



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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

LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

Speaker

The Honourable Donald M. Stewart, M.L.A.
P.O. Box 1877
Hay River, N.W.T., X0E 0R0
(Hay River)

Appaqaq, Mr. Moses, M.L.A.
General Delivery
Sanikiluaq, N.W.T.
X0A 0W0
(Hudson Bay)

Arlooktoo, Mr. Joe, M.L.A.
Lake Harbour, N.W.T.
X0A 0N0
(Baffin South)

Braden, The Hon. George, M.L.A.
P.O. Box 583
Yellowknife, N.W.T.
X0E 1H0
(Yellowknife North)
Leader of the Elected Executive and Minister
of Justice and Public Services

Butters, The Hon. Thomas H., M.L.A.
P.O. Box 1069
Inuvik, N.W.T.
X0E 0T0
(Inuvik)
Minister of Finance and of Economic
Development and Tourism

Curley, Mr. Tagak E.C., M.L.A.
Rankin Inlet, N.W.T.
X0C 0G0
(Keewatin South)

Cournoyea, Ms. Nellie J., M.L.A.
P.O. Box 1184
Inuvik, N.W.T.
X0E 0T0
(Western Arctic)

Evaluarijuk, Mr. Mark, M.L.A.
Igloodlik, N.W.T.
X0A 0L0
(Foxy Basin)

Fraser, Mr. Peter C., M.L.A.
P.O. Box 23
Norman Wells, N.W.T.
X0E 0V0
(Mackenzie Great Bear)
Deputy Speaker and Chairman of Committees

Kilabuk, Mr. Ipeelee, M.L.A.
Pangnirtung, N.W.T.
X0A 0R0
(Baffin Central)

McCallum, The Hon. Arnold J., M.L.A.
P.O. Box 454
Fort Smith, N.W.T.
X0E 0P0
(Slave River)
Minister of Health and of Social Services

MacQuarrie, Mr. Robert H., M.L.A.
P.O. Box 2895
Yellowknife, N.W.T.
X0E 1H0
(Yellowknife Centre)

McLaughlin, Mr. Bruce, M.L.A.
P.O. Box 555
Pine Point, N.W.T.
X0E 0W0
(Pine Point)

Nerysoo, The Hon. Richard W., M.L.A.
General Delivery
Yellowknife, N.W.T.
X0E 1H0
(Mackenzie Delta)
Minister of Renewable Resources and of Energy

Noah, Mr. William, M.L.A.
P.O. Box 125
Baker Lake, N.W.T.
X0C 0A0
(Keewatin North)

Patterson, The Hon. Dennis G., M.L.A.
P.O. Box 262
Frobisher Bay, N.W.T.
X0A 0H0
(Frobisher Bay)
Minister of Education

Pudluk, Mr. Ludy, M.L.A.
P.O. Box 22
Resolute Bay, N.W.T.
X0A 0V0
(High Arctic)
Deputy Chairman of Committees

Sayine, Mr. Robert, M.L.A.
General Delivery
Fort Resolution, N.W.T.
X0E 0M0
(Great Slave East)

Sibbeston, Mr. Nick G., M.L.A.
P.O. Box 560
Fort Simpson, N.W.T.
X0E 0N0
(Mackenzie Liard)

Sorensen, Mrs. Lynda M., M.L.A.
P.O. Box 2348
Yellowknife, N.W.T.
X0E 1H0
(Yellowknife South)

Tologanak, The Hon. Kane, M.L.A.
Coppermine, N.W.T.
X0E 0E0
(Central Arctic)
Minister of Government Services

Wah-Shee, The Hon. James J., M.L.A.
P.O. Box 471
Yellowknife, N.W.T.
X1A 2N4
(Rae - Lac la Martre)
Minister of Local Government and of Aboriginal
Rights and Constitutional Development

Officers

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

Clerk Assistant
Mr. D.M. Hamilton
Yellowknife, N.W.T.
X0E 1H0

Law Clerk
Mr. E. Johnson
Yellowknife, N.W.T.
X0E 1H0

Editor of Hansard
Mrs. M.J. Coe
Yellowknife, N.W.T.
X0E 1H0

Sergeant-at-Arms
S/Sgt. J. Morris
Yellowknife, N.W.T.
X0E 1H0

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YELLOWKNIFE, NORTHWEST TERRITORIES

MONDAY, MARCH 2, 1981

MEMBERS PRESENT

Mr. Appaqaq, Mr. Arlooktoo, Hon. George Braden, Hon. Tom Butters, Mr. Curley, Mr. Evaluarjuk, Mr. Fraser, Mr. Kilabuk, Hon. Arnold McCallum, Mr. MacQuarrie, Mr. Noah, Hon. Dennis Patterson, Mr. Sayine, Mr. Sibbeston, Mrs. Sorensen, Hon. Don Stewart, Hon. Kane Tologanak, Hon. James Wah-Shee

ITEM NO. 1: PRAYER

---Prayer

SPEAKER (Hon. Don Stewart): Orders of the day for Monday, March the 2nd. Item 2, oral questions.

ITEM NO. 2: ORAL QUESTIONS

Mr. MacQuarrie.

Question 120-81(1): Letter Re COPE Agreement In Principle

MR. MACQUARRIE: Thank you, Mr. Speaker. My question is for the Minister of Aboriginal Rights and Constitutional Development. It is now more than a week, Mr. Minister, since I asked whether you would be prepared to make available to all MLA's a copy of a letter which you sent to the Minister of Indian Affairs and Northern Development with respect to the COPE agreement in principle. I did not ask that it be tabled but rather would you undertake to make it available to all Members. I would appreciate receiving an answer, Mr. Minister.

MR. SPEAKER: Mr. Wah-Shee.

Partial Return To Question 120-81(1): Letter Re COPE Agreement In Principle

HON. JAMES WAH-SHEE: Mr. Speaker, I intend to table a progress report on aboriginal claims. What is holding that up at the present time is that it is being translated into Inuktitut and at the same time, I wish to table all the correspondence associated with that particular report. It would appear that next week would be the appropriate time to do so because at that particular time I expect the translation to be done.

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

Question 121-81(1): Water Supply Problem, Frobisher Bay

HON. DENNIS PATTERSON: Yes, thank you, Mr. Speaker. I would like to ask the Deputy Commissioner in his capacity as being responsible for Public Works whether or not there is a water supply problem in Frobisher Bay due to leakage in the utilidor system. Thank you.

MR. SPEAKER: Deputy Commissioner.

Return To Question 121-81(1): Water Supply Problem, Frobisher Bay

DEPUTY COMMISSIONER PILOT: Mr. Speaker, to the best of my knowledge there is no water shortage problem in Frobisher Bay. There was a problem of leakage in the utilidor. This has been corrected and my people tell me that there is sufficient water in the lake at Frobisher Bay to provide all the needs of Frobisher for the rest of this year and several years.

MR. SPEAKER: Thank you, Mr. Deputy Commissioner. Oral questions. Item 3, on your order paper, written questions and returns. Are there any written questions?

ITEM NO. 3: QUESTIONS AND RETURNS

Mr. Patterson.

HON. DENNIS PATTERSON: Should I wait for returns, Mr. Speaker? I have a return.

MR. SPEAKER: Fine. Thank you. Are there any written questions? It must be a Monday or something. This is very unusual for this House today. Returns. Mr. Patterson.

Return To Question 88-81(1): Political Activities Of Civil Servant

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. This is a return to written Question 88-81(1) asked by Mr. Curley on February 19, 1981, concerning political activities of a civil servant.

In response to Mr. Curley's question of February 19th, I would like to state that Mr. Mair sought direction before going to Fort Smith to attend a trades advisory committee meeting. He was told that if questions were to arise about student grants and bursaries, he was to go no further than explain his role as the author of the Department of Education's report on financial aid for students, and in view of his knowledge and expertise, to explain the various programs of financial aid across Canada. Mr. Mair was invited by the chairman of the community education committee in Fort Smith to provide information on the research into student aid as conducted by the Department of Education.

Mr. Mair did not engage in political activity and it is clear from the newspaper report, which I am going to attach to this return, that Mr. Mair stated he was not an official spokesman and did not speak on behalf of the special committee. I am also notified that Mr. Mair expressed no racial sentiment at the meeting and that the letter of Mr. Ray Schmidt expressed Mr. Schmidt's own views. With this return I am attaching a copy of the newspaper report captioned "Outrage at Ed. Forum" and the letter from Ray Schmidt captioned "Following a siren call into racist balderdash?" Thank you, Mr. Speaker.

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

Return To Question 98-81(1): Earthquake At Wrigley

HON. TOM BUTTERS: Mr. Speaker, I have a return to Question 98-81(1), asked by the honourable Member for Mackenzie Liard on February the 23rd, regarding earthquake monitoring.

The Government of Canada has long recognized that there is a potential for earthquakes in parts of Canada, and acting through the earth physics branch of the Department of Energy, Mines and Resources, operates a national program for the purpose of studying past and present earthquakes and identifying the more earthquake prone areas of the country. The results of this program of earthquake studies have been incorporated in a national building code so that buildings in areas where large earthquakes are likely to strike are strengthened to withstand the possible tremors and protect their inhabitants. The same information used in the building code has been invaluable in providing approximate assessments of earthquake risk to resource development projects in the North.

In order to monitor present earthquakes, the branch maintains a network of seismograph stations across Canada. Three of these stations, in Yellowknife, Inuvik and Whitehorse, are capable of detecting significant earthquakes along the Mackenzie Valley. The western Northwest Territories and the Mackenzie Valley are recognized as regions of moderate earthquake risk. A number of small earthquakes occur in the region every year but there is no history of large destructive tremors such as there is in other areas of the country, notably along the British Columbia coast and in the southwestern Yukon Territory. The earthquake that was referred to by the Member, that occurred near Wrigley on February the 20th, was detected almost immediately by scientists at the earth physics branch. They were able to locate the epicentre and determine that, although it was a significant earthquake, it was not large enough to cause significant damage. Had it been larger and had there been a chance of serious damage, and possible casualties in the epicentral area, the territorial government would have been notified as soon as possible.

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

Return To Question 87-81(1): Electrical Power Facilities, Pond Inlet

HON. GEORGE BRADEN: Thank you, Mr. Speaker. I have a return to written Question 87-81(1). It was asked by Mark Evaluarjuk on February 19th, 1981, and it concerns electrical power facilities at Pond Inlet.

The return reads as follows: At the session of the Legislature held in Frobisher Bay, Motion 41-80(2) was passed and that motion called for a transfer of assets of NCPC from the federal government to a territorial power corporation which was to be created to replace NCPC. This proposal has been placed before the Minister of Indian and Northern Affairs and it is expected that discussions of the proposition will take place in the next few months. If the discussions were positive and a territorial power corporation set up, it would not lead to any duplication of the facilities already operated by NCPC in Pond Inlet and other places. It would simply mean that a territorial corporation would operate the facilities rather than the present federal corporation. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Returns. Mr. Wah-Shee.

Return To Question 39-81(1) And Question 118-81(1): Proposed Tunnel For Pangnirtung

HON. JAMES WAH-SHEE: Mr. Speaker, I have a return to written Question 39-81(1) and oral Question 118-81(1), asked by Mr. Kilabuk regarding a pedestrian underpass in Pangnirtung.

I wish to assure the honourable Member that the safety of pedestrians crossing the airstrip in Pangnirtung is a vital concern of this government. As he is aware, a pre-design feasibility study has been undertaken for a pedestrian underpass facility under the airstrip in the community of Pangnirtung. Because the costs involved in constructing such a facility are so great, other alternatives must be examined as possible solutions to this problem. One such alternative presently being investigated is the feasibility of installing lights and loudspeakers to ensure the safety of pedestrians crossing the airstrip. This work is being done in conjunction with the community. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Are there any further returns? No further returns for today.

I take pleasure in recognizing in the gallery a group of MLA's from Alberta. They are led by Speaker Amerongen, Mr. Bradley, Mr. Clark, Mr. Reid, Mr. Stewart, and Mr. Anderson. Welcome.

---Applause

Item 4, petitions.

Item 5, tabling of documents.

Item 6, reports of standing and special committees.

Item 7, notices of motion.

Item 8, motions Mr. Curley, I understand you have two on the book for today. Do you wish to proceed now?

MR. CURLEY: Mr. Speaker, I wish to defer the motions until tomorrow.

MR. SPEAKER: Thank you, Mr. Curley.

Item 9, notices of motion for first reading of bills. Pardon me, Mr. Butters.

HON. TOM BUTTERS: Mr. Speaker, do I have a motion on the book somewhere?

MR. SPEAKER: Not unless we have miscounted, Mr. Butters.

HON. TOM BUTTERS: Mr. Speaker, the record will show that I gave notice that I wished to move a motion, I think, either today or tomorrow to put the agricultural policy into committee of the whole.

MR. SPEAKER: Yes, I recall the motion, Mr. Butters. It is not in the books by some error.

HON. TOM BUTTERS: Tomorrow.

MR. SPEAKER: Will tomorrow be all right? I am sorry.

Item 10, introduction of bills for first reading.

Item 11, second reading of bills.

Item 12, consideration in committee of the whole of bills, recommendations to the Legislature and other matters.

ITEM NO. 12: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS, RECOMMENDATIONS TO THE LEGISLATURE AND OTHER MATTERS

Bill 1-81(1), An Ordinance Respecting Expenditures for the Public Service for the Financial Year Ending the 31st Day of March, 1982, with Mr. Fraser in the chair.

---Legislative Assembly resolved into committee of the whole for consideration of Bill 1-81(1), Appropriation Ordinance, 1981-82; Ninth Report Of Standing Committee On Finance, with Mr. Fraser in the chair.

PROCEEDING IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 1-81(1), APPROPRIATION ORDINANCE, 1981-82; NINTH REPORT OF STANDING COMMITTEE ON FINANCE

Department Of Personnel

CHAIRMAN (Mr. Fraser): The committee will come to order. Dealing with main estimates, Department of Personnel, page 8.01. Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, I would ask to have a couple of witnesses come before the committee and if I may be allowed to just make a very quick, short statement on the Department of Personnel.

CHAIRMAN (Mr. Fraser): Proceed, Mr. McCallum.

HON. ARNOLD McCALLUM: Thank you, Mr. Chairman. As Members obviously will be aware, the department is a service department providing personnel services to the employees of this government. Its main function, of course, is to co-ordinate the personnel management of the territorial public service. Within the estimates of this department, Mr. Chairman, the estimates will provide funding for the three main divisions; those dealing with personnel services which deal with recruitment and staffing of the public service, the housing and removal expenses as well as employee pay and benefits and employee relations.

The second division is the classification and compensation division. It has three sections and we will be talking about three sections within this division, Mr. Chairman, dealing with the process of classification of personnel, the development and compensation, and the training and auditing of the personnel within not only headquarters but in other areas.

Finally, the final division of the department, Mr. Chairman, is the area dealing with staff training and development which involves staff training, in-service training and the Office of Native Employment. We will as well, of course, be dealing with the estimates, be directing attention to the funding that is available or proposed for the department's administration section and the payment of employee benefits; those benefits that are negotiated with Public Service Association and the Northwest Territories Teachers' Association. Those benefits include medical transportation, the annual leave travel assistance, removal benefits, dental plan premiums and the workers' compensation premiums.

Promotion Of Employment Of Northerners

I want to indicate to Members of this committee, Mr. Chairman, that the major thrust of the Department of Personnel has been and will continue to be the active promotion of the employment of northerners. To that end we have had in place for the past year a restraint on southern hiring which has resulted in a marked increase in the number of northerners employed.

The staff of the Office of Native Employment have conducted a number of community visits and have taken part in a number of career shows in several centres in the Territories. The end result of these and other activities of the department and the government has been to raise the level of native staff to 33 per cent of the public service. Although the increase -- and this number is encouraging, Mr. Chairman -- the department has identified that there is a continued need for in-service training and staff development. In order to raise that level of existing employees to a more satisfactory level, we would attempt to pursue this end. The training program, Mr. Chairman, then the educational leave program and the in-service training courses all contribute to helping prepare our employees to perform well at their existing positions and to take advantage of any promotional opportunities that may arise.

Mr. Chairman, I would ask then if we may have the Commissioner, who will be open to questions on various aspects of the department, as well as the director of the department, Mr. Blewett, in as witnesses while we are dealing with the estimates of this department.

