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

LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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HAY RIVER, NORTHWEST TERRITORIES

TUESDAY, MAY 19, 1981

MEMBERS PRESENT

Mr. Arlooktoo, Hon. George Braden, Hon. Tom Butters, Mr. Curley, Ms Cournoyea, Mr. Evaluarjuk, Mr. Fraser, Mr. Kilabuk, Hon. Arnold McCallum, Mr. McLaughlin, Mr. MacQuarrie, Hon. Richard Nerysoo, Mr. Noah, Hon. Dennis Patterson, Mr. Pudluk, Mr. Sayine, 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 Tuesday, May 19th. Item 2, replies to the Commissioner's Address. There appear to be no replies today. Oral questions.

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

Mr. Noah.

Mr. Noah's Reply

MR. NOAH: (Translation) I would like to go back to Item 2, Mr. Speaker. Mr. Commissioner, ladies and gentlemen, I received a letter from Urangesellschaft Canada Ltd. from Toronto. They wrote a letter to all the Members of the Legislative Assembly but they said that there was a mistake -- the reply to Mr. Commissioner in February. The error was quite minor, but I think I should be concerned about it, and I have to apologize about it. I said that -- does not work and there was a mistake. I was told that there was another name used in West Germany. I did not try to make a mistake, but I am sorry if I did make a mistake.

We received something from West Germany. He was opposed to nuclear power and uranium and he was opposed to uranium too, with Baker Lake. I am going to be talking a lot about uranium and I am going to be asking for assistance concerning this matter because it is not quite known yet. It is not quite known what effects the uranium has in our Baker Lake area. They figure they are going to open a uranium mine within five years or after five years. If they do not open the uranium mine, we would be very happy. The residents of Baker Lake would be very happy.

Effects Of Uranium Not Fully Understood

We do not know as to the effects of uranium yet, and the scientists cannot fully answer the effects of uranium as yet. The federal government and the territorial government do not seem to be trying to stop the exploration and mining of uranium and they do not seem to be helping the people of Baker Lake, and they have not really listened or talked about it, how dangerous it is, and how much damage it could do to our land and to the wildlife. I have been informed from British Columbia that they said that uranium is very dangerous and they have put a stop to it in British Columbia. They were unable to stop exploration of uranium because they love their land and this is what I envy.

The Inuit and the non-native people, before they fully understand uranium, I wonder if they can delay the exploration or the mining and exploration. I said the last time I replied to the Commissioner, I mentioned that before. Looking at uranium it is very dangerous, it is very dangerous when you are starting to learn more about it, and we all know the people that are not informed fully about uranium do not seem to mind very much as to how dangerous it could be. The government and the scientists have said that it is not too dangerous. They say that we all have natural radiation in our bodies. We are all exposed to natural radiation in our body. If we are exposed to...

MR. SPEAKER: I can hear the interpreter very low on channel four, but the volume has dropped considerably. Can you try it again, please, interpreter?

MR. NOAH: (Translation) Try it on channel six, I think.

MR. SPEAKER: Would the interpreters please try channel six? Channel six seems to be coming in a lot stronger. Would you try channel six, please, interpreters?

MR. NOAH: (Translation) I would like to talk about Bill C-48. Right now the whole of Canada has been very concerned about Bill C-48 and we all know that the provinces in Canada have been very concerned about it too. We know that it is very hard and we as native people do not fully understand how to respond to Bill C-48. In the whole of Canada and in the Northwest Territories, the Inuktitut -- if it was to be included for the whole of Canada or if we could talk at the whole body. It seems that the Prime Minister of Canada, I do not want to talk about him too much because I used to be a Liberal, but I do not want to talk about it.

I think the Prime Minister should listen to what the provinces are saying because they voted for him and he should listen to the wishes of the people, and also we, the residents of Canada, the things that we want done should be listened to by the Prime Minister. The Prime Minister was not in a seat in 1965 or when Joe Clark, the then prime minister -- Prime Minister Trudeau went back as the leader. He is a good Prime Minister for the whole of Canada and a lot of people like him, but I think he should be listening to the people of the Northwest Territories and what the people of Canada want. He should be listening to what the provinces want also.

