

LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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FROBISHER BAY, NORTHWEST TERRITORIES

TUESDAY, NOVEMBER 4, 1980

MEMBERS PRESENT

Mr. Appaqaq, Mr. Arlooktoo, Hon. George Braden, Hon. Tom Butters, Mr. Curley, Ms. Cournoyea, Mr. Evaluarjuk, Mr. Fraser, Mr. Kilabuk, Hon. Arnold McCallum, Mr. McLaughlin, Mr. MacQuarrie, Hon. Richard Nerysoo, Mr. Noah, Mr. Patterson, Mr. Pudluk, Mr. Sayine, Mr. Sibbeston, Mrs. Sorensen, Hon. Don Stewart, Mr. Tologanak, Hon. James Wah-Shee

ITEM NO. 1: PRAYER

---Prayer

SPEAKER (Hon. Don Stewart): As Item 2 on the orders of the day, we have oral questions.

Item 3, written questions and returns. Mr. Noah.

 ${\tt MR}.$ NOAH: (Translation) Mr. Speaker, I have a question when we return to Item 2 because this question is not written.

MR. SPEAKER: Thank you, Mr. Noah. I am sorry, Mr. Noah. I did not have my translator.

MR. NOAH: (Translation) Could we return to the Item 2 because I have a question which is not written?

MR. SPEAKER: Proceed, Mr. Noah. Item 2, oral questions.

ITEM NO. 2: ORAL QUESTIONS

Question 177-80(2): Musk-Ox Hunting, Baker Lake

MR. NOAH: (Translation) Yes. Thank you, Mr. Speaker. I have a question for the Minister of Renewable Resources. Does he know the people of Baker Lake are able to hunt musk-ox now and the quota is six? I would like to ask the Minister of Renewable Resources if the outpost camp outside of Baker Lake, Deer Lake, the outpost camp there are allowed to hunt musk-ox as well? I would like this answered direct to me or the wildlife office in Baker Lake. Thank you.

MR. SPEAKER: Mr. Minister, Mr. Nerysoo.

Return To Question 177-80(2): Musk-Ox Hunting, Baker Lake

HON. RICHARD NERYSOO: Yes. At this time there has been no suggested increase in the musk-ox quota in that area and the only way presently that any arrangements can be made would be by an agreement by the hunters and trappers in the community.

MR. NOAH: Thank you.

MR. SPEAKER: Item 2, oral questions. Are there any further? Mrs. Sorensen.

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Question 178-80(2): Government Representation At DIAND Meeting

MRS. SORENSEN: Yes. Thank you, Mr. Speaker. Yesterday the Hon. Mr. Braden assured us there would be territorial government representation at todays standing committee on Indian affairs and northern development, Ottawa meeting to discuss the Northern Canada Power Commission. I would ask the Minister of energy, Mr. Nerysoo, whether there is in fact representation at todays meeting?

MR. SPEAKER: Mr. Minister, Mr. Nerysoo.

Return To Question 178-80(2): Government Representation At DIAND Meeting

HON. RICHARD NERYSOO: Yes. The representative for the Northwest Territories government in Ottawa has been asked to attend. He has also been given the motion that was passed in this House to present to that standing committee.

--- Applause

MR. SPEAKER: Item 2, oral questions.

Item 3, written questions and returns.

ITEM NO. 3: QUESTIONS AND RETURNS

Ms. Cournoyea.

Question 179-80(2): Incorporated Communities Ordinance

MS. COURNOYEA: A question to the Minister of Local Government. Could the Minister inform this House why a proposed incorporated settlement ordinance, which has not yet been made available to MLA's individually or to this House, is being discussed in the communities by employees of this department?

Could the Minister also inform the House if he has declined to enter into discussions about the Western Arctic regional municipality until this House provides him with a specific mandate to do so? If so, can the Minister advise the House what steps he will be taking to obtain such a mandate?

MR. SPEAKER: Written questions. Mr. Kilabuk.

Question 180-80(2): Polar Bears Doing Damage

MR. KILABUK: (Translation) Mr. Speaker, the people of Broughton Island have asked me to raise this question on personal property such as skidoos and canoes, etc., that has been damaged by polar bears. They would like to know if they could get insurance or compensation from the government to pay for this damaged property. They are especially concerned because some of these items have not been fully paid for when they were damaged. This is directed to the Minister of Renewable Resources.

MR. SPEAKER: Thank you, Mr. Kilabuk. Written questions. Mr. Kilabuk.

Question 181-80(2): Financial Assistance For Caribou Hunting, Broughton Island

MR. KILABUK: (Translation) Mr. Speaker, this is directed to the Minister of Renewable Resources. It is difficult to go caribou hunting in Broughton Island. The area where people go hunting is almost in the middle of Baffin Island by skidoo and it costs a lot of money to pay for the gas, bullets and food. They asked me to ask the Legislature if they can get some financial assistance when they go caribou hunting, through the government's Department of Renewable Resources.

MR. SPEAKER: Thank you, Mr. Kilabuk. Item 3, questions and returns. Mr. Evaluarjuk. Question 182-80(2): Polar Bear Quota Increase In Hall Beach

MR. EVALUARJUK: (Translation) Mr. Speaker, my question is directed to the Minister of Renewable Resources. I would like to ask this question on behalf of S. Nattoq, who is a member of the hunters' and trappers' association in Hall Beach:

When the hunters' and trappers' association had a meeting in Hall Beach, they discussed the following items: The polar bear quota in Hall Beach has not been increased for a number of years now, ever since the regulations establishing quotas became effective. The hunters' and trappers' association has been trying to increase their polar bear quotas ever since 1976. The hunters' and trappers' association discussed the increase in the polar bear quotas during their last meeting, and decided they would like four more tags added to their present quota for their year 1980-81. It has been very inconvenient for some of the hunters for the past several years, with the insufficient number of tags distributed in Hall Beach.

MR. SPEAKER: Thank you, Mr. Evaluarjuk. Written questions. Are there any returns? Hon. Mr. McCallum.

Return To Question 167-80(2): Utilidor, Frobisher Bay

HON. ARNOLD McCALLUM: Mr. Speaker, I have a return to written Question 167-80(2) asked by the hon. Mr. Patterson on October 28th, concerning the utilidor cost in Frobisher Bay, the cost implications of such to the Northwest Territories Housing Corporation. I have the following reply: The cost implications to the Housing Corporation for further utilidor expansion for public housing in Frobisher Bay, including hookup costs, can only be determined on the actual number of units so affected, including the increased assessments. At this time the corporation could only use a forecast based on, say, 30 units requiring hookup to the utilidor for 1981. Thirty units at \$10,000 each for hookup would of course be \$300,000. Thirty units at \$28,000 rehab costs would be \$840,000. The increased taxes, or if they are the same as 1980 at 13.5 per cent would mean \$93,000 more so you have a total cost of \$1,233,000. The 1978 hookup costs were \$8000 per unit times 24 units totalling \$192,000. The 1979 hookup costs were a little more than that, \$8461 and some odd cents for 31 hookups totalling \$262,315. With those particular costs, given the mathematics, it will be within the response anyway, Mr. Speaker.

The 1980 utilidor connections are currently under construction and we have not as yet been able to tabulate a firm cost figure. However, the Department of Public Works and the Housing Corporation have been sharing the costs and are now at the present time looking into what each will have to pay.

The following is the breakdown of the municipal taxes. The municipal taxes paid through the Frobisher Bay Housing Association budget by the Northwest Territories Housing Corporation for the years 1977, 1978 and 1979 were, in public housing in 1977 \$24,238.17; for northern rental, \$5414.97 to a total in 1977 of \$29,793.06. In 1978, the public housing taxes, the municipal taxes that the corporation would pay, for public housing \$30,324.22; for northern rental \$8997 to make a total of \$39,358.84. In 1979, for public housing the corporation on behalf of public housing paid to the municipality \$44,581 and for northern rentals \$37,541 for a total of \$82,122. With a 13.5 per cent increase for 1980 it is expected that the tax bill, both direct and indirect, through the Frobisher Bay Housing Association will, of course, increase very significantly.

As to the question as to whether the Housing Corporation is committed to home ownership, for Inuit people the answer is, of course we are. In respect to the Baffin, the Housing Corporation has entered into a memorandum of agreement with the Inuit Non-profit Housing Corporation and the Canada Mortgage and Housing Corporation to develop jointly, through a newly created Baffin Federation of Housing Associations, and the three corporations, four experimental housing units in two communities yet to be identified, with the Inuit Non-profit Housing Corporation taking the lead role. The three corporations, that is the Inuit Non-profit, the Northwest Territories and the Canada Mortgage and Housing and the housing association at Eskimo Point in the Keewatin District have further undertaken to develop a program whereby maximum of four northern territorial units will be turned over to prospective home owners for the sum of one dollar each, with the Inuit Non-profit Housing Corporation taking the lead role in counselling the applicants, obtaining proof of the long-term financial capability of the applicants and obtaining funding from CMHC through their residential rehabilitation assistance program. The aforementioned memorandum of agreement is now being drafted into a tripartite agreement of the three corporations.

The territorial Housing Corporation is further committed to home ownership under programs that are currently being developed through consultation with the Central Arctic, Keewatin and Baffin Federations of Housing Associations. From November 18th through to the 23rd, 1980, these programs will be developed by the three federations and the Housing Corporation at a federation conference in Baker Lake with home ownership being a priority item. Now, in order for home ownership, particularly above the tree line, to succeed, the cost of construction, utilities and debt service must be brought down to a comfortable and affordable range geared over the long term to the owner's ubility to pay. The Northwest Territories Housing Corporation is not only committed to home ownership, but believes it is possible, practical for a substantial segment of the people. Thank you.

Following is the text of telex No. 12087 sent this date to Commissioner John Parker:

Received the following telex which we are passing along for your attention:

"George Forrest, managing director. We have reviewed the position paper of the Frobisher Bay Ratepayers Association sent to the Commissioner on October 8, 1980. The board of directors of this association wish to support the ratepayers as we feel if the town of Frobisher Bay are to proceed with such excessive increases we will have to eliminate our 1981 rehab projects. We would ask you to bring our concerns to the Commissioner on our behalf. Joanasie Aningmiuq, chairman, board of directors, Frobisher Housing Association."

George Forrest, managing director, NWTHC. The NWTHC is supportive of the Frobisher Bay Housing Association being a member of the Baffin Federation of Housing Associations.

MR. SPEAKER: Thank you, Mr. Minister. Further returns? The Hon. Mr. Braden.

Return To Question 135-80(2): Employment Of Keewatin Residents In Gold Mine

HON. GEORGE BRADEN: Thank you, Mr. Speaker. I have a return to Question 135-80(2) asked by Mr. Curley on October 24, 1980. It concerns employment of Keewatin residents at the Cullaton Lake gold mine. The return reads as follows: The gold mine at Cullaton Lake is not in production at this time. Preliminary construction work is under way and a Rankin Inlet firm has secured a contract for work at the site. Officials of my Department of Economic Development and Tourism have met with officials of Cullaton Lake in Yellowknife recently and discussed the matter of employment of Keewatin residents.

Senior officials of Cullaton Lake will be meeting with regional staff this week in Rankin Inlet and they too will stress the need to employ more residents from the Keewatin Region. A socio-economic action plan will be drawn up shortly and we will ensure that it will support the employment of Keewatin residents. I will also ensure that a copy of this action plan is discussed with the hon. Member for Keewatin South as soon as it is available. MR. SPEAKER: Thank you, Mr. Braden. Are there any further returns? Mr. Wah-Shee.

Return To Question 151-80(2): Baker Lake Airport Terminal

HON. JAMES WAH-SHEE: Yes, Mr. Speaker, I have a return for the hon. Member from Keewatin South regarding an air terminal in Baker Lake. Transport Canada has advised that an air terminal building is planned for construction in Baker Lake in 1981-82 subject to Treasury Board approval of the necessary funding. The building will include a public waiting room, airline ticket counter, office and baggage room, airport manager's office and an area for weather and radio communication services.

Return To Question 164-80(2): Clyde River Water Pipe Repairs

I also have a return for the hon. Member, Mr. Kilabuk, regarding the water supply at Clyde River. Improvements are planned for the water supply system in Clyde River over the next three years. The actual requirements will be determined with the community, but preliminary work indicates the need for a truck fill point either at the water supply lake or in the community. The facility will be designed in 1981-82 and constructed over the following two years.

Return To Question 150-80(2): Per Capita Grant Study

A return for the hon. Mr. Sibbeston regarding the per capita grant study. The new funding approach for major municipalities will be reflected in the 1981-82 budget. A copy of the approved study will be provided to the standing committee on finance in sufficient time to allow the committee to make appropriate recommendations at the February session of the Assembly.

Return To Question 163-80(2): Exchange Funds For Hamlet Status Applicants

I also have a return for the hon. Member Mr. Kane Tologanak regarding exchange funds for hamlet status applications. If a settlement applying for a hamlet status and the Department of Local Government agree that a visit of some of the councillors to an established hamlet would be useful in preparing for hamlet status, funding for such a visit can be provided. The level of funding is determined in each specific case based on actual need. The settlement should meet some of the costs from within its own budget if at all possible. Requests for such support should be made through the appropriate superintendent of Local Government.

Return To Question 131-80(2): Macerator In Frobisher Bay

I also have a return for the hon. Member for Frobisher Bay regarding the macerator in Frobisher Bay. The macerator on the sewage system, which is intended to dispose of honeybags has deficiencies in design which have prevented it from operating properly. These design deficiencies are being corrected by the original designers. The station is also being modified to increase its capacity. Work is being programmed by this government in an effort to have the macerator fully operational in 1981-82.

Return To Question 130-80(2): Proposed Incinerator For Frobisher Bay

I have one last one, a return for the hon. Member for Frobisher Bay regarding the proposed incinerator for Frobisher Bay. In a study by J. L. Richards and Associates Limited of solid waste garbage disposal in Frobisher Bay, it was recommended that an incinerator with a system for heat recovery was the best means of disposing of garbage in Frobisher Bay. It was also suggested that the waste heat from the incinerator could be used to provide some of the heat necessary for the federal building. Further study has been carried out regarding this solution to garbage disposal and there is now some question as to whether this is the most effective and practical method. Work is being completed now to conclusively determine the feasibility of an incinerator. If this method of garbage disposal proves not to be the most practical, then a system of landfill will have to be employed. If the landfill method is selected, appropriate technical assistance will be provided to the town of Frobisher Bay to initiate a landfill system in 1981-82. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. Are there any further returns? Hon. Mr. Nerysoo.

Return To Question 105-80(2): Amendments To The Oil And Gas Act

HON. RICHARD NERYSOO: Yes, Mr. Speaker, this is a return to Question 105-80(2), asked by Mrs. Sorensen on October 22nd, 1980, with regard to amendments to the Oil and Gas Act. The response to the question raised in Baker Lake stated that the December 1977 proposal represented an entrenchment of federal control over the oil and gas sector in the Northwest Territories. The proposed act takes into account socio-economic elements, as well as environmental. This conflicts with the expressed mandate of the Government of the Northwest Territories in this socio-economic area as well as the general direction given to the Executive Committee by the Legislative Assembly.

The other grave concern that was expressed was in regard to resource revenue sharing. These measures could set the tone of development and the revenue mechanisms for the next 20 years. As you know, the Executive Committee, the Dene Nation and the Metis Association presented a list of five common concerns to the Minister of Indian and Northern Affairs. In early July, the then Minister of energy, Mr. Braden, and other Executive Committee Members visited Ottawa at which time we put forth our objectives with respect to the Oil and Gas Act and asked to be informed on the proposal. The proposal was before cabinet and Mr. Munro apparently could not speak on the subject. However, he did indicate that he would keep us informed. To date we have heard nothing in response to our written or oral requests.

MRS. SORENSEN: Shame, shame!

MR. SPEAKER: Thank you, Mr. Minister. Further returns. Hon. Mr. Butters.

Return To Question 129-80(2): Financial Information System

HON. TOM BUTTERS: Mr. Speaker I wish to make a return to written Question 129-80(2), asked by Mr. MacQuarrie on October 24, 1980, regarding the Government of the Northwest Territories financial information system. This return is very substantial and I have given a copy to the hon. Member for Yellowknife Centre and he has agreed that due to its length it would not be necessary for me to read it into the record, but if all other Members agree I will have it placed in the Members' books.

MR. SPEAKER: Agreed?

---Agreed

HON. TOM BUTTERS: While I am on my feet, sir, on a point of privilege the hon. Member for Keewatin North by oral question yesterday asked me for some information. Unfortunately the question is incompletely transcribed in the debate record on page 751 and I would be grateful for a copy of his corrections so I would get the full text of his question.

MR. SPEAKER: Thank you, Mr. Minister. Are there any further returns? We will go on to Item 4, petitions.

ITEM NO. 4: PETITIONS

Mr. Kilabuk.

MR. KILABUK: (Translation) Petition 11-80(2), Request for Polar Bear Quota Increase in Pangnirtung, is from the residents of Pangnirtung. As I have already mentioned the polar bear quota, the present quota they have is 14 and if they kill their quota there are more polar bear in the area. How much bear is allowed in the immediate area? The hunters and trappers in Pangnirtung are aware of the increase in polar bear in the immediate area. In particular there are a lot of unemployed men in Pangnirtung and the present quota is very low and due to the high cost of provisions, ammunition and gasoline, the hunters areasons for asking an increase in the polar bear quota. Thank you. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Kilabuk. Petitions. Item 5, tabling of documents.