CHAIRMAN (Mr. Fraser): Thank you, Mr. McCallum. Is it agreed that the Minister have the witnesses appear? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Detail Of Capital

CHAIRMAN (Mr. Fraser): We have Commissioner Parker and Mr. Blewett, director of Personnel, and we are on page 8.07, detail of capital, \$25,000. Any opening remarks? Mr. McCallum. Mr. Blewett.

HON. ARNOLD McCALLUM: Nothing on the capital, details of capital. It is \$25,000 to provide for office furnishings and equipment in the headquarters area and in the Fort Smith region. I do not have any comments on that particular amount, sir.

CHAIRMAN (Mr. Fraser): Thank you. Comments of a general nature. Mr. Braden.

HON. GEORGE BRADEN: Mr. Chairman, can I make comments of a general nature about the Department of Personnel and personnel policies? Can I do that now, given that you have just mentioned capital?

CHAIRMAN (Mr. Fraser): If it is your wish, Mr. Braden, we will just go through the whole Personnel budget and make comments all the way through and agree on capital. Mr. Braden.

Impact Of Mobility Rights On Northern Preference Policy

HON. GEORGE BRADEN: Okay. I think that all Members are aware that in the federal government's proposed new constitution there is a section dealing with something called mobility rights. This is the right of all Canadians to move freely from province to province and to be assured that they will be given equal treatment if they are looking for a job. There are some provinces, Mr. Chairman, which have types of residency requirements.

Also in the new constitution there are references to how what they call affirmative action plans can be put in place by the federal government or provincial governments, or even municipal governments, as well as the private sector, so that native people, women and the handicapped can get employment. With respect to the Department of Personnel and the personnel and hiring policies of this government, I understand that we provide preferences at times for native people in hiring. It appears to me that we like to hire someone from the North first. If there is a qualified person from the North looking for a job and we have such a job in our government, we would like to give preference to that person, whether they are native or non-native, male or female.

I would like the Minister just to comment briefly, if he could, on any consideration that has been given in the Department of Personnel about the possible impacts which this part of the new federal constitution could have upon our government's hiring policies. I think that there are some things that we do now which, if this constitution is passed by the federal government, would be against the law of the land and therefore we may not be in a position to give northerners preference or to go to big industry or big unions from the South that come up here and say, you have got to hire the northerners first.

I would just like to know if the Minister or the officials there can tell us if they have done anything about this or if they have done any research into it, because I think it is an important issue for our government and for the Department of Personnel in particular. Thank you.

CHAIRMAN (Mr. Fraser): Mr. McCallum.

Department Would Advertise In The North

HON. ARNOLD McCALLUM: Mr. Chairman, the Member refers to something that is being proposed. I know that there is very little chance of a great many of the other things being changed in what is being put forth by the present federal government as regards mobility and the business of northern preference. We have not, as a department, done any active research into things because it is something that is being proposed. It is, to a degree, hypothetical, but regardless, we do not see that it may cause any real problems. There may be people who will question it and who will attempt to try to do something about it, but the federal government cannot tell us where we should advertise for people.

MRS. SORENSEN: Right on. Right on.

HON. ARNOLD McCALLUM: So, we would advertise in the North...

MRS. SORENSEN: Right on.

HON. ARNOLD McCALLUM: ...and therefore, we would hope to then attract northern people. Obviously, if somebody in the South got hold of that kind of an advertisement and they wanted to pursue it, I guess they would pursue it with somebody in the federal government, but again, we would have to look at it, I guess. If in fact what is being proposed becomes law, I think that we would have to look at it, but again, I think that that is the kind of thing that the attack, if you like, or the attack that we would take would be that we would continue to look north for people, advertise in the North, and if and when we have questions on that as a policy, then we would obviously look to the kinds of people that would be applying from the South. Now, I am not trying to suggest that we are not at some time going to require other people, but all things being equal, that is the kind of thing that we would propose.

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

Circumnavigating Mobility Rights

MRS. SORENSEN: Thank you, Mr. Chairman. I would just like to continue the discussion of northern hire and northern preference, Mr. Minister. We listened to a speech given to us by the Minister of Indian and Northern Affairs, Mr. Chairman, on Friday evening, in which the Minister said that there were some ways that this Legislature could circumnavigate the new constitutional amendments with respect to mobility. One of the ways is to institute affirmative action, particularly affirmative action at the community level. In other words, this Legislature may not be able to enact total territorial northern preference on hiring, but each community could bring in policy with respect to that.

Now, would the territorial government be prepared to sit down with the leaders of the various municipalities and incorporated hamlets and settlements with a view to strategizing? I know we use this word a lot, but strategizing policy at the local level, whereby we could institute types of affirmative action to get around this mobility clause in the amendments to serve our own purpose, which is to have at least 100 per cent northern employment, before southerners come in and take the jobs.

CHAIRMAN (Mr. Fraser): Mr. Minister.

Government Hiring Practice Not General Throughout Territories

HON. ARNOLD McCALLUM: Mr. Chairman, I would say yes, that this government would be willing to sit down with leaders at municipal levels, incorporated or unincorporated, to attempt to work something out with them, but I think possibly the Member is talking about an overall northern hire policy when we are in fact dealing with the Department of Personnel. Now, that is not to suggest that we would not be dealing with that, but as far as this Legislative Assembly is concerned, I think that we could direct our people at the local level, be they individual departments, to deal with the kind of thing that the Member is talking about.

Within the Department of Personnel, I suggest that we will do as I had indicated previously. In fact, I think the department at the present time, within its training manual, is suggesting something along that line, and if the Member would want to pursue more on that aspect with the director, I am sure that he would be able to respond more so than I.

Again, yes, the government as such or the individual departments could sit down with municipal people, but I think we are dealing with two things, in all respect, Mr. Chairman, because we are dealing with the Department of Personnel, the hiring practice within the government and not a general practice throughout the Territories where we would attempt to do something with private business, other large companies -- whether we would put down a piece of legislation. As regards the government, I suggest that we may not have that great a problem because we will look north always, first and foremost.

CHAIRMAN (Mr. Fraser): Mrs. Sorensen.

Lending Guidance To Municipalities

MRS. SORENSEN: I guess what I am really saying, Mr. Chairman, is that because we have a fairly sophisticated Department of Personnel and because we have the knowledge within that department that is not necessarily existent in the local communities, since they cannot afford to hire people who are expert in the whole area of personnel, that perhaps we, as a government, would lend them some of our expertise through the research that we would do into this whole area, and through the ability of our people to come up with assistance and guidance.

I know my own municipality, Yellowknife, will be looking at northern preference and certainly will look toward the territorial government for some ideas of which way they can go and for guidance and assistance in this whole area. Can we work together because obviously we have to be unified up here because there are very serious ramifications to this. If there are ways around the mobility rights then let us work together to work around them.

CHAIRMAN (Mr. Fraser): Mr. Minister, I do not know if there was a question there or not.

HON. ARNOLD McCALLUM: Mr. Chairman, I would simply say yes, we will.

CHAIRMAN (Mr. Fraser): Thank you. Mr. Curley.

Discouraging Civil Servants And Spouses Working Together

MR. CURLEY: Thank you, Mr. Chairman. I have some interest in getting people involved with the government personnel in the regions. Last year there were many questions raised because the government's long-term preference had been to hire spouses, not necessarily from the community level. I will want to ask the Minister as to what progress has been made to try and discourage civil servants and spouses to work in the same department or the same government agency when local communities should be given opportunity to apply for these positions and fill these positions. I do not know what progress has been made, but I would like the Minister to respond to that.

Our problem has not been the proposed mobility rights at all. I think we have had problems with the other residents, other Canadians, coming into the regions like Rankin Inlet. I can assure you the majority of the government staff at Rankin Inlet are not from Rankin Inlet, and that is created by the government's long-term policy because of the way they have instituted the qualifications. They make them such a way that communities are not qualified. I do not think the government has any plans to change those qualifications so that the local people can have a priority in obtaining those jobs. Now, I know the federal government has come around, talking about mobility rights in terms of jobs. We all of a sudden realize that we do have a problem but it has been a problem for the communities for years -- Frobisher Bay, all over the Territories, as well as places like Rankin Inlet.

Qualifications Of Positions Changed To Encourage Local Hire

Now, is the government prepared to change some of these qualifications in the government positions, particularly the government operations, so that the local people can have preference and have a chance to compete for those positions? Municipalities in the Inuit communities in the Eastern Arctic certainly have no problems, because they tend to make the qualifications suited to the people within that area. That is the case. What about the government? What has the government done to try and encourage more people from the local and regional areas to fill the government positions? Thank you.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Curley. Mr. Minister.

HON. ARNOLD McCALLUM: Mr. Chairman, I would like to say at the outset to the Member that it has been the expressed direction of the government in the last while to attempt to attract people into the government service. Now, one or two ways that can be done would be to lower the initial qualifications by which an individual can come into the government's employment and as a consequence, provide training opportunities whereby they could then take on greater responsibilities, but the first way of getting more people into the government service would be to initially lower the entry qualifications into it.

Equating Experience And Theoretical Aspects

The second would be, obviously, to try to equate or marry off the two concepts of experience and qualifications so that the qualifications are not just that you have to have X amount of formal training. It could be a certain amount of formal training and a certain amount of practical, if you like, to marry those, or to equate the experience and the theoretical aspects. I think that the government has been doing that over the past while.

It is not a policy -- I cannot conceive of it and certainly I would be in a position hopefully to have some kind of an influence on the policy of government in its hiring practices. It is correct that there are individuals from the same family involved working with the government. That is, they may not be within the same department but certainly within the same government. I cannot quote it with any kind of sureness to it, but by and large it has not been the policy to have husbands and wives, and sons, daughters, or whatever under the same direct supervision. Certainly, for example in teaching, there are obviously husbands and wives who are teaching in the same school, obviously within the same department. There would be other instances, I would guess, where there are people, husbands and wives, both working for the government but not under the same kind of direct supervision.

We must get to the main question. We talked about this, how to encourage people to come in. I think we have been attempting to do it in two ways: Lowering the qualifications, increasing the training and by trying to equate the experience and the formal training in order to attract more people to the government service.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Minister. Any further comments of a general nature? Mr. Curley.

More Native People Taking Executive Positions With Government

MR. CURLEY: Yes, I have one last question of a general nature. What progress has been made to involve the native northerner -- particularly native people into the executive positions of the government at regional levels? For instance, the level of the regional directors, the assistant regional directors' positions. Are there any and if so, how many are there?

CHAIRMAN (Mr. Fraser): Mr. Minister,

HON. ARNOLD McCALLUM: Mr. Chairman, I think that there are instances where we have individuals of native ancestry who are now or who have been assistant regional directors, regional superintendents and I think, again, what we are attempting to do is to -- those positions require some fairly sophisticated level of dealing with people and having qualifications. It is not the only qualification, because we talk about experience, knowledge of the area, of the people, as well as knowledge of the position, and I believe we have been making strides to it.

Obviously, if the Member is looking for exactness, I would have to get more detail in terms of that, but as a general reply to his general statement, we have people now in positions of assistant regional directors, in positions as regional superintendents and we would expect, obviously, that more people, northern people and native people, would progress along promotional avenues to those jobs in the future.

CHAIRMAN (Mr. Fraser): Thank you, Mr. McCallum. Any further comments of a general nature? Mrs. Sorensen.

MRS. SORENSEN: Mr. Chairman, I have a motion that resulted from the standing committee on finance deliberations in early January. It is on page five of the standing committee's ninth report to the Legislative Assembly and it concerns northern hire. It is recommendation number A7-81. I wonder if I could have your permission to proceed, Mr. Chairman?

CHAIRMAN (Mr. Fraser): Mrs. Sorensen, your recommendation is concerning the administration?

MRS. SORENSEN: It is overall policy, just of a general nature.

CHAIRMAN (Mr. Fraser): Okay, proceed with your motion then and we will just deal with the complete Personnel budget.

Motion To Accept Recommendation A7-81 Of Ninth Report Of Standing Committee On Finance

MRS. SORENSEN: On behalf of the standing committee on finance, Mr. Chairman, I move that the Executive Committee continue its policy of northern hire and that it continue its practice of having the departments and personnel seek approval to hire outside the Territories.

AN HON. MEMBER: Agreed.

CHAIRMAN (Mr. Fraser): To the motion.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Fraser): Mr. Sibbeston, to the motion.

MR. SIBBESTON: Yes. I appreciate the motion, but I am a bit concerned that it is a bit vague and general, when she talks about northern hire. I think it should be more specific. I appreciate that the intent is that people are hired from the North, but to me that still leaves open the loophole that southerners can drive into Yellowknife and other places in the North and stay there for a certain time and then they are considered northerners. So, I am concerned about that aspect of it. Is Mrs. Sorensen herself and her committee specifically concerned, for instance, about the government hiring more native people or are they simply interested in hiring generally people from the North, be it native people or white people? What is the thinking in respect of people who might come up to Yellowknife and Hay River for a few months and then be hired? They are hired locally in the North.

CHAIRMAN (Mr. Fraser): Thank you. Is that just a comment, Mr. Sibbeston? Do you want an answer? Mr. Minister. To the motion. Mr. Curley.

MR. CURLEY: Yes. I would like to ask the mover of the motion -- because to me, even without a particular motion like this, you know, the government obviously would continue its policy. This motion just merely asks that the Executive continue its policy of northern hire and that it continue its practice of having the Department of Personnel seek approval to hire. What does it really mean? Could she really explain what that motion is trying to obtain?

CHAIRMAN (Mr. Fraser): Mrs. Sorensen.

Present Hiring Policy Has Been Successful

MRS. SORENSEN: I think that the Minister, in his opening remarks, explained to the Legislative Assembly that as a result of this policy whereby jobs were advertised first in the North, and in many cases were filled as a result of that advertising first in the North, the amount of dollars within the Department of Personnel that was used for the purposes of hiring had, indeed, been quite a bit less for last year and that they had felt that they had had a very successful year in terms of hiring northerners. We are interested, as a standing committee, that even in the face of certain amendments to the constitution that concern mobility and preference, that we continue our policy of advertising for positions in the North first. Then if it is impossible to fill from the North because the position is of such a nature that there are not too many applicants and, after having advertised throughout the North to find that expertise, they are unsuccessful, then the Executive Committee would give permission to advertise in the South to fill that position.

With respect to the comment of Mr. Sibbeston, the standing committee on finance felt that if a person was willing to locate in the North, and had made the commitment to live and work here, then it did not matter whether he was white or native; that he had made the commitment to either purchase a home or rent a home and that he or she should have similar chances to work for our government.

Affirmative Action Programs

Now, there are also what we term affirmative action programs within the Department of Personnel and within the Department of Economic Development where native people have first preference on training programs. We were highly supportive of those affirmative action programs. In the discussion, we felt that we did not want to restrict this policy to native people only, because we did have affirmative action programs already in-house.

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

MR. SIBBESTON: Okay, Mr. Chairman. I support the motion if you recognize the motion for what it is. It does not say anything about native people. What this motion says, really, is that before hiring anybody, you ought to look north before looking south. That is what it means to me and it is a motherhood type of statement. I suspect it is done, to a certain extent, already. Certainly, it is better in regards to white people, it is certainly better to hire white people who have lived in the North some years, as opposed to hiring them directly from the South. White people who have been in the North for some time could have knowledge of the people and the northern situation and so could be good government employees. So, I will support it, but I do not give it great importance, because I do not believe it specifically deals with the matter of hiring native people in this government. I have a motion later on which will specifically deal with that.

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

MRS. SORENSEN: Question.

Motion To Accept Recommendation A7-81 Of Ninth Report Of Standing Committee On Finance, Carried

CHAIRMAN (Mr. Fraser): I hear question. All in favour? Down. Against? The motion is carried.

---Carried

Detail Of Capital, Agreed

Comments of a general nature. Could we go to detail of capital then, page 8.07, \$25,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Directorate, Total O And M

CHAIRMAN (Mr. Fraser): Page 8.02, directorate, \$1,347,000. Agreed?

SOME HON. MEMBERS: Agreed.

MR. CURLEY: Where?

CHAIRMAN (Mr. Fraser): Page 8.02. Mr. Curley.

MR. CURLEY: I would just like to seek from the Minister -- you know, well he actually assured this House that he will undertake to lower the qualifications when and if possible to hire community government personnel. Was that what I heard he was going to do? He plans to do that.

CHAIRMAN (Mr. Fraser): Mr. Minister.

HON. ARNOLD McCALLUM: Mr. Chairman, what I indicated to the Member when he raised the question about how to attract more northern people or native people into the government service -- I indicated one of the ways in which the government is doing it now -- following two ways in trying to get more people into it, that is into government service.