The government people in the Northwest Territories and the provinces -- political people -- should have more voice concerning Bill C-48 -- just before Bill C-48 is passed. I do not know very much about this but I just wanted to mention some of the things that I have understood about Bill C-48. I am not going to reply in a lengthy speech today, but I wanted to mention Urangesellschaft Canada Ltd. and the people that I made a mistake about, and I wanted to mention Bill C-48. Thank you very much, Mr. Speaker. Maybe I elaborated myself, I do not know. Thank you.

---Applause

MR. SPEAKER: Thank you, Mr. Noah. Any further replies to the Commissioner's Address? Item 3, oral questions.

ITEM NO. 3: ORAL QUESTIONS

Ms. Cournoyea.

Question 26-81(2): Request For Housing Unit, Tuktoyaktuk

MS COURNOYEA: Mr. Speaker, I address this to whomever is answering for the Department of Public Works. May I have a reply? Why is it that the Inuvik regional office of the government, after repeated requests, cannot even get a reply to the hamlet of Tuktoyaktuk, who are requesting and for a limited time, the use of one of the unoccupied territorial housing units in that community?

MR. SPEAKER: Mr. Commissioner.

COMMISSIONER PARKER: Mr. Speaker, I was not aware of the request, but I will have a reply for the Member tomorrow.

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

Question 27-81(2): Appointment Of Minister For Eastern Arctic Constitutional Development

MR. CURLEY: Thank you, Mr. Speaker. My question is to the Minister for Aboriginal Rights and Constitutional Development. In light of the intensified major developments taking place in the Western Arctic, including the Norman Wells pipeline and Dene land claims negotiations and in view of the Minister's heavy responsibilities in his portfolio as well as the Department of Local Government, is the Minister prepared to assure this House his immediate non-conditional support to urge the Commissioner to appoint one of the Executive Committee Members to be responsible for Eastern Arctic constitutional development?

MR. SPEAKER: Mr. Wah-Shee.

HON. JAMES WAH-SHEE: Mr. Speaker, I would like to bring the matter up before my colleagues on the Executive for their consideration.

MR. SPEAKER: You are taking this question as notice and will reply later. Oral questions. Mr. Curley.

Question 28-81(2): Training Period For Eastern Arctic Minister

MR. CURLEY: Yes, Mr. Speaker. My question is to the Commissioner. He replied to my question about the same matter the other day, stating that some Members wished to see some experience gained by two Members before they can appoint an Eastern Arctic minister. Can the Commissioner tell me how long he expects to train these two people or whether or not the portfolio will be allotted for these two only?

MR. SPEAKER: Mr. Commissioner.

COMMISSIONER PARKER: Mr. Speaker, I cannot say at this stage. Again, it is important in an issue such as this, that I consult with my colleagues, but having a better understanding of the question that Mr. Curley posed at the last sitting day, I will carry out those discussions very quickly.

MR. SPEAKER: Thank you. Mr. Arlooktoo.

Question 29-81(2): Allocation Of Polar Bear Quotas

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. My question is directed to the Minister of Renewable Resources. Last year when the Baffin Regional Council was meeting in Cape Dorset regarding polar bear, anybody that has caught a polar bear out of season -- that it would be okay to take a polar bear quota from the quotas that the communities are supposed to be using. Is this true or not? Can you reply, please?

MR. SPEAKER: Mr. Nerysoo.

HON. RICHARD NERYSOO: Mr. Speaker, with regard to that question, that whole issue of polar bears has been one that has been brought up over the last few years and certainly we are trying to address as to how we allocate the quotas and we have not yet come up with a solution to the question that the Member is seeking an answer for.

MR. SPEAKER: Will you take it as notice and then try to bring an answer back?

HON. RICHARD NERYSOO: Yes, Mr. Speaker.

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

Question 30-81(2): Minister Of Indian Affairs' Response On Appointment Of Minister For Eastern Arctic

MR. CURLEY: Yes, Mr. Speaker. I had a supplementary to the Commissioner. In his reply to me last Friday regarding the unity committee's recommendation number 10 which would urge the Commissioner to appoint an Eastern Arctic minister to be responsible for constitutional development, the Commissioner stated that he was prepared to discuss this issue with the Minister of Indian Affairs and he said he would attempt to find out. Has he found out during his current visit and if so, could he tell this House what the Minister had to say about that?

MR. SPEAKER: Mr. Commissioner.

