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

LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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TABLE OF CONTENTS

8 November 1980

	<u>PAGE</u>
Prayer	1162
Oral Questions	1162
Questions and Returns	1164
Tabling of Documents	1169
Notices of Motion	1169
Motions	1171
Petitions	1190
Consideration in Committee of the Whole of:	
- Tabled Document 6-80(2) Principles for Development of an Energy Policy	1190
- Sessional Paper 5-80(2) Political Rights for Territorial Public Servants	1207
- Sessional Paper 6-80(2) Options for a Position on the Proposed Resolution for a Joint Address to Her Majesty the Queen Respecting the Constitution of Canada	1196
Report of the Committee of the Whole of:	
- Tabled Document 6-80(2) Principles for Development of an Energy Policy	1223
- Sessional Paper 5-80(2) Political Rights for Territorial Public Servants	1223
- Sessional Paper 6-80(2) Options for a Position on the Proposed Resolution for a Joint Address to Her Majesty the Queen Respecting the Constitution of Canada	1223
Prorogation	1226

FROBISHER BAY, NORTHWEST TERRITORIES

SATURDAY, NOVEMBER 8, 1980

MEMBERS PRESENT

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

ITEM NO. 1: PRAYER

---Prayer

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

ITEM NO. 2: ORAL QUESTIONS

Ms. Cournoyea.

Question 205-80(2): RCMP, Holman Island

MS. COURNOYEA: Mr. Speaker, I would like to place a question to the Minister of Justice. There has been a decision to increase the RCMP contingent in Coppermine. Since increases in great part serve outpost needs in Holman Island, would the Minister please inform this Assembly if there is a plan to do a cost benefit analysis in order to explore the possibility of having a small outpost detachment at Holman Island?

MR. SPEAKER: Mr. Butters.

Return To Question 205-80(2): RCMP, Holman Island

HON. TOM BUTTERS: Mr. Speaker, I wish to thank the hon. Member for giving me notice, giving me written notice of her question yesterday. I have sought a reply from the Department of Justice and this is it. There has been no specific cost analysis done recently regarding the Coppermine detachment. The last increase at Coppermine was in April, 1978, when one man was added to make three, that is one corporal and two constables. This was done to allow rotational service to Holman Island using a patrol cabin. The RCMP are not planning any further increase at Coppermine and are not planning to put a permanent detachment at Holman Island. I am informed that the increase that the RCMP are seeking for their establishment in the Northwest Territories in the fiscal year 1981-82 is only four man years.

MR. SPEAKER: Oral questions, Mr. Kilabuk.

Question 206-80(2): Constituents Travelling To Assembly

MR. KILABUK: (Translation) Mr. Speaker, this is kind of complicated but I have been asked and I want to ask this Legislative Assembly. Mr. Speaker, I have been asked by my constituents if they could come to the Assembly to hear the procedure. What department would be able to pay for the people to come here if they want to?

MR. SPEAKER: Hon. Mr. Braden.

Return To Question 206-80(2): Constituents Travelling To Assembly

HON. GEORGE BRADEN: Thank you, Mr. Speaker. I do not know which government department that should be directed or even if that should be directed to a government department. I think that maybe requests like that should go to the Speaker's office or the Clerk's office for consideration. Perhaps they could make some arrangements for better communication or information on having special guests invited to the opening of sessions. Thank you.

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

Question 207-80(2): Classroom Assistant Used As Interpreter

MR. KILABUK: Mr. Speaker, I have been told to ask the House about a person who is taking on-the-job training and she is used as an interpreter at this time. She is a teaching assistant and I just wanted to know whether she should be using the facilities of the classroom assistant as an interpreter?

MR. SPEAKER: Hon. Mr. Braden.

HON. GEORGE BRADEN: Thank you, Mr. Speaker. I will take that question as notice and file a reply.

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

Question 208-80(2): Eskimo Dog Foundation

MR. PATTERSON: Yes. I believe I should direct this question to the elected leader of the elected Members, Mr. Braden. What is the Executive Committee doing to ensure the survival of the Eskimo dog foundation?

MR. SPEAKER: Hon. Mr. Braden.

Return To Question 208-80(2): Eskimo Dog Foundation

HON. GEORGE BRADEN: Thank you, Mr. Speaker. I would like to thank the hon. Member for giving me notice yesterday on this question. During the summer months, the Department of Economic Development in fact provided assistance to the Eskimo dog foundation in Yellowknife. I might indicate that the assistance was fairly marginal in that we basically helped in the transportation of fish from Hay River to Yellowknife. The fish was used for feeding the dogs. Mr. Carpenter, who heads up the dog foundation, requested assistance through the Special ARDA, Agriculture and Rural Development Agreement program in September but was turned down. Consequently a proposal was prepared which would involve keeping the foundation in operation for either a six month period, a one year period or a one and a half year period, after which it would close down. What the Executive Committee has done thus far is to consider a one year period of operation. We decided that we would provide assistance to Mr. Carpenter in the amount of \$50,000. We were hoping that a proposal which Mr. Carpenter had before the community development program, of Canada Employment and Immigration, would have been positively considered. Unfortunately, it was rejected and consequently, as I understand it, Mr. Carpenter is going to be somewhat short of the amount of revenue he requires to operate the program for one more year.

I have taken personal action, Mr. Speaker, and sent a telex to the Hon. Mr. Axworthy, who is the Minister responsible for Employment and Immigration, requesting that he intervene personally in this case and review Mr. Carpenter's application under the community development program. That is where it stands

right now. It is a case again of the Government of the Northwest Territories responding to the needs of the people of this territory and the federal government not accepting its full responsibility in this very important area. I would like to indicate that the expressions of interest by MLA's, such as the hon. Member for Frobisher Bay, the hon. Member for Keewatin North, and the hon. Member for Yellowknife South, have all been taken into consideration in providing Mr. Carpenter with some assistance in this very worth-while project which is benefiting people of the North.

I hope to speak to Mr. Axworthy on this motion when I am back in Ottawa next week and try to get a positive answer out of him. With some assistance from the Canada Manpower program, I believe that Mr. Carpenter could very successfully run the program during the next year and provide more dogs to people throughout the Territories. Thank you very much.

MR. SPEAKER: Thank you, Mr. Braden. Oral questions?

Item 3, questions and returns. Are there any written questions this morning?

ITEM NO. 3: QUESTIONS AND RETURNS

Mr. MacQuarrie.

Question 209-80(2): Cost Of Assembly Session In Frobisher Bay

MR. MacQUARRIE: Thank you, Mr. Speaker. I know that the rules say that questions should be directed to Executive Members who are responsible for the various departments. Since those rules were written, the Speaker has become responsible for the Legislative Assembly offices and I would like to pose a written question to you on that basis, if you will accept it, Mr. Speaker.

MR. SPEAKER: If I could hear the request, and if we can do it, fine.

MR. MacQUARRIE: Very well, thank you, Mr. Speaker. I would ask you how much additional expense has been involved in holding this session in Frobisher Bay? What difficulties have been observed for the Assembly staff, for the community, for others? And if you feel that you cannot respond in the usual way, and you so inform me, then I would pursue that in another way, Mr. Speaker. Thank you.

Return To Question 209-80(2): Cost Of Assembly Session In Frobisher Bay

MR. SPEAKER: Our office will give you the figures and the data that you have requested by way of a letter when we have all of the figures compiled. Mr. MacQuarrie.

MR. MacQUARRIE: Would I understand from that, Mr. Speaker, that your ruling is that as our rules stand right now the Speaker is not open to questions about the operation of the Legislative Assembly offices?

MR. SPEAKER: No, not basically. I would like to look up the technicalities involved and I am going to answer the question, but I am reserving judgment on whether the Chair can be asked a question.

MR. MacQUARRIE: Yes, I certainly understand that, Mr. Speaker. I do not think that you are attempting to be evasive. I sincerely appreciate that. It is a question of whether it is appropriate or not.

MR. SPEAKER: I will rule on that on a later date but in the interim I will get the information to you on that question. Are there any further written questions? Are there any returns -- pardon me, Mr. Patterson.

Question 210-80(2): Economic Benefits Of Assembly In Frobisher Bay

MR. PATTERSON: Thank you, Mr. Speaker, I would very much like to ask a written question to follow on the heels of the question Mr. MacQuarrie also directed to you; directed to the Hon. Speaker of the Legislative Assembly, what were the economic benefits, direct and indirect, to the town of Frobisher Bay resulting from the holding of this session in Frobisher Bay?

Question 211-80(2): Solar Heating Project, Frobisher Bay

If I may, Mr. Speaker, I have another written question. This is directed to the Minister responsible for energy conservation, the Minister of Renewable Resources. There is a government funded solar heating and retrofit project in Frobisher Bay. How was the demonstration house selected? Were private householders considered eligible for the demonstration project? If not, why not? Thank you.

MR. SPEAKER: Thank you, Mr. Patterson. Any further written questions? Returns? Mr. Braden.

Return To Question 190-80(2): Commissioner's Award Criteria

HON. GEORGE BRADEN: Thank you, Mr. Speaker. I have one return and I will read a couple of others for Mr. Wah-Shee and Mr. McCallum. My first return is to Question 190-80(2), which was asked by the hon. Member for the Western Arctic on November 5th. It concerns the Commissioner's Award criteria. The return reads as follows: It is our intention to review the eligibility for Commissioner's Award in the light of the hon. Member's suggestion and we will have the review completed before this Assembly next meets. In the meantime, however, it is our feeling that the awards committee would be pleased to consider nominations of a sporting or recreational nature where the persons nominated have made significant contributions to the social well-being of the Northwest Territories. Mr. Speaker, I believe that the two young people mentioned in the question might well fit into this category.

Return To Question 192-80(2): Butler Units In Frobisher Bay

The next return I have is to Question 192-80(2), asked of my colleague Mr. Wah-Shee by Mr. Patterson on November 5, 1980, and it concerns Butler units in Frobisher Bay. The written reply reads as follows: The Government of the Northwest Territories plans to write off and destroy the Frobisher Bay Butler housing units as the replacement units become available. It is believed that the federal government similarly plans to tear down the Butler units in its possession. The Butler houses are not suitable for renovation for any form of housing. Apart from their obvious deficiencies in insulation, wiring, roofing, etc., the timber substructures of these dwellings have deteriorated to the point where rebuilding is impossible.

Return To Question 195-80(2): Comparison Of Rates For Refrigeration Mechanics In Yellowknife And Frobisher Bay

The next return I have is a reply to written Question 195-80(2), asked of my colleague Mr. McCallum by the hon. Dennis Patterson and it concerns a comparison of rates for refrigeration mechanics in Yellowknife and Frobisher Bay. The written reply reads as follows: Journeyman refrigeration mechanic positions, whether they are in Yellowknife or Frobisher Bay, are classified under the same class code 5293 and receive the same salary. Refrigeration mechanic positions which are required to perform the additional functions of refrigeration design are classified under a separate class code and the incumbents are paid a higher salary.

Return To Question 196-80(2): Policies Regarding Graduates From High Schools

The last return I have, Mr. Speaker, is to written Question 196-80(2). It was asked of my colleague Mr. McCallum by the hon. Member for Yellowknife Centre. It concerns policies regarding graduates from high schools. The return reads as follows: Northern students who have completed post-secondary education are given hiring preference for those positions in which they might reasonably be expected to function at an acceptable level, given their education, background and experience. They are given preference over southern candidates and over northern applicants who are short-term residents. Every effort is made to contact northern students and to place them in entry level positions in a field for which their education qualifies them. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you Hon. Mr. Braden. Are there any other returns?
Hon. Mr. Butters.

Return To Question 88-80(2): Costs And Reasons For Early Termination

HON. TOM BUTTERS: Mr. Speaker, I have a number of returns to both oral and written questions. The first is a return to three oral questions asked me by the hon. Robert MacQuarrie at Baker Lake. The questions are found on page 372 of the Debates of this House. These questions relate to the early termination of Duane Hendricks a teacher formerly at Fort Smith. The Department of Education agreed to an early termination of Mr. Hendricks' employment through mutual consent because Mr. Hendricks had originally proposed it in February 1980 and my department came to the position at a later date that this was the best solution. Mr. Hendricks was not in his probationary year. None of the costs incurred through the termination by mutual consent were borne by the Department of Education. These costs are covered by the Department of Personnel. The Department of Education only agreed to termination by mutual consent when it was clear that differences between Mr. Hendricks and the administration could not be reconciled.

Further Return To Question 94-80(2): Termination Of R. Duane Hendricks

The second series of questions asked on that same matter by the hon. Member for Yellowknife Centre also occurred in Baker Lake by written question and are found at page 375 of the debate record. Answers to those questions regarding the termination of R. Duane Hendricks are as follows:

- (1) The contract of Mr. Duane Hendricks was terminated by an agreement between him and the Government of the Northwest Territories on terms and conditions acceptable to both parties. Under the terms of the agreement the government had to incur an expenditure of approximately \$11,364 over and above normal termination costs.
- (2) The administration incurred this additional expenditure in a year of restraint because the administration was of the view that it was necessary to do so in order to resolve a situation that was becoming increasingly intolerable and was having an effect on the staff and students of the school.
- (3) The administration entered into a mutually satisfactory agreement of termination with Mr. Hendricks for, principally, the reasons cited in the question. Mr. Hendricks' inability to get along with the administration and his differences in philosophy meant that he could not take direction normally given to teachers. Such refusal to take direction and the tensions that resulted from this, were having an adverse effect on his students. The administration is of the view that the action taken in this matter by its Departments of Education and Personnel were appropriate and fully justified in the circumstances.
- (4) The administration does not believe that the allocation of a particular classroom had anything to do with Mr. Hendricks' inability to get along with the administration. Mr. Hendricks' classroom was changed for several reasons

among which was the complaint by Mr. Hendricks that in his class he could not hear the main school public address system. The new classroom was assigned to Mr. Hendricks after due consultation with him on more than one occasion. A report on the classroom conditions prepared by the environmental health officer was based on erroneous information and was retracted with an apology.

(5) From an educational point of view, although it was not ideal for students in the music program to change teachers midstream, the administration's view is that considering all the circumstances surrounding Mr. Hendricks' employment and his desire to leave the school, it was best to replace him with another teacher who could devote his full time and energy toward continuing the music program in the school.

(6) An agreement to terminate the contract was entered into by Mr. Hendricks of his own free volition and was as a result a negotiated settlement of the terms proposed by him. Mr. Hendricks did not explore the option of remaining in the Northwest Territories in "some" capacity with the administration and therefore that option was not considered by the administration as an alternative to termination.

Return To Question 171-80(2): Keewatin Students In Frobisher Bay; And Further Return to Question 185-80(2): Students Coming Home For Spring Break

I have also, sir, a reply to Questions 171-80(2) and 185-80(2), asked by the hon. Member for Keewatin North on November 3rd and 4th, regarding the Keewatin students at GREC at Easter break. There is no provision in the Education budget for the current fiscal year to allow Keewatin students, or any from Baffin Island communities to go home for the 1981 Easter break at government expense.

Further Return To Question 186-80(2): Established Policy Re Students Returning Home

A return to Question 186-80(2), for the hon. Member for Keewatin South, asked on November the 5th, regarding Akaitcho and Ukkivik students going home for spring break. Consistent with my reply given to Mr. Noah, there is no provision in the current budget to allow students who are attending school in Frobisher Bay and Yellowknife and who are living in Ukkivik students residence and Akaitcho Hall respectively to go home for the spring break, at government expense.

Return To Question 188-80(2): Funds Spent For Sending Students Home Last Year

In response to oral Question 188-80(2), asked by the hon. Member for Yellowknife Centre on November 5th, regarding the total for unplanned spending for spring break travel, spring of 1980, I have the following reply: Out of 94 students at Akaitcho Hall at that time, 20 participated in the Interchange on Canadian Studies program. Of the remaining 74 students, 37 chose to go home for a week. The expenditure involved was \$32,000.

Return To Question 117-80(2): TEP Students Spending More Time In Home Communities

I have a response for written Question 117-80(2), asked by the hon. Member for Frobisher Bay on October 23rd, regarding the Baffin region education society. The administration of the Frobisher TEP, teacher education program campus have put together a teacher training program proposal which would permit students to spend less time in training in Frobisher Bay. One aspect of the program involves bringing together the present classroom assistants and TEP programs. The training, including summer courses and on-the-job training, leading to the diploma level classroom assistant certificate would be equivalent to one year of teacher training. Therefore, except for attendance at summer courses leading to the granting of a diploma, the classroom assistant would remain on the job earning regular salary. At the end of that period, the student would have a choice of completing the second year of training at the Frobisher Bay campus, thus accelerating the completion of training or continue at a slower rate to certification through training in the field. This proposal is presently being studied by the department which approves in principle of this approach. However,

we must study all possible ramifications and possibilities before the modifications to the program are finalized. Negotiations are also under way with McGill University with the view to students obtaining university credits for both classroom assistants and TEP programs.

Return To Question 107-80(2): Building Of Regional High School In Keewatin

A response to Question 107-80(2), Keewatin Regional High School. It is quite long and possibly I could file the bulk of it, but I would like to respond and assure the hon. Member for Keewatin South regarding my department's intention on the construction of the Keewatin regional high school and that the planning of a regional educational centre offering programs at the high school level is very much a concern of the Department of Education. The department has already conducted a survey in each community in the region. The survey results indicate that there is no agreement as yet amongst the people of the region as to exactly where the education centre should be built. A majority of people did indicate however that the most suitable location for the high school would be either Baker Lake or Rankin Inlet, or Eskimo Point. Various communities in the Keewatin have now expressed an interest in a regional meeting to discuss the location of the new high school. The reason I took the question as notice originally was because I wished to discuss with both Members for Keewatin North and South the possibility of convening such a meeting in the near future. I am pleased to report that I have agreed to meet with the local education authority and the community representatives on November 9th and 10th of this year in Rankin Inlet at which meeting Members from Keewatin South and North will be in attendance. I will file the report if that is acceptable, sir. As I say it goes on for another two pages.

MR. SPEAKER: I have no objections. Agreed?

---Agreed

Return To Question 152-80(2): Negotiations With Federal Government Re Utilities

HON. TOM BUTTERS: While I am on my feet there was an oral question asked by the hon. Member from Yellowknife South with regard to a financial matter which I took as notice. I have not had a return yet but I would like to answer that because I did have an answer then and I will give what I would have said. Her question was "What this Legislative Assembly did establish was the fact that we wished this government to negotiate with the federal government a situation whereby utilities were funded as a non-discretionary item. My question is: Have we included those negotiations with the federal government and what has been the outcome?"

On that matter I would just like to point out that there is some difference, of course, in the definition of the words "discretionary funding" between the federal people and territorial officials. From a Government of Canada point of view, non-discretionary items are those which have statutory authority and which are normally provided for through lump sum payments to a third party. The Government of the Northwest Territories has developed its own definition, one of which includes these words, "Volumes and rates that are essentially outside the control of the Government of the Northwest Territories". That is the category in which we would put our energy requirements.

As Members know, we were successful in making a supplementary estimate to the federal government in the spring of this year and as a result of that submission Treasury Board has recognized that these costs are non-discretionary and has indicated to us that they would receive similar submissions in the future. In view of the Treasury Board decision, the federal government fiscal negotiators would appear to have recognized that that item therefore is non-discretionary.

MR. SPEAKER: Thank you, Mr. Butters. Any further returns? Any further written questions?

Item 4, petitions.

Item 5, tabling of documents.

ITEM NO. 5: TABLING OF DOCUMENTS

Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Speaker. I would like to table Tabled Document 34-80(2), the text of a telex that was sent through our Clerk, Mr. Remnant, to myself as chairman of the special committee on unity. The substance of it is a resolution that was passed at the ITC land claims meeting in Rankin Inlet, a resolution with respect to the report of this Assembly's special committee on unity, and it is signed by Thomas Suluk who is the chief negotiator for ITC.

MR. PATTERSON: Read it.

MR. MacQUARRIE: No, I will decline.

MR. SPEAKER: Tabling of documents.

Item 6, reports of standing and special committees.

Item 7, notices of motion.

ITEM NO. 7: NOTICES OF MOTION

Mr. Kilabuk, did you have a notice of motion?

MR. KILABUK: (Translation) My previous motion, I would like to know if I can reintroduce as modified in regard to the appearance of the Hudson's Bay Company officials and I would like to move that with unanimous consent.

MR. SPEAKER: You can give notice of it this morning and ask for unanimous consent to deal with it under motions. You may proceed now, Mr. Kilabuk, to give notice of your motion.

MR. KILABUK: (Translation) Mr. Speaker, I do not have the copy of the written motion at this time. I have something somewhat in line with the motion. Is it okay if I proceed and read the motion?