ITEM NO. 5: TABLING OF DOCUMENTS

The Hon. Mr. Butters.

HON. TOM BUTTERS: Mr. Speaker, I wish to table Tabled Document 29-80(2), Third Annual Report, Workers' Compensation Board of the Northwest Territories, for the Year Ended December 31, 1979.

MR. SPEAKER: Thank you. Item 5, tabling of documents.

Item 6, reports of standing and special committees.

Item 7, notices of motion.

ITEM NO. 7: NOTICES OF MOTION

Ms. Cournoyea.

Notice Of Motion 55-80(2): Ratification Of Protocol

MS. COURNOYEA: Mr. Speaker, I give notice that on Thursday, November 6, 1980, I shall move the following motion: Now therefore, I move, seconded by the hon. Member from Frobisher Bay, that this House declare its unequivocal support for the ratification of the said protocol; that this House urge the Executive Committee to ensure, through the Minister of Renewable Resources, that representatives of that department convey to other jurisdictions at the upcoming meeting in Winnipeg, the wholehearted support of this House to the ratification of the protocol and use their best endeavours to encourage support for the ratification of the protocol by other jurisdictions in Canada, and this House urge the Minister of Renewable Resources to foward a copy of this motion to the Government of Canada and all the provinces and the Yukon Territory.

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

Notice Of Motion 56-80(2): Legal Opinion, Norman Wells Expansion And Pipeline

MR. SIBBESTON: Mr. Speaker, I wish to give notice that on Friday, November 7th, I will move the following motion. Now therefore, I move as follows:

1. That the Legal Advisor to this Legislative Assembly be instructed to prepare a legal opinion on all ways which may be available to this Legislative Assembly or Government of the Northwest Territories to stop the Norman Wells pipeline in the event that the federal government gives approval to the construction of the Norman Wells expansion and pipeline without the consent of this Legislative Assembly and the Dene and the Metis people in the Mackenzie Valley.

Such an opinion should include but not be restricted to the following:

(a) The extent to which present territorial legislation and regulations can be used to stop or thwart the construction of that Norman Wells expansion and pipeline.

(b) The extent to which all federal regulatory bodies to which this Legislative Assembly has power to appoint people such as the Northwest Territories Water Board, can be used to stop or thwart the construction of the Norman Wells expansion and pipeline.
(c) The available powers of this Legislative Assembly to pass legislation

or take certain measures such as refusing to pass the budget which could stop or thwart the Norman Wells expansion and pipeline.

2. That such legal opinion be prepared within one month of this date and distributed to all Legislative Members immediately after its preparation.

MR. SPEAKER: Thank you, Mr. Sibbeston. Notices of motion. Ms. Cournoyea.

Notice Of Motion 57-80(2): Civil Servants Using Knowledge To Set Up Businesses

MS. COURNOYEA: Mr. Speaker, I give notice that on Thursday, November 6, 1980, I shall move the following motion: Now therefore I move, seconded by the hon. Member for Mackenzie Great Bear, that this House urge the Executive Committee to investigate such past incidents where public servants and/or consultants under contract to the government, making use of knowledge and experience gained at that employment, have left government employment and set up their own businesses in communities where they were employed to carry out feasibility studies and had advised against setting up of such business enterprises; and further that the Executive Committee be requested to develop and use appropriate measures to prevent future occurrences of this kind and to provide this House at its next session with a comprehensive report of the measures taken or intended to be taken by it to prevent similar occurrences in the future.

MR. SPEAKER: Thank you. Notices of motion. Mr. Sibbeston.

Notice Of Motion 58-80(2): Denendeh

MR. SIBBESTON: Mr. Speaker, I wish to give notice that on Thursday, November 6, I will move the following motion:

 That the Legislative Assembly of the Northwest Territories support in principle the creation of a new government in the northwestern part of the Northwest Territories to be called "Denendeh", which will have more power and responsibilities than the present Government of the Northwest Territories, including powers over all natural resources;
 That the Legislative Assembly of the Northwest Territories call upon the

Government of Canada to give equal support to the creation of Denendeh as it does to Nunavut;

3. That the Legislative Assembly of the Northwest Territories give full support to the constitutional development committee when such is set up, to begin discussions with the representatives of all the various people in the northwestern part of the Northwest Territories, the Dene, the Metis, the Inuit and the white, to establish mechanisms or means whereby discussion and debate can take place on constitutional and political changes for the people of this area;

4. That the Legislative Assembly support further investigation, discussion, public consultation and negotiation about such matters affecting and accompanying the creation of a new northwestern territory as timing, transitional arrangements, boundaries, jurisdiction, finances, aboriginal rights negotiations and the reform of the Canadian constitution;

5. That the Legislative Assembly support further investigation, discussion, public consultation and negotiation being carried out with the full involvement of the people of Denendeh and their representative organizations and institutions and with the Government of Canada;

6. That the Commissioner be requested to change the name and the terms of reference of the Minister for aboriginal rights and constitutional development to minister for Denendeh and that he concentrate his efforts on promoting the political, economic and social aspirations of the people of Denendeh;

7. That the minister for Denendeh, if he is so named, and the minister for Nunavut, if he is so named and appointed, work together on issues of mutual concern and interest to the people of Nunavut and the people of Denendeh, particularly issues of mutual concern and interest that arise with respect to such matters affecting and accompanying the creation of Nunavut and Denendeh as timing, transitional arrangements, boundaries, ongoing co-operation among separate governmental structures, aboriginal rights negotiations and reform of the Canadian constitution.

MR. SPEAKER: Thank you, Mr. Sibbeston. Notices of motion. Are there any further notices of motion?

Item 8, motions.

ITEM NO. 8: MOTIONS

Mr. Curley, you have Motion 44-80(2). Do you wish to proceed today?

MR. CURLEY: I will stand it down for another day.

MR. SPEAKER: Mr. Fraser, you have Motion 46-80(2). Do you wish to proceed today?

MR. FRASER: I will stand it down today, Mr. Speaker.

MR. SPEAKER: Mr. Pudluk, you have Motion 47-80(2). Do you wish to stand it down?

MR. PUDLUK: Yes, Mr. Speaker.

MR. SPEAKER: Mr. Sibbeston, you have Motion 48-80(2).

MR. SIBBESTON: I will stand it down.

MR. SPEAKER: Mrs. Sorensen, you have Motion 49-80(2).

MRS. SORENSEN: Thank you, Mr. Speaker, I did serve notice yesterday, that due to the urgency of the matter I would like to bring forth my motion. I do not anticipate that it will take too long to go through it. May I proceed, Mr. Speaker?

MR. SPEAKER: Just one moment, please. Yes, Mrs. Sorensen, Motion 49-80(2) is in order, proceed.

Motion 49-80(2): Sessional Paper Request From The Executive On Constitution

MRS. SORENSEN: Mr. Speaker:

WHEREAS there is now being discussed by a special Senate/House of Commons committee a resolution for a joint address to Her Majesty the Queen respecting the constitution of Canada;

AND WHEREAS that committee is to report to parliament by December 9th, 1980;

AND WHEREAS this Legislative Assembly has as yet no position on this very urgent matter;

NOW THEREFORE, I move that the Legislative Assembly recommend to the Executive Committee that it table as soon as possible, but during this session, a sessional paper dealing with this government's position and/or options for a position on the resolution to Her Majesty the Queen and the parliament of the United Kingdom respecting the amendment and patriation of the constitution of Canada.

MR. SPEAKER: Mrs. Sorensen, did you change the wording or is there an amendment? What you read is not what I have in my book.

MRS. SORENSEN: That is correct, Mr. Speaker. Due to the fact that the motion was to have come onto the floor last week the wording as it stood last week does not make sense now, so the change is changing "within one week, sooner if possible" to "as soon as possible, but during this session" in the last "now therefore" clause.

MR. SPEAKER: Is there any opposition for the Member to make this change in the motion?

---Agreed

MR. SPEAKER: Proceed, Mrs. Sorensen.

Resolution Clauses Are Vague

MRS. SORENSEN: Mr. Speaker, I will not take up valuable time today to expound on the many fears that we have in the North concerning the contents of the Prime Minister's resolution which is now before the special Senate and House of Commons committee. My motion, if adopted, will simply allow the Executive Committee to bring forth a document this week, hopefully tomorrow or the next day, prepared by our constitutional lawyer which will provide us with an opinion of where we stand as a territory and as a region of Canada where native people are in the majority, where this Legislative Assembly stands with respect to certain clauses contained in the resolution such as the guarantee of rights and freedoms, democratic rights, mobility rights, legal rights, non-discrimination rights, official languages of Canada, minority language educational rights, undeclared rights and freedoms, equalization and regional disparities and finally the interim amending formula and procedure for amending the constitution of Canada. It is my understanding that certain clauses, Mr. Speaker, are sufficiently vague with respect to our situation and that a legal definition is required.

In addition, we are particularly concerned about the entrenchment of language rights particularly inasmuch as it affects the use of the Dene and Inuit languages in the Northwest Territories and also the implication of entrenching mobility rights inasmuch as we are in a disadvantaged area in which to make the employment of northerners a first priority in all jobs in the Northwest Territories.

It is important that this Legislature does take a position as soon as possible on this resolution. However, before we can proceed with giving direction to our Executive Committee we do have several questions which must be answered with respect to, as I said, legal implications. In addition, we should have options for action placed before us by our government since the territorial government has been closely involved with national constitutional issues for some time now and has time to develop some positions I am sure.

Senate And House Of Commons Committee First Priority

Now, recognizing that there is urgency in the matter I feel that this paper must be discussed before we leave Frobisher Bay in order that representation can be made to the special Senate and House of Commons committee before December 9th. I have determined that our government will be able to make representation to this committee and would urge that once having direction that it do so immediately. It is also my understanding that a two year period will pass before the federal government and provincial legislatures will attempt to amend the constitution again, so it is extremely important that we make representation now with respect to our concerns. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mrs. Sorensen. Mr. Patterson, you are a seconder. Do you wish to make a statement at this time? MR. PATTERSON: Yes, very briefly, Mr. Speaker. I am happy to second this motion and support it simply because I think we have to do first things first and although I was very moved by the sentiments expressed by the hon. Bob MacQuarrie in speaking to a motion calling for a petition to the British parliament last week, I think that this joint Senate/House of Commons committee is our first priority and it may well be possible that we may be able to influence changes in this legislation which would recognize our special needs, so I support the motion and I cannot see why all Members, including Mr. MacQuarrie will not agree. Thank you.

Motion 49-80(2), Carried

MR. SPEAKER: Thank you. Motion 49-80(2). Question being called. All those in favour? Opposed if any? The motion is carried.

---Carried

Mr. Patterson, you have Motion 50-80(2). What are your wishes?

MR. PATTERSON: Thank you, Mr. Speaker. As I mentioned earlier my intention is to defer this motion until after the unity committee debate out of deference to the unity committee and so I will stand it down.

MR. SPEAKER: Thank you. Mr. Noah, you have Motion 51-80(2). What are your desires?

MR. NOAH: (Translation) I will defer this motion, Mr. Speaker, thank you.

MR. SPEAKER: Ms. Cournoyea, you have Motion 52-80(2).

MS. COURNOYEA: I defer the motion.

MR. SPEAKER: Thank you. That then would conclude Item 8, motions.

Item 9, introduction of bills for first reading.

Item 10, second reading of bills. There are no bills for second reading.

Item 11, consideration in committee of the whole of bills, recommendations to the Legislative Assembly and other matters.

ITEM NO. 11: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS, RECOMMENDATIONS TO THE LEGISLATIVE ASSEMBLY AND OTHER MATTERS

Then we will move into committee of the whole to continue discussion on the unity paper, with Mr. Fraser in the chair.

---Legislative Assembly resolved into committee of the whole for consideration of Tabled Document 16-80(2): Report of the Special Committee on Unity, with Mr. Fraser in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER TABLED DOCUMENT 16-80(2): REPORT OF THE SPECIAL COMMITTEE ON UNITY

THE CHAIRMAN (Mr. Fraser): The committee will come to order. We were dealing with the committee's report when we finished off last night at 6:00 o'clock and we were on page five in question period. I think the last person I allowed to speak was Mr. MacQuarrie. I think there was a reply that Mr. McCallum wanted to make, a very urgent reply, so I will give Hon. Mr. McCallum the floor first to reply to Mr. MacQuarrie's statements. Hon. Mr. McCallum. HON. ARNOLD McCALLUM: Thank you very much, Mr. Chairman. I would just simply like to indicate that raising the question of the number of years of residency, I want to say first and foremest that I am not against a residency clause. I would like to suggest, sir, as well that in my statements talking about the Canadian citizenship and the acquiring of that by people who come to this country from other areas and the response that Mr. MacQuarrie made where he talks about my analogy with southern Canada, I made no comment about southern Canada at all. I think that again at the risk of winding up a response to this, I do not want to get back into something that went very well yesterday for a while. I was not sure whether I was back in the classroom or whether I was in the church of revelation and we all saw the light or whether I was back into a theatrical production listening to Mr. MacQuarrie go on.

MR. CURLEY: Three ring circus.

HON. ARNOLD McCALLUM: I think it is ludicrous to suggest in relation to the concern that I brought forward that there would be 12,000 Scotsmen descend on the city in which Mr. MacQuarrie resides. Never mind 12,000 Scotsmen. He suggested 12,000 Chinese and I cannot believe that in a city of 8000 or 9000 that there would be something like that that would drive him bonkers or that word he was almost saying, that these people would descend on that city in such hordes in one fell swoop and I think that is ludicrous to suggest that that would occur.

I go back to the point that I made that if in the preamble to the first recommendation there are these "visitors" that Mr. MacQuarrie suggests come into the Territories for one, two or three years, I simply asked the question, it would seem to me implied in that is that people who live here three, four and beyond that number, that they are not visitors. They have a commitment and I simply ask the question of Mr. Sibbeston, I think, as to why you picked the number five out of the air?

Definition Of Five Year Residency

Now again let me say, Mr. Chairman, that I am not against a residency clause, but to suggest five years as being that number, and I am not sure what five years residency means, because it is not indicated. It simply says they identify a person having resided here for five or more years. Now, I am not sure and it may be very well that that is part of the things you can work out. Whether it means that I could live here for two years, go away for ten, come back for two more, go away for 15, come back for another one, I have got five years in then. Whether it means that you must have five consecutive years or whether it means in the instance if I am 45 years of age and I am not suggesting I am, but were I to be 45 years of age, every nine years I could come back for one year and that makes me a resident. It has been suggested that is a technicality. We can work that out, but there are Members seated here who, if it were five years consecutive, would not be enfranchised to vote.

Again, I simply ask the question, how come? I believe the rationale as put forward, people who come in for two or three years who have no intention of staying, I suggest there are people in this country who were here for 15 to 20 years who had no intention of staying, but to suggest that people would have to come in and live for five years, a person who may well make their home, they would have their children go to school, they would pay municipal taxes in the communities of Fort Simpson, Fort Smith, Rankin Inlet, Frobisher Bay, Yellowknife, wherever and not be here for five years, who would build or buy or purchase or do whatever to settle their own home, who would pay education tax, who would pay income tax, who would pay municipal tax, who would contribute to this country. To suggest that they should not have a voice is not in my opinion responsible. I agree that is my opinion and all I am asking of the committee and all I asked in the beginning was where, given the rationale of the concept of two or three year visitors, where the number five came from? I know there are people sitting in this House who would suggest people should be here ten years or more and I am not indicating what that number should be. I am simply saying there should be a residency clause but to suggest it will be five years, given the rationale of the idea of a two or three year visitor, is to suggest that people who live, contribute to the Northwest Territories or to whatever community they live in or what jurisdiction that may arise or be developed, is not in my viewpoint very responsible.

Contribution Of N.W.T. Residents

I cannot even contemplate 10,000 to 12,000 people in one fell swoop coming into a community so that I would not know the language. Mr. MacQuarrie would not know the language and he would have a difficult time walking the streets, reading the newspapers, the rest of that. I do not think that enters into the situation at all. I think you have to be aware of the reality of what goes on in the Northwest Territories, whether it be in any or all jurisdictions that are developed. I think there are people on this particular committee and I think there are people in various areas of the Northwest Territories who have contributed over the past number of years and more who will come in who will contribute, in the ensuing years, a great deal to life in the Northwest Territories inside five years.

--- Applause

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Mr. McCallum. Any further questions on page five?

MR. MacQUARRIE: That was not a question.

THE CHAIRMAN (Mr. Fraser): I think it was just a statement. Something to do with those 12,000 Chinamen anyway. Mr. Patterson.

MR. PATTERSON: Thank you, Mr. Chairman. As a relative newcomer to the Territories, although I do not think I am one of the classes of people that -- one of the Members Mr. McCallum said would not be eligible.

MR. MacQUARRIE: On a point of order, Mr. Chairman. One reason I did not respond is this very thing comes up in recommendation one so I do not want to go through the whole thing again and I suggest that that is the time at which it might be debated. It is mentioned there specifically and if Members challenge it, it can be challenged in that recommendation.

THE CHAIRMAN (Mr. Fraser): Mr. Patterson, we are on page five. When we go to recommendation one the same thing will come up again and we can question it again. Would you like to hold your comments until we go into recommendation ora?

MR. PATTERSON: Yes.

THE CHAIRMAN (Mr. Fraser): Thank you.

MR. MacQUARRIE: I am not saying there would not be other questions on page five. I was just suggesting that particular point might be dealt with then.