Return To Question 30-81(2): Minister Of Indian Affairs' Response On Appointment Of Minister For Eastern Arctic

COMMISSIONER PARKER: Mr. Speaker, I have not yet discussed that matter with the Minister. I have discussed matters surrounding that issue with him over the weekend, but not that particular one. However, his visit is not over yet and I certainly will find the opportunity to do so.

MR. SPEAKER: Thank you. Oral questions. Mrs. Sorensen.

Question 31-81(2): Request For Federal Document To Be Tabled

MRS. SORENSEN: Thank you, Mr. Speaker. My question is for the Leader of the Elected Executive. Mr. Minister, it is my understanding that a federal document exists entitled, "Direction for the 1980's". It is also my understanding that the federal departments have been using this document and the priorities contained therein in the preparation of new policy and in making recommendations for federal departmental action on northern affairs. I would ask the Hon. Mr. Braden if he is aware of such a document and if so, if he is prepared to have this document tabled in the House so that Members here might have some knowledge of what the federal priorities are for the 1980's for the Northwest Territories?

MR. SPEAKER: Mr. Braden.

Return To Question 31-81(2): Request For Federal Document To Be Tabled

HON. GEORGE BRADEN: Thank you, Mr. Speaker. I believe the document my colleague is referring to is one which was leaked -- or rather, let me say it this way -- found by a very diligent and determined press. I will not go and name which section of the media it was that found this document, but it was released to the public by the press, I would say about nine months ago. I think we all owe the press congratulations for this act. It was subsequently made public by Indian Affairs and Northern Development, and I would be more than pleased to provide that document to the House as soon as possible, but perhaps the press have some here and they could pass them around. Thank you.

MR. SPEAKER: Oral questions. Item 4, written questions and returns. Written questions. Thank you, Mr. Commissioner.

ITEM NO. 4: QUESTIONS AND RETURNS

Mrs. Sorensen.

Question 32-81(2): Request For Information Re Water Use Applications

MRS. SORENSEN: My question is directed to the Minister of Renewable Resources. It is as follows; how many water use applications has the Northwest Territories Water Board approved in the last five years? Please list the name of the applicant and what water body was involved. How many have been disallowed? Please list the name of the applicant and what water body was involved. How many water use applications have been withheld until more information or specific changes have been made? Please list the name of the applicant and what water body was involved.

MR. SPEAKER: Thank you. Written questions. Are there any returns for today? The Hon. Mr. Braden.

Minister's Statement On Amendments To Liquor Ordinance

HON. GEORGE BRADEN: Thank you, Mr. Speaker. I have a brief statement to give to the House concerning amendments to the Liquor Ordinance. Mr. Speaker, at the last session I indicated my intentions to carry out a major review of the Northwest Territories Liquor Ordinance. Since that time, I have met with a number of groups and individuals, including the general manager of our Liquor Control System, the RCMP, the Hotel Association of the Northwest Territories, as well as local proprietors and I have asked other groups, including the Alcohol and Drug Co-ordinating Council for submissions on possible amendments.

At this time, I regret that I am unable to provide much detail on specific amendments on the ordinance. However, through my consultations I have been able to identify a number of common problems that must be addressed in any new legislation brought to this House, the most important of these being membership on the Liquor Licensing Board not being representative of the various ethnic groups and regions in the Northwest Territories.

The second major problem is an apparent conflict of interest between the Liquor Control System and the Liquor Licensing Board. The third major problem, or direction I guess I could call it, is the need for what I see as increased community powers and responsibility for regulating sale and distribution of alcohol.

Mr. Speaker, I would like to deal with each of these in turn. First of all, on the issue of membership on the Liquor Licensing Board, it has been the case for some time that there has been an imbalance between the East and the West in appointments to the board. To correct this imbalance, I am considering two ways to increase the representativeness of the Liquor Licensing Board.

The first option would be to establish membership on a regional basis; that is, to have representation based on the same ethnic distribution as the population, or to establish separate boards for the East and the West getting ready for Nunavut.