One of the ways that we are presently using and that we will continue to use to as great an extent as possible will be to lower the qualifications for the job entry, that is entry of an individual to that job, and provide the training whereby that individual can increase the knowledge and responsibility to carry out the functions of whatever position he or she would wish to pursue for which they have applied.

Directorate, Total O And M, Agreed

CHAIRMAN (Mr. Fraser): Any further comments? Page 8.02, directorate, \$1,347,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Systems And Administration, Total O And M, Agreed

CHAIRMAN (Mr. Fraser): Page 8.03, systems and administration, \$148,000. Any further comments? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Classification And Compensation, Total O And M

CHAIRMAN (Mr. Fraser): Page 8.04, classification and compensation, in the amount of \$332,000. Mrs. Sorensen.

MRS. SORENSEN: Thank you, Mr. Chairman. I wonder, Mr. Chairman, if the Minister could explain what the different categories of employees are within this government. I am referring particularly to the so-called Hay Plan and the union and the category of individual that belongs to neither the Hay Plan nor the union.

CHAIRMAN (Mr. Fraser): Mr. Minister.

HON. ARNOLD McCALLUM: Mr. Chairman, I am not really sure whether we have a correct -- the Member wants to know who is on the Hay Plan and who is not? Is that it, in a nutshell?

CHAIRMAN (Mr. Fraser): Mrs. Sorensen.

MRS. SORENSEN: Not names of course. I am interested in how one gets into the Hay Plan, also what category of employee is one to be able to be registered under the Hay Plan, and more precisely what is the Hay Plan? Certainly when we discussed this whole area in the standing committee on finance, it was a very fuzzy area, but I think that is not necessarily Personnel's problem. It was Members' problem so the committee felt it important that all Members of the Legislative Assembly be more understanding of what categories there are of public servants and what each category means.

CHAIRMAN (Mr. Fraser): Mr. Minister.

HON. ARNOLD McCALLUM: Mr. Chairman, I think that we have an idea now what the Member is asking and basically that is the kind of question that I would like the Commissioner or the director to reply to, if I may.

CHAIRMAN (Mr. Fraser): Thank you. Mr. Commissioner.

Different Categories Of Government Employees

COMMISSIONER PARKER: Mr. Chairman, we have a number of different categories of employees. The first category is the group that belongs to the Northwest Territories Teachers' Association, and they are basically teachers and education staff.

The second group belongs to the Public Service Association and like the Northwest Territories Teachers' Association, they bargain for their rights and for an agreement.

The third group is the management group. The management group -- pardon me. Let me insert another group in there, that is an excluded group. The excluded group is a group of people who for reasons of their positions do not belong to either of the two employee unions. Included in this group are the senior levels of secretaries who have, for reasons of confidentiality and the fact that they are working for senior managers, are not members of the union. That is a relatively small group.

The fourth group are those persons who belong to management, and as such we have adopted a system, which was developed by a company known as Hay Associates, a system of classification of those employees. There is nothing magical about the Hay Plan. It is a plan of classifying and of judging the performance of managerial employees. Only the managers within the government are part of the Hay Plan. There are some quite senior people within the government who are not

necessarily on the Hay Plan, and that is because they do not have direct managerial responsibilities. The Hay Plan gives us a method, as I said before, of judging performance and of categorizing the different positions, that is in different steps.

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

MRS. SORENSEN: You mentioned that there were some senior people who were not on the Hay Plan. Would they then be included in this excluded group or are they part of the union?

CHAIRMAN (Mr. Fraser): Mr. Minister.

Excluded Group Not On Hay Plan

COMMISSIONER PARKER: Mr. Chairman, there are some of the excluded group who are not on the Hay Plan because they may be in technical jobs of a senior level but not true managerial jobs. By the same token, all members of the Hay Plan are excluded persons as well.

MRS. SORENSEN: I am sorry. I do not understand.

CHAIRMAN (Mr. Fraser): Mr. Commissioner, could you try again?

COMMISSIONER PARKER: I will try again. Within the category of persons who belong to neither of the two employee unions, that group being called the excluded persons, some of the excluded persons are assessed under the Hay Plan and others are not.

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

MRS. SORENSEN: Within this excluded group then, Mr. Chairman, those that are not part of the Hay Plan, what kind of protection do they have against hiring and firing and the regular things that go along with the union contract particularly registering a grievance. Are they protected? I guess I am asking that question because we are all aware of recent news reports within the House of Commons where executive assistants and personal secretaries to the politicians, the MP's, appear to have very little protection. I am wondering whether we have some type of protection for our executive assistants too, for instance, the Ministers' and other excluded secretaries.

CHAIRMAN (Mr. Fraser): Mr. Commissioner.

Executive Assistants Are Not Public Servants

COMMISSIONER PARKER: Mr. Chairman, there is another group that I should have mentioned, and the Member has kindly drawn attention to it. That is a very small group of persons who are working directly for Ministers as executive assistants. Their tenure is different from anyone else and they are working very much for an individual Minister. They are hired on that basis and their term is tied to that of the Minister. Since they know this right at the commencement of their service, then it is quite clear that they seek protection from their Minister but they are not, in the ordinary sense, public servants.

Now, with regard to the other persons who are not part of the Hay Plan but are excluded, these persons have the same rights and benefits and protection as members of the Hay Plan. There is no difference there. They have protection under the Public Service Ordinance. Indeed, we are looking at a plan now which might possibly see all excluded persons being assessed under the Hay Plan. We are studying that and that remains a possibility.

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

MRS. SORENSEN: For this small group of people then, Mr. Chairman, who work for the Ministers, is there a grievance procedure that has been established for these people?

CHAIRMAN (Mr. Fraser): Mr. Commissioner.

COMMISSIONER PARKER: Mr. Chairman, these are political appointments. I suppose they could always turn to me as their ombudsman if they wish, but this procedure is the same, I think, as the procedure carried forward in every legislature in Canada.

CHAIRMAN (Mr. Fraser): Thank you. Any further comments? Mrs. Sorensen.

Grievance Procedure For Executive Assistants

MRS. SORENSEN: I guess I always get back to the fact that, why must we in the North be the same as every legislature in Canada. Speaking on behalf of the women who make up 90 per cent of the executive assistants -- and that is not to say that any of them have complained to me, none of them have -- but, I would like to see a grievance procedure instituted. I would not like to see a Minister fire, for instance, one of these employees without just reason and without a clear indication, over a series of months or at least weeks, of provocation to justify that firing. To me, it does not matter that they are at the beck and call and the whim of the Minister. They are due some protection and one protection would be a grievance procedure whereby they could appeal to some independent third party if they are being treated unfairly -- especially sexually.

HON. DENNIS PATTERSON: Shame, shame, shame!

---Laughter

MRS. SORENSEN: I wonder if I could have some undertaking from the Minister, at least to look into devising some sort of grievance procedure where a third party involvement could come into this?

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

HON. ARNOLD McCALLUM: Mr. Chairman, perhaps I should indicate to the Member how these people are hired. If they come from the territorial civil service, they are able to go back to it if, in fact, that Minister is removed. If, in fact -- God, I hate to use the term -- I nearly said relationship, and that may not be proper...

---Laughter

...but if, in fact, the arrangement does not work out, and if that individual -- and there goes another bad word too...

MRS. SORENSEN: What the heck, dad.

---Laughter

CHAIRMAN (Mr. Fraser): Answer the question, please, Mr. Minister.

Executive Assistants Can Return To Civil Service

HON. ARNOLD McCALLUM: If it does not work out then, and the individual has been hired from within the territorial civil service, that individual may go back to the job or a comparable job from which she has come.

MRS. SORENSEN: Or he.

HON. ARNOLD McCALLUM: There have been five executive assistants, Mr. Chairman, and they have all been female, that I know of. There are only three of them now -- but if they come from the federal service then, of course, I think that the arrangement has been made that they may go back to it, but if they come from private industry outside the government, and they are hired by the Minister and the Minister is at the whim of other legislators, as to how long his tenure will be, then that is the arrangement that you get for that individual as an executive assistant. They are at the whim as well, and I think those individuals, whether it is similar here to other places or not, I do not think that it should be any other arrangement.

MRS. SORENSEN: Shame, shame, shame!

HON. ARNOLD McCALLUM: I hear a voice crying in the wilderness again, dad -- mom. Just lay back.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Minister. Mr. Patterson.

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. I would just like to make a very brief comment on that. The problem is, Mr. Chairman, that in the political area when, in effect, an executive assistant is working in...

CHAIRMAN (Mr. Fraser): Move your mike in just a bit.

Employer/Employee Relationships Apply

HON. DENNIS PATTERSON: Yes. Thank you. As I see it, Mr. Chairman, when an executive assistant is working for a Minister, in keeping with a growth toward responsible government and toward cabinet government, that executive assistant, I believe, is in part, at least, a political assistant for the Minister and as such, his or her career rises and falls with the career of that Minister. This is not to say that the Minister can terminate that member or that particular person without just cause.

We must remember that there is a law relating to employer/employee relationships, which applies to all jobs, whether there is a collective bargaining agreement or not, and that law, which comes from the common law, provides a legal remedy for any employee who is dismissed without cause. I would just like to mention that it is not as if ministerial assistants can be dismissed because of the colour of their eyes. The ordinary employer/employee relationships apply.

All that I would like to suggest is important is that the employer be considered that particular Minister and that the whole elaborate scheme of appeals and grievances and review, as involved in the public service, should not saddle the Ministers or the position with unnecessary administrative obstacles, because I think that Ministers can come and go. A Minister can be removed by a vote of this House at any time and the executive assistants, I would suggest, understand that and should understand that. They are a special category of people, because like us politicians, they are working in a field where your days might be numbered. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. Classification and compensation, \$332,000. Mr. Sibbeston.

Native Members Should Have Native Assistants

MR. SIBBESTON: Mr. Chairman, I guess we are just talking about three or four people and it is not a very large number. I think in some ways we are kind of wasting time, but while we are on the subject, I would like to just raise a matter that has come to my mind. That is the matter of Ministers hiring native people as their executive assistants. I have always said that, as far as this government is concerned, there is not enough native people employed in the higher levels of government.

We have a number of native people that are now on the Executive and it seems to me that this would have been a good opportunity for some of the native Members to try to get native executive assistants. I think the matter of executive assistants, offhand, could be a very exciting job and would provide good experience for the future. So, I would just like to know what some of the Executive Members have done, particularly the native ones, what they have done to attract and hire native assistants. If they have made attempts, without success, maybe it ought to be revealed publicly as to why there are no native persons interested in working for this government at that level.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Sibbeston. Was that just a comment, Mr. Sibbeston?

MR. SIBBESTON: No, that is a question and I would like Mr. Wah-Shee to possibly answer that, for one. Mr. Nerysoo is not here, but I would like him to answer the question as well.

CHAIRMAN (Mr. Fraser): Mr. Wah-Shee, would you care to answer that?

HON. JAMES WAH-SHEE: I was just going to say I like white girls, but I will not.

---Laughter

MR. SIBBESTON: No. It is not a laughing matter.

Learning Process For Executive Committee

HON. JAMES WAH-SHEE: No, actually, I like everybody. When we all got on the Executive, we did not just hire the executive assistants in a matter of days. We did not hire until a good say two months on the job, so it was really a learning process for some of us who had never been on the Executive Committee before. So we decided to learn the ropes by ourselves and then -- you know, we certainly did look around. I mean, it was not the case where we did not make an attempt. Had I found someone who was quite capable and who was interested in politics as well as just looking after the paperwork, certainly. It was not intentional on our part not to hire native people. I think if we had come across such a person, naturally I would be the first one to hire one. Thank you.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Wah-Shee. Mrs. Sorensen, I think you had your hand up first.

MRS. SORENSEN: I have no intention of belabouring the point on these executive assistants, but I do feel that it is worth a few minutes of our time to explore this whole area. I do not wish at all to imply, by raising this point, Mr. Chairman, that our Ministers are lecherous beasts, but I think that it is

a point of principle with me that every employee within the government have recourse to grievances, to a mechanism whereby they can have their grievance heard. Now, if we have within our numbers, four or five people who do not have that, then I think we are behaving less than as we should.

I accept the fact that the career of an executive assistant rises and falls with his or her Minister, and that is quite proper, so that if the Minister was removed or resigned then so too would the executive assistant. We also could have a situation -- and I do not say that we have had it, I do not say that a situation is pending -- but we could have a situation where an executive assistant was fired without just cause. In a situation like that, Mr. Patterson has indicated that that person could go through the legal courts to obtain some sort of assistance. I submit, Mr. Patterson, that that costs money, and if you have just been fired from your job, you are not only discredited but you do not have an awful lot of money to hire a lawyer and to fight the fight that must be fought.

Protection For Minister And Executive Assistant

So all I am saying is that I think that there must be a grievance procedure for all of our civil servants and all of our employees so that if that individual feels that they have been fired, or have been put upon, that they should have a means of bringing that to the forefront before they are fired or immediately after they are fired. That is all I am saying. That independent grievance procedure should involve an independent body of some sort. I really do not see the problem with that. It is a protection that, if I were a Minister, I would automatically institute for my executive assistant so that I could never be accused personally of firing that person without just cause. It would be a protection for me as well. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you, Mrs. Sorensen. Any further comments? Mr. Curley.

MR. CURLEY: Yes. I would like to know whether or not there is any possible difficulty in placing those executive assistants if and when they were released of their position and if the Minister were shafted out of this position by this Assembly. Would there be any difficulty right now in placing them in a position? Are they not part of the Public Service Association? Could we get the whole story straight first because we are talking about only five or six executive assistants when we should be concerned with the other positions.

MRS. SORENSEN: I am talking about people that have no rights.

No Protection For Employees At Settlement Level

MR. CURLEY: For instance, at the settlement level, I can tell you that there are no protections for the hamlet staff which the government created. They can come and go. Sometimes they are taken out of their positions. We should be concerned with those. I can tell you that the executive assistants I looked at over there, they would have no problem in getting into another position within the government, none whatsoever in the headquarters. People are just probably waiting for them to move into other positions. I do not believe they are in a difficult situation, and they have probably, by choice, moved on to these positions when they were in a good position. I know, for instance, other communities, where the government created the hamlet municipalities, the ordinance certainly does not have any protection for the personnel.

MRS. SORENSEN: They should have. They should have protection for them.

MR. CURLEY: I know. I could tell the Member for Yellowknife South -- I will give an example. Federal government, by the recommendation of the Assembly and the administration, moved the...

MRS. SORENSEN: Shameful, if they do not have protection.

MR. CURLEY: ...Department of Transport to Rankin Inlet at the expense of the people who work there. Now, I know for instance the radio operators who were working at that local community radio at the airport are out of positions, out of jobs. They are waiting for other jobs to open up but they are out of jobs. So the question is, are they not part of the Public Service Association, and if not, why not?

CHAIRMAN (Mr. Fraser): Mr. Minister.

HON. ARNOLD McCALLUM: Mr. Chairman, at the present time, the three individuals who are now...

MRS. SORENSEN: Leave out "at the present time". I am talking about the principles of the positions for the people.

HON. ARNOLD McCALLUM: Mr. Chairman...

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

HON. ARNOLD McCALLUM: ...I am answering a question of the Member for Keewatin South. I was not referring to the Member for Yellowknife South.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Minister.

HON. ARNOLD McCALLUM: ...even in both areas but it is the Member for Keewatin South who asked me it. Now, if the other Member wants to ask a question, I will answer that one. You are free...

CHAIRMAN (Mr. Fraser): Proceed, Mr. Minister.

Executive Assistants Receive Same Benefits As Government Employees

HON. ARNOLD McCALLUM: The three individuals at the present time who are executive assistants are not members of the Public Service Association. They receive the benefits that all government employees receive. All three at the present time were hired from the Public Service Association and upon acceptance of those three positions, if the three individuals for whom they are working now were to leave, then those individuals would go back to the job or a comparable job at the level that they have -- at the pay level, at the level of competence that they have, but they are not now members of the Public Service Association because they were political appointments.

CHAIRMAN (Mr. Fraser): Thank you, Mr. McCallum. I think we have Mr. Patterson and Mr. MacQuarrie after the break. Precisely 15 minutes for coffee. Thank you.

---SHORT RECESS

CHAIRMAN (Mr. Fraser): The Chair recognizes a quorum. The committee will come back to order.

MR. MacQUARRIE: No. We did not hear it yet.

CHAIRMAN (Mr. Fraser): The committee will come to order. Dealing with the main estimates, classification and compensation. I have Mr. Patterson, Mr. MacQuarrie...