MR. SPEAKER: Agreed, yes, go ahead, Mr. Kilabuk.

Notice Of Motion 62-80(2): Hudson's Bay Officials To Appear At February Session

MR. KILABUK: (Translation) Mr. Speaker, Motion 62-80(2) is seconded by my colleague from Frobisher Bay, that the Hudson's Bay Company has been in the North for quite some time now and it seems to me that they were up here before the government came and they operate commercial stores and operate fur trading stations. They have contributed their energies to the North and for this reason I move that the officials of the Hudson's Bay Company be invited to appear before the Legislative Assembly during the February, 1981, session to discuss matters concerning the operations of the company in the Northwest Territories. Thank you.

MR. SPEAKER: Thank you, Mr. Kilabuk. Are there any other notices of motion?
Mr. McLaughlin.

Notice Of Motion 72-80(2): Standing Committees To Hold Open Meetings

MR. McLAUGHLIN: Thank you, Mr. Speaker. I would like to give notice that I will be asking for unanimous consent from my colleagues later, who are all interested in the promotion of open public government in the Northwest Territories. My motion is that this Assembly request the Members' Services Board to report back to this House during the next session on the matter of holding the meetings of the standing committees of this Assembly open to the public.

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

MR. MacQUARRIE: Thank you, Mr. Speaker. I would like to give notice of three motions, and I indicate now that I will ask later for unanimous consent. The first is...

MR. SPEAKER: Mr. MacQuarrie, you can only move two. If you have three you had better make other arrangements or pick the two you want.

MR. MacQUARRIE: I will get a friend to do it, I think, if I have any left.

MR. FRASER: Where?

Notice Of Motion 73-80(2): Appointments To Special Committee On Impact

MR. MacQUARRIE: The first of them, Motion 73-80(2). I will move that the special committee which will oversee a study of the impact of division on the Northwest Territories be comprised of Joe Arlooktoo, Nellie Cournoyea, Tagak Curley, Pete Fraser, Ipeelee Kilabuk, Bruce McLaughlin, Arnold McCallum, Dennis Patterson, Lynda Sorensen and Don Stewart.

Notice Of Motion 74-80(2): Delegation To Go To Ottawa

Further, I will move, and then seek unanimous consent, that the constitutional -- well, no, I had better go to the third one. Motion 74-80(2), that the delegation to Ottawa to inform the federal government of this Assembly's intentions with respect to political and constitutional development will be comprised of George Braden, Tagak Curley, and Nick Sibbeston. I will ask another Member of the striking committee, Mr. Butters, if he will move the third, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. MacQuarrie. Notices of motion. Mr. Butters.

Notice Of Motion 75-80(2): Appointments To Constitutional Development Committee

HON. TOM BUTTERS: Mr. Speaker, I would like to give notice of two motions for which I will ask unanimous consent to be placed before this House later today. I will move Motion 75-80(2), that the constitutional development committee will be comprised of Pete Fraser, Bob MacQuarrie, Nick Sibbeston, Don Stewart and James Wah-Shee.

Notice Of Motion 69-80(2): Appreciation To CBC And Inukshuk Television Project

I give notice that I will also seek unanimous consent for this following Motion 69-80(2). Now therefore, I move that the Speaker convey the appreciation and gratitude of this House for the complete and extensive coverage given to the unity committee's debate by (a) the Canadian Broadcasting Corporation and (b) the Inukshuk television project and especially to the professional and technical staff who made the transmissions possible.

---Applause

MR. SPEAKER: Thank you. Are there any further notices of motion? Item 8, motions?

ITEM NO. 8: MOTIONS

In the sequence that they have been placed before this House, it indicates Motion 66-80(2), Ms. Cournoyea.

Motion 66-80(2): Development Of A Western Arctic Regional Municipality

MS. COURNOYEA: Motion 66-80(2), Development of a Western Arctic Regional Municipality:

WHEREAS the Government of Canada and the Legislative Assembly have supported the principles of devolution of power and responsibility to regional and local levels;

AND WHEREAS the Government of Canada has agreed to negotiate a form of political self-determination for the Western Arctic;

AND WHEREAS the Western Arctic expressed the desire to develop a Western Arctic regional municipality;

NOW THEREFORE, I move that this Legislative Assembly recommend to the Executive Committee that the Department of Local Government, under the direction of the Minister and in co-operation with the MLA from Western Arctic, commence work immediately with the community councils and COPE to develop the details for a Western Arctic regional municipality in accordance with the obligations of government under section 18 of the Inuvialuit agreement in principle;

And further this Assembly recommend that a comprehensive and detailed proposal be presented to the fall 1981 session of this Assembly and to the federal government at the same time.

Moved by myself and seconded by Mr. Butters.

MR. SPEAKER: Your motion is in order, proceed please.

Regional Government Rejected Previously

MS. COURNOYEA: Mr. Speaker, the historical attempts by the territorial government to set up regional forms of government in the Western Arctic have been rejected by the communities on approximately five different occasions. The rejection of the regional government was not because there was a lack of support for the concept, rather these attempts came at critical stages just prior, during and after the Mackenzie Valley pipeline inquiry and any attempt to set up a form of regional government was suspect as the territorial government's attempt to offer something much less than the control and power that the Western Arctic communities felt would reflect real government control.

In our attempts to move forward in developing the regional concept of government the Committee for Original Peoples' Entitlement has spent a lot of time developing this regional municipality and it is to the stage of the practical working model. The position of the regional municipality is well beyond the concept stage and we would like to proceed moving the regional municipality concept further. It is our belief that the more power regional government can get adds to the strength of the territory and the region itself. Although I would like to express that the Minister of aboriginal rights and constitutional development and the Minister of Local Government have not been unco-operative, it appears in the last few months in the developing of the unincorporated ordinance that there was an attempt to offer to the communities once again something much less than what was acceptable.

We have often wondered in the Western Arctic why when attempts are made to proceed from the community levels to develop regional government, why this was always taken as a threat. It is a difficult position to be in when the territorial government with its bureaucracy creates the ground rules to say

where you begin the process. In presenting this motion, even though Mr. Wah-Shee has assured me that there are no attempts to undermine the formation of the Western Arctic regional municipality or the support by his staff to move forward on the proposal, I feel that the Minister requires from this Legislative Assembly support to move ahead in the principle of developing the Western Arctic regional municipality.

MR. SPEAKER: Thank you, Ms. Cournoyea. Hon. Mr. Butters, you are the seconder of this motion. Do you wish to speak at this time?

HON. TOM BUTTERS: Just briefly, sir. I would like to thank the hon. Member for the Western Arctic for extending to me the opportunity to second the motion. The proposal or the concept as Members probably know for the Western Arctic regional municipality was incorporated in the paper Inuvialuit Nunangat. I am quite sure the town council and the residents of Inuvik will be very pleased to become involved in such discussions and such studies and representing that community, I too am happy for the opportunity to do this.

MR. SPEAKER: To Motion 66-80(2), Mr. Patterson.

Concrete Way Of Helping To Settle Land Claims

MR. PATTERSON: Mr. Speaker, this motion outlines an excellent example to me of a concrete way in which this government can aid and abet the process which will lead us to the blissful state of finally settling land claims in the Northwest Territories. I support the motion. Thank you.

MR. SPEAKER: Thank you, Mr. Patterson. Mr. MacQuarrie.

MR. MacQUARRIE: Thank you very much, Mr. Speaker. First of all, if I may have a clarification from the mover of the motion; I notice one of the "whereases" said "That the Government of Canada has agreed to negotiate a form of political self-determination for the Western Arctic." Could I have it pointed out where that agreement is noted specifically?

MR. SPEAKER: To the motion. Motion 66-80(2).

MR. MacQUARRIE: I had asked a question of the mover.

MR. SPEAKER: Ms. Cournoyea.

MS. COURNOYEA: Well, I do not know if Mr. MacQuarrie is asking me a question on his own behalf because I believe when he visited Inuvik as the chairman of the unity committee, we did spend extensive time with him discussing the political institutions of government and he asked a question: At what stage did the federal government agree to negotiate a political determination for Inuvialuit or the Western Arctic region? It is in the October 31st, 1978, document, Inuvialuit land rights settlement agreement in principle. The section is 18. It is on pages 104 and 105.

MR. SPEAKER: Thank you. Motion 66-80(2), Mr. MacQuarrie.

No Statement Of Political Self-Determination

MR. MacQUARRIE: Thank you, Mr. Speaker. Well, just with respect to that, I have read that section very carefully. I am very much aware that the federal government has indicated that they recognize the need for greater decentralization in respect of decision making and so on, but as to the words "has agreed to negotiate a form of political self-determination" I just did not quite see that, Mr. Speaker, and especially when I read the copy of the Debates in which you yourself asked a question of Dr. Naysmith and he replied: "Mr. Chairman, what I think I said, sir, was in the COPE proposal they referred to a Western Arctic regional municipality and I equated that with a renewed regional form of government. Now, first and perhaps the most important point is that a decision

was taken in the land claims discussion that that was not appropriate. That subject was not appropriate to the land claims discussion and was not further addressed. In other words, we have nothing in the agreement that says, yes, there will be one or no, there will not, or this is the shape it is going to take. What we say in the agreement is that that is a subject to be dealt with quite outside the land claims forum. So there is nothing in there that deals with it specifically either to say that it is going to be dealt with in here." At any rate, it is a very binding kind of statement if we agree that they have agreed to negotiate and that is why I am concerned. If there is a specific statement that says that very directly, I would just like to know where it is. I do not quite read it that way when I read section 18.

MR. SPEAKER: Thank you. Ms. Cournoyea, do you have a reply to that question?

MS. COURNOYEA: Section 18(4) "Canada agrees that the land rights settlement is without prejudice to the Inuvialuit with respect to the matters raised in part four of Inuvialuit Nunangat, that is, put generally, the restructuring of the public institutions of government within the Western Arctic region and Canada agrees to consider these matters with the Inuvialuit in the future, and agrees that the Inuvialuit shall not be treated less favourably than any other native groups or native peoples as residents of the communities and regions with respect to the governmental powers and authorities conferred upon them."

MR. SPEAKER: Mr. Fraser.

Communities Involved In Regional Municipality

MR. FRASER: Thank you, Mr. Speaker. I have a question for the mover of the motion when she is talking about the Western Arctic regional municipality. I would like to know where the borderline is. What she considers the Western Arctic regional district and what communities does it take in?

MR. SPEAKER: Ms. Cournoyea.

MS. COURNOYEA: The Western Arctic regional municipality at this stage of negotiation takes in Aklavik, Tuktoyaktuk, Sachs Harbour, Paulatuk and Holman Island. I do not have the perimeters of the exact outline of the borders. I can cite them from the agreement in principle. However, they are about three pages long.

MR. SPEAKER: Motion 66-80(2), Mr. MacQuarrie. It is very difficult to decide what is a question and what is making statements and I had taken your last position that you had had your chance to speak because -- I will allow you one more question but that is it.

MR. MacQUARRIE: Well, just to clarify, Mr. Speaker. I had been asking for clarification, and not advancing my position on the motion itself, and I would like to do that now if I may.

MR. SPEAKER: Being the last day, I suppose we have to be a little easy. I had taken it you had already spoken to the matter but all right. That is once for you today.

Territorial Government Should Negotiate A Type Of Regional Government

MR. MacQUARRIE: I had not had my "once" before. All right. I know that Ms. Cournoyea feels when I ask questions that I am in some way challenging or undermining what they are attempting to do, and I would like to say frankly that that is not so. I do believe that there is a great desirability that this government should begin to negotiate with the Inuvialuit as to some type of regional government. I think that that is the way we are going to have to go. I certainly do not want to deliberately slow down COPE again. That is an organization that seems to know what it is about. They are working hard and

they recognize the importance of dealing with some pretty significant matters as soon as possible because of the -- I was going to say threat, but not the threat, the possibility of rapid and large scale development in the area. I am sympathetic to them in all of that; but on the other hand, I do see that this Assembly has indicated its intention generally to begin talking with peoples of the Western Arctic, Metis, Dene and the Inuvialuit as well, and that this initiative is ongoing. I am just reluctant to place this government under a time constraint that it might find intolerable while these other initiatives are also taking place. So while I will continue to support efforts of regional government negotiations between COPE and this government, I would like to move an amendment which would make what is being done more acceptable to me.

Amendment To Motion 66-80(2)

Mr. Speaker, I will move to amend the motion in this way, that in the fourth line of the resolution following the words "...community councils and COPE to..." I would have "begin work in establishing a Western Arctic regional municipality". and a further amendment would simply be to delete the last part of the resolution "and further this Assembly recommend..." and so on. I think the time constraint would be a little bit too much.

MR. SPEAKER: As I understand your amendment it would then read as amended on the fourth line immediately following "with the community councils and COPE to begin work in establishing a Western Arctic regional municipality". Do we go then "to develop" or does that conclude it, Mr. MacQuarrie?

MR. MacQUARRIE: I am sorry?

MR. SPEAKER: I am just putting in your words, do we continue then, after regional municipality "to develop the details" or is that...

MR. MacQUARRIE: Carry on from the end of that. It was just to substitute the words "begin work in establishing a Western Arctic regional municipality" and to delete the last clause.

MR. SPEAKER: With respect to your amendment it would then read "Now therefore I move that this Legislative Assembly recommend to the Executive Committee that the Department of Local Government, under the direction of the Minister and in co-operation with the MLA from Western Arctic, commence work immediately with the community councils and COPE to begin work in establishing a Western Arctic regional municipality to develop details for a Western Arctic regional municipality in accordance with the obligations of government under section 18 of the Inuvialuit agreement in principle" and deleting all of the rest of the motion. Is that correct?

MR. MacQUARRIE: That is correct.

MR. SPEAKER: To the amendment. Mr. MacQuarrie.

MR. MacQUARRIE: Yes, simply to say that I believe...

MR. SPEAKER: I am sorry, Mr. MacQuarrie, we need a seconder. Mrs. Sorensen. Go ahead, Mr. MacQuarrie.

MR. MacQUARRIE: Yes, I would like to see the contact made immediately. I would like to see work begin immediately, but I do not think that there should be the time constraint placed in there that is in the original motion.

MR. SPEAKER: Thank you. To the amendment. Mr. Braden.

HON. GEORGE BRADEN: Mr. Speaker, can I have that read out again? It sounds a little confusing.

MR. SPEAKER: Yes, well what I have is here and I will begin on the fourth line beginning with the word immediately, "immediately with the community councils and COPE to begin work in establishing a Western Arctic regional municipality to develop the details for the Western Arctic regional municipality in accordance with the obligations of government under section 18 of the Inuvialuit agreement in principle" and delete the last paragraph. To the amendment. Mr. Patterson.

Deadline Must Be Imposed To Get Work Done

MR. PATTERSON: I am going to have some difficulty supporting this amendment, Mr. Speaker. The motion asks that the Executive Committee, Department of Local Government and the MLA from the Western Arctic, working with community councils and COPE, develop a detailed plan. It would give them a year to do so. Now, it may well be that that is a big task to complete in a year. However, the Member from the Western Arctic herself has proposed this motion and has proposed this timeframe undoubtedly because she believes that it is possible to accomplish this goal in a year. Undoubtedly if it is not possible, we will hear about that at the fall session of 1981.

However, if it is possible we would have made, we would have continued to make incredible strides in accomplishing the goal of political evolution in the Northwest Territories and personally I feel that in all human affairs if one is able to set a deadline, set a goal, work toward the goal then the work paced accordingly and often there is a much better chance of accomplishing a given amount of work when there is a deadline. It simply guarantees that the work will be done, that the pressure is on and Mr. MacQuarrie is proposing that we remove that pressure and that deadline and that timeframe and accordingly I see it as likely to simply slow the work down. So I think I will not support the amendment since I believe in setting these kinds of goals. Now, if the work cannot be done, it cannot be done and we will find out, but let us not shrink away from accomplishing such a task within a year. So I will not support the amendment for those reasons, Mr. Speaker. Thank you.

Amendment To Motion 66-80(2), Defeated

MR. SPEAKER: Thank you, Mr. Patterson. To the amendment. Did I hear question being called? The question on the amendment. All those in favour of the amendment? One. Opposed? Seven. The amendment is defeated.

---Defeated

Motion 66-80(2), Carried

To the motion, Motion 66-80(2). Are you ready for the question? The question being called. All those in favour, ten. Opposed, one. Motion 66-80(2) has been carried.

---Carried

Motion 67-80(2). Mr. Patterson.

Motion 67-80(2): Gordon Edwards To Appear As Witness

MR. PATTERSON: Thank you, Mr. Speaker. This motion is seconded by the Member for Keewatin North, Mr. Noah. I neglected to mention that earlier.

WHEREAS there has been a document tabled in this Assembly, November 3, 1980, entitled "Uranium Exploration in the Northwest Territories" prepared by the Science Advisory Board of the Northwest Territories;

AND WHEREAS significant uranium exploration has taken place and will take place in the Northwest Territories, particularly in the Keewatin;

AND WHEREAS Members of this Assembly are concerned about the possible hazards of uranium exploration and mining in the sensitive environment of the Northwest Territories;

AND WHEREAS the Science Advisory Board report acknowledges that uranium is potentially hazardous to health, must be handled with suitable precautions at all times, and that there is a need for regulations in the Northwest Territories to protect drilling crews, protect members of the public from exposure and to contain radioactive dust and contaminated ground waters, and further acknowledges that the problem of safe permanent disposal of mine wastes has not yet been solved;

AND WHEREAS Dr. Gordon Edwards, chairman of the Canadian Coalition on Nuclear Responsibility, is an acknowledged Canadian expert on disposal of uranium tailings, occupational, environmental health and is familiar with experience gathered in the field of uranium exploration and mining in Canada and other parts of the world;

NOW THEREFORE, I move that Dr. Gordon Edwards be invited to appear as a witness at the next session of the Legislative Assembly in Yellowknife.

MR. SPEAKER: The motion is in order, Mr. Patterson. To the motion.

MR. PATTERSON: Thank you, Mr. Speaker. I would like to briefly outline...

MS. COURNOYEA: Mr. Speaker, it is my understanding that when we are in formal session smoking is not allowed and I seem to detect some kind of aroma in this Assembly and I am wondering where it is coming from.

MR. SPEAKER: Sergeant-at-Arms, would you check to see that there is no smoking during formal session, please? Proceed, Mr. Patterson.

Background Of Dr. Gordon Edwards

MR. PATTERSON: Speaking of pollution, Mr. Speaker, I would like briefly first to give some kind of an outline, some kind of background on Dr. Gordon Edwards. Dr. Edwards graduated in 1961 with a gold medal in math and physics at the University of Toronto. He later obtained a master's degree in both English literature and mathematics at the University of Chicago and a Ph.D. in math from Queen's University. He has worked for the Science Council of Canada, taught science and mathematics at many universities including the University of Chicago, University of Toronto and University of British Columbia. He is now a professor of mathematics at Vanier College in Montreal and adjutant professor of science and human affairs at Concordia University. Starting in 1970 Dr. Edwards edited an international ecology magazine called Survival which had subscribers in 13 countries. In 1974 he was asked by Pierre Berton to debate nuclear power with Edward Teller, the father of the H bomb. This was shortly after the Indian H bomb explosion and there was a great deal of public interest in the subject of nuclear power.

Following that debate, Dr. Edwards received indications of interest from all parts of Canada on the subject of nuclear energy and in July 1975, he was a founder with others of the Canadian Coalition on Nuclear Responsibility. That organization is an umbrella organization for about 300 groups from across Canada, churches, unions, wildlife groups. I would like to stress, having discussed this with Dr. Edwards, that the Canadian Coalition on Nuclear Responsibility is not necessarily an antinuclear group. The purpose of the coalition is twofold: firstly, to persuade or try to persuade the federal government to have a national inquiry on nuclear power before the nuclear industry develops further and, secondly, to share information and promote public education on the subject of nuclear energy in general.

Dr. Edwards is chairman of the coalition and has appeared extensively throughout Canada at various inquiries and commissions on the subject of mining, nuclear power and I mention a few. In 1977 he appeared for some six weeks at the Saskatchewan Beta inquiry as principal intervener on behalf of a number of groups who were opposed to uranium mining. He appeared extensively at the Porter commission on power in Ontario which dealt fairly extensively with uranium mining, among other things. In 1978 he appeared at the Ontario environmental assessment hearings which were held by the Ontario government following the negotiation of a seven billion dollar uranium supply contract by Dennison mines. He has appeared before the Ontario select committee on hydro affairs to discuss nuclear matters.