---Applause

Conflict Of Interest

Secondly, Mr. Speaker, on the issue of a conflict of interest between the Liquor Licensing Board and the Liquor Control System, I believe that one of the main sources of problems is the presence of our general manager on the board. At the last session concerns were expressed by both the Member for Mackenzie Liard and the Member for the Western Arctic. As you know, Mr. Speaker,

the present ordinance clearly states that the general manager will be the fifth member on the board. I have done some research into legislation in other provinces and while the Northwest Territories legislation is not unique in this respect, an increasing number of provinces are separating the management of the purchase, sale and distribution of alcohol from the licensing and enforcement of liquor regulations. Another area that is equally of concern is the diminished relationship between the Liquor Licensing Board and the Alcohol and Drug Co-ordinating Council. Recent changes have been made to reduce the membership on the Alcohol and Drug Co-ordinating Council to nine, which has eliminated the historical linkage between the Alcohol and Drug Co-ordinating Council and the Liquor Licensing Board. I hope, if not in legislation then at least in practice, to reinstate this working relationship.

Mr. Speaker, I have been following community actions to limit sale and distribution of alcohol within various communities with a great deal of interest. The honourable Member for Mackenzie Liard may remember the first plebiscite on what is known as the local option, which was held in Fort Simpson in 1968. Since that time, Mr. Speaker, 34 other communities have either signed petitions or have held plebiscites to control sale and distribution in some way or another. Where plebiscites were held, 43 per cent of the communities have subsequently held a second, third and even fourth plebiscite. It is my belief that the local option represents the most effective means of controlling liquor abuse in northern communities.

Recent studies have shown that they can be effective, particularly in communities where there is no road access to liquor outlets. However, Mr. Speaker, the high percentage of second plebiscites is an indication of some degree of dissatisfaction with the present system. Part of this dissatisfaction is obviously the product of inadequate community consultation and follow-up by our social agencies. At the same time, Mr. Speaker, communities must also, I believe, accept greater responsibility for controlling alcohol abuse. At present, most of the responsibility falls on the RCMP and the courts. For example, last year there were almost 10,000 offences committed against the Liquor Ordinance. These offences accounted for more than 50 per cent of all court cases. I do not need to tell, but I am sure my colleague, Mr. McCallum, can -- our correctional institutions and courts are already extremely overburdened because of the volume of alcohol related offences.

Alcohol abuse continues to be a major social problem and there are no short-term solutions. We must accept the fact that although current legislation is inadequate, simply changing it will not change drinking habits or attitudes toward alcohol. The amendments being recommended can only help to create an environment where people in communities can act more independently and responsibly to solve their problems. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Are there any further returns?
Mr. Wah-Shee.

Return To Question 25-81(2): Contracts For Highway Maintenance

HON. JAMES WAH-SHEE: I have a return, Mr. Speaker, to a written question, Question 25-81(2), asked by Mr. Fraser on May 15th, 1981. This reply is being made on behalf of the Deputy Commissioner, who is responsible for Public Works, regarding contracts for highway maintenance.

The total Northwest Territories highway inventory is 2984 kilometres, including winter roads. Of this sum, 1935 kilometres are maintained by the Department of Public Works, and 1013 kilometres are maintained by contractors. The contracted portion represents approximately 35 per cent of the inventory. In addition, some elements of the departmental portion are also contracted, so the final ratio of contracted work, compared to full maintenance budget is in excess of 40 per cent. Thank you.

MR. SPEAKER: Thank you. Are there further returns? Mr. McCallum.

Return To Question 24-81(2): Effectiveness Of Corrections Centre System In NWT

HON. ARNOLD McCALLUM: Mr. Speaker, I have a return to written Question 24-81(2), asked by Mr. MacQuarrie on May 15th, concerning the effectiveness of corrections centre system in the Northwest Territories, and I have the following reply.

The corrections service of the Department of Social Services strives to operate programs and facilities which provide opportunities for an individual to accept and demonstrate responsibility for helping themselves. The corrections service has four basic objectives. The prevention of crime; the care and treatment required by offenders to return them to their communities as responsible citizens; the custody of dangerous offenders for the protection of society; and the eradication of recidivism by chronic offenders.

Several methods have been used to attain these objectives, including: individualized attention to the problems of potential and actual offenders; interpretation of correctional programs with regular community activities; use of educational training and recreational facilities; assistance to offenders in their adjustment to community life after discharge from imprisonment; research and evaluation to improve correctional services and techniques.