Discussion Of Recommendations

THE CHAIRMAN (Mr. Fraser): We are going to go to the recommendations. I think if somebody comes up with a question they want to ask anywhere in the paper I think they will feel free to ask the question. So, we will go to recommendation one and everybody has a copy of it. Is it your wish that we read out the recommendation and everybody here can read and ask questions? Carry on. I think I have Ms. Cournoyea first on the list. MS. COURNOYEA: Mr. Chairman, I was just going to ask you what the process was because it was not clear to me what we were doing and how we were approaching the discussion. I just wanted you to clarify the process and I think you have just done that.

THE CHAIRMAN (Mr. Fraser): Thank you, Ms. Cournoyea. Mr. Sibbeston.

MR. SIBBESTON: Mr. Chairman, I was just going to suggest that maybe the recommendations could be read so the people could understand what is going on.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Sibbeston. Mr. Clerk, would you read the recommendations, please?

MR. MacQUARRIE: Each one has to be moved separately since the report earlier was simply moved into committee of the whole and that is when they could be read.

THE CHAIRMAN (Mr. Fraser): Mr. MacQuarrie, do you mean you are going to read each recommendation and move it as a recommendation? Okay, carry on, Mr. MacQuarrie.

MR. MacQUARRIE: Is that procedure agreeable to all? I certainly do not want to try to impose a procedure that is not acceptable to people.

THE CHAIRMAN (Mr. Fraser): It is agreed?

---Agreed

Carry on. Mr. MacQuarrie.

Motion To Accept Recommendation One Of Unity Report

MR. MacQUARRIE: Thank you, Mr. Chairman. Recommendation one. I move that this Assembly, recognizing the Dene, Metis and Inuit peoples within the Northwest Territories present boundaries, as well as a significant presence of "others" either who were born in the Northwest Territories, or who have demonstrated a commitment to northern living by having resided here for five or more years, acknowledge that political and constitutional development in the Northwest Territories cannot proceed successfully without due attention being paid to the expressed interests of these communities of people.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. To the motion. Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. The intent of this recommendation is simply that any public government proposal in the Northwest Territories where native peoples are in the majority that ignores the realities of the existence of peoples, insisting that rights be defined exclusively on an individual basis -- it seems that such an approach simply will not succeed. That was the approach recommended by the Eighth Assembly and it generated a great deal of dissatisfaction in the Northwest Territories. So that is what this recommendation means and I do hope that all of these recommendations are understood. If they are defeated because they are understood and not wanted, then that is certainly acceptable, but if they are defeated because they have been misunderstood that would be very, very regrettable. So I will try to explain the intent as I understand it of each of these.

What this one would mean is that public government proposals advanced by any or all of these communities of people ought to be given serious consideration and finally reconciled by negotiation among those who wish to live in association with one another. This process may or may not result in altered features of government. That is for instance apparently in the proposed Eastern Arctic territory it would be the type of government that is well known in Canada. Perhaps in another territory or territories there would be specific features that would be included in order to give recognition and support to particular segments of the population that may need it because of the circumstances they find themselves in, but once such a government is established then the native associations would simply become private interest groups within those public government jurisdictions and they certainly would not be the governments of those territories.

With respect to the residency requirement that is set out for "others", I would say that if any Member is willing to accept residency requirements at all, and for instance Mr. McCallum has indicated that he does accept a residency requirement of some length or other, then my opinion is that the principle is already established. Any requirement beyond that minimum amount merely requires that one demonstrate what special circumstances warrant a longer residency requirement. Of course what we are saying here is that there are special circumstances that warrant a longer residency requirement and frankly, Mr. McCallum's statement that wanting a longer residency requirement is irresponsible, I simply cannot accept, because if it were true then I would have to say that he is irresponsible in advocating that there be any residency requirement at all, because the same situation would obtain for the same people with a one year residency requirement or the two years of residency requirement. So it is just not logical. The onus is on those that advocate five years. I agree with that. You must demonstrate what special circumstances warrant a longer that there are very small base numbers.

Demonstration Of Commitment To Living In The North

I assert further that with any introduction of people from other parts of the country, because of the small base numbers you start with, they will have a very high impact. Hence the illustration. I acknowledge my illustration may not have been well chosen or something, but I was simply trying to illustrate the sort of impact that can occur where you have small base numbers. It is a fact of northern life that there is a fair amount of transiency in the Northwest Territories. The position is simply that there should be some demonstration of commitment to living in the North if an individual is going to have an opportunity to determine the fundamental shape of life in the Territories.

The five year residency requirement that is asserted in this paper is for the establishment of these public government institutions. There is no suggestion on my part that that five year residency requirement should, therefore, extend to every facet of life within the established jurisdictions. It is quite possible that there will be one year residency requirements for voting in municipal elections or something. This report is not trying to set a five year residency requirement for all things at all times, but simply for the establishment of these jurisdictions.

Further, in setting out that five year residency requirement we would be asserting a desire of this Assembly if it were passed. That is not to say and I would not want to deceive anybody on that, that is not to say first of all, it would be accepted or acceptable to the federal government or, secondly, that even if the federal government accepted it, if it were challenged in the courts by someone, that it would necessarily stand. I do not wish to try to give that impression at all. In fact, I believe there is a case in Alaska, I do not know whether there is any relationship between the laws there and here but certainly there is a case in Alaska where they have had trouble sustaining a desire for residency requirements, but at any rate that is the rationale on which it is based. It is not just entirely pulled out of a hat. There is some reason for asserting that it should be five years rather than one, two, or three years. If the Member cannot agree with the amount of time it is open to amendment. Thank you. THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. To the motion. Mr. Curley.

Recommendations Are Only Guidelines

MR. CURLEY: Thank you, Mr. Chairman. I cannot see why the hon. Member from Fort Smith should get so excited about these possible guidelines to establish a political unit rather than just relying on Ottawa to take unilateral action as to how the future of the Northwest Territories should be established. I was a little confused whether he was giving me some lessons, as a teacher, about what kind of decisions I should receive as a student in politics here in this chamber. I just wanted to be clear whether or not he is really serious in questioning the recommendation. I can recall the hon. Member from Fort Smith supporting a residency clause in the one legislation. If he remembers correctly, I will give him one example. I will give you an example: An Ordinance Respecting Wildlife. He recommended as far as the general hunting licence is concerned that in section 17, paragraph (1)(c)(i) general hunting licence, one particular clause says: "has lived in the Territories continuously for the five years immediately preceding his application for the licence". Now, this is permanent legislation. We are merely asking in this recommendation on this need to decide for the future political structure, in terms of say, perhaps a referendum. It is not legislation we are recommending. It is the people who have lived here at least for five years should make the decision with respect to the political unit, not the permanent legislation as the Member from Fort Smith has supported in the Eighth Assembly with respect to An Ordinance Respecting Wildlife. Thank you.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Curley. To the motion. Mr. Patterson, you are next on the list.

MR. PATTERSON: Thank you, Mr. Chairman. I was pleased to hear what Mr. Curley said because I think the Wildlife Ordinance gives us a precedent for requiring a particular commitment, in terms of time, for someone who is going to have a certain privilege. I thought that the provision in the Wildlife Ordinance which affects a person like me who might want to apply for a general hunting licence subject to the approval of the local hunters' and trappers' association, this is a significant privilege and one has to earn that privilege by demonstrating a commitment to the particular area in which one wishes to hunt. I think it is an appropriate analogy that we are requiring the same demonstration of commitment to the future of the Northwest Territories on the part of those who would seek to vote and shape the future.

Reasonable Residency Requirement

I recall when the discussions of this Nunavut proposal began in earnest several years ago that many of my non-native constituents who were not born in Frobisher Bay felt that the originally proposed ten year residency requirement was onerous. I think it is fair to say that ITC agrees that perhaps that was going too far and agreed that they would accept a more modest requirement. It has been pretty well accepted that five years is that middle line. I cannot get upset about it and I think it is neither too long nor too short and if Mr. McCallum is worried about defining five years or defining residence perhaps we can again look to the subsection I7(2) of the Wildlife Ordinance which seems to present a reasonable definition. It says that provided someone lived in the Territories prior to going to school or joining the Armed Forces or the RCMP then time in those occupations outside the Territories should be counted, and you know, that is a reasonable definition of residence as far as I am concerned.

If Mr. McCallum wants to be terribly precise about the timing, I suggest he make an amendment to define residency within the meaning of subsection 17(2) of the Wildlife Ordinance or along the lines of subsection 17(2) of the Wildlife Ordinance. I think that is a precedent that has shown that the previous Assembly was concerned about this question of transients and this is perhaps a rare opportunity to give them credit for having given this important consideration

recognition in their legislation. It is a chronic problem and a grievance to the long-time residents of the Northwest Territories that transients are in positions of power and transients are starting things up that they never finish. I am in full support of what I think is a reasonable residency requirement. Thank you, Mr. Chairman.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. To the motion, Mrs. Sorensen.

Special Communities Of People

MRS. SORENSEN: Mr. Chairman, we have what I would think would be two very difficult and controversial statements. The first is the five years and I have difficulty with that but it is the other one that I would like to deal with now. It is this point and I will quote from the recommendation "...political and constitutional development in the Northwest Territories cannot proceed successfully without due attention being paid to the expressed interests of these communities of people". It seems to me that the Inuit have rejected that communities of people have special interests in their proposal, their Nunavut government. They have done it because that proposal for special communities of people was not acceptable to the federal government. They said that that was probably one of the hardest decisions they had to make. I believe they said that on Saturday, however, they accepted that because they wanted to move ahead. They have agreed that the land claim gives them what special status they require in their region and that they are prepared to separate the two out. Their public government would treat everyone the same, but of course, building in a residency clause.

So I have to question what the unity committee, in fact, who the unity committee is attempting to protect with recommendation one. We have a situation here where the Inuit have rejected the concept of special status in government so what remains is the white people and the Dene people. Now, it seems to me, Mr. Chairman, that all white northerners really want is protection for the minorities, equal access to government, to be able to run for office and in fact white people I know are prepared to agree to a residency clause somewhat longer than six months but I would think a bit less than five years, all of which are perfectly acceptable within public government.

Status For Dene People In Public Government

I assume then, and Mr. MacQuarrie's comments have appeared to me to substantiate that, that the unity committee is paving the way for special status...

MR. PATTERSON: Aboriginal rights.

MRS. SORENSEN: ...for the Dene people within a government that might be set up should division occur. Now we may agree in the long run that there should be special status for Dene people within public government, like a set number of seats to make sure that they always have that control, but will the federal government accept that and is that an acceptable principle under public government?

It seems to me that is one of the reasons why Nunavut decided to go the way that it went, because that was not acceptable. Is recommendation number one paving the way to getting rid of or modifying in some way the one man, one vote democratic principle that we have in all our governments throughout the western world? I wonder if the unity committee could explain that to me. THE CHAIRMAN (Mr. Fraser): Thank you, Mrs. Sorensen. If there is a question there, maybe Mr. MacQuarrie could answer it or Mr. Sibbeston. Mr. Sibbeston.

MR. SIBBESTON: I will give it a try.

MR. CURLEY: In Slavey.

A Different Style Of Government

MR. SIBBESTON: I guess the reason we put this here is so that we do not have the same occurrence of an imposition of government on people in the North as has happened to date. I guess I have said it before that when the territorial government was set up in the North we in the North did, particularly the native people, did not have a choice as to how the territorial government ought to be set up. We were, I guess, maybe glad government did come closer from Ottawa and into the North, but as far as the style of government, that is the way the administration was set up and the way this Assembly was set up, we never really had a choice. We just had to accept it or be unhappy about it. All we are saying is that in the future, the future government in our part of the North, there should be involvement by everybody, by the Dene people, Metis people and white people as to what kind of government should be set up and by that I mean this system of government is not the only type. It is one type of government.

The Dene people I know have proposed some changes, a different style of government, like they are very interested in emphasizing consensus type of government where maybe only certain types of decisions are possible by the elected people and to the parliament. On certain questions they would have to go back to the people and let the people decide and perhaps it would mean more use of referendums and plebiscites to get the feeling of the people. That is one aspect.

Native People Want A Say In Type Of Government

The other aspect is administration. I feel that this government is a very intricate, very complicated system of government administration and I have always felt that it is not necessary to have such an intricate or complicated system. You know, we never had a say in the type of administration that was to have been set up. Another factor is even the territorial Assembly that we have here, native people never really had a say in the type of Legislative Assembly that we would have. We never had a say in the type of chair that we would have. We never had a say in the type of chair that we would have. We never had a say in the type of chair that we would have. We never had a say in the type of chair that we would have. We never had a say in the type of chair that we would have. We never had a say in the type of chair that we would have. We never had a say in the type of chair that we would have. We never had a say in the type of chair that we would have. We never had a say in the type of chair that we would have. We never had a say in the type of chair that we would have. We never had a say in the type of chair that we would have. We never had a say in the type of chair that we would have. We never had a say in the type of chair that we would have. We never had a say in the type of chair that we would have. We never had a say in the type of chair that we would have. We never had a say in the type of chair that we would have. We never had a say in the type of chair that we would have. We never had a say in the type of chair that we would have. We never had a say in the type of chair that we would have. We never had a say in the future for the government of our part of the North we want to be involved in the type of government. We want to have a say in the administration and we want to have a say in the parliament or the Assembly that is to be the government of the people. Certainly there is no intention to move away from one man, one vote.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Sibbeston. Mr. Stewart.

Recommendation One Is Not Explicit

HON. DON STEWART: Here listening to Mr. Sibbeston possibly the new theme song for the Northwest Territories could be "Don't Fence Me In". The point I would like to make is that as I understand the way we are going through this paper we have discussed the preamble but we have not passed the preamble. We are working on passing the recommendations. Now, if that is true, then the recommendations must be very explicit. I suggest to you that recommendation one is not explicit. If you do not have the preamble that precedes it, it does not say that you have to live in the Territories five years before you could vote. Actually if you read it alone it is very ambiguous as to what it could mean, so I suggest that if, in fact, that is the procedure we are using, to just vote on the recommendations, then the recommendations must be very clear. I suggest to you that recommendation one is not clear. MR. CURLEY: Do you need an interpreter?

HON. DON STEWART: It does not give us the direction and say in so many words "You do not vote unless you have lived here five years." It does not say that. If that is the intent, surely the recommendations should be abundantly clear so there cannot be any confusion at a later date as to what is meant by it.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Mr. Stewart. Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. Maybe Mr. Stewart will notice a distinction between recommendation one and recommendation five, section (c) where that is very specific. So in recommendation one, we would be saying that as far as we are concerned wherever there are events that involve the fundamental shaping of northern society that this kind of procedure should be followed. Of course, recommendation five is an event which may shape and so very specifically it says there who may or may not vote. And, of course, I can only say too, that all recommendations are subject to amendment, so if Mr. Stewart would like it to be more specific he is at liberty to do that.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. To the motion.

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Mr. Fraser): Question being called. Hon. Mr. Braden.

HON. GEORGE BRADEN: Thank you, Mr. Chairman. I am wondering if the legal counsel -- is that what he is called now?

THE CHAIRMAN (Mr. Fraser): Legal Johnson I think.

HON. GEORGE BRADEN: If your lawyer could give us an opinion on whether or not five years residency could be challenged in a federal court or a court of the Northwest Territories, given that there probably is a lot of precedent and experience with residency requirements in Canadian jurisprudence.

THE CHAIRMAN (Mr. Fraser): I am informed he is legally a law clerk. Mr. Johnson.

Legal Opinion On Residency Requirements

LEGAL ADVISOR (Mr. Johnson): Mr. Braden, I think there has to be a distinction made between what the residency requirement would be used for. Mr. MacQuarrie made reference to public government institutions. I think for the purposes of holding a referendum that the Government of the Northwest Territories would be empowered under the Northwest Territories Act to pass referendum legislation. I think you could put in a residency requirement, in that legislation, that would not in my opinion violate any federal legislation such as the Bill of Rights or the new proposed legislation, the Canadian charter of rights and freedoms. I think if you get into restrictions with regard to elections to the territorial Assembly you may run across some problems because of section 3 of the proposed charter of rights and freedoms. That section states "Every citizen of Canada has without unreasonable distinction or limitation the right to vote in an election of members to the House of Commons or of the Legislative Assembly and to be qualified for membership therein." Having regard to the normal residency requirements across the country which I think in general would range between six months and a year, that five years would quite likely be held to be an unreasonable length of time to have a person reside in order to vote in a Legislative Assembly election. Other than that I do not see any particular problems with general residency requirements themselves.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Johnson. Any further questions? Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, just to express my concern also with the residency aspect of the motion. I would read that portion of the motion where it says "...acknowledge that political and constitutional development in the Northwest Territories cannot proceed successfully without due attention being paid to the expressed interest of these communities of people". These communities of people here are those people who have a residency of five years or more. I cannot agree with our learned legal counsel because the motion includes the words "political development" and I suggest that one must be concerned of the political development of all of one's citizens of the country, even before they have attained citizenship. I would suggest that the Bill of Rights here might apply and possibly the constitutional act as well. So I think that the question that has been raised by Mr. Braden is a good one and I do not know that it has been satisfactorily answered at this point in time.

One thing I would say is that I have learned that Yellowknife has suddenly received an influx of 12,000 Scotsmen and they are playing their bagpipes and eating their haggis. I would be very happy to agree with the chairman that we would need a residency clause.

