again. I am prepared to do it. I do not intend fully to come up against something and because there is a wall I do not intend to keep running my head against a brick wall but I will go around it or at least address it at times. Nevertheless, Mr. Speaker, I believe this government is a government because it can levy taxes and that is a government. That is one of the things a government does. It sets up further forms of government.

Local governments, if you follow the logic that it is not government because it does not do certain things, then obviously the local governments of which Members are fully a part and have been part are not legitimate either because you have not been set up by a legitimate government. I say the Government of the Northwest Territories is a government because the parliament of Canada, the same parliament to which the various claimants are seeking settlements has constituted this government and it has constituted this Assembly and it has provided a number of provincial-type responsibilities, powers. It is the senior government in the Northwest Territories. You may argue with the structure of the language as to whether it should be in a negative or a positive manner, no problem. I have no difficulty with that and it may be that it comes out but you cannot argue with the particular point. What the principle states in the first one, it says it should not take away from this Assembly what power it has given it without first consulting this Assembly. People who do not agree with that, you will allow a government who has given you something, you will allow them to take that away from you without saying anything about it? It is a fact that some claim settlement proposals would erode this Assembly's power.

The second principle simply says if you are going to devolve, do it in a system. We have been set up by the federal government, set up the local government and put it down all the way through as much in my view and as I would fight for as any local government would want to take on. It is an orderly means for providing constitutional, political development. It does not limit in any way, shape or form what can be delegated to a regional or local government body. It states first simply that it should come from the feds to the government of the territories and then down through. I do not think anybody can argue against a strong, local democratic government. The form it takes, you cannot argue against that. I do not know how you can.

The fourth principle could very well have cause for some consternation, cause for some concern and it should provoke some kind of interesting discussion. Presently there are no legislative prohibitions on the basis of ethnicity as to who can hunt, trap, fish in the Northwest Territories. There was an example and we talked about it when we were dealing with the wildlife people when the Honourable Member from Fort Resolution asked about getting together in groups. I think it was the Honourable Member talking about group trapping. There are groups who trap together. They determine themselves, they decide what groups should use particular routes.

Claim settlement proposals that contain provisions for exclusive wildlife harvesting rights would put into federal legislation laws allowing one ethnic group to deny harvesting rights to others on lands owned by the Crown. Mr. Speaker, I do not want to prolong this, having known from the outset what the end result would be, but I would be less than responsible were I not to voice my particular opinion and again I am not asking for anything from other Members but if those are the rules we are going to play I am prepared to play along with them but as long as we respect and appreciate that we are of that view. At least I think that is the basis for coming together sometime and I do have the guts to stand up and talk about this. You had better damned well believe it. Thank you.

---Applause

MR. SPEAKER: Further discussion on the motion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. We have a motion with respect to the previous assembly's position on land claims. All those in favour of the motion...

MR. McCALLUM: Mr. Speaker, may I have a recorded vote?

MR. SPEAKER: The Rules say when a Member requests a recorded vote that I have to call those in the affirmative, those holding against and those abstaining. As I call each, the Members will rise and remain standing until they hear their name called by the Clerk. All right, a recorded vote. All of those in favour of the motion please stand.

Motion 3-79(2), Carried

CLERK OF THE HOUSE: Mr. Evaluarjuk, Mr. Patterson, Mr. Pudluk, Mr. Appaqaq, Mr. Tologanak, Mr. McLaughlin, Mr. Noah, Mr. Curley, Ms. Cournoyea, Mr. Nerysoo, Mr. Sayine, Mr. Sibbeston, Mr. Wah-Shee, Mr. Braden, Mrs. Sorensen.

MR. SPEAKER: Will those opposed please stand?

CLERK OF THE HOUSE: Mr. McCallum opposed, Mr. Speaker. Mr. Stewart and Mr. McCallum.

MR. SPEAKER: Are any Members abstaining? The motion is carried.

---Carried

---Applause

We had agreed to deal with that one item. We have now come to the point where I will ask the Clerk for announcements.

CLERK OF THE HOUSE: Yes, Mr. Speaker. There will be a caucus meeting in Katimavik A tomorrow, Friday, November 16, at 9:30 a.m.

MR. SPEAKER: I would simply remind Members that there are many motions to be dealt with yet and my own recommendation would be that we certainly get to the caucus meeting on time and decide whether we are going to prorogue tomorrow and, if so, which items ought to be dealt with and which dispensed with and, if not, we will be carrying on into next week sometime. There is a fair amount of business to do yet. Mr. Clerk, will you read the orders of the day?

ITEM NO. 14: ORDERS OF THE DAY

CLERK OF THE HOUSE: Orders of the day, November 16, 1979, 1:00 o'clock p.m., at the Explorer Hotel.

1. Prayer
2. Continuing Replies to Commissioner's Address
3. Oral Questions
4. Questions and Returns
5. Petitions
6. Tabling of Documents
7. Reports of Standing and Special Committees
8. Notices of Motion
9. Motions; Motions 4-79(2), 5-79(2), 6-79(2), 11-79(2), 12-79(2), 13-79(2), 14-79(2), 15-79(2), 16-79(2)
10. Notices of Motion for First Reading of Bills
11. Introduction of Bills for First Reading
12. Second Reading of Bills
13. Continuing Consideration of Business in Committee of the Whole:
Motion 17-79(2)
14. Orders of the Day

MR. SPEAKER: This House stands adjourned until 1:00 o'clock p.m., November 16, 1979, at the Explorer Hotel.

---ADJOURNMENT

Available from the
Clerk of the Legislative Assembly of the Northwest Territories,
Yellowknife, N.W.T. at .50¢ per day, \$5.00 per session and \$12.50 per year.
Published under the Authority of the Commissioner
of the Northwest Territories