Mr. Speaker, it is very difficult to address the question of how the above translates into action at the level of punishment and/or rehabilitation in the brief statement. I invite the Member who asked the question, as well as other Members who were interested in this issue, to discuss this matter in further detail with my officials. These officials would be very pleased to describe to you the various steps one goes through upon entering the criminal justice system at the point of police investigation, court hearings, sentence options and the steps pursued in following the court's orders, and after-care services offered.

Similarly, Mr. Speaker, it is difficult to discuss the degree to which the corrections system is effective. In my opinion, it does a credible job under very trying circumstances. Our corrections system is not imported from the provinces, but rather has some unique features which provide individuals with opportunities to acquire those skills necessary to cope in their particular circumstances. Thank you.

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

Item 5, petitions.

Item 6, tabling of documents.

ITEM NO. 6: TABLING OF DOCUMENTS

Mr. McCallum.

HON. ARNOLD McCALLUM: No, Mr. Speaker. I have not the document at present. I will table it tomorrow.

MR. SPEAKER: Mr. Nerysoo.

HON. RICHARD NERYSOO: Yes, Mr. Speaker. I wish to table the following: Tabled Document 4-81(2), National Energy Board Reasons for Decision in the Matter of an Application Under the National Energy Board Act of Interprovincial Pipe Line (NW) Ltd., March, 1981.

MR. SPEAKER: Any further documents?

Item 7, reports of standing and special committees.

Item 8, notices of motion.

ITEM NO. 8: NOTICES OF MOTIONS

Mr. McLaughlin.

Notice Of Motion 5-81(2): Speaker To Set Sitting Hours

MR. McLAUGHLIN: Thank you, Mr. Speaker. I will be asking for unanimous consent at the appropriate time to move the following motion, seconded by Mrs. Sorensen, that this Assembly authorize the Speaker to set such sitting hours as may be required to accommodate the business to be considered during this session.

MR. SPEAKER: Any further notices of motion? Mr. McLaughlin.

Notice Of Motion 6-81(2): Amendment To The NWT Teachers' Association Ordinance

MR. McLAUGHLIN: Thank you, Mr. Speaker. I would like to give notice that on Thursday, May 21st, I will move the following motion, seconded by Mr. Curley, that this Assembly recommend to the Executive Committee that section 12 of An Ordinance Respecting the Northwest Territories Teachers' Association be amended to provide for compulsory membership as a condition of employment.

MR. SPEAKER: Item 9, notices of motion for first reading of bills.

Item 10, motions.

ITEM NO. 10: MOTIONS

We have one motion in our books. Motion 4-81(2). Mr. Evaluarjuk, I believe.

Motion 4-81(2): Polar Bear Quotas

MR. EVALUARJUK: (Translation) Thank you, Mr. Speaker.

WHEREAS the communities of Igloodik and Hall Beach have requested an increase in their quotas for the hunting of polar bears;

AND WHEREAS the Department of Renewable Resources has indicated that increases in quotas cannot be contemplated until studies have been completed that will assist in determining the population and habits of polar bears in that area;

AND WHEREAS the Department of Renewable Resources has been promising the people of Igloodik and Hall Beach to complete these studies for the past two years;

NOW THEREFORE, I move, seconded by the honourable Member for Baffin South, Mr. Arlooktoo, that this Legislative Assembly recommend to the Executive Committee that the Department of Renewable Resources give urgent priority to the completion of these studies within the next year.

MR. SPEAKER: Your motion is in order. Proceed, Mr. Evaluarjuk.

MR. EVALUARJUK: (Translation) As you probably know, there have been studies on animals done in the past, and the residents of the Northwest Territories seem to know better and ask these people about the studies of the animals. Even when the residents of the Northwest Territories want an increase in their quotas, the government has always felt that they have to make a study before they do anything.

About two years ago the people of Igloolik and Hall Beach were told that a study was going to be completed within the next two years, and they also told us that they were going to increase the quota after the study. The government informed the hunters and trappers from Igloolik that, when the study is completed within the next two or three years -- they have been between Hall Beach and Igloolik for a study, and I think they are just going to complete it now. I would like some support from the Members. Thank you.

MR. SPEAKER: Mr. Arlooktoo, you are the seconder. Do you wish to speak at this time?