Public Government Must Result From Public Consultation

I have one question of the chairman of the committee and that relates to the paragraph under the first recommendation, which I assume refers to that recommendation. It says, "...the special committee on unity supports the federal government's position that, regardless of what factors must be taken into account, in the end, public government must result from public consultation; that all residents..." and I repeat, "...that all residents of the Northwest Territories must have the opportunity to comment on political development proposals..." I ask the chairman, does the chairman stand by that statement?

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. That statement is on what page, page five?

HON. TOM BUTTERS: It is in the paragraph immediately following recommendation one.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. Mr. MacQuarrie.

MR. MacQUARRIE: Absolutely.

THE CHAIRMAN (Mr. Fraser): Thank you. We will take a 15 minute recess for coffee.

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Mr. Fraser): The question being called. Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, again I would indicate that I have no difficulty. I support a residency clause.

SOME HON. MEMBERS: Hear, hear!

HON. ARNOLD McCALLUM: But I do not, will not support a five year residency clause in order to have the expressed interests of the communities of people that are identified in the first three lines of this recommendation as Dene, Metis, Inuit and "others" and I will not support a five year residency clause for it. I am not concerned with putting down some kind of a residency clause to the principle of having a certain amount of residency, but not five years. You have to start listening with your mouth, you know. You have been going on with it. If you start to listen with your ears then you would find out what is going on.

MR. CURLEY: I thought you were a clown.

Amendment To Recommendation One Of Unity Report

HON. ARNOLD McCALLUM: Mr. Chairman, I would move an amendment to this particular recommendation beginning at line five of the recommendation where your committee recommends, "...a commitment to northern living..." and again I think it is an evaluation placed on it by five people who suggest the commitment to northern living is a residency of five years. I want to make an amendment to that, beginning in that line "...a commitment to northern living by having resided in the Northwest Territories for three years as of the date of acceptance of this report", and then it continues from there.

MRS. SORENSEN: That is just as bad. You just strike out all that one line.

THE CHAIRMAN (Mr. Fraser): I think at this time we will take a 15 minute recess for coffee.

--- SHORT RECESS

THE CHAIRMAN (Mr. Fraser): The Chair recognizes a quorum. We have an amendment to recommendation one. To the amendment, Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, I suggest that you did not indicate whether you had accepted the amendment and I would like to rephrase the amendment and suggest or put forth this amendment.

THE CHAIRMAN (Mr. Fraser): Carry on, Mr. McCallum.

HON. ARNOLD McCALLUM: "That this Assembly recognizes the Dene, Inuit, Metis and 'others' as the communities of people of the Northwest Territories."

THE CHAIRMAN (Mr. Fraser): Is that your amendment?

Amendment To Recommendation One Of Unity Report, Reworded

HON. ARNOLD McCALLUM: No. Could I put a semicolon after that "That this Assembly acknowledges that political and constitutional development in the Northwest Territories cannot proceed successfully without due attention being paid to the expressed interests of these communities of peoples; that this Assembly recognizes that all residents of the Northwest Territories must have the opportunity to comment on political development proposals."

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. McCallum. Is that it? May we have a copy of that amendment please?

HON. DON STEWART: A point of order, Mr. Chairman. Inasmuch as this amendment is lengthy I think we should probably have it typed and translated. Can we not go on to another section and leave this amendment until this paper is printed? It is a complete change, not a change in the motion but it has reworded the thing all around.

THE CHAIRMAN (Mr. Fraser): We will see what the amendment is and then we will feel it out and see what happens. We have the amendment to recommendation one and we will have the Clerk read it out.

CLERK OF THE HOUSE (Mr. Remnant): The amendment, Mr. Chairman, would substitute a totally new recommendation which reads as follows: "That this Assembly, recognizes the Dene, Inuit, Metis and others as the communities of peoples of the Northwest Territories; that this Assembly acknowledges that political and constitutional development in the Northwest Territories cannot proceed without due attention being paid to the expressed interest of these communities of people; that this Assembly acknowledges that all residents of the Northwest Territories must have the opportunity to comment on political development proposals."

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Clerk. Could you confirm that amendment, Mr. McCallum?

HON. ARNOLD McCALLUM: Yes.

THE CHAIRMAN (Mr. Fraser): To the amendment. Mr. Patterson.

MR. PATTERSON: I have a question first, Mr. Chairman, does the amendment then take out all reference to residence?

THE CHAIRMAN (Mr. Fraser): Mr. McCallum, does that take out the rest of the recommendation or where does it fit in?

HON. ARNOLD McCALLUM: Mr. Chairman, in this particular recommendation we are acknowledging who the communities of people are in the Territories, that they must be able to express their concerns and that we acknowledge that they should be able to do so. The question being asked of me that you now want me to answer is we are talking about, to deal with residency or not in this particular statement. I am suggesting the deletion of any residency clause in this particular recommendation. MR. CURLEY: I suggest that the proposed amendment is out of order.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Curley. We will maybe ask the law clerk to check into that and see if it is in order. Is that amendment in order? Mr. Curley, I am told you have a point of order. Could you explain your point of order, why you think the amendment is out of order?

A Point Of Order

MR. CURLEY: Well, Mr. Chairman, recommendation one deals with those residency things in terms of determining the political and constitutional development of the Northwest Territories. It does not necessarily deal with the residency requirement because that is dealt with in another section of the report, in recommendation five section (c), which deals specifically with the question of the residency as set out in the Northwest Territories Elections Ordinance, 18 years of age or whatnot. On that basis Mr. McCallum's motion specifically drastically changes recommendation one and on that basis I think I would have to see whether it was in order before he can proceed with his arguments.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Curley. A point well taken. Mr. Clerk will check it out and let us know. I am informed, Mr. Curley, that the amendment is in order. If you want to challenge the Chair, that is your prerogative.

MR. CURLEY: Question.

THE CHAIRMAN (Mr. Fraser): To the amendment. Mr. Sibbeston.

MR. SIBBESTON: I certainly do not support the amendment. Mr. McCallum proposes to have all people in the North deal with the matter of political and constitutional development and I do not think that is right. I think there is merit in having at least a five year residency clause for people before they can become involved in all of this political change. I think that many white people are proud of the fact they have been in the North many years and I think this is just trying to give them some status and recognition. I guess maybe Mr. McCallum does not feel the same way about the matter of residency as we do, but native people live in small communities in the North and pretty well live there all their lives. Of course the younger ones do leave, but oftentimes return.

Appreciation Of Long-Term Residents

So we experience white people coming to the settlements and oftentimes these people only live there two or three years and oftentimes these people inasmuch as they have just come into the North have jobs which make them very influential in the community. They get the top jobs and top positions in the town. So a person just coming from Toronto or Edmonton, just arrives in a place like Fort Simpson and he has a civil servant job and he is suddenly one of the most powerful persons in town. So we do not like this. We of course, do not mind non-native people coming to the North. We appreciate them living amongst the people for a long time as you stated. It indicates that they like the people, they like the community and are prepared to live there. So I do not support the amendment. I think we should defeat it.

MR. CURLEY: Question.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Sibbeston. To the amendment, Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, if you accept the amendment I would have expected that I would have been able to comment on it.

THE CHAIRMAN (Mr. Fraser): Hon. Mr. McCallum, carry on.

MR. CURLEY: For the third time.

Four Different Communities Of People In N.W.T.

HON. ARNOLD McCALLUM: Keep on keeping score. Mr. Chairman, I moved this because I think that the chairman of the committee on unity made a statement that he supports the fact that all residents of the Northwest Territories must have the opportunity to comment on political development proposals. I agree with that. Now if other Members of the committee on unity do not agree with having everybody comment or express themselves as to what should occur, then I guess the committee then falls apart on these. I simply suggest that we recognize that there are different communities of peoples in the Northwest Territories. That is the reality. I agree that there are. Surely there is not anybody in here who does not agree that there are. I agree that any kind of political and constitutional development cannot proceed successfully without due attention being paid to the expressed interests of these four communities of peoples. I agree with what the committee on unity is saying.

If you were saying that a Dene or a Metis person or an Inuit person or an "other" comes into the Territories and cannot put forth their viewpoint on what kind of political or constitutional development should take place, if you are saying that, then I do not agree with that either. I think they should be able to put forth their views. They should at least be able to express their views. Now I am not suggesting in any way when the final plebiscite or opinion is taken of people as to what should occur, as to the final resolution, I am not suggesting then that all peoples should have the right to vote on that plebiscite. What I am suggesting as the committee on unity has stated, is that there are four communities of peoples in the Northwest Territories. I am agreeing with you. I agree with you that political and constitutional development in the Territories cannot proceed successfully unless attention is paid to the interests that are expressed by those four communities of peoples. I agree with you again and I most certainly agree with the chairman of the committee on unity that all residents in the Territories must have the opportunity on political development proposals. I agree with the chairman. I do not agree with my friend across the way because he is against it.

MR. CURLEY: You should have said that at the Eighth Assembly.

HON. ARNOLD McCALLUM: I agree that in this particular instance if you want to pay attention, if you want to give credence to the fact that there are different kinds of opinions by different peoples in the Territories, different communities of peoples in the Territories, I agree with you and I agree with the other two things. That is all I am saying.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Mr. McCallum. Mr. MacQuarrie.

Difference Between Commenting On And Having Power To Shape Development

MR. MacQUARRIE: Thank you, Mr. Chairman. I will vote against the amendment as it is proposed. I realized when the question was asked earlier by Mr. Butters that something like this would arise because he supposed there was a contradiction in what I said and there is no contradiction at all. The statement in the body is that all residents of the Northwest Territories must have the opportunity to comment on political development proposals. I stand by that now. I will continue to stand by it. But there is a difference between commenting on what is happening, and having some power to shape it. What our recommendations are suggesting is that the community of "others" in the Northwest Territories which can have the power to shape political and constitutional development would be that community of people which has demonstrated a commitment to northern living. So I just oppose the amendment.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Question being called. To the amendment. All in favour? Mr. McCallum.

HON. ARNOLD McCALLUM: I would request a recorded vote.

THE CHAIRMAN (Mr. Fraser): Point of order, recorded vote being asked for. To the amendment, all in favour? All in favour please stand.

Amendment To Recommendation One Of Unity Report, Defeated

CLERK OF THE HOUSE (Mr. Remnant): Mr. McCallum, Mr. Braden, Mr. Butters, Mr. McLaughlin, Mrs. Sorensen, Mr. Stewart.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Clerk. Against, please stand.

CLERK OF THE HOUSE (Mr. Remnant): Mr. Evaluarjuk, Mr. Arlooktoo, Mr. Patterson, Mr. Kilabuk, Mr. Pudluk, Mr. Appaqaq, Mr. Tologanak, Ms. Cournoyea, Mr. Curley, Mr. Noah, Mr. Sibbeston, Mr. Sayine, Mr. MacQuarrie.

THE CHAIRMAN (Mr. Fraser): Abstentions?

CLERK OF THE HOUSE (Mr. Remnant): Mr. Nerysoo, Mr. Wah-Shee.

THE CHAIRMAN (Mr. Fraser): Thank you. The amendment is defeated.

---Defeated

To the recommendation, Mr. Stewart.

HON. DON STEWART: I have one question. In our particular area we have a great deal of movement back and forth between Dene people and Metis people from Saskatchewan and Alberta. What are the residency requirements for these people? Do they have to put in four years or do they immediately get a vote because it certainly does not say that here?

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Mr. Stewart. Mr. Sibbeston.

MR. SIBBESTON: My own opinion is that they, too, must comply with the five year residency.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Sibbeston. Mr. Nerysoo.

Further Amendment To Recommendation One Of Unity Report

HON. RICHARD NERYSOO: That was the question I was going to ask. So I would suggest that maybe there should be an amendment to include, after recognizing the Dene, to include "and all descendants of the Dene, including those referred to as non-status and Metis".

THE CHAIRMAN (Mr. Fraser): Mr. Curley.

MR. CURLEY: That is the same thing.

THE CHAIRMAN (Mr. Fraser): To the amendment. Will you read the amendment again for us, please?

HON. RICHARD NERYSOO: "And all descendants of the Dene, including those referred to as non-status and Metis".

THE CHAIRMAN (Mr. Fraser): That comes in after "Dene" in the recommendation? We will just get this amendment straight here and then we will carry on. Mr. Clerk, will you read the amendment and the location of the amendment to that recommendation?

CLERK OF THE HOUSE (Mr. Remnant): Yes, Mr. Chairman. The amendment would insert in line one of recommendation one as originally presented, immediately after the word "Dene" the following words "...all descendants of the Dene including those referred to as non-status and Metis" and the existing word "Metis" would be struck out.

THE CHAIRMAN (Mr. Fraser): To the amendment. Mr. Nerysoo.

HON. RICHARD NERYSOO: Well, just further to the comment made by Mr. Stewart and that is there is a reference made to Metis all across Canada and our problem has been that many people from Saskatchewan and Alberta have been coming in and out, and from British Columbia as well. It is very difficult for us to just say Metis and leave it at that, because we require I think as you said before that they be included in that residency clause that has been suggested by the committee. So that is the reason I wanted that amendment to be put in.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Nerysoo.

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Mr. Fraser): Mr. MacQuarrie, to the amendment.

Descendants Of The Dene

MR. MacQUARRIE: I cannot vote for the amendment, Mr. Chairman. I feel the way it is stated now, and I have often heard from the Dene that they know who are Dene and that is certainly implied in the recommendation as it stands, I cannot accept that Mr. Nerysoo should, in a sense alter a reference to the Metis in that way, although I agree with him concerning those who are not originally residents of the territory, and I agree with Mr. Sibbeston on that. At any rate it is really unclear immediately what the implications are, but I do not think it is necessary and I will vote against it.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. To the amendment, Mr. Curley.

MR. CURLEY: The amendment is a very significant point because in the Northwest Territories Act there is a Metis Association of the Northwest Territories and if we have any questions about who the descendants are it certainly would be covered with the word "others" in that category, so on that basis I will have to vote against the amendment.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Curley. To the amendment, Mr. Sibbeston.

MR. SIBBESTON: Mr. Chairman, I too cannot support the amendment because I think it is just -- I appreciate what Mr. Nerysoo is trying to say, but I do not think it is significant. To me, making these amendments just fogs or just unclears the whole situation. The Metis people in the North have been striving for recognition and they have attained that and I do not think that we now, at this time, should reduce their status by clogging it up with a bunch of words. There is also the matter of non-status, non-status what? So I just think that the wording as it is is fine.

Further Amendment To Recommendation One Of Unity Report, Defeated

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Sibbeston. To the amendment? Do I hear a question? The question being called. All in favour of the amendment? Down. Against? Down. Abstentions? The amendment is defeated.

---Defeated

Recommendation one.

Further Amendment To Recommendation One Of Unity Report

MRS. SORENSEN: Mr. Chairman, I have an amendment. I wish to change the five to three or more years.

THE CHAIRMAN (Mr. Fraser): The amendment to recommendation one is to change "five" to "three" on the sixth line of the recommendation. Is that right, Mrs. Sorensen?

MRS. SORENSEN: That is correct, Mr. Chairman.

THE CHAIRMAN (Mr. Fraser): To the amendment. Mrs. Sorensen.

MRS. SORENSEN: Mr. Chairman, I think the arguments have been made regarding the length of time after which one becomes a legitimate northerner or one who has made an obvious commitment to the North, so I will not go on and on and on, but I think that three years is a fair number of years. We know that few people stay beyond that time if they do not have some feeling for the North. Certainly our transient workers are gone usually within a few months and certainly with many of the changes that this Legislative Assembly has been making over the past year I suggest that there probably will not be many others left anyway. Those who have resided here three or more years have demonstrated a commitment to northern living and I think should be able to take part in political and constitutional development proposals. Thank you.

THE CHAIRMAN (Mr. Fraser): Thank you, Mrs. Sorensen. Mr. Stewart.

HON. DON STEWART: No, Mr. Chairman.

THE CHAIRMAN (Mr. Fraser): Mr. Patterson, to the amendment.

Five Years Is A Reasonable Compromise

MR. PATTERSON: Yes, Mr. Chairman. One thing I think we should consider when we are debating these recommendations is that they are a part of a whole series of nine recommendations. The proposed referendum or plebiscite as I prefer it, the unity committee recommends be confined to the area of the proposed northeastern territory. It may well be that we shall decide that there should be a referendum for the peoples of the West who want to establish a new territory which is proposed to be called Denendeh. My feeling is that when we get to that stage we may want to consider the question of residency requirements in that particular area, but at present we are talking about residency requirements for the Eastern territory and my feeling is that the residents of Nunavut have pretty thoroughly discussed the question of residency and objected to ten but agreed to five. So for my part of the world, and I will mention that I think I will suggest that we more precisely define residence in recommendation five, because I do think credit should be given for people who leave to go to school or serve in the Armed Forces or the RCMP, but I will support five years. I think it is a compromise that we have achieved after much discussion here. We could go on debating all day whether it should be four or five, but I think for this part of the world anyway, there is a consensus now that five years is a compromise and is reasonable, I will not support the amendment, although if a proposal is made for a different residence time in the western part of the Northwest Territories I may feel differently.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. Mr. Braden.

Date On Which Residency Becomes Effective

HON. GEORGE BRADEN: Thank you, Mr. Chairman. I have a question for Mrs. Sorensen with respect to her amendment where she indicates three or more years. The one thing I think we have avoided throughout this whole discussion of residency is the date on which residency becomes effective. Now, in her mind is it three years effective the date that the plebiscite is held or three years effective the date that the Legislative Assembly accepts the recommendations of this report, or three years to the day that the recommendations are presented to the Prime Minister? I think this really has a lot of bearing on this residency issue and we should come to terms with establishing it. Perhaps if it is three years effective the date we accept this report, then by the time a plebiscite is held we will have fulfilled this five year factor that everybody is so uptight about.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Braden. I wonder if maybe the chairman of the committee could straighten that out. Is there anywhere in the preamble to this thing or anywhere in the committee's report where it says what starting date we have for the residency clause? Mrs. Sorensen, have you got an answer to that?