MR. MacQUARRIE: Scratch me.

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

Responsibility To Reflect Human Rights Provisions

HON. GEORGE BRADEN: Thank you, Mr. Chairman. I will be brief and hopefully we can put this issue to rest. We are talking about an issue which, in part, relates to some things that I am doing in my department dealing with human rights. Canada and the various jurisdictions within Canada have certain responsibilities because of agreements that Canada has signed internationally at the United Nations. One general area that I am looking into right now deals with human rights and how various pieces of legislation and various regulations that we have reflect the human rights issues that Canada is supporting.

I suspect that the kind of issues that Mrs. Sorensen is raising apply across the board and not just to the executive assistants working for Ministers of the territorial government. I will conclude all this by saying that I have had a discussion with the British Columbia ombudsman and some officials connected with the human rights commission. I cannot really go into too much detail now because they are very preliminary discussions, but I will be following up in the near future on this. We in the Northwest Territories, along with other provincial jurisdictions, have a responsibility to reflect in our legislation and regulations the kind of human rights provisions which nationally we have supported through the United Nations. I hope that addresses the issue we are talking about at this time. Thank you.

Classification And Compensation, Total O And M, Agreed

CHAIRMAN (Mr. Fraser): Thank you, Mr. Braden. Further comments. Page 8.04, classification and compensation, \$332,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Personnel Services, Total O And M

CHAIRMAN (Mr. Fraser): Page 8.05, personnel services in the amount of \$5,964,000. Agreed?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Fraser): Mr. Sibbeston.

MR. SIBBESTON: Where?

CHAIRMAN (Mr. Fraser): Page 8.05, \$5,964,000, personnel services. Mr. Sibbeston.

MR. SIBBESTON: Yes. Mr. Chairman, I was going to ask of the officials here whether they have any native people on their staff recruitment team.

CHAIRMAN (Mr. Fraser): Mr. Minister.

HON. ARNOLD McCALLUM: Mr. Chairman, yes.

CHAIRMAN (Mr. Fraser): Mr. Sibbeston.

MR. SIBBESTON: Could Mr. McCallum go into some detail as to who the person is and his position? Is he involved in all interviews that are conducted on behalf of the government? How many such persons are there?

CHAIRMAN (Mr. Fraser): Mr. Minister.

HON. ARNOLD McCALLUM: Mr. Chairman, the individual involved is one of three people dealing with staffing at the headquarters level. The individual was born in the Northwest Territories. For good or bad, I taught her, but she has been involved -- she has gone to school all her life, she has her degree. She has been involved with personnel or dealing with people for a number of years, ever since her graduation from university and I believe even during the summertime while she was going to university.

CHAIRMAN (Mr. Fraser): Mr. Sibbeston.

MR. SIBBESTON: Can the Minister indicate whether the fact that there is a native person on the recruiting staff has made any effect? Has there been any improvement in trying to hire native people for this government?

CHAIRMAN (Mr. Fraser): Mr. Minister.

HON. ARNOLD McCALLUM: Mr. Chairman.

CHAIRMAN: Mr. Minister.

Improvements In Hiring Of Native People

HON. ARNOLD McCALLUM: Yes, we believe it will help very much. I think that in terms of some figures that people may want to have in relation to the questions the Member is asking, I will just briefly refer to them. We have 2000 or more applicants for positions over the last year. The figures I have from January to December 1980, of 2500 we get better than 2100 who are from the North and/or are native. We conduct interviews totalling close to 1000 of those people and, again, the interviews that we conduct for those applicants number over 900. In other words, well over 90 per cent of those people interviewed are northern and/or native.

In this past year the government headquarters level made 470 appointments and 27 of those were from the South. The rest were native or northern appointments. Those figures have changed over the last five years from 1977, when we were hiring approximately 30 per cent of the staff from the South, to 1980, four years later, when we were hiring six per cent. Now, I think that those are telling figures for Members of this committee. We believe that has come about because of individuals we have within the staffing section or area of the department to the government, as well as other departments, and because of the efforts by the Department of Personnel, with the Office of Native Employment, to start bringing people from the North into government. I think the big figures I would like to bring in, last year out of 470 appointments, 442 were northern and/or native and from 1977 to 1980, in four years, from hiring 30 per cent of our people from the South to hiring only six per cent.

Personnel Services, Total O And M, Agreed

CHAIRMAN (Mr. Fraser): Thank you, Mr. McCallum. Any further comments on page 8.05, \$5,964,000, personnel services? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Staff Training And Development, Total O And M

CHAIRMAN (Mr. Fraser): Page 8.06, staff training and development in the amount of \$2,083,000. Mr. Curley.

MR. CURLEY: Mr. Chairman, last year there was considerable discussion on the subject of staff training and in-service training, particularly with those people on the teacher education program. I wonder, as a result of that debate last year and, furthermore, with respect to the special education committee's concern to put those teacher education program students into in-service training, what has been done about it? Was the Department of Personnel asked to put those TEP students into the in-service training program of the Personnel department?

CHAIRMAN (Mr. Fraser): Mr. McCallum.

HON. ARNOLD McCALLUM: Hold the phone for a second, dad.

MRS. SORENSEN: All right, dad.

CHAIRMAN (Mr. Fraser): Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, the only reason that we are trying to find out what to answer the Member, was trying to determine what has been proposed by the Department of Education, as well as the Department of Personnel. I know that there are recommendations from the standing committee on education. As well, I believe there has been some direction given by the standing committee on finance on this regard as well, that is, having those people who want to get into teacher training -- I think that is what you are referring to -- from classroom assistants to maintain a certain level of salary, rather than to lose and therefore not get some in.

I am not sure that I can give you a direct response to that, because of the kinds of arrangements that we have been trying to come together on within the government between the Department of Education and between the Department of Personnel as well. I know that we have, as an Executive and as a government, been trying to ascertain from where we can obtain these extra funds. I would just maybe, if I may, ask Mr. Blewett to make a comment on it at this particular time, Mr. Chairman. There may be further comments as we get into other departments, specifically the Department of Education, although I am not trying to put the Minister on the spot.

CHAIRMAN (Mr. Fraser): Thank you. Mr. Blewett.

Man Years Unavailable For Teacher Education Training

MR. BLEWETT: Thank you, Mr. Chairman. As the Minister has indicated, we have had discussions on this particular matter. At the moment it is not something that we can easily resolve. We have 61 man years for the trainee program. They are currently staffed at a level of almost 100 per cent and the trainees

are placed in almost every department of government. If we set aside some of those man years for teacher education training, it would simply mean that we would have to reduce the training opportunities in other departments. So, unless additional resources are identified, I see no quick solution.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Blewett. Mr. Curley.

MR. CURLEY: This particular section, the staff training and development section, the last paragraph is impressive and it says that: "The in-service training section program co-ordinates the training program whereby native northerners take training at post secondary institutions and on the job, in order to qualify for managerial and professional positions with the government."

So, if the Personnel department does not consider those teacher assistants, classroom assistants, as part of the priorities to go through this in-service training, what then are the priorities of the government? What are the present positions that are being treated as priority? What kind of positions are they, clerks, secretaries, whatnot, and why has not the government come up with a more affirmative decision instead of a very fuzzy one?

CHAIRMAN (Mr. Fraser): Mr. Minister.

Teacher Education Training Is A Priority Item

HON. ARNOLD McCALLUM: Mr. Chairman, we have taken the direction that has been given to us as a government to, in fact, allow for people to get into teacher training at a level of funding whereby we will be able to attract these people. I think that is where the difficulty is. It is not that that is not a priority item. I think we may be dealing with it under the wrong department, but nevertheless, I think that it is a priority of the government to begin to deal with this and to bring out some positive results. Perhaps I may, Mr. Chairman, ask the Commissioner to speak as well on this.

CHAIRMAN (Mr. Fraser): Thank you. Mr. Commissioner.

COMMISSIONER PARKER: Mr. Chairman, I would just like to agree with the Minister that it is a priority item and that I have some frustration myself that we have taken so long to solve it. I believe that we either gave a commitment or we were very close to giving a commitment that we would find a means of changing the position of the classroom assistant who leaves the classroom to go to take teacher training under our teacher training plans. I do believe we are committed to assisting them and coming up with a scheme. As I say, I regret that I am not able right today to be more specific. It is a priority and taking a chance of going out on a limb -- I think that before this session is over, we should be able to say something in that regard.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Commissioner. Any further comments? Mrs. Sorensen.

Teachers In Communities Assisting With Training

MRS. SORENSEN: On that whole area of training in the North for teaching positions, has the department, Mr. Chairman, given any consideration to utilizing professional teachers who are already in the communities to assist with the training of teacher assistants?

CHAIRMAN (Mr. Fraser): Mr. Minister.

HON. ARNOLD McCALLUM: Mr. Chairman, the kind of initiatives that the Member has suggested, as well as other initiatives in dealing with the training of teachers, I think, in respect, would be much more appropriate to talk with that, with the kinds of proposals that the Minister of Education may be bringing forth during the time when his portion of this budget is being discussed. Obviously, it is the concern of the total government, but I would not want to indicate what that department is doing in terms of education of teacher training when in fact the training of possible teachers is the responsibility and the role of the Department of Education. I am sure the Minister will be discussing that particular aspect when his department comes up during the budget debate.

CHAIRMAN (Mr. Fraser): Mr. Patterson.

Employee Transportation To And From Work

HON. DENNIS PATTERSON: Mr. Chairman, this is a question -- I was not sure which category it would fit under in Personnel. I am just wondering if you would permit me to ask it. It has to do with employee transportation to and from the work place. I would like to raise this because it is of concern in my constituency. Specifically, there has been probably a sort of an unwritten fringe benefit to employees in Frobisher Bay for some years whereby they were picked up and taken to work. Now, there is a new transportation system being implemented in Frobisher Bay for public transportation, and my understanding is that the regional government has announced a new transportation policy whereby employees will cover their own costs for transportation using the town bus system.

What I would like to ask the Minister is -- since there is some concern that this would cost some employees, particularly those who have to travel some distance to work, up to \$1000 a year. I would like to ask the Personnel department whether or not any consideration is being given to providing subsidies for government employees who have to meet this increased cost. I suppose underlying that is, what is the government's policy for transporting employees to and from work? There was some concern about transportation home for lunch as well, whether certain employees at the federal building who live quite far from town will be able to get back to work in time from having lunch at home, whether anything could be done about that. Those are questions, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Mr. Minister.

No Government Subsidy For Employee Transportation

HON. ARNOLD McCALLUM: Mr. Chairman, I believe that there has been no policy of providing transportation for employees in any particular community that has been seriously laid down. I think it is a continuation of a practice that existed in the past. I am familiar with it having occurred in other communities but in point of fact, the government does not have a written policy, whereby we provide transportation for our employees to either go to work in the morning or to run back and forth at noon hour or take them home in the evening. I know that in other areas it has been done for awhile but in Frobisher Bay I think it was simply a carrying on, done on an ad hoc basis. There is no question that when the municipality gets their public transit system that these people will have to, as others will -- I do not think that we will consider at all going against the public transport system and providing a subsidy for it.

Now, I should say that we may consider it, but I would think that were it to be done there, it would have to be done throughout the Territories. I do not believe that we should be providing, as a government, transportation for our employees to come to work in the morning and after. If it were to come about, we would have to start thinking of paying somebody for providing their own transportation. As far as lunch hours, maybe they will have to carry their brown bag as others do or frequent areas in town who provide that kind of service. So I think the policy that the Member is referring to is something that has been a continuation of the past. It very well has led to expectations on the part of people that this is part of the consideration but to my knowledge, it is not something that we have, as a government, negotiated with either of our associations, that is the Northwest Territories Teachers' Association or the Public Service Association, as a provision of services. I hope that it does not lead to that kind of thing because I do not think that we could.

CHAIRMAN (Mr. Fraser): Mr. Patterson.

Employees In Acting Positions

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. I have just one other question and again, I am not sure just where this one fits. There are times when employees are asked to take acting positions in their work place. Sometimes these acting positions, if it is a managerial position, would remove the employee from the bargaining unit. It would take him outside the collective bargaining unit and put the employee into the management camp, if you like. Now, what I would like to know is under the policies of Personnel, does an employee who is asked to take an acting position which removes that employee from the bargaining unit have a right to decline that position on the grounds that, in effect, their rights as a member of the union would be lost? Does the employee have a choice there? What is the policy? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Mr. Minister.

HON. ARNOLD McCALLUM: Mr. Chairman, yes, that employee does have an option. We do not force the individual to take on that particular acting position. Yes, he certainly has the option.

CHAIRMAN (Mr. Fraser): Thank you, Mr. McCallum. Mr. Sibbeston.

Policy On Native Employment

MR. SIBBESTON: Mr. Chairman, Mrs. Sorensen has given me a list of 18 motions or requests made to government during last years February Assembly session dealing with native employees or having no native employees in the government. There are two in particular that I would like to deal with and these deal with filing or adopting a policy on native employment and also having the Office of Native Employment report directly to the Executive Committee as well as expansion of the office in terms of employees. I would like to ask Mr. McCallum or Mr. Parker what has happened to all of these motions? Has anything really been done in respect of native employment at all in the last year?

CHAIRMAN (Mr. Fraser): Mr. Minister.

HON. ARNOLD McCALLUM: Mr. Chairman, in reply to those three questions, I am not sure that I have them in the correct order, but I think the Member will recognize, hopefully, the answers to the individual questions. We have a policy on native employment, at the present time, in the works and if you want to get into particulars on it, Mr. Blewett may be able to refer to a greater extent to it. As to an attempt to attract more native people, the present budget reflects that we have new people in the field and new people at the headquarters involved with this particular aspect.

Office Of Native Employment

In answer to the third question, as to the office reporting directly to the Executive, at the present time the answer is no. Now, to the general statement as to, has anything really gone on to date with the Office of Native Employment and in attracting more native people to this public service of this government, I think the Member would simply have to reflect back on the answers I provided to the questions as to the numbers of people being hired over this last year. I think that is a very direct result, as from the kind of comments that were made. We increased, as I indicated to them, the number of native and northern people. That was an increase from one year to the next. The statistics on the training program, that at the present time we have a total native number in dealing with these training programs, that is 61 trainees, 84 per cent of them are native people -- not northern, native. So, that is 49 people out of 60 that are there. I think that we are making strides.

I indicated to the Member the number of positions, or people we actually hired and how in 1980 it has changed in four years and this past year, in 1980, we have reduced it, the new hires, to six people from the South -- six per cent rather -- I think I mentioned 22 people or somewhere around there, but I think that we have done something. So, what has gone on with the Office of Native Employment, I think that we have been making strides. No, the division is not reporting to the Executive. We have a policy in the works and we have increased the number of people in the field and in headquarters dealing with that division of the department.

CHAIRMAN (Mr. Fraser): Thank you. Mr. Sibbeston.

Native Employment Situation In Fort Simpson

MR. SIBBESTON: Mr. Chairman, when Mr. McCallum says we are making progress, it is really hard to see, because a person like me can only speak from the area that I live in, and seeing government there. In terms of the Fort Simpson area, I have not seen great strides. I have really seen -- well, there has been some progress, let us put it this way, but I do not see the type of commitment and urgency and activity that I think there ought to be in having this government employ native people. You know, there has been some progress and I do not want to give the impression that it is an absolutely abhorrent and terrible situation.

As an example, in Fort Simpson, in the government office there, approximately 35 to 40 per cent of the territorial government staff in Fort Simpson is native and I think this is reasonably good. I do know that it is possible to improve this and a couple of things that have happened in respect of the Department of Public Works. The department has taken steps to hire native people and have

given native people a contract so they can hire their own people. So, there has been a number of things happening, but from where I stand anyway, the area that seems to be the most troublesome as far as native people getting into government, is actually in the region and headquarters.

It is maybe because I do not really know everything that is going on, but the impression that I get is, just from coming to Yellowknife, seeing the government offices filled with white people. This is all I can go by. I have not gone to each office and counted how many native and how many whites. I have not done that, but you go into any office and you see very few native people. Those that are there, I am sure are treasured, but from my perspective, I just do not see the government dealing with the matter of native employment as enthusiastically as I would like to see it.

I take the view of government in the North that this government was imposed from the South. Native people never really had a great say as to whether they accepted this government or not and I always say, or like to think of this government as an interim government and the white people that hold jobs really hold them in trust until native people themselves are able to take on the jobs. That is the way that I see this government.