Dr. Edwards Aware Of Canadian Issues

Dr. Edwards has a very good grasp of what is going on in Canada, what the issues are, what various bodies have found out and what are the unresolved problems. He knows something about caribou migration and is interested in the particular problems of potential pollution of the watershed in Canada's Arctic and its relation to caribou migration and a process called biological magnification whereby animals can accelerate the distribution of nuclear radiation. Dr. Edwards informed me that he has just, for example, received a 1980 report from the U.S. Geological Survey. This is a group of professional geologists in the United States who have extensively and recently analyzed methods of disposing of wastes from uranium mines and generally, the report, according to Dr. Edwards, shows that there are more questions than there are answers on this serious problem of disposing of uranium wastes permanently. So far methods have been discovered which may be safe for 20 or 30 years but with uranium that is not nearly good enough.

Dr. Edwards who recently was heard on CBC's Sunday morning program debating nuclear issues has a knack for explaining things in simple terms and he has had a lot of experience speaking to the public and with public education. He is very willing to appear before this Assembly should he be invited. I might mention that I have discussed the matter with him and he said that not only would he be willing to appear but he would be willing to take a look at our Science Advisory Board and circulate comments and a paper well in advance to Members of the Assembly for the benefit of interpreters so that when it comes time for him to appear he will be sure of being understood. I will not comment on the Science Advisory Board report except to say that I am happy that it has been prepared on such short notice with all the other busy activities. I am particularly happy because I know Mr. Noah raised questions about uranium mining in Baker Lake this summer and I was absolutely astonished to see that there were no less than 59 companies operating out of Baker Lake actively searching for uranium, while we were in session there this summer.

Problem To Be Dealt With Immediately

Mr. Speaker, this is a problem that we are going to have to deal with now, this problem of permanent disposal of mining wastes. I think it is very important that this Assembly and the people of the Northwest Territories know what we are getting into if uranium mining is to take place in the Northwest Territories and that there be a thorough public debate and discussion on the risks and possible solutions to those problems. Dr. Edwards will facilitate that discussion, I believe, and that is why I suggested that we invite him to appear as a witness. I had in mind that he would appear while we discuss the Science Advisory Board paper which we are obviously not going to have time to deal with this session. Those are the reasons why I am asking for support for this motion, Mr. Speaker. Thank you.

MR. SPEAKER: Thank you, Mr. Patterson. Mr. Noah, you have seconded this motion. Do you wish to speak at this time?

Information On Uranium Disposal

MR. NOAH: Yes, Mr. Speaker. I am not a mad scientist or anything. In fact I cannot even speak the national language clearly but if you can bear with me I have gathered some information from the experts on uranium disposal and I would like to quote some, if you do not mind. Findings on Uranium Tailings and Nuclear Waste Disposal Status Report: Water Pollution in the Serpent River Basin, Ontario Ministry of the Environment, 1976, and I quote: "This disturbing document describes the extensive contamination of the Serpent River system including some 18 lakes as a result of radioactive and non-radioactive contaminants from uranium tailings. Throughout the river system downstream from Elliot Lake the water is contaminated with radium to such an extent that it is unfit for human use and all the fish life has been killed off."

Part of my quotation on the "Effect of 22 from Uranium Mining" is by Robert O. Pohl, volume seven, number eight, Search, August 1976. In this article Dr. Pohl uses figures from a 1973 study done by U.S. Environmental Protection Agency entitled "Environmental Analysis of the Uranium Fuel Cycle". The EPA study calculates the extra lung cancer cases to be expected among the general public within a 2000 mile radius of a uranium tailings pile. Dr. Pohl shows that this works out to about 400 extra deaths from each year of operation of a 1000 megawatt nuclear power plant, although most of these deaths would occur long after the plant has been shut down. The extra deaths would be caused by the breakdown of gas given off by the tailing piles, a very heavy exchange causing carcinogenic gas that stays close to the ground and can travel 1000 miles in four days with a ten mile per hour wind. The latency period -- I do not know what the word is but anyway -- for it to appear following radon exposure, is about 20 years. As long as the uranium ore is undisturbed deep down underground not much radon diffuses to the surface. But when the uranium ore is brought to the surface radon is released into the atmosphere where it can be inhaled.

Disposing Of Radioactive Wastes

Part of my quotation here, compiled by Dr. Gordon Edwards, "Growth of nuclear power in the United States is threatened by the problem of how to safely dispose of radioactive wastes, potentially dangerous to human life. Nuclear power critics, the public, business leaders and government officials concur that a solution to the disposal problem is critical to the continued growth of nuclear energy. Radioactive wastes, being highly toxic, can damage or destroy living cells, causing cancer and possibly death depending upon the quantity and the length of time individuals are exposed to them. Some radioactive waste will remain hazardous for hundreds of thousands of years. Decisions on what to do with them, what to do with this waste will affect the lives of generations to come. To safeguard present and future generations, locations must be found to isolate these wastes and their harmful environmental effects. A program must be developed for present and future waste disposal operations that will not create unwarranted public risk, otherwise nuclear power cannot continue to be a practical source of energy."

Still part of my quotation, "August 8, 1980. Mr. Maurice Foster, MP, House of Commons, Ottawa," written by Dr. Gordon Edwards, and if I may quote from his letter. "Later, in 1979, 17 extra lung cancers per 1000 was given impetus by Dr. Victor Archer, MD, medical director of the United States National Institute for Occupational Safety and Health in Salt Lake City, Utah, and one of the world's outstanding experts in the field of lung cancer, caused by radon gas. Using his own independent data Dr. Archer calculated between 18 and 42 extra lung cancer deaths per 1000 population, assuming 17 hours a day occupancy and a 0.02 w.l. Standard. Whether you accept Dr. Muller's tables or my analysis or

Dr. Archer's independent analysis it is obvious to me that we are flirting with..."

MR. FRASER: Mr. Speaker, are we talking to a point of motion or what are we discussing?

MR. SPEAKER: Yes, he is speaking to the motion with relevant quotes to the problem at hand on uranium problems that exist in areas. It is a technical question and he is giving a technical answer so I presume that he is in order. Go ahead, Mr. Noah.

Possible Public Health Disaster

MR. NOAH: Thank you, Mr. Speaker, this is from the past and is for the sake of our future. It has never been solved so we do not want to make the same mistake and I am just trying to clarify what has been done from the past. "It is obvious to me that we are flirting with the possibility of public health disaster and a major political scandal if the present situation is not corrected." He goes on to say "I would be happy to consider in the countervailing evidence which you may have to show that my apprehensions are unfounded. It would be, indeed a great relief." Part of my quotation here, "At the very least I believe that careful epidemiological...", I do not know if I pronounced it right, "...studies should begin starting now to monitor the subsequent history of lung cancer among the people who will be living in these contaminated homes. In view of the evidence anything less would be totally irresponsible in my opinion. Ideally, however, I would favour correcting the situation now so we do not have to count corpses later." Mr. Speaker, this is the end of my quotation from Dr. Gordon Edwards' letter to Mr. Foster and part of his experience. (Translation) I would also like to speak in Inuktitut, Mr. Speaker, if that is possible.

MR. SPEAKER: Yes.

MR. NOAH: (Translation) It is unfortunate that these experts, that it is almost impossible for me to read it in the English language, but it is in my mind that we have to think seriously about the future.

MR. SPEAKER: I am sorry, Mr. Noah, the translators missed a piece and you will have to back up a piece. You are going a little too fast for the translators. They are having some difficulty. Will you back up just a few sentences?

Mining Uranium Around Baker Lake

MR. NOAH: (Translation) Around Baker Lake the company from West Germany is operating around the Baker Lake area. I have asked them what quantities of uranium they have found in their exploration area. I have asked their manager. He has been giving me very good answers and they had found uranium around Baker Lake, but he could not give me the estimation of the tonnage of the uranium. If there is a mine established it would be very, very expensive and as soon as they have enough funding they might go ahead and mine the uranium around the Baker Lake area. I am afraid that there are hazards down in the United States and in Canada and I am particularly afraid of uranium tailings. The uranium contaminants can be around some 25,000 to 80,000 years and uranium is a very extremely dangerous substance. Once you are affected with the radiation you cannot do anything about it and really the Legislative Assembly has to very seriously think of the danger of the uranium. The people in Baker Lake do not know how dangerous uranium is and that it could affect their lives very seriously. For the lack of knowing the danger of uranium the residents of Baker Lake might think of employment before the possibility of danger, due to the lack of knowledge of uranium. It is pretty close in the Northwest Territories.

MR. SPEAKER: Just a moment, please, Mr. Noah. You are going a little too fast again. Would you back up a little? The translators are having trouble.

MR. NOAH: I must be getting expert in Inuktitut. (Translation) Around Ottawa there are five to seven feet of tailings and in the Keewatin in the spring, when the spring thaw washes into the lake, it would be extremely dangerous with the contaminants. If they start mining around the Baker Lake area, I feel that there is a possible danger in this area. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Noah. Mr. MacQuarrie.

Amendment To Motion 67-80(2)

MR. MacQUARRIE: Yes, Mr. Speaker. I would like to move an amendment to the motion which would simply be a comma after the word "Yellowknife", in the resolution, and an addition which says: "and further, that Dr. David Green, a nuclear physicist with the Atomic Energy of Canada Limited and a man well qualified to offer a moderate alternative view be invited to attend as well." That is: "and further, that Dr. David Green, a nuclear physicist with the Atomic Energy of Canada Limited and a man well qualified to offer a moderate alternative view be invited to attend as well."

MR. SPEAKER: Mr. Clerk, have you got that all copied down right? To the amendment, Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Speaker. This is a very serious subject. I certainly do not take it lightly at all. Mr. Patterson has stated that we ought to have thorough public debate and discussion, and I agree with that. But I know that if Dr. Edwards were in the Assembly making statements about nuclear energy, nuclear waste, I just would not have the ability to know whether what he was saying was absolutely verified in the scientific community or not. I do not think that any one of us here would be. I believe that it is important to have someone as well who would be able to act as a check or balance on any statements that might be made. I have heard this gentleman speak on a previous occasion. He is certainly not a zealot or, you know, somebody who is trying to foist nuclear energy on people, but he seems to be a very thoughtful and knowledgeable man, and I think that his comments and responses to questions might be very valuable in this public discussion as well.

SOME HON. MEMBERS: Question.

MR. SPEAKER: I am sorry, Mr. MacQuarrie. I did not get a seconder on that. Mrs. Sorensen. Thank you. To the amendment, Mr. Patterson.

Information On Dr. David Green

MR. PATTERSON: Mr. Speaker, I would like to know a little bit more about this man.

MR. SPEAKER: Mr. MacQuarrie.

MR. MacQUARRIE: My apologies. I cannot tell you a great deal more. I was not aware until, I guess, yesterday that a request was going to be made to invite the other gentleman. I assure you that he is not -- what could I say? I do not think he is a fascist or a warmonger or anything like that. He is a reputable scientist. He seemed to be a very decent gentleman, and he would simply be able to respond more meaningfully than I could, or any other Member in this Assembly, to statements that might be made. I would not want to see his view promoted particularly either because the gentleman you are inviting would be able to act as a check and balance on him too, but I would just like to hear thoughtful opinions -- an interplay of thoughtful and knowledgeable opinions. It is only then that I would feel that I could make an adequate decision about the matter.

MR. SPEAKER: Mr. MacQuarrie, that is twice.

MR. MacQUARRIE: I am sorry. I thought I was responding to the question.

MR. SPEAKER: You do get carried away. The request was quite simple. He wanted to know something about the man, not your opinions.

MR. MacQUARRIE: I apologize.

MR. SPEAKER: The motion as amended would read -- yes, Mr. Fraser.

MR. FRASER: I would like unanimous consent to go back to Item 2 now that I see the Member is here.

HON. ARNOLD McCALLUM: Nay.

MR. SPEAKER: The motion as amended, then, would read: "Now therefore, I move that Dr. Gordon Edwards be invited to appear as a witness at the next session of the Legislative Assembly in Yellowknife; and further, that Dr. David Green, a nuclear physicist for the Atomic Energy of Canada Limited and a man well qualified to offer a moderate alternative view, be invited to attend as well." To the amendment -- you just asked a question, Mr. Patterson. Do you wish to speak now? Proceed.

Objective Opinions On Risks Of Mining Disposal

MR. PATTERSON: Thank you, Mr. Speaker. I have no hesitation at all in promoting a healthy debate. I believe that Dr. Edwards is an objective person and is not an antinuclear fanatic. I believe however, that he will give us the risks objectively and I believe as an objective man he may well be convinced that particularly the problem of disposing of uranium tailings permanently means that mining should not go ahead until this problem is solved. I am sure that many of the hon. Yellowknife Member's constituents who are connected with the mining industry and who stand to gain substantially from uranium mining in the Northwest Territories would undoubtedly want to see that kind of opinion challenged. I would not be afraid to encourage that at all. I just wonder out loud how much a nuclear physicist might know about mining and exploration because that is the subject of the Science Advisory Board's report. Mr. MacQuarrie assures us that the man is, as he put it, well qualified to offer an alternative view. I hope we are not getting into the debate about nuclear power and nuclear generation of electrical power because that is not the subject of my concern and that is not a current public issue in the Northwest Territories. This man works for Atomic Energy of Canada and if he is going to discuss nuclear power with us I think we will be injecting another issue.

Opinions Must Be Expert

So I will ask Mr. MacQuarrie for some clarification on that. Does the man know about uranium exploration and mining? If so, I would welcome his attendance. If not, then perhaps some research should be done as to who might be an expert in that field, that particular field who could offer an alternative view, because I think it is important to have the most well informed people available as possible. I would like some assurances from Mr. MacQuarrie that Dr. Green is an expert, not only on nuclear power, but knows something about the problems we have to deal with in the areas of exploration and mining. If I get that assurance, I will not hesitate to vote for the amendment, but I have some concerns that this is a man Mr. MacQuarrie heard give a talk, who he was impressed with, but I wonder if we should not have more qualifications before we make a decision.

MR. SPEAKER: Ms. Cournoyea. You will have time to reply in your summation, Mr. MacQuarrie. Ms. Cournoyea.

MS. COURNOYEA: Mr. Speaker, just on principle, I cannot support the amendment because I do not know anything about Dr. Green. The presentation by Mr. Patterson and Mr. William Noah clearly identified the topic of discussion. This is a Legislative Assembly and I think there should be more concern taken when amendments are made to motions to include additions to motions and since Mr. MacQuarrie knew about this yesterday he could have sought out whether this Dr. Green is qualified in the areas of concern that have been identified by Mr. Patterson and Mr. William Noah. I feel I cannot support this amendment because I think it has no relevance to the topic that is being put forward.

MR. SPEAKER: Thank you, Ms. Cournoyea. Is there any further discussion on the amendment? You do not have the right to speak twice to the amendment but inasmuch as there was a question, Mr. MacQuarrie, I will permit you to answer the question.

MR. MACQUARRIE: Thank you, Mr. Speaker. I see Mr. Patterson's point that it should be somebody who is well qualified, and so somewhere along the way I would try to ensure that this is the case. If this man proved not to be -- I cannot give you the undertaking that he is entirely well qualified in the specific areas that you mentioned, but I do know that he is very knowledgeable about the risks associated with radiation hazards, and that he is prepared to discuss that aspect of the whole nuclear issue, because the talk I heard him give did in fact deal with that kind of thing. So I just cannot give you that undertaking, but he would deal with that sort of thing, there is no doubt about that.

SOME HON. MEMBERS: Question.

MR. SPEAKER: The question being called.

MRS. SORENSEN: A recorded vote.

Amendment To Motion 67-80(2), Carried

MR. SPEAKER: A recorded vote being called. To the amendment. All those in favour? Mr. Clerk, a recorded vote. All those in favour?

CLERK OF THE HOUSE (Mr. Remnant): Mr. Patterson, Mr. Appapaq, Mr. McCallum, Mr. Wah-Shee, Mr. Braden, Mr. Butters, Mr. Nerysoo, Mr. McLaughlin, Mrs. Sorensen, Mr. MacQuarrie.

MR. SPEAKER: Against?

CLERK OF THE HOUSE (Mr. Remnant): Mr. Iologanak, Ms. Cournoyea, Mr. Noah.

MR. SPEAKER: Abstentions?

CLERK OF THE HOUSE (Mr. Remnant): Mr. Arlooktoo, Mr. Kilabuk, Mr. Fraser.

MR. SPEAKER: The amendment was carried ten to four and I believe three abstentions.

---Carried

MR. SPEAKER: The motion as amended. Mr. Butters.

HON. TOM BUTTERS: On a point of order, Mr. Speaker, if the motion is approved, which I expect it will be, it implies that on the agenda for the winter session will be the Northwest Territories Science Advisory Board paper "Uranium Exploration in the Northwest Territories". If that is the case, then I think that we should attempt to provide a day certain during that session so that witnesses can be informed when it is that they would be expected to appear. I would imagine also that it is possible that some members of the Northwest Territories Science Advisory Board would wish to be present also since the paper was produced by that body.

MR. SPEAKER: That is another point and a point well taken, Mr. Butters, but really it is relevant to the motion but it is not part of it.

SOME HON. MEMBERS: Question.

MR. SPEAKER: The motion as amended. All those in favour?

MR. FRASER: Mr. Speaker, was the motion amended?

MR. SPEAKER: Yes, my records show that there were ten for the amendment, three against and three abstentions. The motion as amended. All those in favour? Mr. Patterson.

MR. PATTERSON: Mr. Speaker, I believe I have the last word and I would like very briefly to speak. I do want to report to the House on an interesting report that was just made to the Hon. Hazel Newhook, Minister of Consumer Affairs and Environment in the Newfoundland government. The report was made April 10, 1980, by an environmental assessment board which was commissioned by the honourable minister to look into a proposed Kitts-Michelin uranium development product by Brinex Newfoundland exploration and the provincial environmental assessment board sat in Labrador and heard from interveners on all aspects of the proposed uranium development, including Dr. Gordon Edwards. Incidentally, I would very briefly like to read the board's conclusions just to show how important this subject is for us in the Northwest Territories. I am quoting from the reports.

MR. FRASER: A point of order, Mr. Speaker, the motion is that they want to invite Dr. Edwards. That is the motion. I believe the motion is to invite him to this Assembly in the next session. Maybe we can read this in when we get him in front of us, if he does come.

MR. SPEAKER: Basically your point of order I think is well taken. On the introduction of your motion, Mr. Patterson, by way of showing who this person was, but in continuation -- really your motion is to invite these two people here and I feel that you have done really an adequate job on explaining who they are and why they are coming.

MR. PATTERSON: Thank you, Mr. Speaker. I get the message. Perhaps I can table the report of the environmental assessment board which did find that there was no solution.

MR. FRASER: A point of order.

MR. SPEAKER: Yes, Mr. Fraser, your point of order. Tabled documents I think are listed under Item 5. I am fully aware of that, Mr. Fraser. I just have to remind Mr. Patterson that he would have to have unanimous consent to go back to Item 5 and he will have an opportunity to do that later.

MR. PATTERSON: I trust that the chorus indicates that my motion will proceed and I trust that Mr. Fraser is only objecting to my verbosity and on that I will conclude.

Motion 67-80(2), Carried.

MR. SPEAKER: Motion 67-80(2) as amended, all those in favour? The motion is carried. Is there any opposition? There was one abstention.

---Carried

The motion is carried as amended. The hour being 11:30, the House will recess until 1:00 p.m. for lunch.

HON. TOM BUTTERS: Mr. Speaker, unless I am colder than others in this room it seems to me that it is very uncomfortable. It seems to be a few degrees less than we have been experiencing over the past two weeks. Is there any way in which the heat might be increased?

MR. SPEAKER: We will see what we can do. Probably the heat of debate will warm things up this afternoon.

MR. PATTERSON: Mr. Speaker, we have been trying to encourage the Minister of Education to make more money available for operation and maintenance of schools and now he knows why.

MR. SPEAKER: The House stands recessed until 1:00 p.m.

---LUNCHEON ADJOURNMENT

MR. SPEAKER: The Chair recognizes a quorum and calls this House back to order. We were still on motions, when we recessed at 11:30. Motion 69-80(2), Hon. Mr. Butters.

HON. TOM BUTTERS: Mr. Speaker, may I have unanimous consent to move Motion 69-80(2)?

MR. SPEAKER: Any opposition? Proceed, Mr. Butters.

---Agreed

Motion 69-80(2): Appreciation To CBC And Inukshuk Television Project

HON. TOM BUTTERS: Mr. Speaker:

WHEREAS the coverage of the Frobisher Bay session of the Legislative Assembly was the most complete ever given this Assembly by the Canadian Broadcasting Corporation;

AND WHEREAS CBC management responded quickly and positively to requests for continuous coverage of the unity committee debate;

NOW THEREFORE, I move that the Speaker convey the appreciation and gratitude of this House for the complete and extensive coverage given to the unity committee debate by (a) the Canadian Broadcasting Corporation; and (b) the Inukshuk television project and especially to the professional and technical staff who made the transmissions possible.