MRS. SORENSEN: I will let Mr. MacQuarrie answer with respect to what time limit he was meaning, but let me make it perfectly clear, Mr. Braden, that I do not feel that there should be any residency clause built into recommendation one. What I am trying to do is negotiate because in my attempt to get rid of it, we lost the amendment, so I am not prepared to let it go without at least trying to narrow down the number of years. So I have proposed three, not because I believe there should be any residency clause at all, but simply because we may end up with five and so I have got to give it a try.

THE CHAIRMAN (Mr. Fraser): Thank you, Mrs. Sorensen. To the amendment.

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Mr. Fraser): Mr. Butters.

HON. TOM BUTTERS: Just briefly, the hon. Member, my colleague feels that his question was not answered.

THE CHAIRMAN (Mr. Fraser): Mr. Braden.

HON. GEORGE BRADEN: I do not think my question was answered. What date is the residency effective? Is it effective the day we adopt the recommendations of this report or what?

THÉ CHAIRMAN (Mr. Fraser): Thank you, Mr. Braden. Mr. MacQuarrie, I will ask if you can clarify that question.

MR. MacQUARRIE: Thank you very much. I thought the question was directed to Mrs. Sorensen. It would obviously be that wherever particular political development proposals are put to people, it would be five years residency as of that time. Considering in a general sense the community of "others", it would be right from this time, as people right now have their five years in the North.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Does that answer your question, Mr. Braden?

HON. GEORGE BRADEN: I withdraw the question, Mr. Chairman.

THE CHAIRMAN (Mr. Fraser): Mr. Butters, to the question.

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Recommendation Refers To All People Of The N.W.T.

HON. TOM BUTTERS: Just to comment on what my honourable friend from Frobisher Bay said. He said that the recommendation deals with people in the Eastern Arctic but I do not think that is correct. The recommendation makes a number of references to peoples within the Northwest Territories, so it does have a reference and an interest to people from other places except the Eastern Arctic.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Mr. Butters. To the amendment.

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Mr. Fraser): Mr. McCallum, to the amendment.

HON. ARNOLD McCALLUM: Mr. Chairman, again you are asking me to approve a recommendation that is not in my mind clearly defined, what you mean by a five year residency.

MR. CURLEY: The number five.

THE CHAIRMAN (Mr. Fraser): Hon. Mr. McCallum, if you would look at recommendation five, it clearly spells it out on page ten.

MR. CURLEY: This is a filibuster.

HON. ARNOLD McCALLUM: Mr. Chairman, I am not looking at recommendation five. I am looking at recommendation number one. Number five deals with a vote. This deals with expressing comments so I do not care what is in recommendation five when I am looking at number one. I would like to know what is meant by a five year residency in recommendation one.

THE CHAIRMAN (Mr. Fraser): Mr. MacQuarrie, a point of order.

MR. MacQUARRIE: I do not know why he is talking about a five year residency. There is an amendment on the floor with respect to a three year residency. If he has any comments would he address them to that?

THE CHAIRMAN (Mr. Fraser): To the amendment, Hon. Mr. McCallum.

HON. ARNOLD McCALLUM: Well then, let me rephrase it. I would like to know what is meant by a three year residency.

MR. CURLEY: Smart!

THE CHAIRMAN (Mr. Fraser): Mrs. Sorensen.

MRS. SORENSEN: Mr. Chairman, the day you come into the North you begin your residency, the day you enter.

THE CHAIRMAN (Mr. Fraser): Thank you, Mrs. Sorensen. Hon. Mr. McCallum, to the amendment. I hear question.

HON. ARNOLD McCALLUM: Mr. Chairman, if the answer, Mr. Chairman, is from the day that I or anybody comes into the Northwest Territories, that means from day one until -- whatever the heck three times 365 is.

MR. CURLEY: It could be the day you are dead.

HON. ARNOLD McCALLUM: It could work both ways. You are dead. What are you between day one and 1165 I guess or whatever, 1095 days, what are you then, a non-resident?

Further Amendment To Recommendation One Of Unity Report, Defeated

THE CHAIRMAN (Mr. Fraser): Right. To the amendment. Do I hear question? Question being called. All in favour? Down. Against? That amendment is defeated.

---Defeated

---Applause

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Mr. Fraser): Mr. Stewart, to the recommendation.

Further Amendment To Recommendation One Of Unity Report

HON. DON STEWART: I have an amendment, Mr. Chairman. To satisfy the concern I had related to the Dene and/or the Metis from Alberta and Saskatchewan and British Columbia, I would like to make the following amendment: "That this Assembly recognize the Dene, Metis and Inuit people within the Northwest Territories' present boundaries who have been born or have resided within these Territories' for five years."

THE CHAIRMAN (Mr. Fraser): We will just get the written amendment from Hon. Mr. Stewart and try again. Mr. Clerk, will you read the amendment?

CLERK OF THE HOUSE (Mr. Remnant): The amendment, Mr. Chairman, is inserted at the end of existing line two of recommendation one, immediately following the word "boundaries" and it reads: "who have been born or resided within these boundaries for five years".

THE CHAIRMAN (Mr. Fraser): To the amendment, Hon. Mr. Stewart.

HON. DON STEWART: Basically it is to put everybody on the same basis. If five years is the mandatory clause for others, I presume it must also be for the Dene and Metis. We do have a problem in the southern sections of the Mackenzie in that there is a great flow of people between Alberta, Saskatchewan, particularly, and in some instances, British Columbia. This was very evident at the Berger Inquiry where a great many Metis people and so-called Dene people made statements on the pipeline project that were thought to belong to the Northwest Territories who indeed did not belong to the Northwest Territories and I do not want to see the same thing happen again in our area.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Mr. Stewart. To the amendment, Mr. MacQuarrie.

MR. MacQUARRIE: Again, Mr. Chairman, I will vote against it for the simple reason that although I absolutely agree with what Mr. Stewart is trying to do but I think the amendment is not needed. If such people are not born in the Northwest Territories, then they are not the Dene, the Metis or Inuit peoples within the Northwest Territories and in fact, if a status Indian came to the Northwest Territories from Saskatchewan then he, in my opinion, would be among the community of "others" and he would have to establish five years residency before being involved in political and constitutional development. That is why the word "others" is used because it does include Filipinos and Koreans but also status Indians from other parts of Canada.

THE CHAIRMAN (Mr. Fraser): Thank you. To the amendment, Mr. McLaughlin.

Definition Of Metis

MR. McLAUGHLIN: Just to help me with Mr. Stewart's amendment, I wish Mr. MacQuarrie would then define what they mean by Metis in that. Does he mean Metis that come from somewhere else in Canada or did he mean Metis that are from original Dene people in the Territories? THE CHAIRMAN (Mr. Fraser): Thank you, Mr. McLaughlin. Maybe we should have a Metis answer that. Mr. Sibbeston. Mr. MacQuarrie.

MR. MacQUARRIE: In my opinion it would be the same as for Dene. In other words, in that first line we are talking about those peoples who are indigenous, the Dene and the Inuit and Metis who are offspring and originated in the Northwest Territories as well. So in my opinion anyone else who does not fit in those categories would be in the community of "others". That is my opinion.

THE CHAIRMAN (Mr. Fraser): Thank you. Mr. Nerysoo.

HON. RICHARD NERYSOO: I do not wish to complicate the thing but it is an issue I think we must recognize that there are a lot of Metis who have not been born up in the Northwest Territories, who are part of the Metis Association. If we do not recognize that fact you are looking at Metis as those referring to the non-status Dene in the Northwest Territories and I just tried to make an amendment earlier that would, in fact, preclude that situation. But you know, you cannot just look at the word "Metis" because there are a lot of people throughout Canada that refer to themselves as Metis. We do have a problem where people come into the Territories and are non-residents but are part of the Metis Association.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Nerysoo. Mr. Patterson.

MR. PATTERSON: Thank you, Mr. Chairman. I think the amendment makes some sense. I am not familiar with the problem in the southwestern part of the Territories. It does not seem to be a particular problem in this region but if it is of concern to Mr. Stewart and Mr. Nerysoo I cannot vote against it. It seems to me that it gives a more precise wording than the committee recommendation which just says "Dene, Metis and Inuit peoples within the Northwest Territories present boundaries"; whereas this present amendment would make it clear that they are people who have been born or who have lived here for five years. I do not see that there is anything wrong with that so I think I will vote in favour of the amendment.

Further Amendment To Recommendation One Of Unity Report, Carried

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. To the amendment. Question being called. All in favour? Down. Against? Abstentions? The amendment is carried.

---Carried

Recommendation one, Mrs. Sorensen.

Further Amendment To Recommendation One Of Unity Report

MRS. SORENSEN: I have another amendment, Mr. Chairman. It is at the end after the last word "people", I would add "but that the basic principles of public government will always be maintained."

MR. CURLEY: She is not a communist. One cent's worth.

THE CHAIRMAN (Mr. Fraser): Where did you get that one, Mrs. Sorensen? Repeat it, please.

MRS. SORENSEN: I would add, "but that the basic principles of public government will always be maintained."

THE CHAIRMAN (Mr. Fraser): Mrs. Sorensen.

MRS. SORENSEN: Yes, Mr. Chairman. Mr. Sibbeston earlier assured me that this recommendation one does not do away with fundamental principles of public government. In fact, he spoke of simply wanting to make sure that the communities of people and their wish for certain things like consensus government or a different type of decor, that their expressed interests were taken into effect when a new type of structure was to be set up. Also I see that the report itself states clearly that public government must result from public consultation. So I just simply feel in the interests of having everything covered within recommendation one that my amendment would be in order.

THE CHAIRMAN (Mr. Fraser): Thank you, Mrs. Sorensen. Mr. Curley, to the amendment.

Principles Of Democracy

MR. CURLEY: Thank you. I am pretty well insulted by amendments like this because I live in a democracy, in a country like Canada, which I am very proud to live in. I have never had any desire to choose any other principles of democracy other than democracy. I am not interested in suggesting that the native people might be interested in aligning with communists or whatnot. On that basis I think that kind of amendment is really putting in or inferring to the native people that you guys are against the principles of democracy. On that basis I am going to vote against that amendment because it certainly is not needed because all the representative native organizations are talking about public government and certainly within the context of the Canadian society, the present constitution that we live in, we do not have to have that kind of little phrase to remind us of the fact that we should abide by certain principles. We accept the fact that we live in a democratic society and we will abide by that.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Curley. Mr. Sibbeston, to the amendment.

Inciting Unnecessary Alarm

MR. SIBBESTON: I certainly do not support the amendment. In fact I am a bit insulted that Mrs. Sorensen thinks that such words are necessary. It seems as if she is continuing in her practice of inciting unnecessary alarm. She has recently been known to do that in Yellowknife on a matter of the alliance between the Executive and the Dene Nation and she is trying to do the same thing here, inciting unnecessary alarm. So I think we should just tell her that I find it quite insulting because I stated the government we are talking about will be a public government, a better government than now and I do not see why she is concerned and wants these amendments.

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Mr. Fraser): The question being called. Can you read the amendment, Mr. Clerk, just once?

CLERK OF THE HOUSE (Mr. Remnant): Yes, Mr. Chairman, adding, following the recommendation, the last word in recommendation one as presented, the following words "but that the basic principles of public government be maintained."

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Clerk. The question being called. Mr. MacQuarrie. MR. MacQUARRIE: I certainly cannot agree with Mr. Sibbeston that somebody being concerned about a statement of principle is alarmist and I would reject that. I will not vote in favour of the amendment, however, because I do not think it is necessary. It is stated very clearly in the report and it is, as a matter of fact, a policy of the federal government that it will not accept anything but public government and I think that that is an adequate safeguard.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. The question being called.

MRS. SORENSEN: A recorded vote.

THE CHAIRMAN (Mr. Fraser): A recorded vote being requested. All in favour of the amendment stand.

Further Amendment To Recommendation One Of Unity Report, Defeated

CLERK OF THE HOUSE (Mr. Remnant): Mrs. Sorensen.

THE CHAIRMAN (Mr. Fraser): Against.

CLERK OF THE HOUSE (Mr. Remnant): Mr. Evaluarjuk, Mr. Arlooktook, Mr. Patterson, Mr. Kilabuk, Mr. Pudluk, Mr. Appaqaq, Mr. Tologanak, Ms. Cournoyea, Mr. Curley, Mr. Noah, Mr. Sibbeston, Mr. Sayine, Mr. McCallum, Mr. Wah-Shee, Mr. Braden, Mr. Butters, Mr. Nerysoo, Mr. MacQuarrie.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Clerk. Abstentions please stand.

CLERK OF THE HOUSE (Mr. Remnant): Mr. McLaughlin, Mr. Stewart.

THE CHAIRMAN (Mr. Fraser): The amendment is defeated.

---Defeated

Mr. McLaughlin.

MR. McLAUGHLIN: Mr. Chairman, I abstained on the last motion because people are getting carried away with nit picking and small points here. Clearly the intent of the first recommendation was to recognize the various make-up of the peoples in the Territories and for that reason I myself think it was unnecessary to put the five years in there, but I think it was necessary to say something to respond to an amount of time, that the longer you were here when you were not one of the original people was important. I think it is unfortunate the word "five" was used. I think if we continue with this recommendation it is going to pass by maybe 12 to eight or something like that. It is not going to be a consensus which approves this recommendation as it is going right now and I only brought enough clean socks with me to last for two and a half weeks and I do not want to be here at Christmas.

So I would like to ask all of the Members' indulgence in my motion. I am not trying to filibuster and I am not trying to remove an acknowledgement by the committee that I agree that time is an element to be taken into consideration; that possibly the time to take into consideration might vary from three years, five years, seven years and that by stating a specific year now we are limiting ourselves to what we might want to do in different situations.

Further Amendment To Recommendation One Of Unity Report

So I will make a motion now to amend the motion where it says "five or more years" to change that to "several years". That would also have to apply to the area where Mr. Stewart made an amendment saying five or more years and that should be changed to several years. In this way we will be addressing the issue and that further on, where we have to actually want to deal with a number of years for

a specific purpose, then we can deal with a specific number of years. Here we are trying to make a general statement that long-term residency is important and I agree with that, but do not pin ourselves down to years and have an argument over this and have the number one recommendation only pass on an 11 to ten or 12 to eight or something like that is not going to do this report any good or this House any good and that is why I am making my motion. Thank you.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. McLaughlin. Could you read the motion?

MR. McLAUGHLIN: I will repeat it that where it says "five or more years" in the original motion I change that to "several years" and where Mr. Stewart's amendment to the motion which has already passed indicates "five" I would also indicate "several or more years". Just so that I do not get caught up, Mr. Chairman, like I was caught up in Baker Lake, I got in trouble with the word "defer", and I should have been smart enough to bring a dictionary with me so I did this time because the dictionary proved me right last time but only too late, the definition of "several" is "being more than two or three but not many".

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. McLaughlin. To the amendment. The question is called.

MR. McLAUGHLIN: I would like a recorded vote on this.

THE CHAIRMAN (Mr. Fraser): A recorded vote is called. All those in favour please stand.

Further Amendment To Recommendation One Of Unity Report, Defeated

CLERK OF THE HOUSE (Mr. Remnant): Mr. Braden, Mr. McCallum, Mr. Wah-Shee, Mr. Nerysoo, Mr. McLaughlin.

THE CHAIRMAN (Mr. Fraser): Down. Against please stand.

CLERK OF THE HOUSE (Mr. Remnant): Mr. Evaluarjuk, Mr. Arlooktoo, Mr. Patterson, Mr. Kilabuk, Mr. Pudluk, Mr. Appaqaq, Mr. Tologanak, Ms. Cournoyea, Mr. Curley, Mr. Noah, Mr. Sibbeston, Mr. Sayine, Mr. Butters, Mrs. Sorensen, Mr. MacQuarrie.

THE CHAIRMAN (Mr. Fraser): Down. Abstentions please stand.

CLERK OF THE HOUSE (Mr. Remnant): Mr. Stewart.

THE CHAIRMAN (Mr. Fraser): Thank you. The motion has been defeated.

---Defeated

Mr. Patterson, to the recommendation.

MR. PATTERSON: I do not know if it is in order, Mr. Chairman, but I would like to move that we adopt recommendation one on page five of the unity committee report.

THE CHAIRMAN (Mr. Fraser): The motion is already made. We are dealing with it now if you are ready for the question. The motion has been made long ago. The question being called, recommendation number one as amended.

MR. MacQUARRIE: How does it read as amended?

THE CHAIRMAN (Mr. Fraser): Mr. Clerk, would you read recommendation one as amended?

CLERK OF THE HOUSE (Mr. Remnant): "That this Assembly, recognizing the Dene, Metis and Inuit people within the Northwest Territories present boundaries, who have been born or resided within these boundaries for five years; as well as a significant presence of 'others' either who were born in the Northwest Territories, or who have demonstrated a commitment to northern living by having resided here for five or more years, acknowledge that political and constitutional development in the Northwest Territories cannot proceed successfully without due attention being paid to the expressed interests of these communities of people."

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Clerk. Recommendation one. I hear question.