Office Of Native Employment Should Have A Higher Profile

I just want to say a number of things in respect of the Office of Native Employment. I feel, firstly, that there ought to be a policy. There was a request last February, when we were discussing the budget, that there ought to be a policy on native employment and apparently this was supposed to have been filed with the Members. To my knowledge, it has not been done, and if there is such a policy it ought to be filed soon. If there is not one, then I think they ought to develop one.

Now, as far as the Office of Native Employment, I still feel, as I did last year, that it ought to report to the Executive, because, firstly, I feel that it is not high profile enough. There is an Office of Native Employment, but it is not of sufficiently high profile in government and also in public. People in places like Simpson do not really know that there is a special office in government that is supposed to go all out on their behalf to hire them and work at getting native people in higher levels of government. So, as I said, it ought to be increased in stature and getting it under the Executive Committee will do that. It will give it more importance and it may give it more authority.

From what I understand, the Office of Native Employment sometimes has to deal with departments and I understand that some departments do not take the native office people very seriously. I think it is very important to have an employment office or a secretariat who all government departments take very seriously.

The other thing is, as I said, it ought to have more, perhaps, power than it presently has, rather than just being some office way down the ladder in the Department of Personnel. The other aspect of the present office is that I believe it just has two or so staff. I feel that it ought to have more staff so it can go to more places in the North and deal more often with government departments and also, deal more often with the people in the communities.

More Native People Needed In Higher Levels Of Government

The other thing that I feel about native employment is that I think more has to be done to move present native employees upward in the government. I think that is the one area that government ought to be concentrating on. I notice in places like Simpson that we have native people who have worked for government for a long time, and sometimes it seems funny to me that they do not rise up the ladder, as it were. I think government ought to do something to raise people up the ladder very quickly, perhaps quicker than ordinarily because there is just such a lack of native people up in the higher levels of government, government should do something about getting native people up in the higher levels very fast.

The other point that I want to make deals with apprentices. I feel that the government presently has a good program of providing apprenticeship in certain government positions, but there eventually becomes a problem when the apprentice becomes full fledged and he either has to move away from government and just seek a job in the market, or if he wants to remain with the government, has to get a job in some other community. I feel that a non-native person should hold the job only until a native person is qualified. Then the native person should take the white man's job and the white man should either move out of that job into the private market or else move elsewhere. I think that is something that ought to be dealt with and it is something that ought to be dealt with in the policy on native employment. So these are my views, but I guess most importantly I feel that the government should make the Office of Native Employment associated or accountable to the Executive office, move it out of the Department of Personnel. I would like to see what Mr. McCallum says about that, or Mr. Parker.

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. ARNOLD McCALLUM: Mr. Chairman, some of the comments the Member has indicated -- I believe the department is doing something in terms of what he is saying. For example, just the latter statements dealing with apprenticeship. The apprenticeship program, as I am sure the Member knows, comes under the Department of Economic Development and Tourism. The point he was making was that when individuals become trained, they should replace those who are already there. What I am saying is that that is, in essence, what our trainee program, that is under the auspices of the Department of Personnel -- that is in effect what occurs. When the trainee goes through that period of training, the individual with whom he has trained then is replaced by this native or northern person.

Percentage Of Native Staff

I would make a comment in terms of the figure that he was referring to in Fort Simpson. I appreciate that he has indicated there has been some progress made albeit not as much as he would like to see. The figure of 35 per cent in the Fort Simpson area, the Fort Smith region, reflects pretty well what it is in that whole region, that is 35 per cent. I indicated in my opening remarks that the initiatives and the activities that we have embarked upon in the past year or so have raised the level of native staff to that figure.

Now, in other areas, obviously in other regions, it is as high as 49 to 50 per cent. It is higher in some departments than it is in other departments. I would indicate that, as I said, we have a policy in the works now. We would hopefully be able to get to it. Perhaps Mr. Blewett or the Commissioner may wish to refer to other aspects of the Member's comments. I would ask, Mr. Chairman, then that if either one would want to refer to those, they would be able to.

CHAIRMAN (Mr. Noah): Mr. Commissioner.

Present Situation Of The Office Of Native Employment

COMMISSIONER PARKER: Mr. Chairman, on the subject of the reporting relationship for the Office of Native Employment, we looked at the advice that was given us and decided that, from a functional standpoint, it simply did not make any sense to divide off a small office from the major Personnel function. The office has to get its support from Personnel and if it does not work hand in hand with the other staffing officers, it is not going to work at all. So it will continue to report through Personnel, but I hasten to assure Members that every Executive Committee Member receives a monthly report from the officer in charge of native employment with regard to his function or her function during the month in question. We read those reports and since Personnel reports to me as chairman of the Executive Committee, I really do not know how much closer you can get to the Executive Committee.

With regard to expanding the staff, we already have two people designated in the regions as persons working for the Office of Native Employment and contained in this budget are moneys to employ two more people in that regard, so we have answered that question.

On the general question of employing native people, it is a priority of our government. There is no question about that, and the people are moving up within the structure. It is a two-way street though. It has to also be seen to be attractive to the native persons themselves, and they are not necessarily anxious to get into jobs for which they are not trained. So in essence, Mr. Chairman, we are moving ahead, I think about as quickly as we can, but we have to be constantly alert to do the best job we can.

CHAIRMAN (Mr. Noah): Mr. Sibbeston.

Number Of People In Native Employment Office

MR. SIBBESTON: Mr. Chairman, can I just ask then how many people are presently employed in the native employment office and also the in-service training section which seems to deal primarily with native northerners as it suggests in the preamble?

CHAIRMAN (Mr. Noah): Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, I think the Member is asking for information that I would have to rely upon Mr. Blewett to provide.

CHAIRMAN (Mr. Noah): Mr. Blewett.

MR. BLEWETT: Thank you, Mr. Chairman. The Office of Native Employment actually has two full time employees in headquarters and will have, after April 1st, one full time employee in each region. If I might make a point, I would really like to say that native employment and its promotion is a primary emphasis of my whole department. There are no officers in my department who do not regard this as a major issue so that, in effect, you could say that we have 55 employees working for native employment.

CHAIRMAN (Mr. Noah): Mr. Sibbeston.

MR. SIBBESTON: I appreciate what Mr. Parker said and I appreciate what Mr. Blewett has just said, that all of his employees pretty well are committed to hiring native employees. I, however, just do not believe, particularly Mr. Blewett, that all his employees are really committed to hiring native people, and there is no particular reason not to believe you. I just do not believe you. I just consider that it takes a native person, for one, to deal with trying to get native people into government, and it takes a very committed type of person in order to do a good job. I do not sense that your Office of Native Employment has this enthusiasm and extensity that is really needed to do a good job.

Native Employment Secretariat Should Be Created

I just feel that the Office of Native Employment ought to be up there on the sixth floor along with the other functions of the Executive Committee. You have a number of secretariats up there that you deem important. You have the regional operations secretariat. You have the aboriginal rights and constitutional development secretariat. You have the executive committee secretariat. So I think that you ought to create a native employment secretariat and give it the high profile that it really needs in order to get the job done. Toward that then, I will make another motion. As I said, I made a motion to this effect last year. It has not been really acted on satisfactorily by the government, so I will make it again with the hope that the Executive Committee will reconsider it and if at all possible, as I said, put it up and have it responsible to the Executive Committee.

Motion To Have Office Of Native Employment Report Directly To Executive Committee, Carried

So, I will make a motion, Mr. Chairman. I move that the Executive Committee examine the possibility of having the Office of Native Employment report directly to the Executive Committee and that its staff be enlarged to provide more and better services to the native people of the Northwest Territories. I have copies of that motion, if you wish.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Noah): Question being called. All those in favour? Opposed? The motion is carried.

---Carried

On page 8.06, \$2,083,000. Mr. Fraser.

MR. FRASER: Thank you, Mr. Chairman. I have a couple of concerns and I think my colleague from Frobisher Bay touched on it a while back, on transportation. In some of the settlements, I realize that transportation is a problem. In a lot of cases the maintenance supervisor is on 24 hour call. Therefore, if he is on 24 hour call, in the case of problems at the school or staff housing, being asked to be available, then it is not right to ask him to use his own transportation. They have to have a vehicle. However, in places where there are three or four different maintenance men around, every one of them seem to have a vehicle. It raises some concern with other private members in a settlement who have to supply their own transportation, when they see them picking up their wives, taking them to work and bringing them home for lunch, in a government vehicle. It really concerns the citizens and it was brought to my attention. Therefore, I thought I had better raise it in the House.

I know there is a government policy out concerning the use of government vehicles for private business and I realize too, that the government closes their eyes to a lot of those regulations, like I said, in smaller communities where the maintenance man is on 24 hour call, but in the bigger communities,

I do not think it is fair that the territorial government employees should be using vehicles for private use. It is being practised in a lot of the settlements. I just wondered if the Minister had any comments, or if there is such a policy in force, and how much we enforce it.

CHAIRMAN (Mr. Noah): Thank you, Mr. Fraser. Do you want to answer that, Mr. Minister?

Policy On Use Of Government Vehicles

HON. ARNOLD McCALLUM: Mr. Chairman, the policy of the government is not to have employees move around in government vehicles unless they are performing services that are necessary within a community. That is the policy, it has been. You know, I answer that in terms of this department. In actual fact, I guess it comes from a government, as a whole, policy and if you want to get particular, within DPW, but I know that in areas the cars are put away. I would ask the Member that if he knows where this practice is going on and there is an abuse of it, to contact people within the government, the Member responsible for DPW, the Executive Member and/or the government leader, and I am sure that we would do something about it.

Now, I am not asking to put him on a spot or to put anyone else on a spot in this particular committee. I think that if there are difficulties, or he knows where there are abuses to that policy of not having government personnel use vehicles outside working hours unless providing a service, that he make that known to the people at another time and place. Let me assure you again, Mr. Chairman and other Members of this committee, that we definitely do have a policy, and the policy is that only those people who require the vehicle to provide services to people are to use those. They are not to be used by the individual to do the kinds of personal things that the Member has indicated. I think that we would, as an Executive, and obviously the people involved, like to know where those abuses are taking place, if in fact they are.

CHAIRMAN (Mr. Noah): Mr. Fraser.

Utilizing Native Groups For Training People

MR. FRASER: Thank you, Mr. Chairman. I would just like to maybe touch a little bit on staff training. In a lot of cases the government is tied down with policy as to how and when staff training is being taught in the different communities. There are places in Fort Smith, there are places in Yellowknife, where people are trained on the job. I think this was mentioned once before -- where the native groups, such as the Tree of Peace, the Native Womens Association -- I just wondered if the department ever thought of utilizing these groups with some of these funds. In a lot of cases, they could be of a lot of help in training native people for any particular job. Most of these people that are working for these native groups do have a good education and they have the knowledge and the ability to do, I am sure, a lot of training. I just wondered if the Department of Personnel ever thought of looking into the native groups for training people in the different departments.

CHAIRMAN (Mr. Noah): Mr. Minister.

Native Organizations Have Been Utilized

HON. ARNOLD McCALLUM: Mr. Chairman, there are now instances where we do use native people in the kinds of things that the Member refers to; the Native Womens Association, for example, in education. We use the people involved with the Tree of Peace here in Yellowknife as well. Sometimes things go the opposite way and they come and ask for programs that we have. I think that we have looked at those kinds of programs and where it has been possible to do so, we have involved people, maybe not as much as we should. I only say that because we

have programs that maybe they want to get involved with and in other instances they do not. Maybe we should be asking more around various communities, but we certainly have been using various native organizations and people of those organizations, just in the manner to which the Member has referred.

CHAIRMAN (Mr. Noah): Mr. Fraser.

MR. FRASER: Yes, Mr. Chairman. I have one more final question for the Minister. I know that they are using the Tree of Peace to a certain extent for upgrading personnel, but I think that the Native Womens Association should be looked at as a pretty strong group for training native workers in the North. After all, who is better to train the natives than the natives themselves, and as I said, maybe the department should be looking a little bit more at this native group, which is struggling right now to get by with very limited funds. They made a presentation at this House once before, and everybody thought they were doing a good job. That is where it stopped.

I think that we should be trying to use these native women if we could in any way, and I would like to see the department negotiate some type of training with them. It might be of benefit not only to the native women but also of benefit to the Department of Personnel. I think the possibility could be looked into, Mr. Chairman.

CHAIRMAN (Mr. Noah): Mr. Minister.

Native Womens Association Is Providing Services

HON. ARNOLD McCALLUM: Mr. Chairman, I would take the last comment and simply indicate yes, we would be more than happy to do that. However, I just want to indicate one thing. The Member indicated that we had groups here, the Native Womens Association people here, about getting some assistance and help, that was made in reference to setting up a program under a department for which I had responsibility. I want to assure the Member that in Social Services we did, in fact, use the Native Womens Association, and in fact we used them in terms of Rae as well. It has been just recently that we signed another contract with these people to provide those services, and we use them, in attempting as an education agent, to help people know about various diseases and social conditions and to do exactly what the Member said. I want to make sure he knows that we have. It did go further. That was done two or three years ago, and it is still going on in 1981.

CHAIRMAN (Mr. Noah): Thank you. On page 8.06.

SOME HON. MEMBERS: Agreed.

MRS. SORENSEN: Mr. Chairman.

CHAIRMAN (Mr. Noah): Mrs. Sorensen.

MRS. SORENSEN: I wonder if you could, Mr. Chairman, ask the Minister to give me some detail on the policy concerning professional training. I am not sure of what it is called, but where we assist a public servant to obtain professional training in the South, and then we expect him to pay back with a certain amount of service time.

CHAIRMAN (Mr. Noah): Mr. McCallum.

Educational Leave

HON. ARNOLD McCALLUM: Mr. Chairman, I take that the Member is referring to the provision within the agreement with PSA to provide educational leave, if I may then, Mr. Chairman. The purpose of having education leave within the agreement obviously, first and foremost, would be to ensure that there is a consistent and equitable application of the program throughout the Territories. Now, what it does is that the government recognizes there, a need to develop a public service capable of administering in the most efficient way, policy and programs put forth by the government. As such, education leave is a means to allow public service people, through programs, to get that kind of learning and background so that they can be of a greater benefit to the government.

Education leave is leave granted with government assistance, to undertake full time post secondary studies for a period of not less than one year or academic year at any recognized university, tech-voc institute or community college. Now, that is primarily leave with pay. That is assistance from this government.

There are eligibility factors involved. Basically, an employee, to receive educational leave, must have three years of continuous service prior to the commencement of any educational leave, but that may be waived in unusual circumstances. No employee is granted the leave unless there is departmental evidence of satisfactory performance and potential, supported by the department, within all avenues of the department, in an appraisal.

Determining Level Of Assistance

Now, the leave includes assistance for tuition, travel costs, a full year, and one full removal in and out for the purpose of educational leave. Allowances in lieu of salary may also be paid to employees on education leave. The level of assistance paid is determined under the following criteria:

Educational leave without allowance in lieu of salary; the basic assistance is paid to employees who request educational leave to further their post secondary education with the objective of, in so doing, obtaining qualifications that are relevant to their present or future jobs within it.

Educational leave with partial allowance in lieu of salary; the minimum allowance is equivalent to 50 per cent of their present salary, and that is given to a candidate when, in order to make the most economical use of existing manpower, and to use the experience, knowledge and capability, an employee is selected to meet an identified need in that department rather than to recruit somebody from the outside to do it. Now, there is a recognition that 50 per cent of a salary may prove a financial burden to employees who will be continuing their studies beyond one year and as such then a 10 per cent increase is added to the allowance in lieu of salary in each consecutive year of study, up to a maximum of 80 per cent, and then you get a full allowance in lieu of salary.

Again, based on particular criteria, an employee whose skills are technically obsolete, requires training to carry out that -- agrees to take a full course of studies at the request of the Deputy Minister or director, when you cannot get people qualified to do the work. So those are the basic criteria. I am not sure you want to know about the administrative procedures.

CHAIRMAN (Mr. Noah): Mrs. Sorensen.

Pay-Back Commitment For Educational Leave

MRS. SORENSEN: There is a responsibility on the part of the public servant to come back and work in the Territories for a minimum of one year. Is that not so?

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. ARNOLD McCALLUM: Mr. Chairman, a year for a year. That is correct.

CHAIRMAN (Mr. Noah): Mrs. Sorensen.

MRS. SORENSEN: Has the Department of Personnel given any consideration to renegotiating or opening up that part of the contract with a view to increasing the amount of time that a public servant would be asked to pay back in terms of service? I am thinking here of what was suggested within the standing committee on finance, and that was, for every year of paid post secondary assistance, that the public servant be requested to sign a contract of two years of work in the Territories, not necessarily for the government but at least within the Territories.