---Applause

MR. SPEAKER: Your motion is in order. Proceed. Do you have any further comments?

HON. TOM BUTTERS: No.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Sorry, do you have a seconder there?

HON. TOM BUTTERS: Yes, Mr. Tologanak.

Motion 69-80(2), Carried

MR. SPEAKER: All those in favour? Opposed, if any? Carried.

---Carried

The next motion I have a copy of is Motion 72-80(2) by Mr. McLaughlin. I will wait just one moment for Mr. McLaughlin. Mr. McLaughlin, I notice you have Motion 72-80(2). You are looking for unanimous consent to deal with it at this time.

MR. McLAUGHLIN: Mr. Speaker, I would like to ask for unanimous consent for my Motion 72-80(2), Standing Committees to Hold Meetings Open to the Public.

---Agreed

MR. SPEAKER: Proceed, Mr. McLaughlin.

Motion 72-80(2): Standing Committees To Hold Meetings Open To The Public

MR. McLAUGHLIN: Thank you, Mr. Speaker.

WHEREAS the standing committees of this Assembly have become very active and are influencing the programs operated and proposed by the administration;

AND WHEREAS these standing committees could better serve the people of the Northwest Territories if there was public knowledge of the activities of these committees and the opportunity for dialogue with these committees;

AND WHEREAS my honourable colleagues in this House are in support of open public government;

NOW THEREFORE, I move, seconded by the Member for Mackenzie Great Bear, that this Assembly request the Members' Services Board to report back to this House during the next session on the matter of holding the meetings of the standing committees of this Assembly open to the public.

MR. SPEAKER: Thank you.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Mr. McLaughlin, do you wish to speak to it?

MR. McLAUGHLIN: No. Question.

Motion 72-80(2), Carried

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

---Carried

Then we have Mr. Kilabuk's motion, Motion 62-80(2), Mr. Kilabuk.

Motion 62-80(2): Hudson's Bay Officials To Appear At February Session

MR. KILABUK: (Translation) Mr. Speaker, this is in regard to Hudson's Bay officials appearing at the February session in Yellowknife, to come to the Northwest Territories:

WHEREAS the Hudson's Bay Company was the first company to come to the Northwest Territories and helped many of the people living here;

AND WHEREAS the Hudson's Bay Company has never consulted the people of the North on the items it buys and sells;

AND WHEREAS the Hudson's Bay Company also acts as the fur traders of the North;

NOW THEREFORE, I move that officials of the Hudson's Bay Company be invited to appear before the Legislative Assembly during the February, 1981, session to discuss matters concerning the operations of the company in the Northwest Territories.

MR. SPEAKER: Your motion is in order, Mr. Kilabuk.

MR. KILABUK: (Translation) Mr. Speaker, I would like to say the reason I moved this motion is that the Hudson's Bay Company has operated in the North for a long time and they have posts constructed in every community in the Northwest Territories. To have officials of the Hudson's Bay Company come to the Legislative Assembly, to appear before the Legislative Assembly, would be good concerning certain matters. They have been in the North in my area for about 60 or 70 years. They were the first ones to deal with the Inuit people before the government officials came. If they accept the invitation we will have to show our appreciation but there have got to be some guidelines. They are the only

ones who can answer. Also as fur traders of the North, we never had the chance to learn about this and possibly about their prices which are sometimes changed. When Nunavut is started we want The Bay to know what is happening and work together. We will have to confront these people because they live in the Northwest Territories too. That is all I wanted to say, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Kilabuk. Mr. Patterson, as seconder, do you wish to use your prerogative?

MR. PATTERSON: Very briefly, Mr. Speaker. We found from the Consumers' Association of Frobisher Bay that local produce in the Hudson's Bay store in Frobisher Bay costs 70 per cent more than the same food items purchased in Montreal. This speaks for itself. Another thing we found from the Consumers' Association of Frobisher Bay is that they have had difficulty getting answers to questions due to the remoteness of the head office of the Hudson's Bay Company and this motion will undoubtedly be replied to by officials, senior officials from The Bay who might be able to answer some questions that local consumer groups have not been able to get from local managers. The areas I am particularly interested in would be the relationship between southern and northern stores and questions involving, to explain the significant costs associated with northern stores. So I support the motion. Thank you, Mr. Speaker.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. Mr. Fraser.

MR. FRASER: Mr. Speaker, just as a brief comment on the motion. The Member might be aware that just because -- I will vote for the motion, but the Member may not be aware that if this motion is passed in this House unanimously it does not necessarily mean the Hudson's Bay Company is going to come and appear before us. They can say "To hell with you guys", you know. I wonder if the Member is aware of that because sometimes if it is to their advantage they will come and if it is not to their advantage they might say "No way!"

Motion 62-80(2), Carried

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

---Carried

I understand now we have Mr. McLaughlin. You only had the one motion and that has been dealt with. You are clear. Mr. MacQuarrie, you have two motions. I do not have them typed out. Is the House prepared to accept dealing with two motions that have not been typed out? They are relative to the appointments to the boards. Agreed?

---Agreed

Proceed, Mr. MacQuarrie.

Motion 73-80(2): Appointments To Special Committee on Impact

MR. MACQUARRIE: Thank you, Mr. Speaker.

I move, seconded by Mr. Butters that the special committee which will oversee a study of the impact of division on the Northwest Territories be comprised of Joe Arlooktoo, Nellie Cournoyea, Tagak Curley, Pete Fraser, Ipeelee Kilabuk, Bruce McLaughlin, Arnold McCallum, Dennis Patterson, Lynda Sorensen and Don Stewart.

MR. SPEAKER: Mr. MacQuarrie, your motion is out of order in that the rules state that any committee shall be comprised of only five persons. Your way around that is to ask for unanimous consent, in this instance of this committee, that it extend the number of names that you have.

MR. MacQUARRIE: May I have such unanimous consent?

MR. SPEAKER: Do we have unanimous consent to waive the numbers rules regarding the number of people on the committee? Any opposition?

MRS. SORENSEN: I just have one question. What is this going to cost us? Have we investigated the cost of such a large committee? It is my understanding that the reason that we have small committees is to keep the cost down.

MR. SPEAKER: I do not know. Mr. MacQuarrie might be able to answer you, but I do not think any relative costs have been computed yet.

MR. MacQUARRIE: The striking committee, in discussing the matter, felt that this seems to be one that is of great concern to many people. We thought that those who expressed an interest ought to have the opportunity to serve on it. With respect to costs, we were concerned about that, except that we felt that this committee would likely meet only once at the beginning to determine what areas of impact were going to be looked at, and who was going to look at it -- that is what body of public servants or what consultant -- and thereafter the work would be carried on by these other people. Then the committee would meet again when the study was ready, and discuss it and the means of disseminating the information. So we did not think that it would be a great cost in view of that, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. MacQuarrie. Is there any opposition to the waiving of the rule on the size of committees? Go ahead and proceed, Mr. MacQuarrie.

MR. MacQUARRIE: In which case I so move what I earlier said, unless you would like me to read it again, Mr. Speaker.

MR. SPEAKER: No, that is fine. I think we have it.

SOME HON. MEMBERS: Question.

Motion 73-80(2), Carried

MR. SPEAKER: The question being called. All those in favour? Opposed if any? The motion is carried.

---Carried

Motion 74-80(2). Now, again, I do not have a copy. Was Mr. Butters your seconder?

MR. MacQUARRIE: Yes.

MR. SPEAKER: Proceed, Mr. MacQuarrie.

Motion 74-80(2): Delegation To Go To Ottawa

MR. MacQUARRIE: Mr. Speaker:

I move, seconded by the hon. Mr. Patterson, that the delegation to Ottawa to inform the federal government of this Assembly's intention with respect to political and constitutional development will be comprised of George Braden, Tagak Curley and Nick Sibbeston.

Motion 74-80(2), Carried

MR. SPEAKER: That motion is in order. Proceed. The question being called. All those in favour? Opposed if any? The motion is carried.

---Carried

You have one more motion, Mr. MacQuarrie -- Mr. Butters.

HON. TOM BUTTERS: Mr. Speaker, may I have unanimous consent to put the motion that I gave notice of earlier today regarding committees?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Do I hear any nays on that? Proceed then, Mr. Butters.

Motion 75-80(2): Appointments To Constitutional Development Committee

HON. TOM BUTTERS: Mr. Speaker:

I move, seconded by Mr. MacQuarrie, that the constitutional development committee be comprised of Peter Fraser, Bob MacQuarrie, Nick Sibbeston, Don Stewart and James Wah-Shee.

MR. FRASER: Question.

MR. SPEAKER: The question being called. Mr. MacQuarrie.

MR. MacQUARRIE: I think maybe Mr. Patterson should have seconded that rather than myself, Mr. Speaker.

HON. TOM BUTTERS: Yes, that is right.

Motion 75-80(2), Carried

MR. SPEAKER: Mr. Patterson. All those in favour? Opposed if any? The motion is carried.

---Carried

Mr. Butters, you have had your two then. That concludes your motions for the day.

HON. TOM BUTTERS: Yes.

MR. SPEAKER: Are there any other motions that we have not dealt with? Mr. Patterson.

MR. PATTERSON: Mr. Speaker, if I may, I just received a petition and I would be grateful if the House would give me unanimous consent to return to that item on the order paper so I can table it.

MR. SPEAKER: You wish to go back to tabled documents or petitions?

MR. PATTERSON: Petitions.

MR. SPEAKER: Unanimous consent being requested to go back to the item on petitions.

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Agreed.

---Agreed

Item 4, petitions. Proceed Mr. Patterson.

ITEM NO. 4: PETITIONS

MR. PATTERSON: Thank you, Mr. Speaker. I have a Petition 13-80(2), from residents of Apex Hill concerning Nanook School which I would like to now present. Thank you.

MR. SPEAKER: Item 9, introduction of bills for first reading. I presume that we do not have any of those at this late date.

Item 10, second reading of bills, has been concluded.

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

We will resolve into committee of the whole to study Tabled Document 6-80(2), Principles for Development of an Energy Policy; Sessional Paper 5-80(2), Political Rights for Territorial Public Servants; and Sessional Paper 6-80(2), Options for a Position on the Proposed Resolution for a Joint Address to Her Majesty the Queen Respecting the Constitution of Canada, with Mr. Fraser in the chair.

---Legislative Assembly resolved into committee of the whole for consideration of Tabled Document 6-80(2): Principles for Development of an Energy Policy; Sessional Paper 5-80(2): Political Rights for Territorial Public Servants; Sessional Paper 6-80(2): Options for a Position on the Proposed Resolution for a Joint Address to Her Majesty the Queen Respecting the Constitution of Canada, with Mr. Fraser in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER TABLED DOCUMENT 6-80(2): PRINCIPLES FOR DEVELOPMENT OF AN ENERGY POLICY; SESSIONAL PAPER 5-80(2): POLITICAL RIGHTS FOR TERRITORIAL PUBLIC SERVANTS; SESSIONAL PAPER 6-80(2): OPTIONS FOR A POSITION ON THE PROPOSED RESOLUTION FOR A JOINT ADDRESS TO HER MAJESTY THE QUEEN RESPECTING THE CONSTITUTION OF CANADA

Tabled Document 6-80(2), Principles For Development Of An Energy Policy

THE CHAIRMAN (Mr. Fraser): The committee will come to order to consider Tabled Document 6-80(2), tabled June 14th, 1980, presented by the Hon. George Braden. I wonder if Mr. Braden could tell us whether this document has been translated.

HON. GEORGE BRADEN: Mr. Chairman, as I am no longer responsible for energy, my colleague Mr. Nerysoo is going to be leading the government in this discussion so I would ask him to answer.

THE CHAIRMAN (Mr. Fraser): Mr. Nerysoo, do you know if this Tabled Document 6-80(2) has been translated for the benefit of the Inuit Members?

HON. RICHARD NERYSOO: Yes, it was translated in March and was tabled at that time by Mr. Braden.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Nerysoo. I understand that you are going to be answering or making the comments to this paper in place of Mr. Braden.

HON. RICHARD NERYSOO: Yes.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Nerysoo. Proceed with your opening remarks.

HON. RICHARD NERYSOO: Mr. Chairman, as you know energy has become quite a discussion item over the past few years and certainly the Northwest Territories I think have not been playing any kind of major role or had any kind of major direction in playing that role. I would think that at this time it would be proper, seeing that energy is such an important item of discussion throughout Canada and also a very important item to be discussed in the future of the Northwest Territories.

It is our intent to bring forward the principles so that we can begin development of a policy for the Northwest Territories. Presently we do not have a policy and certainly anything in this direction that we would be giving the government would be one whereby we could develop a policy in the area of energy. That is basically, I guess, my comment. I would prefer to respond through questions as to the principles as we carry on discussing them.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Mr. Nerysoo. The floor is open for general comments or questions to the Minister. There being no questions, Tabled Document 6-80(2) -- Mr. MacQuarrie.

Self-Sufficiency For The North

MR. MacQUARRIE: Thank you, Mr. Chairman. The first principle that is asserted is: "The long term aim of this government is to achieve energy self-sufficiency for the North." That is a commendable aim in the sense of what it is ideally trying to achieve, but I personally wonder as to whether it is a realistic aim, not so much from the point of view obviously of the presence of energy resources in the North, but self-sufficiency ultimately does not depend just on the presence of these resources, but on an infrastructure for delivery. I am not sure that that is possible within the reasonable short term, or reasonable long term, and I would just like to hear the government's comments with respect to that.

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

HON. RICHARD NERYSOO: Well, I guess one could say that it was not attainable but I suggest that if you are talking on infrastructure it is pretty difficult to say right now that the infrastructure will not be in place, when we have not really had direction or at least a policy by which we could set up that infrastructure. I think that the actual energy self-sufficiency will be one that we have to look at and be prepared to provide alternatives if the requirement need be. I think we have to look in the long term to say that not only this government, but any future government or governments, can in fact have some kind of direction to attain the kind of self-sufficiency that we could attain, and especially with the kind of options that we do have the opportunity that we have to develop those options. Presently we are not into utilizing the kinds of options we do have and we really have not been directed to do so or come up with some kind of a policy or program which we could present to this House.

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

Supplies Guaranteed

MR. MacQUARRIE: You know, by starting off with this principle it obviously is the keystone in the whole structure, and it will shape everything else that this government does. I really am deeply concerned that that should not be the keystone of our whole policy because I am not sure that energy self-sufficiency for the North has to be of such great concern when the government of this country is attempting to attain energy self-sufficiency, and has indicated in two different ways, one by word of the Minister very recently that supplies would be guaranteed for northern Canada, and also I

believe there is legislation dealing with the emergency allocation of these resources that would seem to ensure that the North, at least as much as any other part of Canada, is going to have the energy that it needs for making the northern world go round. I just wonder whether maybe a better strategy is to get as much of the financial benefit as possible from the development of northern resources in order to be able to ensure that we will be able to buy, in return, finished products and this kind of thing.

I am thinking still about the problem of infrastructure. It is not just a matter of knowing that there is natural gas in the High Arctic islands, but you do not have real energy self-sufficiency until that natural gas can be delivered to homes in the North, and that is not such a simple prospect. I do not know. I would like to hear other comments about the federal government's attempts at self-sufficiency and their undertakings to the Northwest Territories and so on.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Further comments. Tabled Document 6-80(2), paper for discussion. Do I have the consent of the committee that we approve Tabled Document 6-80(2) as presented? Agreed?

MR. MacQUARRIE: I am not sure what that means, Mr. Chairman.

THE CHAIRMAN (Mr. Fraser): There are no further comments.

MR. MacQUARRIE: I did not know he was going to -- I thought he was going to answer something.

THE CHAIRMAN (Mr. Fraser): I did not know there was a question there. Hon. Mr. Nerysoo.

Finished Products

HON. RICHARD NERYSOO: I think the point that we have resources in the Northwest Territories is valid. It is quite clear. However, to have enough money to buy finished products from Alberta or from any of the southern provinces, why should we really have to when there is a possibility that the Northwest Territories in future could be the people in fact providing those finished products?

---Applause

You know, we are in the situation right now where we are shipping our resources or will be asked to ship our resources south and yet when we ask to begin coming up with the finished products and providing for our own people in the Northwest Territories the products that we have here and the products we require, I think it is important that we be prepared to do that. You know, we can all say that we do not have the expertise and we do not have the necessary infrastructure and that is true at the moment, but certainly that does not have to be true in the future.

It is very important that we try to figure out right now the options that we do have and for me to say that we should not attain energy self-sufficiency in the North is wrong. I think that we can and I think that the options are available to us. The one thing that is pretty clear right now is that the Northwest Territories is not necessarily a priority for the federal government in providing oil or gas when it becomes a matter that energy is in short supply up here. It has not been indicated to me and it has not been indicated to the previous minister, nor has it been indicated to government officials. You know, we have that option and I think we should be prepared to at least address that option.

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

MR. MacQUARRIE: I will defer if someone else wishes to speak.

Self-Sufficiency On A Community-By-Community Basis

MRS. SORENSEN: I just have a very short comment and that is to say I very much support the fact that this government is hoping to achieve energy self-sufficiency for the North. I would see self-sufficiency particularly on a community-by-community basis wherever possible and as a responsible way for the North to govern its people, I think we have begun to work on precisely that along with the motion that came forth during this session on attempting to obtain money to provide the infrastructure for communities where there is natural gas close by. The federal government now has come up with a program whereby people who are turning from fuel to gas will be able to obtain subsidies. Things are falling into place in that area. I think it would be a commendable ambition of our government and of our people to attempt, at least, to achieve self-sufficiency and I am wholeheartedly in support of item number one.

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

MR. MACQUARRIE: Thank you, Mr. Chairman. Certainly when Mr. Nerysoo said that we should be suppliers of energy to elsewhere, and my honourable colleague applauded, I could easily have applauded too, but that is not entirely my point. I expect that we will be suppliers to elsewhere, but having heard that answer and then the applause, I guess I have to ask more clearly what is meant, what does the government mean when it says that that is the long-term aim, energy self-sufficiency? Maybe I just misunderstand what is meant by that. Can I have a clear statement, please?

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

Using Conventional Sources Of Energy

HON. GEORGE BRADEN: I will respond briefly to the hon. Member's question. I think we have to recognize that the Northwest Territories is comprised of about 55 little towns and about 50,000 people. Given that there are proven oil and gas resources in the Northwest Territories, which at present rates of consumption would supply us all with energy for something like 10,000 years, I really do not think that what we are proposing here is such a difficult concept to come to terms with. We are looking at the potential of using conventional sources of energy such as natural gas that is close to communities as well as the hydro power in some of the major river systems. This would utilize new technology such as low-head generators which could produce sufficient quantities of energy to, if not to totally eliminate the need for use of oil, at least supplement the energy requirements of the community.

Similarly, we are getting into other developments, such as using wind, which I believe collectively points to the fact that achieving energy self-sufficiency for the Northwest Territories is not all that difficult a goal. Considering the fact that there are only 50,000 people up here and if we harvest our resources wisely I think that goal can be achieved with not too much difficulty even though we recognize that some of the energy has to go to the South. Perhaps my colleague Mr. Nerysoo would like to supplement my remarks.

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

Energy Is Not Restricted

HON. RICHARD NERYSOO: Mr. Chairman, just that comment that energy itself is not necessarily restricted to those areas of non-renewable resources. It is also I think one that can be produced in the area of renewable resources and I think that we should not see energy self-sufficiency in just one area.

As you know we have certainly had problems providing fuel to our own communities and we have to be prepared to protect the communities that are in the High Arctic or in the Eastern Arctic since we may not, in fact, be sure that the federal government will protect the interests of those people when there is a shortage of fuel to eastern Canada, especially in light of the fact that most of the fuel is bought from eastern Canada or from central Canada to provide a source of energy or of heating fuel for people in those communities.

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

MR. NOAH: (Translation) Thank you, Mr. Chairman. I have a comment, quite short, concerning this discussion. We have been discussing these issues for many years now, especially in this area. We usually receive oil and gas from outside of here. We are also considering the fact that we are shippers of natural gas and there are problems before we can even get to the southern ports. There may be accidents and gas is just lost, especially in this age when oil and gas is very expensive.

There has been a discussion on hydro and my main concern is that if we use the river systems, even though it is quite useful, the river systems in our land freeze over. I do not know if it is going to work out especially in the winter conditions that we have. There will be problems concerning this. It may cause a problem for wildlife that live in the water and in many of the large rivers where there may be a good chance of producing hydro. It may affect a lot of the wildlife in that area.

Wind Best Energy Source For North

Another energy source would be the wind power. I think the wind power in our country would be the best solution, because in the cold winter we get a lot of wind and it does not really matter whether the weather is cold or not. I think the wind power would be the best alternative.