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Mr. Fraser): All in favour?

AN HON. MEMBER: A recorded vote.

THE CHAIRMAN (Mr. Fraser): A recorded vote was requested. Recommendation number one as amended. All in favour please stand.

Motion To Accept Recommendation One Of Unity Report As Amended, Carried

CLERK OF THE HOUSE (Mr. Remnant): Mr. Evaluarjuk, Mr. Arlooktoo, Mr. Patterson, Mr. Kilabuk, Mr. Pudluk, Mr. Appaqaq, Mr. Tologanak, Ms. Cournoyea, Mr. Curley, Mr. Noah, Mr. Sibbeston, Mr. Sayine, Mr. Braden, Mr. Wah-Shee, Mr. Butters, Mr. Nerysoo, Mr. McLaughlin, Mr. MacQuarrie.

THE CHAIRMAN (Mr. Fraser): Thank you. Against.

CLERK OF THE HOUSE (Mr. Remnant): Mrs. Sorensen.

THE CHAIRMAN (Mr. Fraser): Abstentions.

CLERK OF THE HOUSE (Mr. Remnant): Mr. McCallum, Mr. Stewart.

THE CHAIRMAN (Mr. Fraser): Recommendation one has been carried as amended.

---Carried

That did not take so long. We will take a 15 minute coffee break.

---SHORT RECESS

THE CHAIRMAN (Mr. Pudluk): The Chair recognizes a quorum. (Translation) Recommendation two, in the middle of page six. Is everybody in agreement? Mr. MacQuarrie.

Motion To Accept Recommendation Two Of Unity Report

MR. MacQUARRIE: Thank you, Mr. Chairman. I move that this Assembly formally express what has been implied in its previous motions dealing with aboriginal rights and constitutional development, namely that it regards the present geopolitical structure of the Northwest Territories, including the institutions and practices of government, to be an interim arrangement, subject to such change as may be negotiated by the leaders of the Northwest Territories peoples, and subsequently affirmed by the peoples themselves. If I may speak to the motion briefly, Mr. Chairman.

THE CHAIRMAN (Mr. Pudluk): (Translation) Go ahead, Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. I would ask Members to note first of all that this recommendation is not asserted as a definition of legal reality. It states that this Assembly regards such and such to be the case and I would call attention of Members not only to this recommendation but to the entire paper. I can appreciate concern with details but it is a political paper and not a legal paper. It is attempting to set some trends and so on and certainly in this case that is not intended to be a legal definition of what the Northwest Territories is. It is a statement of the way this Assembly may see it. Mind you, we might say that the definition does evidently conform to history in several ways, that is, as though it were the original intention of the federal government to have it that way because the federal government has carved other jurisdictions out of the Territories. It used the name "territory" as a matter of fact and that is usually what is implied with that term. It has established, had initially established the government as an advisory council and perhaps that is where a subtle error was made over the years in making what was initially a council to advise the government about whatever was going to take place in the territory, that council suddenly became the government.

Recommendation Should Reduce Suspicion

At any rate, the purpose of the recommendation is in order to reduce suspicion and try to make it as easy as possible to sit down with all groups concerned in order to discuss political development in the Northwest Territories. Needless to say, whatever agreement is finally reached among the people of the Northwest Territories, this committee does not attempt to say that ratification by the federal government thereafter would be automatic. That simply cannot be anticipated without question.

THE CHAIRMAN (Mr. Pudluk): (Translation) Thank you, Mr. MacQuarrie. I recognize Hon. Tom Butters.

HON. TOM BUTTERS: Mr. Chairman, the chairman of the unity committee mentioned the word "history". The sentence preceding the motion says "...the government of the Northwest Territories as it exists today is not a treasure to be preserved at all costs..." and there is some suggestion in the words relating to status quo suggesting that what we have here has been around a long time. I think that the reality, and maybe this is the time we should look at that, is what the Metis Association said to us in their paper, when it was indicated that we in this day and age find ourselves moving too fast in the direction of change for the sake of change. So, I feel that it would be probably valuable here to just take a look at the history of the evolution of responsible and representative government in the Northwest Territories and on that basis, I will use as much of my ten minutes as I can to look at the history of the territory in which we currently find ourselves.

History Of The N.W.T.

Representative government came to the Northwest Territories in 1888 and responsible government in 1894, but the effects of these changes were limited to the populated areas; that is, of the Northwest Territories as they existed in the previous century.

Then with the discovery of such placer gold deposits in the Klondike River, thousands of people crowded into that corner of the Canadian northwest and a separate administrative and legislative unit was formed, the Yukon Territory.

The year 1905 saw the creation of the provinces of Alberta and Saskatchewan, with the result that the government of what remained of the Northwest Territories was placed in the hands of a Commissioner acting under instructions from time to time given by the Governor in Council or the minister of the Interior.

Provision was made for the appointment of a council of not more than four members to aid the Commissioner in the administration of the Territories and legislative powers were given to the Commissioner in Council. The Commissioner and the Commissioner in Council together had the same powers as those previously exercised collectively by the Lieutenant Governor, the Executive Committee and the Legislative Assembly of the Northwest Territories. In essence they had the powers of a provincial government except the Territories did not own their own natural resources and lacked the power to borrow money.

For 16 years, those powers remained largely on paper owing to the sparse population of the Northwest Territories. No members were appointed to Assembly, no ordinances were passed and the Commissioner of the Royal Northwest Mounted Police, Lieutenant Colonel Frederick White acted as the Commissioner of the Territories, I believe until his death in 1918. Following Commissioner White in 1919, the deputy minister of the Department of the Interior was named Commissioner.

Interest In N.W.T. Increased After Discovery Of Resources

Then in 1921, oil was discovered at Norman Wells. Interest in the Territories increased. Treaty number 11 was signed. In that year also, the Northwest Territories Act was amended to enlarge the Assembly to six members. Appointments were to the Assembly and the minister of the Department of the Interior was named Commissioner with the Northwest Territories administration set up in his department. Members of the Northwest Territories Assembly of that day were senior officials of the Department of the Interior and other federal departments and agencies concerned with northern Canada including one official designated as Deputy Commissioner.

Population remained sparse in the Territories. Then in 1930, some 50 years ago, radium and uranium were found at Great Bear Lake, gold in Yellowknife in 1935, with production beginning in those two mineralized areas in 1935 and 1938 respectively. Population then increased rapidly, relatively speaking. In the decade prior to 1931, the population in the Territories recorded an increase of from 6500 to 9300 or less than 3000 persons. In the decade between 1931 and 1951, population increased by nearly 6000 persons, mostly whites and most in the Mackenzie District to a population of 15,000 persons. Yellowknife, then as today, was the population centre of the Northwest Territories. Local government developed, evolving a flexible, semi-autonomous jurisdiction known as a local improvement district. Yellowknife was so named in 1939 with the passing of the Local Improvement District Ordinance in the same year. The first Yellowknife local trustee board, consisting of three appointed members including the chairman and two elected members, was established in that time.

The second community to become a local improvement district was Hay River in 1949, with the establishment of a commercial fishing industry at Great Slave Lake. In the federal and territorial sphere of government other changes were also occurring. The federal redistribution act of 1947 extended the boundary of the federal constituency, the Yukon, to include the Mackenzie District west of the 109th meridian.

First Elected Members Of Assembly

When I first came into the North, the Northwest Territories had no federal representation. In fact, as I remember it, there was neither federal representation nor territorial or municipal representation outside of the representation in the local improvement districts of Hay River and Yellowknife. The first member of the Yukon-Mackenzie River riding was Aubrey Simmons of Whitehorse elected in 1949. In 1946, we saw the first appointment of a resident of the Northwest Territories to the Assembly of the Northwest Territories; J. G. McNiven of Yellowknife was named.

In June of 1951, just 29 years ago parliament amended the Northwest Territories Act to increase the membership of the Assembly from six to eight members, five appointed and three elected. The first Northwest Territories residents elected to this body were Jim Brodie of Fort Smith, Frank Carmichael of Aklavik, Merv Hardie of Yellowknife. The first meeting of the Northwest Territories Assembly in the Territories occurred at Yellowknife on December 10th, 1951.

By 1955, all legislation passed before 1905 which applied mainly to the Canadian prairies, had been replaced by the Northwest Territories Act of 1952 proclaimed in 1955. The Government of the Northwest Territories received additional legislative powers with the establishment of a territorial court and provision made for the appointment of a police magistrate and justice of the peace.

In July of 1954, the Assembly was enlarged to nine members by the addition of a fourth elected member, whom I believe was John Goodall at Fort Simpson. Four territorial constituencies now existed: Mackenzie South, Mackenzie North, Mackenzie River and Mackenzie Delta. The Keewatin District and the Franklin District still lacked representation both territorially and federally. In 1960, the form of Assembly again changed when three councillors for the first time were appointed from the general public and the civil service and military character of the appointed members was altered. They now came from all parts of Canada rather than just from Ottawa.

Commissioner Becomes A Full Time Position

In 1962, the federal government provided for representation of the whole of the Northwest Territories in the House of Commons. In 1963, the offices of the Commissioner of the Northwest Territories and deputy minister of the federal Department of Northern Administration were separated. By 1964 the Deputy Commissioner was the only federal official and federal employee still holding a seat on Council. In 1964 also, the Commissioner of the Northwest Territories became a full time position with his office in Ottawa. On June 3rd of 1965, the Carrothers Commission was appointed. In 1966 the Northwest Territories Act was again amended enlarging the Council by three elected members bringing the number of elected members to seven with the number of appointed members remaining at five. On January 18, 1967, Yellowknife was named the capital of the Northwest Territories, becoming the seat.

THE CHAIRMAN (Mr. Pudluk): (Translation) Mr. Butters, your ten minutes have expired. Your ten minutes are up. Any more to the motion? The question being called. Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, do the rules permit me to speak again if no other Member wishes the floor?

THE CHAIRMAN (Mr. Pudluk): (Translation) You will ask for unanimous consent. You may speak again if nobody else wishes to speak.

More Interested In Future Than Past

MR. SIBBESTON: Mr. Chairman, I just want to say that I respect Mr. Butters' sense of history, but surely he must have got the point by now that we do not have any appreciation for such history. I get the feeling that he is doing this just so that we could maybe appreciate or be thankful I suppose, that we have got this government. I suppose that is what he is doing. I do not have the same appreciation for this government that he does and that is the reason that I am set to do everything I can to change this government, recognize this government as only an interim government. I guess I am thankful in many ways that democracy has developed to this stage in the North where native people can rightfully take their place in an Assembly like this. Now that we have got here, I think we have the opportunity to change things, change this government so that it is more in line with the population of the North and I am sure people are tired of me saying hundreds of times that it has been basically a non-native government.

I suppose that people who have been in government maybe have tried their best, but the time has just arrived in the history of the North, when native people are prepared to stand up and say, very loud and clearly, that we do not accept this government and that we are prepared and willing to make changes which will provide for a better government for all people of the North. That is the process that we are in. So I am not too interested in hearing history about how we got where we are. I am just thankful we got where we are and now I am more interested in the future.

THE CHAIRMAN (Mr. Pudluk): (Translation) Thank you, Mr. Sibbeston. Ms. Cournoyea.

MS. COURNOYEA: Mr. Chairman, I would like to say that I think there is an appreciation for Mr. Butters' history, but if that was to be done and the history was to be done from the other side there could be another story told and recommendation two is trying to tell that story of the other history of how we would like to see things develop now.

Tagging Along After Administration

I think Mr. Butters' dissertation is with the development of administration and not government. Government and people should control the administration and the kind of talks that we get is how we are really tagging along after the administration. So I do not believe that it is needed at this time to give a dissertation on history that says we are trying very hard but it does not work. The government does not work and we would like to see change. We do not want to tag along any longer.

THE CHAIRMAN (Mr. Pudluk): (Translation) Thank you, Ms. Cournoyea. To the motion? Mr. Stewart.

HON. DON STEWART: Thank you, Mr. Chairman. I think probably a point has been missed here that I think Mr. Butters is trying to get across. When the population of the Northwest Territories was small, the amount of power that was given to it was very, very limited. We are in the process today of doing exactly the same thing, of breaking the Territories down into small groups of people and if you think for one moment that Nunavut or any of these other organizations are going to have as many members and the type of money to operate and the amount of power that you have got now, you are sadly mistaken.

Starting Whole Process Again

You are going to go back to the colonial system where you might even wind up with people appointed again and start the whole process over again, because it is qualified by the number of people that are being governed. To assume that we can break up 45,000 people into four different segments and wind up where the segments have the power that this particular government has, has got to be a day dream. When we divide we are going to lose a great amount of power, every one of us. The history that he is telling you now is how we got to where we are because of the increase in the population and how much of a struggle it was to get this power and if we continue with this paper as we are doing, you will find that you are going back to square one. I think the history is good and you should listen very carefully.

THE CHAIRMAN (Mr. Pudluk): (Translation) Thank you, Mr. Stewart. Mr. Curley.

MR. CURLEY: Thank you. I do not wish to listen to any of what is being said right now, but a lot of people who have just come -- it does not make any sense that this recommendation, whatever it is saying, is just for a government -- where it is just to the present government now. It is not going to be directed to the new government that is to be formed for those people that came here. I would like to go ahead with recommendation number two.

Establishment Of Game Preserve In Arctic

The contribution of these people that Mr. Butters was just going through, I would like to remind him about a little bit of the history that went around in this part of the area. There used to be called, some time ago about 1921, the federal government established what they called an Arctic islands game preserve. This was really to try and establish the Canadian sovereignty in this part of the land and this was to protect the wildlife and the hunting rights of the native people throughout this area. This was a very large Arctic game preserve. But in 1966, when some of the members from the Western Arctic, which maybe Mr. Butters is familiar with, started to look at it, they were establishing DEWline sites up in this part of the land and they were not able to enjoy hunting and so on. So they decided that the best deal was to abolish the Arctic islands game preserve. I just want to go through some of the kind of discussions that went, the kind of history that I see on how the Inuit were treated up here when the subject of the game preserve came up before the Council in 1966. It had only about three Inuit people on the Council, Mr. Abe Okpik was on, Mr. Simonie Michael was on and I am not sure who else was on then but I would just like to go through one part of the debate here.

Someone moved a motion which is unclear here in the debate, to abolish the Arctic islands game preserve. They were asked whether the Inuit in this part of the area were against it. The government official, Mr. Kwaterowsky, suggested at that time that the Inuit people in that area were in favour of the abolishment of the game preserve and the fact that the consultation had taken place, but there was no evidence in the debate as to how the consultation went through.

Abolishing The Rights_Of People

So, as they were going to vote for it, Mr. Hodgson in 1966 -- this was the debate held in Resolute Bay -- asked what the result of the vote was. The chairman, Air Marshal Campbell, "The majority are for abolishment." Mr. Baker, and I think he was a quite conscientious man and maybe very comical at that time, but he stated, "But are the three Eastern Arctic representatives in favour of the abolishment?" The history shows, Mr. Pryde: "Very, very definitely, Mr. Baker." My people did not even have a chance to speak or say anything themselves. Here was some white fellow from the western part of the area, he voted in place of the three Eastern Arctic representatives and I as I read this thing I was embarrassed with the history.

So the history will show that the kind of treatment that we have had without due consultation in abolishing the rights of the people out has not been very, very rewarding. On this basis I think this government, even though there has been a long history, it appropriately should be called an interim government and I will be voting in favour of the recommendation two. Thank you.

THE CHAIRMAN (Mr. Pudluk): (Translation) Thank you, Mr. Curley. To the motion. Mr. Patterson.

MR. PATTERSON: Thank you, Mr. Chairman. I do not know where Mr. Stewart gets his idea that there are going to be four governments. Maybe we are going to hear more about a separate district for Yellowknife, Hay River, Pine Point and Fort Smith and those urban communities who may want to join the Yukon, I do not know, but we have not heard anything about it yet.

Political Power Not A Matter Of Numbers

I would like to say particularly in reply to him, that I am not so sure that political power is merely a matter of numbers and bodies, although to the extent that political power depends on numbers I would observe the interesting statistics that have been presented to us by the Science Advisory Board which show that the Inuit are out-producing in terms of the birth rate, are out-producing all other population groups in the Northwest Territories. Particularly they are out-producing the so-called "others" by a rate of approximately three to one.

Mr. Chairman, there is a moral, a spiritual aspect to political power and I do not think this should be overlooked when we are considering the prospect of a territory in the lands beyond the tree line for the people who live beyond the tree line. As an example of this I might cite the tremendous accomplishment of a mere 2500 Inuvialuit people who have succeeded in persuading a somewhat reluctant federal government to sign the first agreement in principle in the Northwest Territories for the settlement of land claims. They did not use their numbers. They were propelled by the determination and strength of conviction that comes from unity and brotherhood and those kinds of powers cannot be calculated by a statistician. But that is a very real part of this debate to me. So while I recognize that, that numbers are a factor, it certainly is not the deciding factor. I say that if out of this realignment that we are now debating come new communities of people who are united in spirit, then it may be notwithstanding the reservations of Mr. Braden and others about our struggle with federal authorities for power over natural resources; we the people of the eastern territory are well aware of these issues and have already taken many stands.