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. ARNOLD McCALLUM: Mr. Chairman, the accepted practice, whether it is in the South or whatever -- what we have now, of course, is one for one. That is the accepted common practice, that if you get assistance to go out for a year then you come back to put in the year as well. We could look at something greater than that. I am not sure whether we have, but we could. This is a situation where we provide this educational leave to people upon application. We are not talking of a bargainable situation. We are saying, look, we have this program available to people and individual employees can take advantage of it on their own initiative, on the initiative of their supervising personnel within a department or anywhere in order to benefit the service itself, that is the total government service.

As to increasing how long you would be indentured to the government for the kinds of assistance you would get, we could look at something. At the present time, we use the accepted one for one, as you know.

CHAIRMAN (Mr. Noah): Mrs. Sorensen.

Longer Pay-Back Commitment Needed

MRS. SORENSEN: The standing committee was concerned that we would be, in the future, and I know we are to some extent now, sending people out to the South for further training in some very, very technical and highly expert positions, and that we would be spending a fairly significant amount of dollars in order to do this since it not only includes a percentage, in some cases 100 per cent of their wages, but it also includes removal expenses and expenses to some degree while they were in the South. The committee had absolutely no difficulty with the program itself. It in fact supports higher education for our public servants.

We did have some difficulty with the amount of time that that trained individual was expected to return in terms of service to this government, simply because we were hopeful that we would begin to encourage a great many more of our civil servants to go south for training but we felt that there had to be some commitment longer than one year to this government in terms of service. We felt quite strongly that the minimum should be a two for one agreement.

I am reluctant at this point to bring in the recommendation in the form of a motion without getting more of an indication from the Minister as to how his department feels about this. I would not want to badger or push something through that perhaps was not realistic in terms of a negotiated agreement, because I believe that that now is under the union agreement and that union agreements are not that easy to open up. So I guess I am a little bit uneasy with pushing forth a motion at this time.

CHAIRMAN (Mr. Noah): Mr. Minister.

People On Educational Leave Are Committed Northerners

HON. ARNOLD McCALLUM: Mr. Chairman, I appreciate the comments of the Member, particularly about not bringing in a recommendation, because in essence that it has been our view -- and I think this has been borne out -- that those people who apply for educational leave under this particular provision have made a long-term commitment to the Northwest Territories. There are 12 people presently out on this leave, and I know 10 of them, six of whom are native people; two others -- check that -- one other who was born in the Northwest Territories, who has been living and taking all her schooling here, and has been working with the government since she graduated from Sir John Franklin.

So I am saying of the 12 people here, we do not have, as a government, any hang-ups that these people are not coming back. They have a commitment; they have made a commitment; they have been long-term employees. Now, I say that in relation to 10 of the 12 people that I know personally, including the native people who are there.

So it may be that there is some kind of concern on the part of the standing committee on finance, but I hope that the comments that I make in terms of the individuals who have received this and who are presently receiving it, and some for two, three years, that I know, in one instance, a native lady who will I think be graduating this year with a degree. These people are northerners and have been here. They have made that commitment. I think the awarding of this educational leave to people, the criteria, the means by which the applicants are selected would suffice and should not cause the standing committee any great concern. In essence, if you like, the final selection, in effect, becomes one from the Executive Committee. We give the final okay to it; we look at these applications. So I think these people who are going out, even those who are getting the 50 per cent, you know, the one year kind of thing, or whatever, I believe they are coming back for more than one year.

Staff Training And Development, Total O And M, Agreed

CHAIRMAN (Mr. Noah): Page 8.06, \$2,083,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Total O And M, Agreed

CHAIRMAN (Mr. Noah): Back to page 8.01, total O and M, \$9,874,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Thank you, Mr. Minister, Mr. Commissioner, Mr. Blewett. Coffee time for 15 minutes.

---SHORT RECESS

CHAIRMAN (Mr. Noah): (Translation) The Chair recognizes a quorum. Next on the agenda is the Department of Justice and Public Services, page 9.01. Mr. Braden.

Department Of Justice And Public Services

HON. GEORGE BRADEN: Thank you. Mr. Chairman, I would like to make a few very brief remarks and then I will be asking permission of this committee to have my Deputy Minister sit in with me at the witness table and we would be pleased to answer questions.

The Department of Justice and Public Services is responsible for the administration of justice in the Northwest Territories, including the provision of legal services, court services for the supreme court and territorial court and justices of the peace. They are also responsible for police services, and legal aid. The Northwest Territories legal aid plan is administered by the Legal Services Board which reports to me. The department is also responsible for public services, safety, libraries, consumer services and our museum programs.

This year I am requesting this committee to approve our O and M budget of \$14,468,000 and a capital budget of \$384,000. I might indicate at the outset that due to financial constraints, there are a number of areas where, unfortunately, we are not able to provide the level of funding we would like to. Thus, because of that, there will be a problem with the in-service library of the territorial government, our archaeological recovery program, police advisory commission, the Northwest Territories Heritage Council and the Library Advisory Board of the Northwest Territories. We will not be able to fund these particular programs.

Programs Operating At Reduced Levels

There are other programs and services that we are expected to provide, and I believe that we are going to have some problems in the next fiscal year because the programs are going to have to operate at reduced levels. These include the archives as part of the Northwest Territories records management system. We also have problems with the legal aid program which I will address in more detail later. As well, the department is developing community library services programs for each settlement. So I just want to lay it right on the table that we do have some problems here.

With respect to man years, we have increased the number this year by 8.3. Very briefly, the breakdown includes territorial supreme court division where we have added five; in our safety division where we have just hired an electrical inspector, which makes six; and our land titles section which has increased by 2.3 man years. This basically is a result of the transfer of federal responsibility to our government. There has been a marginal increase in the man years in consumer services, for a total of 8.3.

That is all I have to say by way of opening remarks. Mr. Chairman, I would like permission now to call in Mr. Irving, my Deputy Minister, and my chief of finance, so that they can provide me with information.

CHAIRMAN (Mr. Noah): Agreed.

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): General comments. Mr. Patterson.

Desirability Of Hiring Native People In This Area

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. I believe that it is fair to say that a lot of attention was paid at this time last year to the disproportionate number, or the alleged disproportionate number of native people in this department. The feeling was that since, in the areas of the administration of justice, the courts and court personnel have a lot of exposure to the public, and since regretfully, most of the people who are involved in conflict with the law tend to be native people, it would be desirable if the department could have better visibility, and use, wherever possible, native people in its various departments.

I am pleased to say that I have noticed that some efforts have been made in that regard, and some progress has been made. I would like to perhaps ask the department if they could tell us how many native people they have been able to hire in the department since this time last year, because I know that it is not always easy, but I believe there has been some, I guess what you could call aggressive recruiting taking place, and I have been pleased to see some new faces in that department. So I mention that it is not unnoticed, and I would like to ask if we could have a report on exactly how that has gone over the last year since our motions. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Noah): Mr. Minister.

Report Of Numbers Of Native Employees

HON. GEORGE BRADEN: Thank you, Mr. Chairman. I am told that we have hired four native people since November which brings our total up, at this point, to 11 in headquarters. There are some other facts that I think the Member should be aware of, concerning other aspects that I am responsible for and the number of native people working in these areas. For example, in the courts, we have 97 justices of the peace in the Northwest Territories. Of our justices of the peace, 50 per cent are native people. With respect to coroners, for example, we have 76 coroners in the Northwest Territories, and 40 per cent of that group are native people. In the area of motor vehicle registries, we have 46 people employed and 75 per cent of that group are native people. In our library program, there are 40 people employed and 20 per cent of that group are native people.

While I admit that in headquarters, we have still a lot of work to do as far as employment of native people, I think in other aspects of the various programs that Justice and Public Services is responsible for, we have a very good record. Thank you.

CHAIRMAN (Mr. Noah): Mr. Patterson

No Further Recruitment Of Former Military And Police Personnel

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. While we are on the subject of recruitment and employment, there was some concern expressed, I believe, last year by Mr. Sibbeston that there was a little bit too high a quotient of former military and police personnel in the department. Without any offence to the particular sort of expertise that these people can bring to the department, I think it was felt that perhaps they were quite well represented in the department, and that in view of the public perceptions of the department that perhaps it would be desirable to reduce those proportions in favour of native people. May I ask, have there been any more ex-military or ex-policemen recruited in the department over the last year?

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. GEORGE BRADEN: No.

AN HON. MEMBER: Good, good.

---Applause

CHAIRMAN (Mr. Noah): Mr. Stewart.

Funding For Proposed Western Arctic Legal Centre

HON. DON STEWART: Thank you, Mr. Chairman. I have been asked by Ms Cournoyea to bring up the motion that she introduced. Ms Cournoyea was unable to return to Yellowknife today because of no airplane space, but the motion -- I have a motion, Mr. Chairman, that the proposed Western Arctic legal centre in Tuktoyaktuk be considered for funding in the 1980-81 budget. Could the Minister give us information with regard to this particular motion?

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. GEORGE BRADEN: Given the fiscal restraint this year, the project will not go ahead in fiscal year 1981-82.

CHAIRMAN (Mr. Noah): Mr. Stewart.

HON. DON STEWART: Could I ask, on behalf of the other Member, what priority this is being given for consideration for next year?

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. GEORGE BRADEN: At this point in time, I have asked the Legal Services Board to start developing a three year program and financial forecast. This is in keeping with an overall government exercise to plug into the long-term funding arrangement with our federal government as well as to do some long-term program planning. I cannot say at this point what priority is being given on the project for the fiscal year 1982-83. Thank you.

CHAIRMAN (Mr. Noah): Mr. Stewart.

HON. DON STEWART: Well, just a comment, I think you are fortunate that PWA was full this morning, Mr. Minister.

CHAIRMAN (Mr. Noah): General comments. Mr. Patterson.

Current Situation Of Staff In Legal Division

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. I am wondering how the legal staff of the department is going, particularly whether or not you are up to strength. I am aware that there have been some problems keeping lawyers, I guess, and particularly, in finding legislative draftsmen. I was just wondering if I could have a general idea of what their strength in the legal division is. There was a motion passed last year asking the department to develop a law reform capability and asking the department to start looking at our laws, as to how they might be improved to reflect customs and traditions in the Northwest Territories. I heard at one point that work in that area was being frustrated due to lack of staff, and I am just wondering what the current situation is now, with regard to legal staff.

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. GEORGE BRADEN: Well, I am told that things are fine, but I guess that is not going to be sufficient for Mr. Patterson, so I will elaborate a bit. We are going to be filling a position which was vacant and that will provide another lawyer on our staff. We also are going to increase largely in casual man years in the legal division. This will allow us to devote more time in the area of law reform, which you made some mention to. We hope that this additional staff will allow us to get involved in the area of consolidation of regulations in the Territories. We will have more capacity to work in the area of drafting bills, regulations and Commissioner's orders. So I am confident that we will have the capability in 1981-82 to meet the ever increasing demands on this section of our government. I think I can say, from some experience over the last year that it really is becoming more and more crucial to our government to have the required legal services in a wide range of areas. Thank you.

CHAIRMAN (Mr. Noah): Any more general comments? Mr. Patterson.

New Territorial Judge To Be Appointed

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. I understand that there is to be a new territorial judge appointed, and that this is in the budget that we are considering. Is that correct?

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. GEORGE BRADEN: Yes, Mr. Chairman, we will be hiring a new territorial judge.

CHAIRMAN (Mr. Noah): Mr. Patterson.

HON. DENNIS PATTERSON: I am just curious as to how the new position is to be established. I agree that the present territorial judges probably could use extra help. It probably has not been adequate to use the deputy judges from the South. I am just wondering, has the department come up with a plan for establishing a new resident judge outside Yellowknife, or will the new judge likely be simply added to the strength in Yellowknife, and reduce the travel burden to the existing judges? I am aware that the satellite court in Hay River has met with certain administrative problems, and that the viability of establishing another satellite court may be questionable, but could you enlighten us in that regard?

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. GEORGE BRADEN: Mr. Chairman, the new judge will be living and working out of Yellowknife. My understanding is that right now there is not sufficient demand in communities outside of Yellowknife to have a resident judge or satellite judge, as you call them.

CHAIRMAN (Mr. Noah): Thank you. Mr. Curley.

Judges Of Native Ancestry

MR. CURLEY: Mr. Chairman, continuing on with the territorial court judge, I wonder whether your department has considered appointing a territorial court judge from native ancestry at all, since many of the people that are prosecuted -- I would think the majority of them would be probably native ancestry. Considering that, are you at all considering at this particular juncture then, to appoint one of native ancestry, whether he be from any part of the country at all?

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. GEORGE BRADEN: Mr. Chairman, yes, we are considering what the hon. Mr. Curley has asked. I might add that we have been asked to make a recommendation concerning a supreme court judge as well, and that in giving consideration to various candidates, this factor that he has referred to is being taken into consideration.

CHAIRMAN (Mr. Noah): Mr. Curley, any more comments? Mr. Sibbeston.

MR. SIBBESTON: I will just speak on a general basis, and stress again the importance of hiring native people within the department. There was a motion made last year when we discussed this matter that affirmative action be taken to employ persons of Dene and Inuit ancestry within the department, and progress be reported at the fall session. I do not recall getting anything from the department. Maybe Mr. Braden can respond to that later, but I just want to stress the importance of having native people work for the department.

Presence Of Native Employees In The Courthouse

I did notice, when I went up into the department, up in the courthouse, that there were a number of native people there. You can count them all on one hand, but there were a few, the judge's secretary as of late, is a native person, and it is very much appreciated to have a native person there, because the position is highly visible. Native people who are charged, go up there, and I think it does their heart good to see a native person there. I notice that one of the clerks, deputy clerks, is a native person, Mr. X. Mercredi, and you have also persons like Bea Goldney and Bobby Christie, and a couple of girls in the vital statistics area that are native.

I just want to say that, as I said, it makes a native person who goes up there to deal with government feel good, because they see one of their kind is there, and it makes it a less scary situation, and it makes it perhaps, easier for them to relate to government. It is important to have native people in government. It makes people happy. It makes them feel that they can relate, and that they will be dealt with. You know, they do not have to be afraid of the white man and all these other feelings that go through native people's minds.

It is perhaps hard for non-native people to understand this when they have never been in a situation like that. I had the experience to travel down once into the United States, and was in Denver one time, and my friend and I went into a totally black neighbourhood. We ended up in this little hamburger place that was run totally by negro people, and for the first time, I felt the experience of how it must be to be a minority amongst a majority of other different people.

So that is how sometimes, inasmuch as native people are the majority in the North, in respect of government they are not in the majority, they are in the extreme minority. It is good, does the native heart good, people feel good when they see some of their kind working in government. That is the reason why I stressed it so much. Maybe sometimes people think that I am racist or that I am against white people, but it is not that. It is just because I sense or have the feeling that people have when they go to see government and see a totally white bureaucracy.

A Feeling Of Understanding In The Courts

Now, the other area that I think is extremely important to do something about is in the area of courts. The courts travel out to the communities and deal with people, and it is usually native people that go before the courts. I feel it is extremely important to have native people in the court even if they are just the clerks, even if they are there just to haul the judge's baggage or a suitcase for him. It again makes native people feel a little bit more at ease in dealing with the court. As you can appreciate, it is quite a scary situation for native people to go to court and then, on top of that, have to deal with a totally white court system. Again, if there are native people involved, then they feel more at ease and may feel that there is a chance of them getting a better deal or feeling that they could be understood. I know when the court party comes to Simpson, I sometimes work in the court and it helps the whole administration of the justice system, I think, to have a native person defending them. Certainly, I think people feel that they have a chance to be understood and dealt with fairly.

So for all these reasons, I really encourage the department again to do all it can to hire native people and, if they do, I think their efforts will pay off in these people, native people in particular, feeling good toward the court system and toward the government.

Detail Of Capital, Agreed

CHAIRMAN (Mr. Noah): On page 9.15, detail of capital, \$384,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Directorate, Total O And M

CHAIRMAN (Mr. Noah): Now, page 9.02, directorate, total O and M, \$351,000. Mr. Patterson.

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. I believe this is the area that has to do with negotiating the RCMP agreement. Is that correct?

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. GEORGE BRADEN: Mr. Chairman, the RCMP Police Services Agreement figures are contained on page 9.11. The actual negotiation of it is done by myself and my officials, along with direction as required from time to time from the Executive Committee.