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. I am going to make a brief comment. The Baffin residents asked me to ask if they have to have a study on the animals before they increase the quotas. It seems that the only way they are going to increase the quotas is after having a study done on the animals, and my constituency is in the Baffin region. In Cape Dorset they are trying to increase their quotas there. That is why I have reported, in response to this motion. The Baffin region residents would like to increase the polar bear quotas, and my honourable colleague here is talking about the increase in quotas, but the residents of the Baffin region would like that around the Baffin region, Foxe Basin region. Thank you.

MR. SPEAKER: Thank you. To the motion. Are you ready for the question?

SOME HON. MEMBERS: Question.

Motion 4-81(2), Carried

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

---Carried

Motions. Mr. McLaughlin.

MR. McLAUGHLIN: Thank you, Mr. Speaker. I am asking for unanimous consent at this time, due to the fact that the Minister of Indian and Northern Affairs, the Hon. John Munro, will be in Hay River tomorrow, and it may be necessary for the Speaker to set appropriate times tomorrow morning, because of this visit.

AN HON. MEMBER: Agreed.

MR. SPEAKER: Unanimous consent is being requested. Are there any nays? Proceed, Mr. McLaughlin.

Motion 5-81(2): Speaker To Set Sitting Hours

MR. McLAUGHLIN: Thank you, Mr. Speaker.

WHEREAS adjustments to the sitting hours of this Assembly may be required to accommodate business to be considered;

NOW THEREFORE, I move, seconded by Mrs. Sorensen, that this Assembly authorize the Speaker to set such sitting hours as may be required to accommodate the business to be considered during this session.

MR. SPEAKER: Your motion is in order. Proceed, Mr. McLaughlin.

MR. McLAUGHLIN: Question.

Motion 5-81(2), Carried

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

---Carried

Item 11, introduction of bills for first reading.

ITEM NO. 11: INTRODUCTION OF BILLS FOR FIRST READING

Mr. Butters.

First Reading Of Bill 1-81(2): Co-operative Associations Ordinance

HON. TOM BUTTERS: Mr. Speaker, I move that Bill 1-81(2), An Ordinance to Amend the Co-operative Associations Ordinance, be read for the first time.

MR. SPEAKER: Do I have a seconder? Mr. Braden.

HON. GEORGE BRADEN: I second the motion.

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

---Carried

First reading of bills. Mr. Braden.

First Reading Of Bill 2-81(2): Extra-Territorial Custody Orders Enforcement Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move that Bill 2-81(2), An Ordinance to Allow the Enforcement of Extra-Territorial Custody Orders, be read for the first time.

MR. SPEAKER: Is there a seconder? Mr. Wah-Shee. All those in favour? Opposed, if any? The motion is carried.

---Carried

Mr. Braden.

First Reading Of Bill 3-81(2): Fire Prevention Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move that Bill 3-81(2), An Ordinance to Amend the Fire Prevention Ordinance, be read for the first time.

MR. SPEAKER: Is there a seconder? Mr. Patterson. All those in favour? Opposed, if any? The motion is carried.

---Carried

Mr. Wah-Shee.

First Reading Of Bill 4-81(2): Home Owners' Property Tax Rebate Program

HON. JAMES WAH-SHEE: Mr. Speaker, I move that Bill 4-81(2), An Ordinance to Provide For a Home Owners' Property Tax Rebate, be read for the first time.

MR. SPEAKER: Is there a seconder? Mr. Fraser. All those in favour? Opposed, if any? The motion is carried.

---Carried

Mr. Braden.

First Reading Of Bill 5-81(2): Maintenance Orders Enforcement Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move that Bill 5-81(2), An Ordinance to Amend the Maintenance Orders Enforcement Ordinance, be read for the first time.

MR. SPEAKER: Is there a seconder? Mr. Butters. All those in favour? Opposed, if any? The motion is carried.

---Carried

Mr. Braden.

First Reading Of Bill 6-81(2): Public Trustee Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move that Bill 6-81(2), An Ordinance to Amend the Public Trustee Ordinance, be read for the first time.

MR. SPEAKER: Is there a seconder? Mr. Patterson. All those in favour? Opposed, if any? The motion is carried.

---Carried

Item 12, second reading of bills.

Item 13, consideration in committee of the whole of bills, recommendations to the Legislature and other matters.