Pond Inlet's Representation At EARP Hearings

Perhaps an example might be the very determined and successful representations made by the residents of Pond Inlet at the first EARP hearing on the possibility of Norlands drilling a single well in Lancaster Sound. They made a very impressive presentation which certainly persuaded the federal panel not to recommend drilling. There were not many, but the speeches that people made were moving and were heated and if we can recognize the sort of power that comes from unity of perhaps a smaller community, we may agree that in fact we will be stronger than before. Thank you, Mr. Chairman.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Patterson. Hon. Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, I have a question to raise to the committee and it deals with obviously this particular recommendation that the recommendation is based on -- it is made in the firm belief that it is the people of the North who have the right and the obligation to reach agreement among themselves and to call to the attention of the federal government this kind of agreement. If that is so, is the recommendation, in the view of the chairman of the committee, stating that within a certain portion or geopolitical part of what is now a territory, if a certain group within that, who have come to an agreement within this geopolitical area, if they wish to by whatever means establish a new territory, that he is in fact suggesting or stating here that that is the kind of agreement that should be made to the federal government. I am not sure if I have made that particularly clear. Maybe I could just reword it.

Should a group of people in a geopolitical area of what is now the Northwest Territories want to set up a new territory, that this is the kind of agreement the chairman is suggesting should be made to the federal government, made known to them, because in the past it was not done in the Territories that way, as areas became provinces set up by the federal government, not territories, so I wonder if the chairman would comment or reply to that particular query.

THE CHAIRMAN (Mr. Pudluk): A point of order, Mr. Patterson.

MR. PATTERSON: Mr. Chairman, I do not see how the question relates to recommendation two. There is nothing in recommendation two about what the federal government will be asked or not asked to do. That is dealt with in later recommendations.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Patterson. This recommendation talks about negotiation. So it is dealing with the federal government. Also I would like to remind you that many Members are getting away from the subject. Please try to keep your remarks on the subject of recommendation two. Hon. Mr. McCallum.

Negotiating A New Territory

HON. ARNOLD McCALLUM: Mr. Chairman, on a point of privilege. The comment that is made following recommendation two says in the last paragraph "This recommendation has been made in the full knowledge...." I feel I am quoting from that. It says at the top of page seven "...to call attention to that agreement in our representations to the federal government". I suggest that refers to recommendation two and I am simply asking of the committee chairman, is he saying that any group of people in a geopolitical area of the Northwest Territories may, upon agreement amongst themselves, make a request of the federal government through their leader to negotiate a new territory?

THE CHAIRMAN (Mr. Pudluk): Mr. MacQuarrie, maybe you can help us with that.

MR. MacQUARRIE: Yes, certainly, Mr. Chairman. I do not mind answering at all. The answer is that if this Assembly can agree to what is in the unity committee report, if it became apparent to this Assembly that there were a significant group of people within the Territories that believed that it should have a territory, that it should have its own jurisdiction, that this Assembly would call the attention of that fact to the federal government because it is acknowledged that ultimately it is the federal government that must decide whether or not new territories, new jurisdictions will be established.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. MacQuarrie. Mr. Sibbeston, do you wish to add to that?

MR. SIBBESTON: Mr. Chairman, my answer I guess would be that this statement is just saying that this present Northwest Territories as we know it with its present boundaries, with its government and practices is an interim arrangement and that in the future there might be changes by the leaders of the people in the North here. By that I do not think we mean that any small little group should set up its own government. I guess we are fully aware that the one group of people in the North, the Inuit, are proposing to set up Nunavut. We know that. As far as the western portion, I think that the feeling is that the leaders of the Dene Nation, the Dene people and Metis and non-native people would sit together and form or talk about a new government. That is the way that I understand it and the Dene Nation has indicated their interest in being involved in such an undertaking and likewise the Metis people have done so. So that is what we mean to say.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Sibbeston. Are you satisfied, Mr. McCallum?

Representation By Assembly To Federal Government

HON. ARNOLD McCALLUM: Mr. Chairman, I appreciate what Mr. Sibbeston is saying, but I still believe that Mr. MacQuarrie had indicated that it is possible that if this Legislative Assembly recognizes that, that in his words a significant number -- I am not sure what he means by that -- if a significant number of people in a geopolitical area of the Northwest Territories want to set up a new territory, that he is suggesting, or this recommendation is suggesting, that we recognize by the virtue of that, government should change and this Assembly would approve of this number of people making representation to the federal government to set up a new political territory or jurisdiction. Now I just want to get it clear in my mind that that is exactly what is meant by this particular recommendation, notwithstanding, and, as I say, I appreciate Mr. Sibbeston's comments, but I suggest to you that that is exactly what the recommendation is based upon.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. McCallum. Mr. MacQuarrie.

MR. MacQUARRIE: Can I ask Mr. McCallum to identify specifically which page, which paragraph, where the lines are that are concerning him?

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. MacQuarrie. Mr. McCallum.

Right And Obligation To Reach Agreement

HON. ARNOLD McCALLUM: Mr. Chairman, it says within the recommendation itself that it regards the present geopolitical structure, including institutions and practices, to be an interim arrangement, subject to such change as may be negotiated, etc., on page six. At the bottom of the page it says nevertheless the recommendation has been made with the knowledge of the federal government having the ultimate constitutional responsibility, but it is also made in the firm belief that people of the North have the right and the obligation to reach agreement and then call attention to that agreement in presentations to the federal government.

THE CHAIRMAN (Mr. Pudluk): Thank you, Hon. Mr. McCallum. Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. I just cannot see what the concern is particularly. What we are saying is that if the peoples of the Northwest Territories can come to agreement as to what should happen -- and that would be those people who are within the Northwest Territories at any given time -if they can come to agreement about what should happen politically together, they will inform the federal government that that is what they would like to see happen. Now that could be this entire Assembly telling the federal government we would like to see the establishment of an Eastern Arctic territory. I am not saying it is, that has not been decided yet, but that is the kind of thing that is meant. So I honestly cannot see what the difficulty is about that.

THE CHAIRMAN (Mr. Pudluk): (Translation) Thank you, Mr. MacQuarrie. Mr. Wah-Shee.

HON. JAMES WAH-SHEE: I was just going to call the question, Mr. Chairman.

THE CHAIRMAN (Mr. Pudluk): (Translation) Thank you, Mr. Wah-Shee. The question has been called. Mr. Butters.

Evolution Of Responsible Government In The N.W.T.

HON. TOM BUTTERS: Mr. Chairman, I apologize to the committee for focusing in on the history of the evolution of responsible and representative government in the Northwest Territories, but I do think it is important at this time in this debate to take a look at where our government has come from. I am not holding this up as a wonderful example of evolution and probably it is just the opposite. I am pointing out that a very few short years ago we had neither representative nor responsible government at any level. In fact I recollect that when I was first in the Northwest Territories I was disenfranchised entirely. I had no vote or representative at the municipal level. I had no vote nor representative at the territorial level and I had no vote nor representative at the federal level. This did not happen very long ago, so I would think that it is very important that we understand where we have come from and that the Government of the Northwest Territories has been an interim government for many years. So I would like to continue.

On January 18, 1967, Yellowknife was named the capital of the Northwest Territories becoming the seat of the Northwest Territories government with Commissioner...

THE CHAIRMAN (Mr. Pudluk): (Translation) Just hold on one second. A point of order?

MR. CURLEY: Mr. Chairman, on a point of order, we are not dealing with the history in recommendation two. I again am insulted by the fact that I am being treated like a small kid who has no awareness of the political development in the Territories. I challenge Mr. Butters that his rambling on about the history of the Territories is not appropriate and should not be dealt with through recommendation two.

THE CHAIRMAN (Mr. Pudluk): (Translation) Thank you, Mr. Curley. Recommendation two. We are trying to discuss recommendation two. We are digressing to a different subject. Did I hear the question? The question has been called. All those in favour of that motion please raise your hands.

HON. ARNOLD McCALLUM: A recorded vote.

THE CHAIRMAN (Mr. Pudluk): (Translation) There was a request for a recorded vote. All of those in favour of that motion please stand until your name is called.

Motion To Accept Recommendation Two Of Unity Report, Carried

CLERK OF THE HOUSE (Mr. Remnant): Mr. Evaluarjuk, Mr. Arlooktoo, Mr. Patterson, Mr. Kilabuk, Mr. Appaqaq, Mr. Tologanak, Ms. Cournoyea, Mr. Curley, Mr. Noah, Mr. Sibbeston, Mr. Sayine, Mr. McCallum, Mr. Wah-Shee, Mr. Braden, Mr. Butters, Mr. Nerysoo, Mr. McLaughlin, Mrs. Sorensen, Mr. MacQuarrie.

THE CHAIRMAN (Mr. Pudluk): (Translation) Opposed? Abstentions?

CLERK OF THE HOUSE (Mr. Remnant): Mr. Stewart.

THE CHAIRMAN (Mr. Pudluk): (Translation) The motion is carried.

---Carried

Mrs. Sorensen.

MRS. SORENSEN: Mr. Chairman, we have supported a recommendation which could be the instrument of our own destruction. The Legislative Assembly and the Northwest Territories government as we have known it, is doomed.

THE CHAIRMAN (Mr. Pudluk): (Translation) A point of order. Mr. Patterson.

MR. PATTERSON: The debate has been closed on recommendation two and that is my point of order, Mr. Chairman.

THE CHAIRMAN (Mr. Pudluk): (Translation) Thank you, Mr. Patterson, you are correct. We are moving on to recommendation three, page seven. Recommendation three will be read by the chairman of the committee.

Motion To Accept Recommendation Three Of Unity Report

MR. MacQUARRIE: Thank you, Mr. Chairman. I move that this Assembly declare as its objective in the area of political and constitutional development the establishment of stable, strong and effective government for all peoples of the Northwest Territories, founded upon the consent of the governed.

THE CHAIRMAN (Mr. Pudluk): (Translation) Thank you, Mr. MacQuarrie. To the motion? Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. The intent of this motion is to try to create a political situation in the Northwest Territories which is stable by creating government which without question when it is established has the consent of the people. It is a motion designed to try to ensure that there is, by this Assembly at least, no attempt at imposition on the East by the West, on the West by the East, on the natives by whites or on whites by natives or any other combinations that anybody might care to consider, but rather that the result of political development in the Territories should be a situation that people generally can agree upon and that will come about undoubtedly as a result of no negotiated compromise.

The motion I think is important to the future stability of government in the North and to the well-being of all peoples in the Northwest Territories. We must move in the recognition that if we cannot reach general agreement about what ought to be happening in the Northwest Territories and that if people are tempted to pursue, and perhaps I might say mindlessly, particular interests for particular groups of people without having concern for the general well-being, to the point where we cannot reach consensus and agreement, then we must be very much aware that the federal government may find it desirable to impose. At this point I think it is very important for me to say that I really believe that there is a measure of statesmanship required of everyone sitting in this Assembly today. And that if we are going to be successful in creating the kind of stability that we are talking about, that is necessary. We have to some extent to sacrifice partisan political interests in order to bring about this state. Thank you.

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Mr. Pudluk): (Translation) Thank you, Mr. MacQuarrie. Mr. Sibbeston.

MR. SIBBESTON: I just want to say a few words again because it is important for people who do not understand English to understand exactly what we are saying.

(Speaks in Slavey.)

Government Was Imposed Upon People

What I am saying, Mr. Chairman, is that the territorial government was imposed upon the people of the North. People were never asked whether they wanted this kind of government. In 1967 when the territorial government was set up in Yellowknife, Stu Hodgson, who was the Commissioner, did not go around the North to ask "What do you think about this?"

THE CHAIRMAN (Mr. Pudluk): (Translation) A point of order, Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, a few moments ago I was speaking about Stuart Hodgson in 1967 and I was ruled out of order as not speaking to the question. I cannot see how the Member is speaking to the question here on recommendation three either.

THE CHAIRMAN (Mr. Pudluk): (Translation) My ruling was your time was up at that time. While you were talking I thought -- your ten minutes were up. Also I also stopped you when you were talking about a different subject.

MR. SIBBESTON: Mr. Chairman, a point of privilege. I feel that my privilege has been interfered with, because I was talking about the type of government that was back in 1967 when government came north. I am talking about the fact that effective government was not set up in the North and that we are only now beginning to talk about setting up a good, strong and effective government and I do not see why you do not think this is in order.

THE CHAIRMAN (Mr. Pudluk): (Translation) Go ahead, Mr. Sibbeston.

MR. SIBBESTON: I was just saying that Stu Hodgson came North in 1967 and set up a government here. He did not ask the people of the North what they thought. He did not go around the North, particularly he did not ask the native people what they thought about this territorial government. Stu Hodgson just went ahead and started setting up offices in Yellowknife. He brought in hundreds, even thousands of people from the South and set up a big government bureaucracy in Yellowknife. I am saying that because of this, because he did not get the consent and approval of people, this government has never been fully accepted by the native people. In the future if any government is to have the approval and consent of people there must be this kind of grass roots, there must be grass root involvement of people. The native leaders have to be involved in having a say in the type of government that is being set up, otherwise they will not have the support of people and that is all I am saying.

(Speaks in Slavey.)

THE CHAIRMAN (Mr. Pudluk): (Translation) Thank you.

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Mr. Pudluk): (Translation) The question has been called. All those in favour -- Mr. Butters.

HON. TOM BUTTERS: A recorded vote.

THE CHAIRMAN (Mr. Pudluk): (Translation) All in favour of that motion stand until your name has been called.

Motion To Accept Recommendation Three Of Unity Report, Carried

CLERK OF THE HOUSE (Mr. Remnant): Mr. Evaluarjuk, Mr. Arlooktoo, Mr. Patterson, Mr. Kilabuk, Mr. Appaqaq, Mr. Tologanak, Ms. Cournoyea, Mr. Curley, Mr. Noah, Mr. Sibbeston, Mr. McCallum, Mr. Wah-Shee, Mrs. Sorensen, Mr. Braden, Mr. Butters, Mr. Nerysoo, Mr. McLaughlin, Mr. MacQuarrie.

THE CHAIRMAN (Mr. Pudluk): Against? The motion is carried.

---Carried

Page eight, recommendation four. The chairman of the committee will read the recommendation.

Motion To Accept Recommendation Four Of Unity Report

MR. MacQUARRIE: Thank you, Mr. Chairman. There is sloppy terminology in this one and I will not be averse at all to seeing an amendment later. I will move it as it is written, however, and explain what is intended. I move that this Assembly declare itself immediately to be receptive to the possibility of a major division of the present Northwest Territories into an eastern and western territory, subject to the expressed will, by public debate and by referendum, of a majority of the people of the northeastern Arctic showing preference for the establishment of a new northeastern Arctic territory. If I may?

THE CHAIRMAN (Mr. Pudluk): To the motion, Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. I would like to say first of all that this recommendation does not say that this Assembly advocates the establishment of a new territory, but it does indicate that the Assembly is willing to accept the establishment of a new northeastern Arctic territory and further that it is willing to accept such a territory if it is the publicly demonstrated wish of the people in that area.

Talking about a referendum, is not intended as the type of heavy legal referendum that many people have since taken it to mean. It was intended merely as an expression of the wishes of the people, and I would just like to make that clear. As I say, it is not a legal document. It is a political document and from time to time there will be this kind of problem and I acknowlege that that is a problem with this particular one.

Scope Of New Territory Determined Through Negotiations

I would also point out it is only through discussions since coming here that I have come to understand further concerns of people and that is certainly something myself and the committee have been struggling to do all along. I can see that there are some who are concerned that if there is an eastern Arctic territory established through referendum of people in the Eastern Arctic that that means that whatever territorial claim those people assert is the one that we support and I say that that is not at all the intention of such a recommendation as this.

In other words, there could be a further statement if somebody chose to add it such as "It is understood that the scope of this new territory, if established, would eventually be determined through negotiation between the peoples of the proposed new territory, the peoples in the remainder of the Northwest Territories and the federal government", because certainly it was never my intention and I think other Members on the committee that it should be otherwise. That is absolutely understood. There may be some Members here who are perfectly convinced that a majority of those people in the Eastern Arctic do wish an eastern Arctic territory. They may be of the opinion then, that such a referendum is not needed, but personally I would feel that it is still valuable because in establishing such a new territory it would be very valuable to enable people the opportunity to affirm to one another, to affirm to the rest of the people in the Northwest Territories and to the federal government and to all concerned that it is unquestionably their wish. I think I will leave it at that, Mr. Chairman.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. MacQuarrie. Hon. Mr. Wah-Shee to the motion.

Amendment To Recommendation Four Of Unity Report

HON. JAMES WAH-SHEE: Mr. Chairman, I would like to move an amendment to this, to be amended as follows: "That this Assembly declare itself immediately to be receptive to the possibility of a major division of the present Northwest Territories into an eastern and western territory, subject to the expressed will, by public debate and by referendum, of a majority of the people of the Northwest Territories showing preference for the establishment of two new territories."

THE CHAIRMAN (Mr. Pudluk): Can we have that amendment in writing, please? Mr. Clerk, would you read it?

CLERK OF THE HOUSE (Mr. Remnant): Mr. Chairman, recommendation four would be amended, the amendment proposes to change it in the following manner, that the words "northeastern Arctic" in the fifth line would be replaced by "Northwest Territories" and the word "a" in the last line, immediately preceding the words "a new northeastern Arctic", would be deleted from the end of the last complete line and replaced by the word "two" and the very last word "territory" would be replaced by the word "territories", so that the recommendation, if amended, would read "That this Assembly declare itself immediately to be receptive to the possibility of a major division of the present Northwest Territories into an eastern and a western territory, subject to the expressed will, by public debate and by referendum, of a majority of the people of the Northwest Territories showing preference for the establishment of two new territories."

THE CHAIRMAN (Mr. Pudluk): To the amendment, Mr. MacQuarrie.