CHAIRMAN (Mr. Noah): Mr. Patterson.

HON. DENNIS PATTERSON: Yes, I noticed that, Mr. Chairman. It is just that there is a reference in the description of this department to liaison between the Government of the Northwest Territories and the Royal Canadian Mounted Police in the planning of policing services. I guess my question is, last year I felt we had a very useful session with the chief superintendent of the RCMP. Perhaps it was a little difficult for him, but I was very pleased that he came. Could the Minister advise us whether or not we will have the honour of his presence during the estimates again this year?

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. GEORGE BRADEN: Yes. Mr. Buttler will be in attendance when we examine the Police Services Agreement.

CHAIRMAN (Mr. Noah): Mrs. Sorensen.

Federal Responsibility For Prosecution

MRS. SORENSEN: Thank you, Mr. Chairman. I wonder if the Minister could explain to me -- it is my understanding that we do not have the responsibility for prosecuting in the Northwest Territories, that that responsibility remains with the federal government through the Crown. Now normally, it is also my understanding that provincial governments are responsible for their own prosecution services. Can you perhaps explain to me why we do not have that responsibility and whether there is any move toward requesting that kind of responsibility, and because we do not have that responsibility, are we in fact losing revenue because of it?

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. GEORGE BRADEN: Mr. Chairman, the Member is correct. We do not have the responsibility she referred to. This is because the federal government has not turned it over to us. As I understand the history of it, I believe our previous Commissioner was concerned that we needed to develop the adequate legal capability within our government before he thought it was advisable to assume the prosecutorial responsibility. As things stand right now, that is the position of the federal government as well. We have not as yet entered into negotiations with the federal government on assuming this responsibility. It is part of the larger constitutional package which includes a variety of other responsibilities in the area of labour and health, agriculture and so on.

We do lose out on some revenue that is generated through fines and I am told that over the last 12 months the federal fines amounted to \$291,650. I understand that the Yukon government is planning to move ahead to assume this responsibility. They have done quite a bit of work and discovered that it is going to cost them some money, but they are willing to absorb those costs and to move into the area where they can exercise that prosecutorial responsibility.

CHAIRMAN (Mr. Noah): Mrs. Sorensen.

Cost Sharing Arrangement With Federal Department

MRS. SORENSEN: My concern arises from the fact that there is a potential of revenue there, some \$291,000. Now, I am wondering if the crown prosecution lawyers and the supreme court use any of our facilities. In other words, are we paying in any way toward the whole area of crown prosecution and to the crown supreme court?

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. GEORGE BRADEN: Mr. Chairman, I will have my Deputy Minister answer this question.

CHAIRMAN (Mr. Noah): Mr. Irving.

MR. IRVING: Mr. Chairman, the costs that the Member referred to that are incurred by the federal prosecutor's staff, they pay their own, through the Department of Justice. When they are involved in a court charter, that is a cost shared arrangement with our department, so in effect they pay their own way as it now stands.

In respect of the supreme court, our department pays for the support staff and the accommodation. The only cost to the federal government is the salary of a supreme court judge and his expenses. We pay for everything else and that arrangement you would find in any other jurisdiction in the provinces.

CHAIRMAN (Mr. Noah): Mr. Curley.

MR. CURLEY: Thank you, Mr. Chairman. I would just like to make some general comments with respect to the directorate. I was not very impressed with the way the Minister responded to funding the kind of a legal service program that COPE was trying to establish in the Western Arctic and so on. You know, these kinds of centres might be expensive, but they are so important to the people in the region. You know, I think the government here is doing very well to protect the present legal profession in Yellowknife. I would like to ask you whether or not you have a strong lobby from the legal profession here not to fund these legal services centres around the Territories, because they do provide a very important contribution to interpret the laws and they do a lot of groundwork in preparing for court cases and so on.

Frobisher Bay Legal Centre Has Made Valuable Contribution

Just to be fair with you people, I would like to maybe just state that I have some problem here in dealing with the Justice and Public Services. I will have to appear on April 1 on the charge that was issued to me, but I would just like to let you know, I am speaking about this matter completely from the other interest that the public has and I will not even attempt to obtain legal advice with respect to the charge being laid on me. I would just like to clear myself away from that. I will not deal with that one bit. I do know that places like Frobisher Bay, where they have the legal service centre, they have contributed, in my mind, a very valuable contribution. I see that the public and the people in Frobisher do take it very seriously, the fact that there was an organization here that can at least interpret the laws when people were in trouble with the law.

I just do not see enough leadership being taken, nor do I see enough policy proposals from the Executive Committee to try and encourage that kind of organization to be able to sustain themselves. There does not seem to be any interest in the government to keep them alive. I wonder, is it because you have a strong lobby from the legal profession not to continue funding? If we can, you know, the Executive Committee can fund a dog pound in the amount of \$50,000 in one year and yet at the same time they are saying to us, look, we cannot provide a salary for one lawyer in a region which affects lots of the people, and also can minimize quite a lot of costs the government normally incurs when they fly in a lawyer from Yellowknife on a per diem basis. So, I am wondering whether or not -- is it your policy not to continue to extend those or even to sustain them? Could you reply to that, please? Thank you.

CHAIRMAN (Mr. Noah): Mr. Minister.

Pressure For Increasing Budget For Legal Aid

HON. GEORGE BRADEN: Mr. Chairman, no, I am not getting lobbied by the Yellowknife legal fraternity to reduce funding for these various programs. In fact, it is just the opposite. I am getting lobbied and pressured by members of the Yellowknife legal fraternity who are associated with various programs to, in fact, increase the amount of revenue that we are putting into these various programs. I might say, Mr. Chairman, that we could get into this in a lot more

detail when we get into the Legal Services Board part of our estimates and I would be happy, at that time, to have a representative of the board come in and give you his assessment of the implications of our budget to the legal aid program, if that would be all right.

CHAIRMAN (Mr. Noah): Mr. Sibbeston.

MR. SIBBESTON: I take it we are in the legal division, is this right? Okay.

CHAIRMAN (Mr. Noah): Mr. Mark Evaluarjuk.

MR. EVALUARJUK: (Translation) Mr. Chairman, I am not really too sure why I should mention what I am going to make a comment on. I mentioned this before, but I am not sure when. It is going to be the same thing, because I would like to get some explanation. This has been mentioned a few times now.

Policy Should Be Set Regarding Dangerous Chemicals

The chemicals and marijuana and different things that you get high on, and sniffing gas and the glue and nail polish and stuff like shaving lotion, there are a lot of people who are trying to get high on these things. Even sometimes they break and enter looking for these chemicals to get high on. In Baffin Island I have heard, and I have been given a letter, that there should be a policy or law regarding these things, because there is not law, and the RCMP cannot do anything about them. I wonder why when people say these chemicals are very dangerous and they are dangerous to health, I wonder why there is no policy on these things that people are trying to get.

If there is no law, perhaps something could be made, a policy could be set and get the people who are trying to take these, to be able to bring them to court, especially when they are sniffing gas all over the place and they are available all over the community and people are saying they are dangerous. They are hard to stop. It is hard to stop people who are trying to keep taking things. Are you people going to be considering any policy making regarding these chemicals that are so dangerous to humans?

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. GEORGE BRADEN: Mr. Chairman, with respect to the drugs that my colleague was referring to, there are laws now in place which make the use of drugs like marijuana, heroin, cocaine and other chemical drugs illegal and the RCMP have the authority and power to arrest people who sell these drugs or use these drugs. With respect to the other things which Mr. Evaluarjuk was referring to, such as gasoline, glue and shaving lotion, I understand that the Department of Health is working on legislation at this time which would make it an offence to use these substances to get high. My colleague, Mr. McCallum, is here. He is not listening but...

HON. ARNOLD McCALLUM: Yes, I am. Very much so.

HON. GEORGE BRADEN: ...perhaps he could make some comment on that. I am not all that familiar with it except that the Department of Health is using the experiences in the provinces to make up their legislation. Thank you.

CHAIRMAN (Mr. Noah): Mr. McCallum. It has been a long, long day.

HON. ARNOLD McCALLUM: And not over yet apparently, either. Well, Mr. Chairman, I know that this has always been a problem as has been expressed by the Member who led off with the question.

Interdepartmental Committee Addressing Problem

There have been petitions tabled to this House on the use of non-alcoholic substances as intoxicants. There is an interdepartmental committee now composed of Health, Social Services and Information. This committee has been set up to attempt to come to some resolution of the problem, that is to address it in some way. We have not been able to determine to any great extent the use or abuse, if you like, of gas and solvent inhalation, but we are attempting at the present time to do something about that, to see if we can get any kind of hard core information on it.

I had indicated before that we would like to see a greater emphasis placed on personnel and people within the communities to try to do something about this. We believe that the emphasis has to be placed in that way rather than rely on sanctions, but it may be necessary, as the Minister has suggested in this review, that it may be necessary to make amendments to an ordinance that would make sniffing illegal. I have great difficulty with that unless we are going to get involved with a lot more use of community service organizations and maybe in relation to the Young Offenders Act, now, which will require a great deal more effort, as I have continually said, when there is a larger number of juvenile delinquents charged under a new offence. That would mean that undoubtedly a lot more would be placed under the care of child welfare, and as Members know, we have a very limited amount of resources that are available now for the treatment and rehabilitation of juvenile delinquents and the rehabilitation of any number of offenders. If we were to make sniffing illegal, then I suggest, Mr. Chairman, that there would be an increase on us to provide that rehabilitation.

Alternative Solutions To Problem

Now, there are a number of recent court decisions, that is the sentences recently by our own judiciary, to wit, that the judge has passed on to me, and outlined the problems involved, of what do you do with somebody who is continually breaking the law or being involved, as a juvenile, and having to sentence him. Do you incarcerate him for awhile, and make it long enough so that you can do some kind of rehabilitation? I do not know whether the answer, in effect then, would be to make it illegal. We are attempting to look at other alternatives as well. We are developing a lot of resource material, and again we will re-emphasize the idea of having storekeepers throughout the Territories try to implement some controls on their own and put in this kind of information. Other than that, I cannot really indicate very much more, Mr. Chairman.

CHAIRMAN (Mr. Noah): Quyanamik, Mr. McCallum. Mrs. Sorensen. Oh, I am sorry. Mr. Fraser.

MR. FRASER: Thank you, Mr. Chairman. I have some concerns. I do not know if it is with the directorate for the legal division, whoever. It is to do with one of those witnesses sitting at the table anyway.

Seating Of Witnesses Called To Testify At Courthouse

First of all, I was concerned about the present seating in the courthouse and how witnesses are called in and being made to sit on those apple boxes in the courthouse with no coffee. They just have to sit there, treated like criminals, when actually they are only witnesses to the court. I asked Mr. Irving if he could do something about it. I asked Mr. Butters when he was Minister of that portfolio, and he assured me that something would be done about it. I withdrew my motion in Frobisher Bay because of his assurance that this would be done. I notice that nothing has been done.

Then I get a letter from Mr. Irving's office saying that it will not be done, and I wonder if Mr. Minister could maybe just mention the context of that letter, why it is not going to be done. The Minister seems to think that his hands are tied. I talked to Judge Slaven and he agreed with me, but in the letter from Mr. Irving, it says that the judges do not agree. I just wonder who is running that place. Is it the Minister or Mr. Irving or the judges? Somebody should have a handle on it.

I think myself that it is very important and it could be to other witnesses that come to Yellowknife and have to sit there for two to three days, wait to be called and may be never called. They still have to be available. Is it the fault of the witness or is it the fault of the Justice department? I do not know who it is, but I would like a comment from Mr. Minister or one of his advisers as to why things cannot be changed in that courthouse, that it is that rigid. The person, the architect who drew up those plans, should be made to sit on those boxes for a couple of hours and he would change his mind. I would like a response, Mr. Chairman, if I could get it, as to why there cannot be changes made.

CHAIRMAN (Mr. Noah): Mr. Minister.

Undertaking To Improve Planning And Facilities For Court Witnesses

HON. GEORGE BRADEN: Mr. Chairman, I have already had some discussions with Mr. Fraser on this matter. I have had my staff do some investigation and some work on it. In some respects we do have to plan properly for the witnesses that are going to be called in to testify in court and I regret that there have been witnesses that feel they are classified as criminals, and that poor planning was done so that they had to sit around waiting for many hours. So I would indicate on the first hand, Mr. Chairman, to Mr. Fraser, that I will be instructing my officials to plan properly for witnesses and to take into account their time as well as justice and evidence.

On the matter of the furnishings in the lobby area, I regret that we have not been able to provide more comfortable surroundings for witnesses while they are waiting. On the matter of a vending machine, the submission was made but the submission was turned down. I really cannot comment on it any more. I can give, Mr. Chairman, assurances to Mr. Fraser that I run the department and that I will undertake to improve the facilities for witnesses in the Yellowknife courthouse. Thank you.

CHAIRMAN (Mr. Noah): Mr. Fraser.

MR. FRASER: Thank you, Mr. Chairman. I am kind of disappointed to hear the Minister saying that he cannot do too much about the seating arrangements. If you go to any of the other offices -- Mr. Irving's office has chesterfields in there that nobody sits on. If they are sitting on them, they should not be, they are supposed to be working -- and they are brand new. I mean, if you go to the other offices in there, you will see the same thing. Why can they not use some of those? I do not believe it is right that witnesses should come in -- and the Minister said hours, I would say days, three days -- and sit on those boxes waiting to be called. As a result, two of them were not called at all. I do not think they get any money for it, but they have to be there in case they are called and I disagree that seating arrangements cannot be made available and/or a coffee machine or some place where they could get coffee. If they were allowed to leave the building, I could see no problem, but when they are called in as witnesses they cannot leave the building.

Follow-Up On Minister's Assurance

It has to be somebody's fault. I do not know who, but I cannot see that it is the witnesses' fault, and with a building that expensive and the new building, they should have some facilities for people that are not convicted. If it was

a prisoner, well, I could see it, but not as a witness, an innocent witness. I will be following this up, Mr. Chairman. The Minister has assured me that something is going to be done. I will be following it up and if I do not get any action before the next session, well then, I will bring it up as a motion in the House and maybe we will get something done like that.

CHAIRMAN (Mr. Noah): Mr. Sibbeston.

MR. SIBBESTON: On the general subject of directorate, I would ask the Minister if he would undertake to do something about getting a native magistrate or at least some native lawyers in the department, and also investigate the possibility of recommending a native supreme court judge. I appreciate that in order to find native people who are lawyers it is very difficult as there are very few such lawyers in Canada, but I do know that they do exist. In the past few years native lawyers have set up a native lawyers association and also a native law student association. So, I do know there are some in Canada and who knows, some of them may be interested in coming to the North and it would be very good to have such persons in the justice system in the North. Could the Minister undertake to contact these two organizations that I mentioned and see if he could begin discussions toward having at least some native lawyers come to the North?

CHAIRMAN (Mr. Noah): Mr. Minister.

Involvement Of Native Persons In Legal Areas

HON. GEORGE BRADEN: Yes, Mr. Chairman. Mr. Sibbeston has my assurance that I will be in touch with the two organizations mentioned. I might add that I am in the process right now of recommending a Dene from the Mackenzie Valley to study in the native law course at the University of Saskatchewan. As I mentioned earlier on, in making recommendations to the federal government for the supreme court appointment, we will be taking into consideration the role of a native supreme court judge from the Northwest Territories.

CHAIRMAN (Mr. Noah): Thank you. (Translation) Mr. Arlooktoo, we are on page 9.02.

MR. FRASER: Agreed.

CHAIRMAN (Mr. Noah): Mr. Arlooktoo.

MR. ARLOOKTOO: (Translation) Thank you, Mr. Chairman. I would like to ask a question about justices of the peace in the community. The JP's have not recently met or have not been meeting. The native people do not really seem to know about the law. They seem to be run a little bit too much by the RCMP, because of their lack of knowledge of the legal system. I would like to know when the JP's would be able to meet and have a law workshop type of thing?

CHAIRMAN (Mr. Noah): Thank you, Mr. Arlooktoo. Mr. Minister.

Training Program For Justices Of The Peace

HON. GEORGE BRADEN: Thank you, Mr. Chairman. There have been problems with the JP training program because in the fiscal year 1980-81 there were no funds made available for training of justices of the peace. Approximately \$100,000 has been budgeted for this program in the fiscal year 1981-82.