With natural gas we would have to find it and in order for it to be refined it would have to be shipped down south and we know there can be problems with ships. I think we have to think carefully which energy source would be best for the North because we not only have to consider everything else but the cost factor. It is very expensive for many people when the refined product is finally for sale. So I just thought I would make these comments. Thank you.

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

MS. COURNOYEA: I have no difficulty with the paper because it seems to me that most of the statements are very clear and more motherhood than anything else but just below section two you have, "Recognizing that important questions concerning land and resource ownership remain to be resolved through aboriginal rights negotiations and future constitutional development, energy self-sufficiency can only be achieved through control of northern resources by northern residents through their institutions of government."

I wonder if you could clarify this, that if this becomes a policy question, that when and where organizations are negotiating a claim, you would only support a position that control of resources has to be done through the institutions of government. If it does not mean that, it should say it does not.

THE CHAIRMAN (Mr. Fraser): Thank you, Ms. Cournoyea. Was there a specific question in that comment, Ms. Cournoyea? Mr. Nerysoo.

HON. RICHARD NERYSOO: Mr. Chairman.

Control Of Northern Resources By Northern Residents

MS. COURNOYEA: I will repeat the question, what the paper seems to state is that the policy of this government is that the resources or energy self-sufficiency can only be achieved through control of northern resources by northern residents through their institutions of government. It may well be in negotiations and that through negotiations, various groups have some control and achieve some rights over certain resources. This seems to imply that this government says that the control and the self-sufficiency can only come through the institutions of government. I just wanted a clarification on that point.

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

HON. GEORGE BRADEN: Thank you, Mr. Chairman. There was no intention following the second principle to deny that through aboriginal rights negotiations, subsurface title or ownership of oil, gas and energy producing minerals would not go to private native corporations. What is primarily suggested in the follow-up to the second principle is that institutions of government, however they may evolve in the Northwest Territories, are seen as the primary agent for achieving the goal of energy self-sufficiency. This can be achieved through control; that is, a provincial-type jurisdiction over energy resources located on crown lands. However, as I indicated earlier, there is obviously the subsurface title that native people would have lands which they ultimately will own through aboriginal rights settlements. I would see that hopefully in the future the development of these resources on native lands would contribute in part to the overall goal of achieving energy self-sufficiency. Does that explain for the hon. Member the intent of this particular paragraph?

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

MS. COURNOYEA: Yes, it does. I just wanted to be clear that the ownership through aboriginal rights as well can contribute to energy self-sufficiency. I do not see the impression to be left here that people who negotiate ownership, surface or subsurface, would want to work contrary to building this territory.

THE CHAIRMAN (Mr. Fraser): Thank you, Ms. Cournoyea. Any further comments? Mr. MacQuarrie.

Level Of Government Control To Carry Out Policy

MR. MACQUARRIE: I have a question again, Mr. Chairman, if I may. With respect to points one and two in thinking about energy self-sufficiency, Mr. Nerysoo, does that extend eventually to ensuring within the Northwest Territories itself, without having to resort to transportation systems that go to the South or the factories or industrial complexes in the South but right within the North, that we will be able to deal, from production through to finished product, with energy in the North. So that part of the policy would be that, in the foreseeable future -- and I hope that is what we are dealing with -- this government would undertake to see that all the diesel fuel used for generators, all the heating oil used in stoves, all of the gasoline used in cars and so on is developed right in the North? That we produce crude in the North and that we deliver finished products right in the North? Is that what is meant by self-sufficiency? If it is, could I ask what level of control is seen to be necessary in order for the government to carry out its policy effectively?

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

HON. RICHARD NERYSOO: Well, just to say this, that I myself would say that that option would be there for us. The other option would be that we would be at least able to trade off, if necessary, where possible so that we can ensure that all people of the Northwest Territories had sufficient supplies of energy and that it was offered to people at a reasonable kind of a price. Presently we are not in that situation, even though we are surrounded by many options that we could use. If we had the opportunity to at least make use of the kinds of things available, the kinds of resources available to us, I think that we could certainly become very independent and very self-sufficient in the area of energy.

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

MR. MacQUARRIE: The second part of my question, Mr. Chairman, was then to what degree -- whatever you see as energy self-sufficiency, what degree of control do we need over energy resources? Does it mean that this government insists upon resource ownership?

THE CHAIRMAN (Mr. Fraser): Hon. Mr. Nerysoo.

HON. RICHARD NERYSOO: There is not necessarily outright ownership, but ownership so that we can develop at least the resources that we have here for not only offering to people in southern Canada, but ensuring that people in the Northwest Territories were offered the kind of energy requirements that they at present really require. Certainly outright ownership as well; you are quite aware that the question is being debated throughout Canada. I do not think that we would like to put ourselves in the situation where we would have a confrontation with the federal government or, in fact, confrontation with other provincial governments. Certainly we would like the option to at least be able to sit down and talk to them about what the alternatives are.

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

Motion To Accept Tabled Document 6-80(2), Carried

MR. TOLOGANAK: Mr. Chairman, I have no problem with this paper and I think the necessary questions have been raised as to the aims and objectives of this report, so I would like to make a motion that Tabled Document 6-80(2), Principles for Development of an Energy Policy, as presented by the Minister for energy, be accepted.

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

---Carried

MR. MacQUARRIE: I object. Are these discussion papers or what?

THE CHAIRMAN (Mr. Fraser): Sessional Paper 6-80(2). This is a sessional paper. It is not a discussion paper.

MR. MacQUARRIE: That is not very good, Mr. Chairman.

Sessional Paper 6-80(2), Options For A Position On The Proposed Resolution For A Joint Address To Her Majesty The Queen Respecting The Constitution Of Canada

THE CHAIRMAN (Mr. Fraser): Sessional Paper 6-80(2), Options for a Position on the Proposed Resolution for a Joint Address to Her Majesty the Queen Respecting the Constitution of Canada. Mr. Braden.

HON. GEORGE BRADEN: Thank you, Mr. Chairman. This paper was prepared last week in response to a motion from Mrs. Sorensen. It provides a brief examination of the resolution that the Government of Canada has prepared and is considering right now. It also proposes some options which the Government of the Northwest Territories could take in responding to the federal government's proposed resolution respecting the constitution.

MR. MacQUARRIE: On a point of order, Mr. Chairman, I believe that a motion which I made, and which was referred to committee of the whole, and which deals with this matter, would take precedence in that it was referred to committee of the whole before this paper was. Could I ask you to rule on that, please?

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. I have got a ruling on it that the government introduced or wanted to introduce this sessional paper and get rid of their business prior to your motion.

MR. MacQUARRIE: Is that automatic, that what the government wants the government gets?

MRS. SORENSEN: Today, yes.

THE CHAIRMAN (Mr. Fraser): Today, yes.

MR. MacQUARRIE: Would you indicate where you find that ruling, Mr. Chairman, please?

THE CHAIRMAN (Mr. Fraser): Ms. Cournoyea.

MS. COURNOYEA: Some of us have not got that paper. Has it been distributed yet?

THE CHAIRMAN (Mr. Fraser): Mr. MacQuarrie, I am told the Speaker is the one who designated the business of the House and this is all he gave me to work with, this Sessional Paper 6-80(2) and Sessional Paper 5-80(2). That is my job. To sit here and do what he told me to do. So that is all I can do. You can talk to him after 5:00 o'clock. Sessional Paper 6-80(2), agreed?

---Agreed

It is a pretty lengthy paper. Could we turn to page eight? Recommendations, page eight (i). Agreed? I never went to school on Saturday. I cannot read. We will let the Clerk read it.

MR. MacQUARRIE: On a point of order, Mr. Chairman. I am entitled to make general comments first.

MRS. SORENSEN: Have you read the paper?

THE CHAIRMAN (Mr. Fraser): Mr. Braden, opening remarks, please.

HON. GEORGE BRADEN: Thank you, I will try to keep them brief.

THE CHAIRMAN (Mr. Fraser): You had better.

Bringing The Constitution Back To Canada

HON. GEORGE BRADEN: As Members are aware, the Government of Canada and the provincial governments have been in a dispute for a number of years over patriation or bringing the constitution of Canada back from Great Britain. They have not reached any agreement on just how to do it or what kind of conditions should be put in place for patriation or even the kind of things that they want to see in a constitution for Canada. So, because the provinces

and the federal government have not been able to agree on what to do the federal government decided to just do it themselves without the consent or agreement of the provincial governments.

Now it is proposed that the parliament of Canada, the House of Commons and the Senate pass a joint resolution which would be in the form of a message to Queen Elizabeth requesting that she introduce to the parliament of the United Kingdom a bill which contains various provisions set out in this resolution. The resolution has been debated in the House of Commons just recently and has now been referred to a special joint committee of the Senate and House of Commons for discussion and reporting back to parliament by December 9th, 1980. So there will be various people and organizations appearing before this joint committee and responding to how they feel about the way the Government of Canada wants to patriate the constitution and the kinds of things that are going to be in it.

Canada Act And Constitution Act, 1980

If I can give you a little background on this proposed resolution, it is going to be asking that the parliament of the United Kingdom enact two statutes. One would be called the Canada act and one would be called the constitution act, 1980. I understand that the Canada act is very short and technical in nature. It uses a special mechanism to enact a French version of the act and grants it the same authority in Canada as the English version. The Canada act provides for the enactment by the British House of parliament of another act which is the constitution act. This contains the constitutional provisions and removes Canada from the legislative jurisdiction of the imperial British parliament. It is going to state that no act that the parliament of Britain passed after the constitution act 1980 shall extend to Canada as part of its law.

The constitution act 1980 will contain the principal parts or provisions of the new constitution of Canada. There are six distinct parts. The first is with a charter of rights and freedoms and as the heading suggests it deals with fundamental rights of Canadian citizens. Just to indicate what this is, it guarantees the right of every citizen of Canada to speak without unreasonable limitation and the right to vote in an election of Members for the House of Commons or a legislative assembly.

Charter Of Rights And Freedoms

The charter of rights and freedoms also guarantees something called mobility rights. These can generally be defined as including the right to move throughout Canada to pursue a livelihood and to live in any province. The charter also specifically prevents discrimination among persons of other races and creeds. The charter also sets out that English and French are to be the official languages of Canada. In another area it provides a guarantee that certain rights and freedoms shall not be construed as denying the existence of any other rights or freedoms that exist in Canada. I think this is important for native people because it would appear that at least as far as existing rights or existing perceptions of native rights are concerned the charter of rights and freedoms does not actually come out and deny that they exist. It does not indicate that they do but it does not deny them. So that is one important part.

The second part of the constitution act deals with equalization and regional disparities. This simply reinforces a declaration that the parliament of Canada and provincial governments are committed to promoting equal opportunity and well-being for Canadians and to furthering economic development to reduce disparities between one region of Canada and another and to providing essential public services of a reasonable and standard quality to all Canadians. Part three deals with constitutional conferences and indicates that a constitutional conference should be held at least once a year between the

Prime Minister of Canada and provincial premiers. Part four deals with an interim amendment or an amending procedure and rules for the replacement of the constitution.

Now, there are several complicated provisions on the procedure to be adopted to amend the constitution prior to the coming into force of part five which actually deals with amendment. It is proposed that during the interim period amendment to the constitution may be made by proclamation of the Governor General of Canada. Part five deals with the procedure for actually amending the constitution of Canada once it is back in the country. It requires that resolutions of parliament and at least the majority of the legislative assemblies that include every province that has 25 per cent of the population of Canada be involved.

I have not gone into all that much detail, Mr. Chairman, but I think there are some implications for the Government of the Northwest Territories, the people of the Northwest Territories and this Assembly in several of these provisions. It would appear, for example, that the section of the charter of rights which has to do with mobility rights could possibly conflict with any laws, regulations or policies that we may put into place here concerning preference for northern hiring or northern employment or preferences for northern businesses.

MRS. SORENSEN: Shame, shame!

No Provision Made For Participation By The N.W.T.

HON. GEORGE BRADEN: There is also some concern on the part of the government that while the Legislative Assembly is considered an Assembly for the purposes of the charter of rights and freedoms that in other parts it is not considered as a legislature. As a result, a general concern we have is that in various procedures for considering the amendments, the interim amendment procedures and the actual procedure for amending the constitution there is no provision made for participation by the Government of the Northwest Territories or the Legislature of the Northwest Territories. We are excluded, so to speak, from almost all of these provisions. The Government of Canada sees this as the freedom to act intelligently and reasonably on our behalf.

Mr. Chairman, that is just a set of very brief comments. I do not claim to be an expert on the proposed resolution, but we have suggested in our recommendations six options which we would like the Assembly to consider. Very generally it would involve us making a presentation to the joint committee that I said is in operation now. We would seek to improve the status of the Legislative Assembly of the Northwest Territories and our government in participating. We would want to make clear that there are certain aspects with respect to language rights and native rights which we think are important for the Government of Canada to consider in any new constitution.

Finally, we want to make a very strong case that it is very important for us to have preferences in the Northwest Territories for employment, trading and business opportunities and while preferences may cause problems in the provinces because of the large numbers of people they have down there, it is something that is virtually essential up here if we are to gain any of the benefit from development in our territory.

Mr. Chairman, I will leave it at that. There are more detailed explanations in the paper and I will try as best I can to answer questions. Thank you.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Braden. I see the sessional paper has been gone over by the Executive Committee and if we could turn to page eight, recommendations. The Executive Committee having examined the proposed resolution for joint address to Her Majesty, it is the view that the following recommendations be adopted by the House. So I guess we have to go through these recommendations so that they can be approved. Mr. Patterson, comments of a general nature.

Opportunity For The Assembly To Take Action

MR. PATTERSON: Thank you, Mr. Chairman. I would just like to ask Mr. Braden a question about timing. What I would like to know is, I imagine that you are familiar with the general timing strategy of the federal government, particularly as far as approaches to the British parliament are concerned, and what I would like to know is, if we adopt these recommendations and send the Executive Committee or its representatives to the joint Senate-House of Commons committee with these recommendations or any other recommendations we make and you get patted on the head and told, "Thank you very much, do not call us, we will call you" or something, will there still be time for this Assembly to take action, including possible approaches to the Queen and/or the government of Britain, particularly considering that we will not meet until February 4 unless there is an extraordinary meeting? Does it appear that this Assembly might have an opportunity to take some action depending upon what happens with the joint committee and depending upon whether or not the joint committee makes any recommendations for amending this legislation? Will there be time for us to do something in between?

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

HON. GEORGE BRADEN: As I understand it the joint committee reports back through the House of Commons and I suppose one option is to lobby for support probably among opposition members if we feel that the report is not representative of northern interests, so using the House of Commons is one option.

We have not considered making a statement or making a presentation to the British parliament. We have not gone into that, although if you wish to discuss it more then I suppose it is another option that is open to us. We could get stomped on by External Affairs or the federal government but it certainly is one option open to us. I am not certain how effective that would be, but I do understand that because of the mounting pressure that is being put on various British politicians, it is an issue which they are learning more and more about. The comment and the presentations from provincial premiers and the native organizations is really putting pressure on the British House to not just deal with this as I think they initially dealt with the BNA Act. I think on the day it was considered in the British House there was a raging debate about loose dogs in London and the BNA Act was just sort of shuffled through in a few minutes. I believe it will be given some measure of serious consideration in the British House but I cannot really comment on it too much further than that, Mr. Patterson.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Braden. I would hate to hear you when you could comment on it. Mr. Patterson, are you satisfied?

MR. PATTERSON: Sure.

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

Wrong Strategy Used

MR. MacQUARRIE: Thank you, Mr. Chairman. I am going to vote against all of them. You know, when I raised my motion I said there is a question of approach, and a question of substance. Now this paper deals with a question of substance, and if we were going to some constitutional convention which was properly arranged and to which we had been properly invited, these are the very things

we should address. If we were addressing them in that context, I would vote in favour of every one of them. But the truth is that we are not going to something like that. We are going to something, if we go at all, which has been unilaterally arranged, and I would suggest that it is far better that we do not go at all, that we send a letter saying that we will not attend because there should not be such a special committee established in the first place. The point is that the strategy which is being used here is the type of strategy that says, "Step to the head of the queue and probably nobody is going to say anything about it; they will just let you stay there, but even if somebody does, you might have to move back one or two places and then everybody will accept it."

That is sort of what is happening. It is wrong. What the Prime Minister is doing is wrong and we should refuse to be associated with it, because if we do go there and the very thing happens that Mr. Patterson has just indicated might happen, that is, they hear what we have to say but nothing really results from it, the federal government will at least be in the position to say, "Well, they had their say, you know. They came down to the conference and we gave them the chance to say what their concerns were, so that is democracy. So what is the problem?" But the point is that the problem is that he is trying to do something that he has no right to do and that is to change this unilaterally. I think it is very appropriate, if I may be allowed, Mr. Chairman, to read briefly from an editorial in the Toronto Globe and Mail and so help me, I do not know the politics of newspapers. I do not know if this is a Conservative paper or a Liberal paper or a Social Credit paper. I have got no idea and if somebody can enlighten me...

MRS. SORENSEN: We know what you are though.

Globe And Mail Editorial

MR. MacQUARRIE: However, if I may be allowed to read a couple of paragraphs from this editorial, it does indicate that the process is wrong and therefore we ought not to be having something to do with it. Will you accept that, Mr. Chairman?

MR. PATTERSON: Sure.

MR. MacQUARRIE: Thank you.

MRS. SORENSEN: We are discussing this paper and I am interested in Mr. MacQuarrie's comments. I am not interested in the comments of the Globe and Mail. If he is prepared to paraphrase that, that is fine and if he agrees, that is fine, but those are the comments of some editor in the newspaper. I want to hear what he has to say.

THE CHAIRMAN (Mr. Fraser): The Globe and Mail is down the drain. We are dealing with a sessional paper.

MR. MacQUARRIE: Mrs. Sorensen said she is interested in my comments and my comments are that this is a very valuable piece of writing. Okay. I will not get into it, but certainly the last line -- on second thought I will not even quote that. The thrust is that the Prime Minister is asking of the British government something which he has no right to ask, and I deeply believe that as well. That is why, even though the substance of this paper would be acceptable to me under other circumstances, I will vote against it entirely and insist that we do not participate in that process.

THE CHAIRMAN (Mr. Fraser): Will you put that in a form of a motion, Mr. MacQuarrie?

MR. MacQUARRIE: There is a motion on the floor, I guess. The recommendations.

THE CHAIRMAN (Mr. Fraser): I hear no motion.

MR. MacQUARRIE: No motion?

THE CHAIRMAN (Mr. Fraser): Not yet.

Motion That Delegation Not Be Sent To Ottawa, Sessional Paper 6-80(2), Defeated

MR. MacQUARRIE: I will certainly make one to that effect. I move that we refuse to send a delegation to the special joint committee studying the constitution, that we indicate that we do not find the process acceptable and that is the reason that we have refused to attend.

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

MR. PATTERSON: Wait a minute.

THE CHAIRMAN (Mr. Fraser): Against? The motion is defeated.

---Defeated

Motion To Accept Sessional Paper 6-80(2)

MRS. SORENSEN: I move that we accept the recommendations as put forward by the Executive Committee.

THE CHAIRMAN (Mr. Fraser): Moved by Mrs. Sorensen that we accept the Sessional Paper 6-80(2) as presented by the Executive Committee. Question being called. Mr. Patterson, to the motion.

MR. PATTERSON: I know that some hon. Members are very anxious to run this thing through but I have had a chance to consider the issue since Mr. MacQuarrie's eloquent speech earlier in this session. I must say that I am finding myself more and more in sympathy with what he says. I do feel there are important points of principle involved here. I have a terrible suspicion that some hon. Members are letting partisan considerations influence their assessment of this issue. That is not the correct approach. It is not the statesmanlike approach. However, I do perhaps, like Mr. MacQuarrie, feel that the recommendations themselves contained in this report are recommendations we all can unanimously support. They include many of the reservations that Mr. MacQuarrie eloquently addressed in his speech. However, the question now becomes, do we participate in a unilateral process that is being foisted on the people of Canada or do we boycott it?

To my mind the issue is very similar to that which faced this government when the First Ministers Conference on the constitution was held late this summer and our Executive had to make a decision as to whether or not they would attend that meeting or boycott it. I feel the issue is analogous to the motion, Mr. Chairman. That is why I am referring to a previous meeting, another meeting. At that time members of the Yukon executive committee and the leader of the Yukon executive committee studiously decided to boycott that meeting and made their boycott known. We are assured by Mr. Braden that our Members who attended got something out of observer status and that they made some progress, although fell far short of what had been demanded.