MR. MacQUARRIE: Excuse me. The mover of the amendment wishes to speak first? I would like to speak immediately afterwards if that is the case.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. MacQuarrie. Hon. Mr. Wah-Shee.

Entitlement As Citizens To Participate

HON. JAMES WAH-SHEE: Thank you, Mr. Chairman. First of all I would like to make it quite clear that I support the division of the territories. This is not to be taken in any way to discourage the momentum of the people of the East. I have already indicated my support and I guess my feeling is that we can talk in terms of being aboriginal people who are entitled to aboriginal rights. Myself, I think in this House everybody knows I am entitled to aboriginal rights, but in this particular case my concern here is that the residents of the West will not be given the opportunity to participate, mainly as citizens of Canada, not so much what race or colour or creed that we are, but we are entitled as citizens to participate in the decision of creating two separate territories. The other concern that I have too, is that if the residents of the West are left out, then that would pose a particular problem for the western MLA's as well and this is not to indicate that we do not support the creation of Nunavut. I think we have had a great deal of discussion the last three days regarding this.

The other concern I have is that the Dene Nation have also expressed their support for the creation of Nunavut and also we have to think in terms of the participation of the Dene people in the West as well. So I really feel that we have to allow the participation of the people of the West and also the participation of the people from the East. I think you may find that there will be major support on both sides to have the division of the Territories take place and that, if we got the support of all of the residents of the Territories, then this issue, while being supported by this House, makes it quite clear to the federal government in Ottawa regarding where the residents of the people of the North stand and that this is the kind of support I think we need. I have also said previously that even though we do part our own individual ways, to set up our own political structure, we still have a need to co-operate between the West and the East.

Joint Support On This Fundamental Issue

As I indicated earlier, as residents of the North we all want to acquire additional authority. We want to have a big say regarding our natural resources, renewable and non-renewable, and that in itself is quite a task for us as people of the North. So this particular amendment that I am making I hope will not be taken or be interpreted as not supporting the division because we too, in the West would like to create our own territory and I think where we can have the joint support, which is unanimous, is where the East and the West come together on a very fundamental issue of division.

MR. CURLEY: Hear, hear!

HON. JAMES WAH-SHEE: With that I would like to indicate to you that this is again in no way, on my part, to hold up the momentum that has been built up here for the last three days. I may add it has been there for over six years and I might even say it has been there longer than six years. Thank you.

THE CHAIRMAN (Mr. Pudluk): Thank you. To the amendment, Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. I would ask Members to pay particular attention to what I say about this matter because I really believe that it is of fundamental importance and if what I say is wrong, then certainly challenge it, but I would ask at least that it be heard very carefully. I would say and it was not you I was worried about, Mr. Patterson, I would appeal to Members of the West to reconsider trying to implement that amendment. I would say that the amendment shows a misunderstanding of the intention of the referendum in the first place. The intention of the referendum is to provide an opportunity for people in the Eastern Arctic to say whether or not they would like to have a separate territory and it is not at all a mechanism for deciding whether or not there will be a territory.

People Of The East Will Have To Live With The Decision

There are several reasons why, in that kind of exercise, the people of the West will not participate. The first I suppose is that finally if such a territory is created it will be the people of that territory more than anybody else who will have to live with the consequences of whatever the result may be. Mr. Stewart assures us that it is going to be a dire result and I do not say that offhandedly. It is a possibility. The people of the East will have to live with it, if such a territory is established. I recognize that there are consequences to the rest of us in the Northwest Territories should that Eastern Arctic territory be established; I still maintain that it is not my decision or anybody else's outside the area that is considering this step to determine whether or not they want it. And that is the question, not whether they should have it but whether they want it.

I would say that the relationship that exists among us now is not a planned and voluntary contractual relationship between parties, that it is unplanned and involuntary. I will come back to the analogy that Mr. Butters supported the other day and that is the analogy of children growing within a family. When one of them has reached the age of majority and believes that it is time for him to set out on the road of life to meet his destiny I think that it is his decision and not that of the rest of the family. Now, as to what property he is going to take with him when he leaves home, that is a question that does concern the rest of the family but not the decision about leaving home in the first place.

I think that if Members really meant what they said -- I did appeal to all of you to think deeply about what was said -- if Members really meant what was said when we passed the motion saying that we did not wish to impose on one another, that that must have relevance to what is happening here. That people in the rest of the Territories, even though it may have some impact, should not seek to impose their will on a significant group and a portion of the Territories that feel they are ready for further political development.

Belief In Principle Of Self-Determination

Also, if we believe in the principle of self-determination of people I think that we would have to acknowledge that the people in the Eastern Arctic are the ones who should decide whether they are ready to take that step or not. There are, in addition to arguments like that, some very practical reasons for leaving the decision with the people of the Eastern Arctic and not with the people anywhere else and that is that in my opinion the territory being as vast as it is and as difficult as it is, is probably governable if it has the co-operation and good will of all people in that unwieldy territory. But if you have a significant group of people who say "We do not want to be part of it", who say "If it is going to work you make it work", then I think the territory becomes ungovernable and I believe that we have reached a situation where that is the case. Hence it is for very practical, political reasons that if the people in the Eastern Arctic wish to establish their own territory we would possibly rue the day that we tried to deny it because a majority of people in the West maybe would vote against it.

AN HON. MEMBER: Shame!

MR. MacQUARRIE: I know that Mr. Wah-Shee himself can very seriously give an undertaking that he is not against division, but I do not think that he could give that undertaking for all of the people of the Western Arctic. So if you vote throughout the entire Arctic you run the risk of a situation where the people in the Eastern Arctic say yes, we want a new territory, but where everybody else says no, you cannot have it and what kind of a situation would that be? It would be unworkable anyway, so why try to impose it in the first place?

You might even have the more ironic situation where the people of the Eastern Arctic, at least a majority of them say, "Now, we do not want a separate territory" and you have a majority of people in the West saying "Take your separate territory." That would be a very ironic result.

Adjudication Of One Party Not Supported

I would simply remind you again that what is called a referendum or plebiscite is simply to find out from the people of the Eastern Arctic whether they want a separate territory. If they do, then comes the time when it is decided through negotiation among people of the Western Arctic, among people of the Eastern Arctic and the federal government as to what the scope of that territory will be and that is where the boundary question will be addressed. I, as I said earlier, would not for a moment support a situation where what one party claimed was automatically accepted as the arbitration or the adjudication. I think I will not say anymore about that, but I believe it is a very important principle.

THE CHAIRMAN (Mr. Pudluk): (Translation) Thank you, Mr. MacQuarrie. Mr. Patterson.

MR. PATTERSON: Thank you, Mr. Chairman. I am generally in support of the amendment but I have some major difficulties with it. First of all, the recommendation as amended would have this Assembly declare itself immediately receptive to the possibility of major divisions. Now, to my mind that is not what we heard this week from the witnesses and that is not what we heard this week from the principle of division, subject of course to public consultation, a plebiscite, etc., but they call for support in principle and I am not willing to support the possibility of a major division; the mere possibility. I think we have agreed that it is much more than a possibility. I think we have support in principle. Now, if Members agree with me then this part should be changed.

Referendum Is Binding Process

Also, the motion as amended includes the word "referendum" and I feel that referendum is a binding process and should be replaced by an opinion sampling in the nature of a plebiscite. I have a proposed amendment to the amendment, Mr. Chairman, which I have consulted Mr. Wah-Shee on and I would like your permission to amend the amendment.

MR. McLAUGHLIN: On a point of order.

THE CHAIRMAN (Mr. Pudluk): (Translation) Mr. McLaughlin.

MR. McLAUGHLIN: Mr. Chairman, both of the motions that the Member from Frobisher Bay has talked about are part of the original motion. There is the word possibility that is part of the original motion and in the other part where it says by referendum, so he is not addressing the amendment. He is addressing the original motion still, so I think we should separate the two, deal with the amendment and then he can deal with the original motion by changing the possibility part and the referendum part.

THE CHAIRMAN (Mr. Pudluk): (Translation) Thank you, Mr. McLaughlin, that is correct. Mr. Patterson.

MR. PATTERSON: Thank you, Mr. Chairman. Then confining myself to the amendment I would suggest that there should be an amendment which would satisfy the concerns of Mr. MacQuarrie, but also satisfy what I perceive to be the concerns of Mr. Wah-Shee, namely that people in the West should have some say in this process as well. What I would suggest then is that there should be public debate and a plebiscite of a majority -- to consult the people of those parts of the Northwest Territories showing preference for the establishment of territories in their area and, therefore, confining myself to the amendment of Mr. Wah-Shee.

THE CHAIRMAN (Mr. Pudluk): (Translation) Would you hold on for a second, please? There has been an addition to the amendment made by Mr. Wah-Shee. It is to the first amendment made by Mr. Wah-Shee and if there are any other amendments then you may deal with them after the first amendment made by Mr. Wah-Shee. THE CHAIRMAN (Mr. Pudluk): (Translation) To the amendment, Mr. Sibbeston.

MR. SIBBESTON: Mr. Chairman, I just want to state that when the unity committee was making its recommendations there was no dispute. All of the Members were in agreement with the wording of the recommendation.

Dene Wish To Be Involved In Vote

As I said though, political papers very quickly can become outdated and since our report has been made public it has resulted in a number of people and native groups coming before us and I have been convinced by the Dene Nation and the Metis Association that when there is a referendum about division in the North that the people in the West, I think the Dene people should also be involved in the referendum or plebiscite vote.

I must say that the whole question of Nunavut has sparked new interest and new spirit in the native people in our part of the North, for their hope, for some better government in the future and because of this renewed interest and spirit, the Dene Nation and I believe the Metis Association want to be involved and have a say in the division of the North.

So, if it were to be set up like that I suppose there would be the major question, "Are you in favour of division or not?" Then further east there would be maybe something about "If yes, will you agree with Nunavut or do your support Nunavut?" In the West we could have a question about division and also whether they support the idea of a Denendeh government. So in this way people in the West could be involved in the whole matter of division of the North and I would urge Members to support the amendment as suggested by Mr. Wah-Shee because it will help out the people in our part of the North very much.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Sibbeston.

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Mr. Pudluk): I hear question. To the amendment, Ms. Cournoyea.

Original Intent Of Motion

MS. COURNOYEA: I had my hand up quite some time ago and I was going to ask Mr. MacQuarrie what the intention of this section was. It seems to me from his clarification and the addition of the amendment, it has changed the whole concept of what was intended. It seemed to me what the intention of the original motion was is one thing and it is changed completely with the addition. The orginal intention of the motion appeared to be that the unity committee and this Assembly should have more clarification on whether the people who are involved in the division wanted the division for the sake of their own selfinterest or even to clarify whether it should go ahead in the first instance. Now the amendment changes it totally to suggest that many, many other people who have absolutely no interest in it should be involved. I believe if we were talking about another recommendation on the other pages I probably could go along with Mr. Wah-Shee's suggestion to involve the world, but what we are doing is stymieing a group of people from expressing themselves again. You see, they have already expressed themselves within their negotiations in putting forth their proposal. Now all it seems to me that we are asking was that they again express it to further clarify that they would even want to proceed.

As I understand in Mr. MacQuarrie's reports and some minutes I received from the committee meetings that there was some question in his mind as the chairman, whether people really wanted it even though it was continually to be expressed. So it was just a clarification. I cannot support the amendment to the motion because it destroys the intent of what was being said and it would be defeated because I know that the rest of the Northwest Territories could never bring themselves up to make a decision at any point in time because it is difficult enough to deal with your own region and your own desires for your own government. So I do not know how you are going to get Yellowknife to be totally briefed so they know what they are doing. So I think in the first instance that this motion was to just further clarify for this Assembly that the people we are talking about in Nunavut are really going to say the same thing again.

THE CHAIRMAN (Mr. Pudluk): Thank you, Ms. Cournoyea. Mr. McLaughlin is on my list.

People In The West Directly Affected

MR. McLAUGHLIN: Thank you, Mr. Chairman. I would like to speak in favour of the amendment because I believe that the people in the West do look at division of the Northwest Territories as affecting them directly. One of the reasons I think support will be given, is exactly one of the points that Mr. MacQuarrie just made, that the people in the East are not participating in the government to the full extent that I would certainly like to see them participate. I think there is a bit of a frustration felt there by some of the Members from the West and I know, a lot of my constituents. So I think that by doing this we are giving the people in the West are the Dene, the Metis and there may be some Inuit remaining, as well as "others" and...

MRS. SORENSEN: Things do not change in the West.

MR. McLAUGHLIN: ...we would perhaps like to pursue some government changes and move these things a little faster which I think a lot of people in my constituency feel are being held up because we are always having to grapple with every issue as to how it affects Nunavut. So addressing this issue and having both sides of the Territories deciding and showing in a plebiscite that they want to split will rectify this problem. Then we can get back to governing and putting forth legislation programs to serve the people who elected us in the first place.

MRS. SORENSEN: Oh, but you voted for number two.

THE CHAIRMAN (Mr. Pudluk): Mr. Patterson is on my list.

MR. PATTERSON: Thank you, Mr. Chairman. I would just like to explain that I am in agreement with Mr. MacQuarrie and I am not for a minute trying to suggest that the people of the western part of the Northwest Territories should not be able to participate in the decision to create a new western territory. On the contrary, to the same extent that they should support the right of the peoples of the East or beyond the tree line or whatever you want to call it, that part of the Northwest Territories to decide for themselves...

THE CHAIRMAN (Mr. Pudluk): As it is now 6:00 o'clock I will report progress. A point of privilege?

MR. PATTERSON: I move to extend.

THE CHAIRMAN (Mr. Pudluk): I believe it is too late.

MR. SPEAKER: Mr. Pudluk.

REPORT OF THE COMMITTEE OF THE WHOLE OF MOTION 16-80(2): REPORT OF THE SPECIAL COMMITTEE ON UNITY

MR. PUDLUK: Mr. Speaker, your committee has been considering the Report of the Special Committee on Unity and wish to report progress.

MR. SPEAKER: Thank you. Mr. Patterson.

Consultants From The South

MR. PATTERSON: Thank you, Mr. Speaker. I have a point of privilege which I hope will be brief with reference to Rule 38 I would like to complain to the Assembly about a statement in a press report referring to the workings of the special committee on education of which I am a Member. The statement is contained in the October 31st issue of News North and in it a Mr. Cliff Reid, first vice president of the Northwest Territories Federation of Labour suggests that the Northwest Territories special committee on education brought in consultants from the South to advise it on higher education grants in the Northwest Territories and he goes on to say "But did not bother to go to the people who count, those of us who live in the North". I would like to clear the record, Mr. Speaker, and inform the public that the special committee on education grants. Thank you.

---Applause

MR. SPEAKER: Thank you, Mr. Patterson. That, for the example of the rest of the Members, is a point of privilege. We have tomorrow, as the first order of business, as per a motion, to receive witnesses representing the Frobisher Bay Ratepayers' Association and the Frobisher Bay Consumers' Association who are to appear before the committee of the whole tomorrow for consideration of Motion 39-80(2), concerning the cost of living. This motion was referred by adopted motion to committee of the whole for consideration as the first item of business on Wednesday, November the 5th. To accommodate these witnesses and to save them from the inconvenience of sitting by for several hours waiting to be called I will ask tomorrow for unanimous consent of this House to set aside the business under consideration at 4:00 p.m., whether in formal session or in committee of the whole, to then consider Motion 39-80(2), in committee of the whole. If you do not accept that, of course, then the witnesses will be on the stand and they will be the first order of business, but then I do not know what time that first order of business may be because we have all of the Items 1 to 10 inclusive. There may be a lot of questions. There may be motions that people want to deal with and tomorrow there is no way that I could indicate to these people what time they should appear. Some of them are working and this appeared to be the most convenient time for them, but you have time to think about that over the evening and let me know your wishes in the morning. Mr. Clerk, are there any announcements?

CLERK OF THE HOUSE (Mr. Remnant): There will be a caucus meeting this evening at 8:00 p.m. here in the Assembly chamber. Immediately preceding that meeting will be a brief meeting of the Speaker, chairman of the standing committee on legislation and the Minister responsible for House planning at 7:30 here in the Assembly chamber.

MR. SPEAKER: Mr. Clerk, with reference to the hours under the authority granted to me by this House the hours shall be tomorrow from 9:30 a.m. until 11:30 a.m. and 1:00 p.m. to 6:00 p.m. The orders of the day, please.

ITEM NO. 12: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Remnant): Orders of the day, November 5, 1980, 9:30 o'clock a.m., at the Gordon Robertson Education Centre.

- 1. Prayer
- 2. Oral Questions
- 3. Questions and Returns
- 4. Petitions
- 5. Tabling of Documents
- 6. Reports of Standing and Special Committees
- 7. Notices of Motion
- 8. Motions
- 9. Introduction of Bills for First Reading
- 10. Second Reading of Bills
- 11. Consideration in Committee of the Whole of Bills, Recommendations to the Legislative Assembly and Other Matters: Motion 39-80(2); Tabled Document 16-80(2); Motion 20-80(2); Information Items 1-80(2), 2-80(2), 4-80(2), 5-80(2), 6-80(2), 18-80(2); Tabled Documents 6-80(2), 12-80(2); Bills 3-80(2), 13-80(2), 7-80(2), 8-80(2), 9-80(2), 10-80(2), 12-80(2)
- 12. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until 9:30 o'clock a.m., November 5, 1980, at the Gordon Robertson Education Centre.

---ADJOURNMENT

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