We provide all newly appointed justices of the peace with training kits and we hope to improve the training we provide to JP's during the next fiscal year. We have an official from my department that is conducting a training seminar right now in Frobisher Bay. During the fiscal year 1981-82, formal training seminars are planned for Rankin Inlet, Coppermine, Cambridge Bay, Inuvik, Hay River and Yellowknife. Hopefully, every justice of the peace in the Northwest Territories will have an opportunity to attend at least one of these seminars. We are currently preparing a more detailed training manual for our justices of the peace and it is almost finished at this point in time. The new training manual will be used in all future training courses that we offer. Thank you.

CHAIRMAN (Mr. Noah): We are on page 9.02, directorate.

AN HON. MEMBER: Agreed.

Directorate, Total 0 And M, Agreed

CHAIRMAN (Mr. Noah): Page 9.02, \$351,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Legal Division, Total 0 And M

CHAIRMAN (Mr. Noah): Page 9.03, legal division, total 0 and M, \$569,000. Agreed?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Noah): Mrs. Sorensen.

MRS. SORENSEN: Mr. Chairman, the whole area of regulations is of concern to me. I wonder if the Minister could explain the process by which a regulation is established and implemented?

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. GEORGE BRADEN: Very briefly, Mr. Chairman, the Member is aware that in many of the ordinances that we pass, there is usually a clause which states something to the effect that the Commissioner has authority under this particular ordinance to make regulations in various areas. Occasionally they are listed.

I am not all that knowledgeable about the actual mechanics, but I know that I am looking at some regulations right now for the control of liquor sales out of the Inuvik liquor store. The process that we went through was to consult with people in Inuvik and surrounding communities and they expressed a need for some measure of control over liquor sales. We determined, in this particular case, that the Commissioner, in law, had authority to make regulations for this specific liquor store and to control the sale of liquor. What happened after that was to have our legal counsel draft the regulations and if these are agreed to by myself, and hopefully by the people of the Delta, the Commissioner will put them into effect, with his signature.

CHAIRMAN (Mr. Noah): Mrs. Sorensen.

MRS. SORENSEN: When the Commissioner goes through the process of creating a regulation that deals with the Northwest Territories as a whole, is there any consultation with the public and is there consultation with this Legislative Assembly concerning that regulation?

CHAIRMAN (Mr. Noah): Mr. Minister.

Consultation On Preparation Of Regulations To Ordinances

HON. GEORGE BRADEN: Mr. Chairman, that would depend on the regulation. One could look at a situation where a great deal of consultation precedes the preparation of, for example, wildlife regulations. Our officials in our regions would consult with hunters' and trappers' associations and, to the best extent possible, develop recommendations which would be used in preparing the regulations. We may feel that it is also necessary to consult with a particular group of people who are going to be affected by regulations and to actually provide them with drafts and get their advice and reaction. Unfortunately, in every case it is just simply not possible to come back to the Legislative Assembly to have a review and a debate on all the regulations that are continually being prepared and passed by the Executive Committee Ministers and the Commissioner. I am told that regulations are also tabled at every session of this House.

CHAIRMAN (Mr. Noah): Mrs. Sorensen.

MRS. SORENSEN: So there is really nothing then that is set down in written policy concerning public consultation but it is a matter of practice of the government to consult when regulations are determined and put into legislation.

CHAIRMAN (Mr. Noah): Mr. Minister.

Responsibility To Consult When Regulations Are Sensitive

HON. GEORGE BRADEN: On regulations of significance, yes, there is consultation. There are some where I would assume there is no consultation because they may be purely housekeeping matters. It would not be correct to say that in every case this is what we do. Certainly where it is determined that regulations are sensitive and are going to affect the people of the Northwest Territories, then it is our responsibility to ensure that adequate and proper consultation is undertaken.

CHAIRMAN (Mr. Noah): Mrs. Sorensen.

MRS. SORENSEN: Just one last question, Mr. Chairman. It is possible to have regulations then that concern one topic differing from region to region. Is that correct?

HON. GEORGE BRADEN: Yes.

MRS. SORENSEN: In other words, take the example of the Liquor Ordinance. We could have regulations that apply only to Tuk or regulations that apply only to Yellowknife.

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. GEORGE BRADEN: We must start from the understanding that regulations by their nature are laws, and that the authority to develop and give approval to these laws has been delegated. That power has been given by the Legislature to the Executive branch of the government. The limits to which we can go in making regulations are set out to a certain extent by our ordinances.

Flexibility In Certain Ordinances

Now, in respect to the example that was just raised, Mr. Chairman, the ordinance provides a certain measure of flexibility for the Commissioner when regulations are set out. I would assume that there are certain ordinances where we have a lot of flexibility to take into consideration local or regional concerns or

factors -- they may be geographic or climatic or whatever. I would also assume that there are other regulations which we pass where it just applies on one standard throughout the whole Northwest Territories so again, there is that flexibility and I think that generally that flexibility is determined in an ordinance or in our ordinances.

Legal Division, Total 0 And M, Agreed

CHAIRMAN (Mr. Noah): Thank you, Mr. Minister. Page 9.03, total 0 and M, \$569,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Court Services, Total 0 And M

CHAIRMAN (Mr. Noah): Court services, on page 9.04, total 0 and M, \$2,080,000. Mr. Sibbeston.

MR. SIBBESTON: Mr. Chairman, I wonder if the Minister would consider amending the magistrate's court ordinance with a view to changing the qualifications for magistrates so that non-lawyer persons can in fact become magistrates. By way of background, at the moment in order to become a magistrate or a territorial court judge, you have to be a lawyer and also have three years of experience. I feel that this is an onerous background or high qualifications to have and it will be a very long time before we will have native people from the North becoming territorial judges with the present law. So I wonder if the Minister would consider this in view of the fact that in the South, in certain jurisdictions for a long time, lay people were able to be appointed as magistrates, and it has been only very recently that this practice has ceased, in some provinces like Alberta. I know that in places like Newfoundland or Labrador, it is still possible to appoint magistrates without them being a barrister or solicitor. I wonder if the Minister would do this.

CHAIRMAN (Mr. Noah): Mr. Minister.

Recommendation Of Member Deserves Consideration

HON. GEORGE BRADEN: Thank you, Mr. Chairman. I am advised that we do not have an ordinance called the magistrate's court ordinance. It has been changed and is now called the Territorial Court Ordinance. I am also advised that the experience, the factor that you referred to, refers to three years tenure with the bar. Nevertheless, as my colleague has probably deduced by now, I am not very knowledgeable about this particular issue. I think that his idea deserves consideration, and I certainly will make a note of his recommendation. I cannot make any promises at this point but it would seem that if we are to move into a direction where we see more involvement by native people in our judicial branch of the government, we would have to take a serious look at the kind of qualifications and criteria in those areas that we have presently established and that were established by previous Legislative Assemblies. Thank you.

CHAIRMAN (Mr. Noah): Mr. Sibbeston.

MR. SIBBESTON: Mr. Chairman, I am pleased that the Minister will consider it, although I think it is a bit hazy that he does not promise anything. In my experience, being a lawyer, and having spent many years at university, I have come to the opinion that in order to be a magistrate or even a lawyer practising in the criminal area, you do not have to have gone to school for all those years. You perhaps can get the training to be a criminal lawyer in about a years time. I know of some native JP's at the moment who could become excellent magistrates and until we change the present ordinance which requires that you be a lawyer and have three years of experience, you just are not going to get any native persons to be judges for a very long time, maybe 50 years yet.

Provinces Have Adopted This Policy

I do not know of anyone from the North who is native and is available these days, so I just know that at the present, with the present law, it is going to be a long time. So, I really encourage the Minister, again, to consider what I have said in respect of non-lawyer persons becoming magistrates or provincial judges. In the provinces this had been the practice, particularly in the past, when perhaps provinces were not very developed, as it were. So, I do think it could work very well in the North. As I said, just last fall we had news of an Inuit person, a teacher in Newfoundland, who was appointed as a territorial judge in the province. So I think that sort of thing could be done here, if the Minister did look into it and did decide to go ahead with changing the ordinance.

CHAIRMAN (Mr. Noah): Mr. Stewart.

HON. DON STEWART: Thank you, Mr. Chairman. Relative to court services, the courthouse was set up in Hay River, a judge appointed and a prosecutor was established in Hay River, but the prosecutor did not stay in Hay River very long and is now stationed in Yellowknife, with the net result that an effective court system is really not in effect in our area. The judge is ready to go to court. He has to wait for flying weather and everything else to get the prosecutor over.

Now, the feds have told me that the reason for this is, they cannot get anybody to go to places like Hay River to practise law. It seems this is a closed fraternity and they have got to hold hands regularly, every night, or else the fraternity breaks up. This type of thing, I am sure, has to be stopped sooner or later. I mean, when they start talking and wanting lawyers in various other places in the High Arctic, if they cannot get them to go to the more southerly settlements, God knows when you are ever going to get anybody to go to some of these other places.

Pressure To Put Crown Prosecutor In Hay River

Now, what action, if any, is our territorial government taking with regard to pressing the federal government to put these people in the places where they belong and the courts that they are supposed to serve, and not have half a service in many of these locations?

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. GEORGE BRADEN: Thank you, Mr. Chairman. It is indeed unfortunate that the crown prosecutor removed his official from Hay River. We have encouraged the federal government to reconsider its move. Basically that is all I can say at this time, except that -- if I were a lawyer -- I would not mind moving to Hay River. I think it is a nice town.

---Laughter

CHAIRMAN (Mr. Noah): Mr. Stewart.

HON. DON STEWART: Could the Minister assure me that if the federal people cannot find a prosecutor to go over there, that your government will press for farming out the prosecution that used to be done in the Territories, that is, to another lawyer. We could get another lawyer into the town of Hay River very easily, who could act as the prosecutor for the south of the lake. If they cannot find one, we can.

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. GEORGE BRADEN: Mr. Chairman, I think the Member has raised an alternative which would really be secondary to the first option, which is to have the federal government place a prosecutor back into Hay River. He has my assurances, though, that I will express his second alternative to the Minister of Justice if he does not wish to proceed with putting a prosecutor back into Hay River.

CHAIRMAN (Mr. Noah): Mr. Sibbeston.

Native Persons With Court Party

MR. SIBBESTON: I would just like to raise with the Minister another matter, and that is the matter of the territorial court hiring some native people to travel with the court. I had raised this matter, I believe one time with Mr. Irving, with respect to the Hay River court. The Hay River court travels to such places as Fort Simpson, Fort Resolution, Fort Smith, and small Dene communities, it is highly visible and I think it is important to have native people as part of the court circuit. I am disappointed that thus far there has not been anybody -- no native person with the court party.

I wonder if it is something that the Minister could check on and, in fact, speed it up, so that the native people can be part of the court circuits -- so that people can identify and see that it is not just a bunch of people that are trying to put all the native people in jail. If this were done, it would make the native people appearing before the court feel at ease and perhaps it will not be such a scary experience for native persons.

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. GEORGE BRADEN: Thank you, Mr. Chairman. Yes, I think it would be possible to respond in a positive way to Mr. Sibbeston's suggestion. Perhaps through the court clerk trainee program that we have, I think that we could accommodate that request.

CHAIRMAN (Mr. Noah): Mr. Sibbeston.

No Native Justices Of The Peace In Fort Simpson Area

MR. SIBBESTON: One final matter now, in respect of this court services and that has to do with the justices of the peace. Some time ago, this fall or this summer, I had written to the department in respect of government hiring or getting some native JP's in Fort Simpson. I suggested to the department that they ought to take the matter of there being no native JP's in Simpson and area very seriously and that they consider setting up a program specifically for the purpose of training and recruiting JP's.

Unfortunately, I have not had a satisfactory response. I take it that the department has really not treated my letter very seriously. I think they treat it more or less as just something that I have raised and if they do not do anything about it, it will fade away, or I will forget, but I can say that this is a very serious matter, that there are no native JP's in the Fort Simpson

area. It is a serious, serious, void, as it were, in the justice system. I would ask the Minister if he would take my letter seriously, whether he would now undertake to look into the matter and perhaps even go to the extent of setting up a special program. I will wait for his response, but I have a motion here that suggests this and I will perhaps make it just to have something on paper that the Minister can see and there will be no mistake about the desire in the motion. Okay. Does the Minister feel that he can handle my request, or does he need a motion to help him along?

CHAIRMAN (Mr. Noah): Mr. Minister.

HON. GEORGE BRADEN: Thank you, Mr. Chairman. On the matter of a native JP for Fort Simpson, I would be pleased to take any recommendation that the honourable Member can provide me very seriously.

No Funds For Training Program In Last Years Budget

On the matter of a training program for JP's, I indicated a little earlier on to Mr. Arlooktoo that we, unfortunately, had not placed any funds in the training program for the JP's last year. However, in the upcoming fiscal year, there will be approximately \$100,000 budgeted for this program. We have a system now where all newly appointed JP's are provided with a training kit and we are currently completing a more detailed training manual, which will be used in all upcoming future training courses that are provided for JP's.

As I indicated earlier on, during 1981-82, formal training seminars are planned for Frobisher Bay, Rankin Inlet, Coppermine, Cambridge Bay, Inuvik, Hay River and Yellowknife. We hope that every justice of the peace in the Northwest Territories will have an opportunity to attend a seminar in his or her particular region. If the Member would like more information on our training program, I would be pleased to put it together and provide it to him in writing. I think that we are making substantial progress in this area and we have budgeted the kind of money we feel is necessary to bring the JP's together and to have them get involved in the training seminars. Thank you.

CHAIRMAN (Mr. Noah): Mr. Sibbeston.

Training Program Misses Mackenzie Valley

MR. SIBBESTON: Yes, I appreciate the plan. It seems to me that your places where you are going to be giving these training courses really miss the whole Mackenzie Valley. Hay River is the only place in the Dene area, in a sense, that will be holding training and it seems to me that you would be missing the whole area between Hay River and Fort McPherson and that is the area that I am mostly concerned with, that there are just no native JP's in places like Simpson, Liard. What I think the department ought to do is really review the situation seriously. Go into the community and see why are there not native JP's. Why not? Go into the whole sphere of finding out why no JP's and look at the court system, why native people maybe do not want to be JP's and so forth. Even look at ways of changing the system so that native people can be comfortable as JP's.

The other aspect is that at the moment the department seems to have a very close association with the RCMP in respect of checking people's backgrounds. It seems in order to become a JP, you are just absolutely thoroughly reviewed by the RCMP. I feel that this is not necessary. I think all one needs to know is whether the person has had any criminal offences and whether he is an upstanding or good citizen in the community. I feel that the police interview the person at length to find out their attitudes toward the police, whether they would be soft judges or whether they have any negative views toward the RCMP. So it seems to me, maybe it is because Mr. Irving is a former RCMP, that he has this kind of a set-up of having RCMP recommending or having a great say in the appointment of JP's. Can the Minister tell me if he can review the whole system of checking the backgrounds of prospective...

CHAIRMAN (Mr. Noah): Mr. Sibbeston, I am sorry. We have run out of time. Shall we report progress?

SOME HON. MEMBERS: Agreed.

---Agreed

MR. SPEAKER: Mr. Noah.

REPORT OF THE COMMITTEE OF THE WHOLE OF BILL 1-81(1), APPROPRIATION ORDINANCE, 1981-82; NINTH REPORT OF THE STANDING COMMITTEE ON FINANCE

MR. NOAH: Thank you, Mr. Speaker. Mr. Speaker, your committee has been considering Bill 1-81(1) and wishes to report progress.

MR. SPEAKER: Thank you. Are there any announcements from the floor? Mr. Clerk, announcements and orders of the day, please.

CLERK OF THE HOUSE (Mr. Remnant): There will be a caucus meeting at 9:00 a.m., tomorrow, Tuesday, March 3, in Katimavik A.

ITEM NO. 13: ORDERS OF THE DAY

Orders of the day, 1:00 p.m., Tuesday, March 3, 1981.

1. Prayer
2. Oral Questions
3. Questions and Returns
4. Petitions
5. Tabling of Documents
6. Reports of Standing and Special Committees
7. Notices of Motion
8. Motions
9. Notices of Motion for First Reading of Bills
10. Introduction of Bills for First Reading
11. Second Reading of Bills
12. Consideration in Committee of the Whole of Bills, Recommendations to the Legislature and Other Matters: Freshwater Fish Marketing Corporation Operations and Pricing; Bill 1-81(1); Ninth Report of the Standing Committee on Finance; Report of the Special Committee on Education Respecting Student Aid
13. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. The hour being now 6:00 p.m., this House stands adjourned until 1:00 p.m., March 3rd, 1981.

---ADJOURNMENT

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