A Question Of Strategy

So we are talking about a question of strategy here. I think that if we do attend this conference or this committee to make a presentation it will be a poor second best to a sort of more dramatic action we might be taking. However, being a pragmatist I also feel that every opportunity we get to wave our flag should be sought. I also feel that we are not precluded by participating in this, making a presentation to this committee, we are not precluded from subsequently taking action, that we could in fact intervene further or make further statements or even approach the British parliament or the United Nations or the House of Commons. I will be somewhat hesitantly voting in favour of the recommendations, but I would like to indicate that I do not think this will end the matter, that if our recommendations are not incorporated into the legislation by the joint Senate-House of Commons committee as I am sure they undoubtedly will not be incorporated, that the onus will be on this Assembly to take further and stronger action than what is proposed here. At that time I will support stronger action. We may even have to call a special caucus meeting to deal with the issue. Thank you, Mr. Chairman.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. Mrs. Sorensen. I have Mr. Appaqaq and Ms. Cournoyea. Do you want to speak to the motion?

Position Of Boycott At This Time

MRS. SORENSEN: Yes, it was my motion and I did not have a chance to speak to it. That is fine. Just to comment on what Mr. MacQuarrie had said and in support of many of the things that Mr. Patterson has said, my position on this has a lot to do with practicality, with facing something that is before us right now that is an urgent matter. This resolution is going to go forward. We can do absolutely nothing about it but it is better to be there with our points on the record with our concerns being expressed, not only to the House of Commons and the Senate but to the people of Canada. Then if we are treated poorly, if our concerns are glossed over, then it is time for action. Then we can very self-righteously rise up and send letters and make protestations. Then it seems to me that we are protesting from a position of power and strength because we have a position and we can get the support of other provinces, of other individuals right across Canada. To not take a position to boycott it will not make one bit of difference at this point in time, as far as I am concerned. I think it is pretty obvious that the Liberal government is going to go ahead with this and to put up a barrier and to say we are not going to go I say is poor strategy.

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

MR. APPAQAQ: (Translation) Thank you, Mr. Chairman. To me the recommendations seem to be short. I do not think I would be in support of the recommendations because they do not seem to be complete. The first recommendation is dealing with the English and people should be recognized even in the Northwest Territories. I think I should not be supporting this because we would not be carrying on recognizing the score. So I do not think I am going to be supporting this.

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

Stronger Action Can Be Taken Later

MS. COURNOYEA: I will be brief on this but it seems to me what we are doing is we are dealing with the technicalities of what is included in the constitution in its present stage and trying to work within the existence of how the constitution allows us to move forward, although I agree with Mr. MacQuarrie that maybe probably stronger measures will have to be taken, but in analyzing the constitution

all we are doing is placing the Executive in a position to get what they can out of the constitution as it is presently in place, so we are not jeopardizing the other avenues. We have a timeframe and the recommendations that are being suggested are straightforward as to the constitution as it exists.

What we can do, whether we get anywhere or not that is another thing, but they are the parameters that we could operate under, the way things are written now. If we want to take stronger action at another time well, that will not be within the parameters of what is written, so I would suggest that the technicality of this paper just allows something to be put on the table and then we will deal with radical Mr. MacQuarrie later.

MR. CHAIRMAN (Mr. Fraser): To the motion. Question being called. To the motion, Mr. MacQuarrie.

MR. MacQUARRIE: Thank you very much...

THE CHAIRMAN (Mr. Fraser): We will take a 15 minute recess if we are going to have coffee. Do you want to be brief, Mr. MacQuarrie?

Importance Of Boycott Measure

MR. MacQUARRIE: I will be brief. It is just in response to Mrs. Sorensen's point. It is true that the resolution is going forward. We cannot stop it from going forward. But it is not necessarily going to be accepted uncritically at the other end and that is why the boycott measure is important. If we were to participate, then at the other end they may accept it uncritically; but if we boycott it -- and I would like very much to read a brief paragraph from a newspaper here. Anthony Kershaw who is in charge of a British committee-- I have every right to read something like this...

MRS. SORENSEN: Mr. Chairman, I object.

THE CHAIRMAN (Mr. Fraser): Mrs. Sorensen, have you got a point of order?

MRS. SORENSEN: Mr. Chairman, I wanted to hear what he had to say not what a newspaper has to say.

THE CHAIRMAN (Mr. Fraser): There is a motion on the floor to accept the paper. This is not the motion, Mr. MacQuarrie. To the motion.

MR. MacQUARRIE: He is in charge of a committee in the British House of Commons which is to decide what to do with a resolution and he says...

THE CHAIRMAN (Mr. Fraser): That has got nothing to do with this paper. This paper is the motion on the floor that we accept this paper and that guy has got nothing to do with that paper, so we will speak to the motion.

MR. MacQUARRIE: Is that your ruling, Mr. Chairman?

THE CHAIRMAN (Mr. Fraser): That is my ruling.

MR. MacQUARRIE: I would ask Mr. Speaker to rule, please.

THE CHAIRMAN (Mr. Fraser): We will take our recess.

REPORT OF THE COMMITTEE OF THE WHOLE OF TABLED DOCUMENT 6-80(2): PRINCIPLES FOR DEVELOPMENT OF AN ENERGY POLICY; SESSIONAL PAPER 5-80(2): POLITICAL RIGHTS FOR TERRITORIAL PUBLIC SERVANTS; SESSIONAL PAPER 6-80(2): OPTIONS FOR A POSITION ON THE PROPOSED RESOLUTION FOR A JOINT ADDRESS TO HER MAJESTY THE QUEEN RESPECTING THE CONSTITUTION OF CANADA

---SHORT RECESS

Speaker's Ruling

MR. SPEAKER: A ruling has been requested at this time regarding the newspaper article. There is nothing in our rules which denies this right. So as long as it is not prolonged or at any great length that is covered, so I would have to rule in favour of Mr. MacQuarrie that he can read from the newspaper.

We will resolve into committee of the whole, with Mr. Patterson in the chair.

--- Legislative Assembly resolved into committee of the whole for consideration of Tabled Document 6-80(2): Principles for Development of an Energy Policy, Sessional Paper 5-80(2): Political Rights for Territorial Public Servants, Sessional Paper 6-80(2): Options for a Position on the Proposed Resolution for a Joint Address to Her Majesty the Queen Respecting the Constitution of Canada, with Mr. Patterson in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER TABLED DOCUMENT 6-80(2): PRINCIPLES FOR DEVELOPMENT OF AN ENERGY POLICY; SESSIONAL PAPER 5-80(2): POLITICAL RIGHTS FOR TERRITORIAL PUBLIC SERVANTS; SESSIONAL PAPER 6-80(2): OPTIONS FOR A POSITION ON THE PROPOSED RESOLUTION FOR A JOINT ADDRESS TO HER MAJESTY THE QUEEN RESPECTING THE CONSTITUTION OF CANADA

HCN. ARNOLD McCALLUM: Is that a Tory newspaper?

MR. MacQUARRIE: It is an unbiased news article.

HON. ARNOLD McCALLUM: That is not the editorial.

THE CHAIRMAN (Mr. Tologanak): The Speaker has made his ruling and this allows Mr. MacQuarrie to continue.

MR. MacQUARRIE: Thank you, Mr. Chairman. My point was simply that since the other end is not yet determined, boycott may have value. Here is the quote from the November 3rd Montreal Gazette. "Canadian unanimity or something near it would be desirable in a move to patriate Canada's constitution, says the head of the British parliament select committee on foreign and commonwealth affairs. Anthony Kershaw in a telephone interview said his committee would not touch a comma of the British North America Act if Canada's request for patriation were simple and unanimously agreed to by Ottawa and the provinces. He added that if only one province opposed the move, his panel and likely the British government would be prepared to overlook it, but he said if the provinces are lined up against Ottawa then I dare say..." and that proves he is British, "...then I dare say we would do nothing." Thank you.

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

MRS. SORENSEN: No.

THE CHAIRMAN (Mr. Patterson): Mr. Sibbeston.

MR. SIBBESTON: Mr. Chairman, I believe there is a motion to accept the recommendations. I have one matter, one small amendment which I would like to make and I do not know whether this may be an appropriate time before we recess.

THE CHAIRMAN (Mr. Patterson): Go ahead.

Amendment To Motion To Accept Sessional Paper 6-80(2)

MR. SIBBESTON: This amendment is to recommendation (v) on page nine. It should read on the second line: "The government should attempt to seek a special status for native rights and languages...." Just yesterday, Mr. Chairman, on the CBC news Mr. Trudeau is reported to have said to the House of Commons that native people could be given special consideration in the new constitution of Canada, but that it would be up to the native people to define for themselves exactly what these rights were. In view of this should this Assembly not say something about this matter and also support the provision of clear recognition of native rights?

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

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Mr. Patterson): Ms. Cournoyea.

MS. COURNOYEA: Just a further clarification regarding the incident here. Do you suppose that in dealing with the word "native" we may run into trouble in saying a person is native, rather than saying aboriginal rights and languages? I am wondering if the wording should not be "aboriginal" rather than "native"?

THE CHAIRMAN (Mr. Patterson): Mr. Sibbeston.

MR. SIBBESTON: I have no strong feelings on that. I am a bit surprised I guess that the proposed amendments to the new constitutional act only deal with respect to the native peoples of Canada and this is much broader than what had been in the BNA Act. The BNA Act just has Indians, so if by this they mean to include all native peoples and include Metis I think it is okay.

THE CHAIRMAN (Mr. Patterson): Mr. Braden, did you have a comment on Ms. Cournoyea's concern?

HON. GEORGE BRADEN: Mr. Chairman, just to say that in the actual text as, the hon. Member from Mackenzie Liard has indicated, they refer to native peoples. They do not use the term aboriginal, although in keeping with the manner in which this Assembly and the government is using terminology to describe aboriginal people I am sure we would have no problem with making that point.

Motion To Accept Sessional Paper 6-80(2), Carried

THE CHAIRMAN (Mr. Patterson): To the amendment. The question has been called. The amendment reads in recommendation (v) on page nine "for native rights" after the phrase "seek a special status", so it should read "The government should attempt to seek a special status for native rights and languages..." The question being called. All in favour of the amendment please indicate. Opposed? Carried.

---Carried

To the motion as amended. I believe we are debating the motion calling for approval, acceptance of the paper and the recommendations. Any further discussion?

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Mr. Patterson): The question being called.

MR. MacQUARRIE: A recorded vote.

THE CHAIRMAN (Mr. Patterson): A recorded vote has been asked for. All those in favour, then, of accepting the report and recommendations please stand until your name is called.

Motion To Accept Sessional Paper 6-80(2), Carried As Amended

CLERK ASSISTANT OF THE HOUSE (Mr. Hamilton): Mr. Arlooktoo, Mr. Evaluarjuk, Mr. Kilabuk, Mr. Appaqaq, Mr. Tologanak, Ms. Cournoyea, Mr. Sibbeston, Mr. McCallum, Mr. Wah-Shee, Mr. Braden, Mr. Butters, Mr. Nerysoo, Mrs. Sorensen.

THE CHAIRMAN (Mr. Patterson): Thank you. Opposed?

CLERK ASSISTANT OF THE HOUSE (Mr. Hamilton): Mr. MacQuarrie, Mr. McLaughlin.

THE CHAIRMAN (Mr. Patterson): Abstentions?

CLERK ASSISTANT OF THE HOUSE (Mr. Hamilton): Mr. Stewart.

THE CHAIRMAN (Mr. Patterson): The motion is carried.

---Carried

Sessional Paper 5-80(2), Political Rights For Territorial Public Servants

The next item of business on the order paper is Sessional Paper 5-80(2), Political Rights for Territorial Public Servants. Does everyone have a copy of that sessional paper? If you do not, put up your hand and we will try to get you a copy. Mr. Appaqaq. While we are waiting perhaps we could open the floor for a Member of the Executive to introduce this paper and make general comment. We are getting more copies of the paper now.

HON. GEORGE BRADEN: Do you want me to make general comments?

THE CHAIRMAN (Mr. Patterson): Yes.

HON. GEORGE BRADEN: I think the Members will recall that this has been a subject that has been raised on a number of occasions in the House. It has been an issue that has been publicly discussed on a number of occasions, primarily in the western part of the Northwest Territories. Although I do not want to suggest it is not of significance in the East as well, it has been primarily on the issue of the hon. Member from Yellowknife Centre that the Executive Committee has, over the past few months, given the issue of the political rights of territorial public servants a great deal of consideration. We were at one point in time considering introducing a bill, but after discussion we decided to withdraw the bill and come back with a sessional paper which could be discussed in this House. Hopefully we would get some direction which would help us in preparing the required kinds of policy changes and legislative changes.

To give you a bit of background, I will briefly summarize what is in the paper. Under the current provisions of our Public Service Ordinance which pertain to political participation, public servants are precluded from engaging in work for a candidate in a federal or territorial election or working against a candidate in a federal or territorial election. They are also precluded from engaging in work for, on behalf of or against a political party. Further, a public servant is precluded from being a candidate in either an election for this Legislative Assembly or the House of Commons unless he applies for and obtains a leave of absence from the Commissioner. In the ordinance the Commissioner can, if he feels that he is justified, grant an employee leave of absence without pay to run. Such leave is for a period ending on the day on which the results of the election are officially declared.

Questions Being Considered Re Political Rights For Public Servants

The kinds of questions that we have been considering over the months are quite clearly presented here for your consideration and discussion. They deal with the following:

First, we have asked the question: Should public servants, territorial public servants be allowed to engage in work for or against a candidate?

Second, if a territorial public servant decides he or she wants to run, should the public servant seeking to become a candidate be entitled to leave of absence without pay as a matter of right? That is, that it would not be at the discretion of the Commissioner.

In our third question we have asked, if you agree with one or two, up to what level in terms of bureaucracy, if any, should such activity be permitted. That is, should we as a Legislature, place restrictions on public servants

working for political parties or working for a candidate in an election? Should the deputy ministers or the people at the chief level or regional directors be restricted, that kind of thing?

Fourth, we have asked the question: Should any proposed legislation to allow public servants to participate in political activity make a distinction between participation in territorial elections as opposed to federal elections?

Finally we have asked, if we are going to be granting leaves of absence without pay, what, if any, level or position should a public servant be entitled to be returned to, on expiry of his leave of absence. The leave of absence could be really short in the event he or she loses the election. On the other hand, if the civil servant is elected they could possibly be away from work for four to five years. That generally outlines some of the questions that we would like see debated here this afternoon.

Support From Public Service Association

I might indicate in conclusion that our present territorial Public Service Ordinance does not preclude civil servants from participating in municipal elections as candidates. I would like to add that the right of public servants to engage in political activity has been very strongly advanced and supported by the Public Service Association, which is the union that represents the territorial civil servants, and by the Northwest Territories Teachers' Association.

Finally, the last paragraph provides us with a little bit of information on how some other provinces have dealt with the issue. As Mr. MacQuarrie has noted in one speech he made here, we should not always get hung up on what other provinces are doing, as we might be able to come up with some new and better ideas ourselves. So, Mr. Chairman, those are all the opening remarks that I have to make. I might suggest that to deal with this we may want to consider motions from time to time during the debate so as to conclude discussion in various areas. In this way I think the Executive and the whole Assembly will know exactly when we have reached some consensus on how to proceed. That is all I have to say, sir. Thank you very much.

THE CHAIRMAN (Mr. Patterson): Thank you, Hon. Mr. Braden. I will permit some general comments and/or questions at this point and then I suggest that we should go to page one and answer the questions which I think the Executive Committee have given us to answer. There are five in number. There are no actual recommendations but there are questions requiring direction. We will have general comments at this point. Any general comments or questions of a general nature? If not, then I suggest we go to page one, direction one, under "Direction Required" and I will read this out: (i) Should territorial public servants be allowed to engage in work for or against a candidate for territorial or federal elections? Any comments and/or motions? Ms. Cournoyea.

Use Of Government Premises And Equipment For Campaigning

MS. COURNOYEA: It seems that public servants have a lot of rights and I am not sure that -- I thought there was a restriction according to some of the actions that have been taken by present employees of the territorial government. It does not seem to me that they are restricted. What I feel is a bad part of the public servants being allowed to engage in work against or for a candidate is the fact that many, many times these people use the premises and the equipment and they have access to that equipment. You may say "Well, we can restrict that" but it seems to me that is the problem. If you get a teacher involved with campaigning for or against a candidate they may say they do not work after school but I know for a fact that some the teachers have sent things home with children on behalf of a candidate. I do not think that the public

service institutions are there to promote by making available their machines, Xerox machines, availability of typists and availability of work space, because many times the opponents in that election do not have the same privileges. It would be different if they did but they are put at a disadvantage because one person does have a right to go into government premises as a public servant.

This has caused a lot of dissension in communities because most of the communities around our area are small. The teachers and public servants have an awful lot of influence. It may have a little different connotation in communities like Yellowknife, larger communities, but in the smaller communities the public servants have a strangle hold on that community in many, many ways and I feel that if a public servant is allowed to work in a territorial or federal election he should declare his bias and take leave of absence himself.

THE CHAIRMAN (Mr. Patterson): Thank you, Ms. Cournoyea. Any more comments on the question of whether or not territorial public servants should be allowed to work for a candidate or against a candidate in territorial or federal elections? Mr. Stewart.

A Democratic Right

HON. DON STEWART: Thank you, Mr. Chairman. I believe that they should because first of all it is a democratic right to be able to partake in the affairs of the country whether it is federal or territorial. The problem as I see it at the present time is that because of the laws there are certain people in the different professions or within the civil service who are underground to some extent but are doing exactly what you say they cannot do and the others are abiding by the rules. It is a rule that is very, very difficult to really establish and maintain. It may be done by innuendo or other means but that influence of the people is there, regardless whether they are doing it out in the open or whether they are doing it underneath the covers, so to speak. So I think it should be brought out in the open and that everybody have a look and know what they are doing. I prefer to have it in that manner rather than the way it is now because certainly there are a lot of civil servants, there are a lot of teachers that are partaking in politics contrary to the present rules and regulations of the Northwest Territories. It is very difficult to be able to stop that. It is pretty near impossible so why not open it up and let everybody participate?

THE CHAIRMAN (Mr. Patterson): Thank you, Hon. Mr. Stewart. Are there any other views on this subject? Mr. Kilabuk.

MR. KILABUK: (Translation) Mr. Chairman, maybe I do not really understand this but in a way I understand the discussion about the public servants. This was discussed before in the Assembly. If they are representing the government and take a leave of absence, to my understanding these public servants are doing things like supporting -- if they are going to be working full time, if there is going to be time given to them, I agree they should take leave of absence. This is the public servants and also a candidate -- what I do not like about it is if they should be stopped and the public servants are working for a candidate either way, they should not get involved in politics. We should have people who are not working for the government dealing with this and other things. Thank you very much.

THE CHAIRMAN (Mr. Patterson): Thank you, Mr. Kilabuk. The present legislation does prevent a public servant from working in a territorial or a federal election and it is that possible change that we are discussing now.

D'Avignon Commission

MR. MacQUARRIE: Thank you, Mr. Chairman. I suppose the best way to put it is in a positive sense, to assert political participation as a right for citizens in a democracy and if some are to be excluded from that right, then there should be very great cause for the exclusion. But I am afraid for many, many public servants in the Northwest Territories there is not sufficient cause. Perhaps this thought is put as well as it could be put anywhere, in a report of the special committee on the review of personnel management and the merit principle. This is called the D'Avignon Commission and it was a commission established to look into this matter, among others, for the federal public service. It reported in September 1979. It said that "Citizens of a democracy have a right to take an active part in the political process. By their actions they assure a healthy, responsive, democratic system of government. Today no one would lightly propose the extinction of this right with regard to any individual or group."

But of course, just because tradition has asserted that public servants should not have the right of political participation, they have had to go for years and years in many jurisdictions without it, without sufficient cause. It is becoming obvious that in different political jurisdictions such as Manitoba and the Yukon, and even the United Kingdom, that people are beginning to see that the right should not be withheld unless there is sufficient reason. So the D'Avignon Commission concluded that "Simply because political participation is a right of citizens we believe that this should be the principle that applies to public servants, only limited in the exceptional cases where any indication of partisan political interests would compromise the reputation of the public service for impartiality or would damage the individual's effectiveness as a public servant." And that I can absolutely agree to.

Public Servants In Political Positions

I think that there are many, many people who are employed by this Government of the Northwest Territories who are essentially in apolitical positions. They are not in situations where they can influence policy, yet when elections come along they are just arbitrarily excluded from participation. I really believe that that is a serious -- I do not want to call it a violation in a sense because I do not think that that is what is intended -- but a serious impediment to the full exercise of fundamental political rights for citizens in a democracy. I think we should do everything we can to change it -- not at all to put public servants in a situation where they feel compelled to participate. I really think that many public servants will still conclude that discretion is the better part of valour and just not get involved. But if they are disposed to, then I think they should have the right too. As I said, other jurisdictions have done this and certainly our sister territory, the Yukon Territory, allows in some way, political rights for public servants.

I know that in an earlier day in the Northwest Territories there was a very great fear that what would come to pass was what Ms. Cournoyea pointed out just a little while ago, that public servants might have a strangle hold in the small communities and dominate the political life. But I would say there is overwhelming, overpowering evidence that that simply is not true any more and the evidence I offer is, I just do not see many former public servants sitting in the seats of this Assembly. The fact is they do not have that kind of control in communities any more. The fear was that there would not be adequate development and political opportunity for native people, but I sincerely believe that there is.

I recall and I hope my memory is serving me correctly, that when Georges Erasmus was running in the federal constituency of the Western Arctic, he called for political rights for public servants. I seem to recall, and again I hope my

memory serves me correctly, that when Peter Ittinuar was running for a position in Nunatsiaq he called for political rights for public servants.

I know that when John Amagoalik was here the other day talking about ITC's position, he said that he hoped public servants, generally, would be allowed to express publicly what they felt about a division of the Territories. So there are calls on a number of fronts and that does include the Northwest Territories Federation of Labour and the Northwest Territories Teachers' Association, for such rights.

I think granting them still will not mean that there is going to be a flood of public servants on the political scene, simply because in a community like Yellowknife where there are a great many public servants in each constituency, only one of them is going to get elected in each constituency and it may not even be public servants who get elected in those constituencies, so I do not think there is any real fear about that.

Leave Of Absence

As to the question of leave of absence, I would recommend that Members consider that very seriously because as the situation stands now there is a very heavy penalty for public servants to pay if they decide to run for this Legislative Assembly. It is quite possible for many people who hold jobs with private industry...

MS. COURNOYEA: On a point of order. I thought we were dealing with number one.

MR. MacQUARRIE: I was about to conclude my remarks at any rate, Mr. Chairman. So to that specific question then I would just urge that Members decide yes, they should be allowed.

THE CHAIRMAN (Mr. Patterson): Yes, I would ask Members to confine themselves to the principle in recommendation one. Mr. Sibbeston.

MR. SIBBESTON: Mr. Chairman, I would be interested to hear what the Executive Members have to say in this matter. Most of the civil servants in the North are in Yellowknife so we ought to hear what they have to say. Mr. McCallum, Mr. Braden, Mr. Nerysoo, Mr. Commissioner if he wants to, what do you gentlemen think of civil servants being involved in either territorial or federal elections?

THE CHAIRMAN (Mr. Patterson): Does anyone wish to reply? Ms. Cournoyea.

Involvement Of Certain Levels Of Public Service

MS. COURNOYEA: I am not one to discourage people from taking part in a public process, so I would like to make the recommendation that I could go along with a public servant taking part, providing that it is not within his working day, that he does not use government offices, equipment and supplies to support his involvement and that critical positions within government be identified to designate certain positions of a critical nature who do not take part. With those three points I think I could support this recommendation.

THE CHAIRMAN (Mr. Patterson): Thank you, Ms. Cournoyea. I think you have touched on direction three there when you talked about what level of civil service should be involved. However, the rest of your remarks were relevant and I would invite Members to make a motion if you feel that we are ready to decide although I would like to give Mr. Nerysoo an opportunity to answer Mr. Sibbeston's question.

MR. MacQUARRIE: A point of order.

THE CHAIRMAN (Mr. Patterson): Yes, Mr. MacQuarrie.

MR. MacQUARRIE: These are not all recommendations and so it is nearly impossible to deal with them just specifically question by question. If they were recommendations I could understand that more, but the Executive Committee wants a general discussion of this problem, and I think that it does not aid the discussion if we have absolutely to pick our way carefully between each of the questions that were asked.

THE CHAIRMAN (Mr. Patterson): I think that the questions asked by the Executive are logical and if we proceed through them one by one I will accept motions on them and I think it will work. Hon. Mr. Nerysoo.

HON. RICHARD NERYSOO: Yes. There are I guess some concerns that I have. Firstly, the public servants in running for a position, in running against me and I win, does it mean that I have the right to fire them?

MR. MacQUARRIE: Who are you asking?

Right To Fire A Public Servant

HON. RICHARD NERYSOO: That is just a point I think that has to be clearly stated because in reality there are certain protections that are given to public servants already, through union agreements. I realize that what you are talking about is the right to participate in territorial and federal elections but it does not -- the situation is that the candidate who is a non-public servant at the time has very little or no protection at all as to what kind of job or what kind of work that person is able to go back to. We are in a situation here -- I guess I am not arguing the fact that there should be some participation, but to what extent should, I think, be discussed further. That is one of the reasons that certainly I, as part of the legislation committee, was not really sure whether or not we should proceed until there was at least an idea of what parameters we set for that participation.

There are a couple of points I would like to point out as well. I think that there is enough protection for the public service as it is, that you do not have to protect a position for that person if he runs for election. That is his choice. Everyone I think makes that choice. You do not have to reserve a position for four or five years to allow that person to run for the election and then go back and work again for the public service. Those I think are points I wanted to make but I still would like to know the answer to my question: Do I have the right to fire a public servant if he in fact runs against me?

THE CHAIRMAN (Mr. Patterson): I think I will ask the Legal Advisor to comment on that.

LEGAL ADVISOR (Mr. Johnson): Are you talking the current legislation or under the proposals?

HON. RICHARD NERYSOO: I do not think there is any proposed amendment at this moment. I think that the purpose of the paper was, in fact, to begin the discussion on what the options may be. I think that is a point that we were not sure about. What was it that people were talking about? I think that is the reason that when you are coming up with motions or anything you have to be careful because we have not had an idea of the kinds of things people are talking about.

THE CHAIRMAN (Mr. Patterson): Thank you, Mr. Nerysoo. That is what we are here for. I am going to let Mr. MacQuarrie speak while Mr. Johnson looks into the question, the general question you asked. Mr. MacQuarrie.

Politics A Contest Not A War

MR. MacQUARRIE: With respect to a couple of questions that were raised, I would say the issue of firing -- I mean politics is a contest, but it is not a war. I have run against public servants, and I have not found particular

animosity since that time. In fact, in one case a friendship has grown up to some extent which did not exist before, so I do not think that that is the result you need expect.

With respect to the five years, I do not know whether, Mr. Chairman, you found -- I think you found Mr. Nerysoo's comments relevant so I think my response would be relevant too -- and that is that many people in business are able to be elected and still carry on their businesses. Lawyers are certainly able to do that. Many people working for native associations are able to do that, and so on; whereas under the regulations now, a public servant is just expected to resign, not even to resign. The day I was elected I lost my job. I lost the sick leave I had, I lost the seniority that I had, I lost the pension that I had. I lost all kinds of things. I was willing to do it, so I am not lamenting that now, but what I mean is it not harmful to have the situation where somebody elected in that -- incidentally I am sure Mr. McCallum and Mr. Butters would have been in that same position at one time. But is it so difficult to say, "All right, someone is going to embark on a period of public service, and he is not going to accrue any benefits in the interim, but in four years time or five years time he will be able to pick up where he left off."

THE CHAIRMAN (Mr. Patterson): Thank you.

MR. MacQUARRIE: I have a motion in a little while if you are looking for a motion, Mr. Chairman.

THE CHAIRMAN (Mr. Patterson): Hon. Mr. McCallum, I overlooked you. Please go ahead.

Participation In Federal Elections

HON. ARNOLD McCALLUM: Mr. Chairman, that is just an indication of the kinds of things that one loses. I used to win some, I guess, when I was in another arena and now I keep losing them. Certainly as Mr. MacQuarrie suggests once having made a decision to run and upon election you do lose the kinds of things that Mr. MacQuarrie indicates. Had I lost the second time, there was no guarantee of my going back into education or into the schools. For that matter I did not want to, but there was no way. Nothing was ever promised or held out to me.

I think in relation to the question that Mr. Sibbeston asked, how I would feel about it. To respond to that question, should the territorial public servants be allowed to engage in work for or against a candidate in territorial or federal elections, I believe that our present ordinance should be changed to allow Northwest Territories public servants and teachers to engage in federal elections. I have no difficulty with that at all. I think that is a carryover from what was in effect when people working in the Territories were, in fact, federal employees. When I came I was a federal employee. That has since changed.

Now as regards territorial elections I think that is a different thing. I have some concern with people, territorial public servants at some levels engaging in territorial elections. As Mr. MacQuarrie has indicated, in running against them I do not have any difficulty there. I think the policy that we have in terms of running for office sits all right with me. It is public servants working for candidates that is a problem and I would suggest as Ms. Cournoyea has indicated, that there would be a certain interval where these certain people would be exempt from it, but I have no difficulty with the territorial people engaging in work as long as it is not detrimental to their job, where they are not, if you like, spending more time outside of the job than within the job and I think individuals can make that kind of assessment themselves.

Motion To Have Ordinance Changed, Sessional Paper 5-80(2)

So in relation to that then, Mr. Chairman, I would move that you accept it at this time, I would move that the ordinance be changed to allow territorial public servants to engage in work for or against a candidate in federal elections. I do not have any difficulty with that.

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

MR. MacQUARRIE: I indicated I had a motion when you were ready to accept a motion, Mr. Chairman.

MR. TOLOGANAK: Too late.

THE CHAIRMAN (Mr. Patterson): Thank you, Mr. MacQuarrie. I had let you speak a second time when Hon. Mr. McCallum wanted to address the Assembly first, so I gave the floor to him and he made a motion and it is in order. I am going to accept his motion and if you are not happy with it, of course, you are free to amend it or urge other Members to vote against it. The motion then, is that the ordinance be changed to allow territorial public servants to engage in work for or against a candidate for federal elections. To the motion, Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, I really do not have anything more to say as regards that. It is a feeling I have. I think that people should have their right to engage in federal elections. I think the reason why it has not been changed is that it has simply been overlooked over a number of years. It is, as I said, something that was a carryover from the early days and once this government was established I see no reason why that particular policy should not apply as regards federal elections. So I have nothing further to add to that.

THE CHAIRMAN (Mr. Patterson): Thank you, Mr. McCallum. I am going to ask Mr. Johnson now to respond to Mr. Nerysoo's earlier question.

Dismissing A Public Servant

LEGAL ADVISOR (Mr. Johnson): Mr. Nerysoo, the current legislation provides that a civil servant cannot engage in any kind of political activity either working for or on behalf or running as a candidate unless he follows some very specific procedures in applying to the Commissioner, who then can grant a leave of absence. Once the leave of absence is granted the employee ceases to be an employee under the ordinance. Then if an employee breaches the ordinance the Commissioner sets up a board of inquiry who then investigates it, gives the person an opportunity to be heard and then, if they decide he has contravened the section, they can dismiss the employee.

THE CHAIRMAN (Mr. Patterson): Thank you, Mr. Johnson. Ms. Cournoyea.

MS. COURNOYEA: Mr. McCallum, then if I did not amend your motion, would it go without saying that in making the motion that you presented, that involvement of that government person would not be within his working day and that he would not use a government office, equipment, supplies, to support his involvement, rather than adding that on would I understand that there would be some other guidelines that would be put forward?

THE CHAIRMAN (Mr. Patterson): Mr. McCallum.

HON. ARNOLD McCALLUM: Absolutely, Mr. Chairman. That is what I had indicated I think in talking to it very briefly, that where there was no interruption of one's primary work or the utilization of materials that really are not that individual's, it would seem to me it would go without saying it would be very much understood, at least to my way of thinking.

THE CHAIRMAN (Mr. Patterson): Thank you, Mr. McCallum. I am sure that the debate will be studied by the draftsmen of this new legislation. Mr. Braden.

Participation In Municipal Or Territorial Elections

HON. GEORGE BRADEN: Thank you, Mr. Chairman. I have a brief comment then to make to Mr. McCallum's motion and then a question of clarification. I would like to reiterate what I believe Mr. MacQuarrie said earlier on, or one other Member, that it is very difficult to keep tabs on what civil servants are doing when an election is taking place, whether it is municipal, territorial or federal. I find it a little bit difficult to understand why Mr. McCallum would propose just opening it up for federal, recognizing that people are going to become involved in one way, shape or form at the territorial or municipal level as well.

Just a further comment, I am generally in favour of the motion. What it would appear to do is exclude the right of civil servants to participate in the election of people to a governing body which governs the Northwest Territories and not just sending two people down to Ottawa to sit in the back benches and try and struggle to make a few remarks now and then. Mr. McCallum, why have you just picked the federal elections and not the territorial?

THE CHAIRMAN (Mr. Patterson): Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, because that is the way I feel.

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

Amendment To Motion To Have Ordinance Changed, Sessional Paper 5-80(2)

MR. MacQUARRIE: Thank you, Mr. Chairman. I will move an amendment that will insert the words "territorial or" in between the words "for federal" so it will now read "...work for or against a candidate for territorial or federal elections".

THE CHAIRMAN (Mr. Patterson): Mr. MacQuarrie, I will accept that amendment to the motion which would allow territorial public servants to work for or against a candidate for territorial or federal elections. The amendment would add territorial elections. To the amendment. Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. I have put it in because I believe that political participation is a right and should be extended to as many people without qualification as possible. I think we can leave it to the discretion of individuals to decide whether they would be unwise to participate, and as I said earlier, I think that discretion in territorial elections will move many public servants not to participate. But the opportunity ought to be there if they should choose to do so, because there are many carpenters, many truck drivers, many teachers who are not in sensitive positions but who may very well be concerned about the issues that have to be addressed in the Northwest Territories, and who would like to participate, so I would not wish arbitrarily to exclude them. Thank you.

THE CHAIRMAN (Mr. Patterson): Mr. Evaluarjuk.

MR. EVALUARJUK: (Translation) Thank you, Mr. Chairman. Perhaps I am not getting the full gist. I am not in favour of any public servant working for or against a candidate. If I were to be an employee and perhaps, if there were three civil servants who were running for election and one happens to be my good friend, I might be inclined to let him use my office or other necessities to help him.

---Applause

There are some planes that are chartered by the government and there are some people who would like to go on a charter but they are refused. Perhaps if I had a good friend who was running for public office, if he was a good friend of mine I might be inclined to give him the first opportunity to charter. I am in favour of not changing the present law at this time. Thank you.

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

No Longer A Public Service

HON. RICHARD NERYSOO: Well, just that I think that the public service in my opinion is that; it is a public service. If we are now getting candidates who are working for us in the public service who are going to run against us or not necessarily us but in future, then why do we not call it something else? And it is not then a public service any longer because the people who are going to be making laws in the future will be those people who have worked in the service, who may want to change laws for their benefit and may not recognize the needs of laws to be changed for other people. I think that it could be good and it could be bad. I think that prior to any kind of legislation of allowing public servants to participate in elections you have to look at what kinds of parameters you set and we have not done that.

THE CHAIRMAN (Mr. Patterson): Thank you, Mr. Nerysoo. I think we are discussing the principle first and we will get into details if we can accept the principle. The amendment is very specific though, it includes "territorial elections" and I caution Members to speak to the amendment. Mr. Sibbeston.

Civil Servants Already A Privileged Lot

MR. SIBBESTON: Mr. Chairman, I do not support the amendment to have territorial civil servants be involved in territorial elections supporting candidates. I support, however, their involvement in federal elections. The matter of having civil servants involved in territorial elections I guess is a serious question for people in Yellowknife because a large portion of Yellowknife are civil servants. If a guy is against civil servants or against government in Yellowknife he or she does not stand a chance, so you get people who are generally maybe pro government but run and these people would have a chance to win. I know if I run in Yellowknife I guess I would not have a hope in hell.

---Applause

Mr. MacQuarrie said something to the effect that civil servants should have rights to be involved in territorial elections. I think that civil servants are, particularly in the small communities and I will speak from my vantage point from a smaller community, civil servants in smaller communities are a privileged lot. They have everything that ordinary people do not have. They have houses. They have good pay. They drive government vehicles around. They go to their offices and sit around and have coffee all day and that is the way civil servants are, because I have had the experience of going back to Simpson without a civil service job. I did not have a house, I did not have good pay and I really felt how ordinary people feel to see all these civil servants, particularly white people who come in from elsewhere, who have everything and they are less educated than a lot of us native people were. I have gone through the experience of having to make my own way and having to have my own house and raising five kids on about \$900 a month. You really feel the distinction and difference between ordinary people and civil servants. So civil servants, to begin with, are a privileged lot.

THE CHAIRMAN (Mr. Patterson): Mr. Sibbeston, I have been asked to rule on whether or not what you are talking about is to the motion. I think since you are talking about territorial civil servants it is relevant, but I would ask you to speak directly to the motion as to whether or not those servants should be allowed to work in territorial elections. Continue.

Civil Servants In Small Communities

MR. SIBBESTON: Mr. Chairman, looking at civil servants in a small community they are there for a certain purpose and they are usually there to help people. I think they should stick to trying to help people, to try to do the jobs that they are supposed to be doing. In a small community it is I think important that civil servants be apolitical because it will be very easy, I suppose, for civil servants to become involved and in a small community everybody knows, if

they were involved, knows where they stand. I have had the experience of this in the past when the election was last fall of having certain civil servants who you knew were opposed to my candidacy, to my being elected. Had I been vindictive, had I wanted to, I suppose I could have taken steps to either try to have them fired or demoted or moved, but I have not done any sort of thing like that. I think the best way to have civil servants in the small communities is to have them not involved in territorial elections. Thank you.

THE CHAIRMAN (Mr. Patterson): Thank you, Mr. Sibbeston. Mr. McLaughlin, I have you on the list but I understand coffee is ready so we will now break for 15 minutes.

---SHORT RECESS

THE CHAIRMAN (Mr. Patterson): The Chair recognizes a quorum. I call the committee to order. Mr. McLaughlin, to the amendment.

Civil Servant Could Be Vindictive To Employees

MR. McLAUGHLIN: I would like to speak against the amendment because I am not endowed with tons of civil servants in my riding like many of you are but I do have civil servants in my riding. I have not got a clear indication from them what they think about territorial elections, although I have clear indications they would like to participate in federal elections. To the amendment, my concern is about the employee who works in a department and someone else in that department who is senior to him has resigned or taken leave of absence and is campaigning in an election and would maybe expect all the people in his department to support him. Lack of support or lack of visible support by one of the employees in that department might mean to that particular person that he was actually opposed to him. So my concern is for the employees who are not running and are not campaigning and the reaction that would be given to them by an employee who was defeated in an election and returned to his position. He could be vindictive to that employee; or if he is successful in the election he could be even more vindictive to that employee. So for the time being, I am opposed to this amendment until I get a clear indication from the territorial employees that I know, what their feelings are on that.

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Mr. Patterson): Question being called. Hon. Mr. Wah-Shee.

Implications For Public Service And People Who Run In Elections

HON. JAMES WAH-SHEE: Mr. Chairman, my feeling is that most of the Members have not had the opportunity to really think of the whole question of whether civil servants should be allowed to participate in the territorial elections and also the federal elections because this is really the first time we have really even considered the whole matter. My feeling is that not enough time has been given to most of the Members of this House to even consider that so I think we ought to take time to really consider this. I think that the February session maybe would be a good time for the whole issue to be addressed. I also want to state that I will not be supporting this motion for those very reasons I have outlined. I think that having civil servants participating in the territorial elections certainly will have implications, not only for the public service but also for the people who run. I do not have any difficulty with the civil service in my riding because the majority of my constituents are my tribal members, but I think that I do sympathize with the MLA's from Yellowknife and possibly other areas where you have regional offices, and I think that the issue naturally has to be addressed. I think we ought to think about the various factors and implications regarding this matter. Thank you.

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

MR. NOAH: (Translation) Thank you, Mr. Chairman. I would just like to state that the civil servants working in an election are people -- because the civil servants will -- on native issues we see a lot of times in the Territories that the civil servants -- if we passed this legislation for working in elections and native people, they are unhappy about the policies sometimes because of this.

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

Decision Does Not Have To Be Reached Now

HON. RICHARD NERYSOO: Well, just to say that I would not support the amendment. However, I think that there is a point here that we have missed and we have tried to get into specifics. The whole purpose of this paper was to bring out discussion on the issue, not necessarily to come up right now and say, this is the position of this Assembly. I think what I wanted from the House was maybe

for people to say "Okay, let us not come out with a specific decision right now, but have the legislative subcommittee on legislation or the Executive Committee begin discussion." People in this House can at least give us advice as to how they feel the public servants should participate. That was the purpose of this. It is a discussion paper.

THE CHAIRMAN (Mr. Patterson): Any further comments on the amendment? We are dealing with a narrow amendment whether or not territorial civil servants should be allowed to work in territorial elections. Hon. Mr. Stewart.

HON. DON STEWART: Thank you, Mr. Chairman. Well, I will support the amendment because I am of the opinion that democratic rights should be guaranteed to everyone in the Territories even though they are civil servants. I can see some problems and indeed they may exist for the first two elections or so, but I think that is a process of growing up and getting into the whole political arena. I know when the civil servants got involved in municipal politics, the first couple of years they dominated the field, but when their abilities were looked at closely soon many of them disappeared.

---Laughter

So I think they should be given the right to participate.

THE CHAIRMAN (Mr. Patterson): Thank you, Hon. Mr. Stewart. Hon. Mr. Butters.

Definition Of What Work Includes

HON. TOM BUTTERS: Mr. Chairman, by way of clarification and possibly I should direct, if I may, a request to the Legal Advisor to define "work" what would this include? Would it be just mailing, licking stamps or actually going out and stumping with a soap box?

THE CHAIRMAN (Mr. Patterson): Mr. Johnson, does "work" include licking stamps? Could you give us an opinion?

LEGAL ADVISOR (Mr. Johnson): Well, it is a question of how wide you want to interpret it or how narrow you want to interpret it. I think the legislation looks pretty restrictive as it presently stands and I think you could probably take the restricted view that I would call that as being working.

THE CHAIRMAN (Mr. Patterson): To the amendment, Hon. Mr. Butters.

HON. TOM BUTTERS: Why I inquire is that I think that the current situation is very narrow. As has been pointed out, you almost have to get a written authorization to attend a political meeting. It would appear to me that there must be some middle ground between that type of stricture and somebody actually out on a soap box or pounding on doors for or against a particular candidate. I guess I could see working in the sense of becoming involved in the organization and this type of thing, but the overt type of politicking bothers me.

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

Restrictions Placed On Civil Servants Participating In Elections

HON. ARNOLD McCALLUM: Mr. Chairman, I just simply want to say I know when the question was posed to me, why I restricted it to federal elections, I glibly said, "That is how I feel." What I was doing with the motion in the first place was to correct what I think was something that was simply a carryover from the territorial public servants not being allowed to become engaged in federal elections. I would obviously be willing to listen to the kind of discussion that would go along as regards territorial elections. As Mr. Nerysoo suggested, he was looking for some kind of comment from everybody. I think that regardless, in putting the motion dealing with federal, that is something we could have very

easily done and very quickly. Now to have all the territorial public servants take part in territorial elections, whether we recognize what is in fact happening throughout territorial elections, I still am of the opinion that there should be certain restrictions placed on the participation of territorial civil servants in territorial elections. So in all conscience I cannot support the amendment. I am not against the actual principle of it. I think there are certain restrictions that have to be developed for it.

THE CHAIRMAN (Mr. Patterson): Question has been called. Are you ready for the question? We are voting on an amendment which would allow territorial public servants to work for or against a candidate for territorial as well as federal elections and the amendment deals with the word "territorial". All in favour of the amendment? Pardon me, Hon. Mr. Braden.

HON. GEORGE BRADEN: No. I was voting.

Amendment To Motion To Have Ordinance Changed, Sessional Paper 5-80(2),
Defeated

THE CHAIRMAN (Mr. Patterson): A recorded vote has been called for and I will ask all Members in favour of the amendment to include territorial elections, please rise and stay standing until your name is called.

CLERK ASSISTANT OF THE HOUSE (Mr. Hamilton): Mr. Butters, Mrs. Sorensen, Mr. MacQuarrie, Mr. Stewart.

THE CHAIRMAN (Mr. Patterson): Opposed?

CLERK ASSISTANT OF THE HOUSE (Mr. Hamilton): Mr. Evaluarjuk, Mr. Arlooktoo, Mr. Kilabuk, Mr. Tologanak, Mr. Noah, Mr. Sibbeston, Mr. McCallum, Mr. Wah-Shee, Mr. Nerysoo, Mr. McLaughlin.

---Applause

THE CHAIRMAN (Mr. Patterson): Abstentions? The amendment is defeated.

---Defeated

Motion To Have Ordinance Changed, Sessional Paper 5-80(2), Carried

Now, we have a motion on the floor, the motion of Mr. McCallum, that the ordinance be changed to allow territorial public servants to engage in work, to work for or against a candidate for a federal election. The question has been called. Are you ready for the question? All in favour of the motion please raise your hand. Opposed? Abstentions? The motion is carried.

---Carried

Mr. Nerysoo.

HON. RICHARD NERYSOO: As I was speaking earlier, I move that Members of this House submit to the chairman of the subcommittee on legislation, ideas as to how they feel the public service and the public servant can participate in territorial and federal elections.

THE CHAIRMAN (Mr. Patterson): Mr. Nerysoo, I take it you are referring to the legislation committee of this Assembly. You said subcommittee and it is a committee.

HON. RICHARD NERYSOO: Yes.

THE CHAIRMAN (Mr. Patterson): You want these submissions made to the Executive subcommittee?

Motion To Defer Sessional Paper 5-80(2) For Submission Of Ideas

HON. RICHARD NERYSOO: You see, Mr. Chairman, the idea of this paper was not to come up right now with specific recommendations. The idea was to create a discussion and what we have done is we have gone into the situation here where people in the Eastern Arctic or Members of this House have seen this paper for the first time and we have such a short period of time this afternoon to discuss an important issue. I think it is appropriate if people could submit ideas to me for the House so that we can come up with a proper paper on how the participation should occur and to say, "Well, we do not want them", well there may be options and I do not think those options have been put forward here yet.

THE CHAIRMAN (Mr. Patterson): I have a copy of your motion, Mr. Nerysoo. I think it reads "That Members of this House submit ideas to the chairman of the subcommittee on legislation as to how they feel how the public service and territorial public servants can participate in elections." Is that correct? Mr. MacQuarrie to the motion.

MR. MacQUARRIE: Earlier in trying to clarify something...

HON. TOM BUTTERS: A point of order, Mr. Chairman. I thought that the motion that was approved read that we should make changes in the situation of federal elections. So this motion should only read "in territorial elections".

THE CHAIRMAN (Mr. Patterson): Mr. Butters, I feel we are discussing the whole paper and in effect Mr. Nerysoo's motion is that we defer, I think its effect would be to defer further discussion of this paper here. I do not see that his motion is out of order. That is my ruling. I think it is permissible, even though the House has given some direction by the previous motion, I do not think that we have restricted Mr. Nerysoo's motion because we have yet to discuss the whole paper. So I am going to rule the motion in order and we will hear from Mr. MacQuarrie.

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Mr. Patterson): I am sorry, another point of order, Mr. Sibbeston.

MR. SIBBESTON: In making your decision did you consider the fact that we have already made a motion saying that territorial civil servants are not to be involved in territorial, only federal elections? The motion that Mr. Nerysoo has made deals with whether civil servants can participate in elections, so we have decided already that territorial civil servants cannot take part in territorial elections so this motion, I submit, is not in order because we have already determined that they cannot be.

THE CHAIRMAN (Mr. Patterson): Mr. Nerysoo, have you got a written copy of your motion? Particularly I am interested in your last words, where you were referring to elections in general or were you referring to federal elections?

Motion To Defer Sessional Paper 5-80(2) For Submission Of Ideas, Withdrawn

HON. RICHARD NERYSOO: Mr. Chairman, I withdraw that motion.

THE CHAIRMAN (Mr. Patterson): That resolves that problem. Thank you. We are now ready to consider then direction two in the paper which asks "Should territorial public servants be allowed to be candidates..." and I think I will restrict that to federal elections since we have already decided that issue. "Should territorial public servants be allowed to be candidates..."

MR. MacQUARRIE: A point of order. I think there is a substantive difference between the two, and just because in direction one territorial public servants were not to engage in territorial -- in work for or against a candidate in territorial elections, it is quite a different issue as to whether they would be allowed to run themselves as candidates in territorial elections. So I think the two words are still legitimate there.

THE CHAIRMAN (Mr. Patterson): Yes, I agree with you, Mr. MacQuarrie, so I will put direction two up for discussion on the issue of whether or not public servants should be allowed to be candidates in a territorial or federal election as opposed to working for or against a candidate. Mr. McLaughlin.

Motion To Defer Sessional Paper 5-80(2) To Next Session

MR. McLAUGHLIN: Mr. Chairman, I feel that the debate up to this point has given fairly good guidance to the Executive Committee and to the other Members of the House on what everybody thinks in general on this. I think enough input has been given by the Members now that legislation can be prepared by the Executive Committee for discussion at the next session in detail and, therefore, I will move that the balance of discussion on this paper and this topic be deferred until the next session.

THE CHAIRMAN (Mr. Patterson): All right, Mr. McLaughlin. I will accept that motion. To the motion, Mr. MacQuarrie.

MR. MacQUARRIE: A question first, and then I would like to speak to the motion. Did the mover mean that the government should come back to us with a piece of legislation dealing with political rights for public servants at the next session?

THE CHAIRMAN (Mr. Patterson): Mr. McLaughlin?

MR. McLAUGHLIN: My intention is that the Executive Committee should prepare a piece of legislation for the next session and in the interim it would probably be advisable for them to maybe prepare a white paper, a more detailed discussion paper and maybe run that through the legislation committee in the interim, but they have at least a good enough general direction now from the main motion separating the territorial and federal issues and they can go into details from there later.

THE CHAIRMAN (Mr. Patterson): Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. I find that totally unacceptable. We were presented by this government with a sessional paper entitled "Political Rights for Territorial Public Servants, a Discussion Paper". Inside there is a big headline "Direction Required". The Executive Committee is seeking direction from the Legislative Assembly on the following, and then it lists five points on which apparently they want some direction. We have dealt with one of those and, therefore, I fail to see how the mover can say that they now have adequate direction. I would just have to vote against that since I would like to comply with the government's earnest request that we give them some direction.

THE CHAIRMAN (Mr. Patterson): Thank you, Mr. MacQuarrie. To the motion to defer discussion to the next session? If there are no further comments then I take it you are ready for the question.

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Mr. Patterson): Question has been called. A recorded vote. I will ask all of those who are in favour that the balance of discussion of this paper be deferred to the next session please stand. This would defer the discussion to the next session.

Motion To Defer Sessional Paper 5-80(2) To Next Session, Carried

CLERK ASSISTANT OF THE HOUSE (Mr. Hamilton): Mr. Arlooktoo, Mr. Kilabuk, Mr. Noah, Mr. McLaughlin.

THE CHAIRMAN (Mr. Patterson): Opposed? Are you voting, Mr. Wah-Shee?

HON. JAMES WAH-SHEE: I was voting for the motion.

THE CHAIRMAN (Mr. Patterson): All right, Mr. Wah-Shee is for the motion. Against the motion to defer please stand.

CLERK ASSISTANT OF THE HOUSE (Mr. Hamilton): Ms. Cournoyea, Mr. Sibbeston, Mrs. Sorensen, Mr. MacQuarrie, Mr. Stewart.

THE CHAIRMAN (Mr. Patterson): Abstentions?

CLERK ASSISTANT OF THE HOUSE (Mr. Hamilton): Mr. McCallum, Mr. Braden, Mr. Butters, Mr. Nerysoo, Mr. Tologanak.

THE CHAIRMAN (Mr. Patterson): I am sure earning my dues today. I will vote in favour of the motion to defer.

---Carried

---Applause

I am breaking the tie in favour, so that will conclude discussion on this paper and I shall now report progress.

MR. SPEAKER: Mr. Patterson.

REPORT OF THE COMMITTEE OF THE WHOLE OF TABLED DOCUMENT 6-80(2): PRINCIPLES FOR DEVELOPMENT OF AN ENERGY POLICY; SESSIONAL PAPER 5-80(2): POLITICAL RIGHTS FOR TERRITORIAL PUBLIC SERVANTS; SESSIONAL PAPER 6-80(2): OPTIONS FOR A POSITION ON THE PROPOSED RESOLUTION FOR A JOINT ADDRESS TO HER MAJESTY THE QUEEN RESPECTING THE CONSTITUTION OF CANADA

MR. PATTERSON: Mr. Speaker, thank you. Your committee has been considering Tabled Document 6-80(2) and Sessional Paper 5-80(2) and I wish to report that these items have been concluded. Thank you.

MR. SPEAKER: Thank you. I thought there was only one other piece of business. Did we have three before the House? I am sorry. The energy policy paper, that is concluded?

MR. PATTERSON: I am sorry, Mr. Speaker, we have been considering Tabled Documents 6-80(2), Sessional Paper 6-80(2) and Sessional Paper 5-80(2) and I wish to report these items have been concluded. Thank you.

MR. SPEAKER: Thank you. In view of the hour and the request of caucus in the paper I have just circulated, it is very close to the hour of 5:00 o'clock. I do not see how we can accomplish anything going into committee of the whole at this time.

MR. MacQUARRIE: There is one outstanding motion, Mr. Speaker.

MR. SPEAKER: Mr. Patterson.

MR. PATTERSON: The education committee was asked to report to this session with recommendations and it has at least one urgent recommendation that it would like the committee to consider on the matter of student financial aid. I would hope that we have a chance to consider one of those recommendations at least.

MR. SPEAKER: Well, you give me a bit of a problem inasmuch as there is also a motion that precedes that, precedes your motion and I would then have to deal with that item of business first. So I think really unless we can get unanimous consent to go back to some specific item I will consider prorogation at this time. Mr. Patterson.

MR. PATTERSON: Mr. Speaker, I would like to ask for unanimous consent to return to committee of the whole to consider the report of the special committee on education.

MR. SPEAKER: A request for unanimous consent.

MR. MacQUARRIE: Nay.

MR. SPEAKER: I hear a "nay". Unanimous consent has been denied. Mr. Clerk, have you any announcements?

MR. McLAUGHLIN: On a point of order. I would like to ask unanimous consent of the committee or the House to return to the motion and the specific recommendation of the committee regarding teacher education program.

MR. PATTERSON: Hear, hear!

---Applause

MR. SPEAKER: I thought that was what Mr. Patterson was just asking for and was denied. Were you not dealing with the same motion?

MR. McLAUGHLIN: On a point of order his motion was to deal with the entire paper and my motion is to deal with only one recommendation in the paper.

MR. SPEAKER: It would be my opinion that it has been voted on once to go back to that paper and it has been denied. I think you cannot take part away. My ruling would be it is the same question. You are going back to the same motion. That has been denied. Hon. Mr. Butters.

HON. TOM BUTTERS: Mr. Speaker, I just would like to assure Members who raised this concern that as Minister of Education, I will be acting on that recommendation anyway. It is a recommendation that the administration put forward at Baker Lake and which was thrown on the floor there. So we would be happy to see that recommended.

---Applause

MR. SPEAKER: That, Mr. Butters, is your first for today too. That was not a point of order. I am not going to conduct a debate at this time. Is it a point of order you have, Mr. MacQuarrie?

MR. MacQUARRIE: Yes, Mr. Speaker, I would seek unanimous consent to return to deal with my motion on the constitutional position of the federal government.

MR. SPEAKER: A request for unanimous consent to go on to Motion 43-80(2), Government of Canada's Action on Constitution.

HON. JAMES WAH-SHEE: Nay.

MR. SPEAKER: Unanimous consent has been denied. Mr. Clerk, have you any announcements?

CLERK OF THE HOUSE (Mr. Remnant): Yes, Mr. Speaker. Mr. Speaker's prorogation reception will be held at 8:00 p.m. this evening in the Royal Canadian Legion, the same premises in which the Assembly's Hallowe'en function was held.

MR. McLAUGHLIN: Different costumes.

CLERK OF THE HOUSE (Mr. Remnant): Different costumes. You each received an invitation today. I suggest because of the conditions of the Legion's liquor licence it is essential that you bring those. Without them you will not be admitted, apparently.

The Frobisher regional office has asked that MLA's who are staying in staff housing units would please bring their keys to the airport tomorrow morning to turn them over to David Gilday. Concerning tomorrow mornings departure plans for Yellowknife, a bus will be at the hotel at 7:00 a.m. and will leave

for the airport at 7:15. Northwest Territorial Airways has asked all passengers to be sure to check in by 7:30 to ensure a prompt 8:00 a.m. departure since this aircraft has other commitments later in the day. A breakfast will be served en route shortly after departure from Frobisher. A final note, if I might, Mr. Speaker, would the public in the galleries and members of the press who have been using these machines please be sure to leave them behind when they depart so that they can be packed?

MR. SPEAKER: Mr. Clerk, would you ascertain if the Commissioner is ready to attend the House for prorogation?

Commissioner's Closing Remarks

COMMISSIONER PARKER: Please be seated. Mr. Speaker, Members of the Legislative Assembly, at the conclusion of a session of the Legislature, I am responsible for two matters. The first is to confirm the time and place of the next session. I am pleased to advise that the fourth session of Ninth Assembly will convene in Yellowknife on February 4, 1981.

---Applause

SOME HON. MEMBERS: Boo!

COMMISSIONER PARKER: My second responsibility is to prorogue this session. Before declaring prorogation, I feel that I should make some brief remarks concerning the stirring events which have occurred during the past three weeks. I did not take part in the committee of the whole debate on division because I believed that the duly elected Members of this House must have an unfettered opportunity to debate the issue, and in fact it was their duty to do so, a duty which was pursued with great energy and dedication. My silence should not be taken as an indication of any disinterest on my part. I am vitally concerned and have been an actor in the division drama for some 18 years. First as a concerned resident, then as a member of the Carrothers Commission of 1965 and 1966, as Deputy Commissioner and now as Commissioner, I have observed and taken part in the changes and growth in the Northwest Territories which culminated in the actions of this House at this session. It is well to remember that the original impetus for division in the 60's came from the West. Some held the view that the West could move more rapidly towards eventual provincehood if unencumbered by the East which was seen to be less advanced in local government and economic fields. While recognizing some validity in that view, our commission concluded that the constitutional and political development of the Eastern Arctic would be prejudiced by division at that time because the institutions of local government were not in place and indeed there was no real understanding of the issue of division nor even an understanding of the role of any level of government. In 1965 the territorial vote had not even been extended to the East, the first elected Members came on Council in the fall of 1966.

The debate which has just taken place here in Frobisher Bay has proven to me the wisdom of that earlier recommendation. The case for division has been advanced by articulate and experienced leaders, predominantly Inuit as befits the population distribution -- leaders who are either elected Members of this House or heads of recognized Inuit organizations. This could not have happened 15 years ago. The advocates of division at that time were not long-time residents of the Eastern Arctic or of the Keewatin -- this time the people, Inuit and non-Inuit, presented their own case, and presented it well. Members of all of the Councils during the intervening years, dedicated public servants in all regions, and in particular our Departments of Local Government and Education, deserve tremendous credit for the success of their programs as evidenced by the debate just concluded. Someone must have been doing something right!

Another "first" has been achieved by the Legislature at this session. This has been the first time that official representatives of all of the native associations, except for the leaders of COPE who would have been here had time

permitted, have come before this House as witnesses and guests. I believe that this bodes well for the discussions and consultations which must be part of the constitutional review which is the task for all of us in the months ahead. It may seem ironic to many that we are now coming together and working together to consider the proposition of separation into two parts. I do not choose to view the debate on Nunavut and division, and the action which must now follow, as a destructive process. If it is carried forward with good will on all sides, with due care, and with full discussion and evaluation of all of its elements, it can be a creative process.

We are engaged in the exciting exercise of nation building. We must never lose sight of the fact that we are a part of Canada and an important part at that. The West was concerned with the proposal advanced by the people of Nunavut. By the same token, Canadians in a general sense are interested in what happens in the North. Any changes in boundaries or political jurisdiction sets a precedent and opens the door to the consideration of further change. It becomes an element of the constitutional debate currently under way throughout our country. In a small way, perhaps we northerners can show leadership by considering our own needs and desires in a positive national context.

Turning now to other matters, I am delighted that two additional Members have been recommended for the Executive Committee, and particularly pleased that they come from Central and Eastern Arctic areas. I accept your recommendation, and offer my congratulations to Kane Tologanak and Dennis Patterson for the confidence which you have placed in them. Careful consideration must now be given to the assignment of executive responsibilities. Members chosen a year ago have gained valuable experience and I am confident that they will be of assistance to their new colleagues. I will consult with the leader of the elected Executive Members, and all other Members before assigning portfolios.

The people of Frobisher Bay have been friendly throughout our stay here. The Pages and all members of the support staff have given excellent service, as have the regional people under the leadership of regional director, Jim Britton. My sincere thanks are extended to Malcolm Farrow, the principal of this school and members of his staff who have accommodated us so well.

---Applause

ITEM NO. 12: PROROGATION

As Commissioner of the Northwest Territories, I now prorogue this third session of the Ninth Assembly.

---Applause

---PROROGATION

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