ITEM NO. 13: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS, RECOMMENDATIONS TO THE LEGISLATURE AND OTHER MATTERS

With the House's permission, I wish to change the order, and put cost of living at the top of the order paper today, as there are people in the gallery that wish to represent their case, and put presentation by Mr. Terry Anderson regarding uranium and mining exploration on next, and moving Sessional Paper 1-81(2), Principles for the Development of an Agricultural Policy for the Northwest Territories, to the bottom of the list. Do I have agreement to do that?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: We will resolve into the committee of the whole, then, to deal with the papers in the order I have given, with Mr. Fraser in the chair.

---Legislative Assembly resolved into committee of the whole for consideration of Cost of Living in the Northwest Territories; Presentation by Mr. Terry Anderson Re Uranium Mining And Exploration; Sessional Paper 1-81(2), Principles for the Development of an Agricultural Policy, with Mr. Fraser in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER COST OF LIVING IN THE NORTHWEST TERRITORIES; PRESENTATION BY MR. TERRY ANDERSON RE URANIUM MINING AND EXPLORATION; SESSIONAL PAPER 1-81(2), PRINCIPLES FOR THE DEVELOPMENT OF AN AGRICULTURAL POLICY

CHAIRMAN (Mr. Fraser): The committee will come to order. We have an agreement from the committee to deal with the cost of living in the Northwest Territories. It was agreed on at the Frobisher Bay session that we invite any other members who are interested in presenting a brief on the cost of living, and I understand the only response we got was from a Mr. Rattai, Northwest Territories Construction Association, who was to present a brief to the Assembly. I wonder if Mr. Rattai is present to give his presentation at this time.

Mr. Rattai, could you stand up? Very good. I wonder if the Sergeant-at-Arms would maybe bring him into the witness table. Thank you. We have at the witness table, a Mr. Rattai, I believe with the Northwest Territories Construction Association. Am I right, Mr. Rattai?

MR. RATTAI: That is correct, Mr. Chairman.

Cost Of Living In The Northwest Territories

CHAIRMAN (Mr. Fraser): Our topic is the cost of living in the Northwest Territories. Have you a presentation you wish to make to the Assembly?

MR. RATTAI: Mr. Chairman, I have a presentation. I trust that all the Members of this House who are present have a copy of it. I actually have two. I have a presentation and, of course, also a copy of the Northwest Territories Bid Depository and Trade Directory.

CHAIRMAN (Mr. Fraser): Thank you, then. Could you proceed with your presentation, and then there will be a question period to follow your presentation? Thank you. Proceed with your presentation, Mr. Rattai.

Presentation By Mr. Rattai

MR. RATTAI: Thank you, Mr. Chairman. I appreciate the opportunity of talking to the Members of the Assembly. I have here two copies; a copy of the presentation and also a copy of the 1980 Trade Directory for the Construction Association. As I point out, it is the 1980 issue. The 1981 issue should be off the press by the end of this week, and we trust we will be able to get a copy to each Member. Now, if you will look at the back page of the Trade Directory, you will notice that it says "Printed in the Northwest Territories, Yellowknife". Now, the 1981 issue will again be printed in the Northwest Territories, although this time in Hay River, but we do patronize, wherever possible, northern business.

About two years ago, I met with the Commissioner and he expressed at that time satisfaction to know that the contractors in Hay River, Yellowknife, and Inuvik are organizing their resources, but he also expressed...

CHAIRMAN (Mr. Fraser): Mr. Rattai, I forgot to mention, you have got to speak slowly because of the translation, and bring your words out. You are going just a little bit too fast for them to follow you.

MR. RATTAI: About two years ago, I met with the Commissioner and he expressed satisfaction to know that the contractors in Hay River, Yellowknife and Inuvik were organizing their resources, but he expressed concern that we should do likewise in the outlying areas, and he particularly emphasized the Eastern Arctic. However, time and budget cuts often change our good intentions, but we have accomplished something. We have contractors in Fort Liard and Fort Simpson, and we organized a bid depository, and it really means before we organize any further, we should really get some bonding for the contractors that work through the bid depository.

My purpose in addressing this House, Mr. Chairman, is, I do hope, to take the opportunity to show how the contractors of the Northwest Territories can help to reduce the high cost of living, and also that the key to this problem is really called the bonding problem. I had hoped to enlist the Members of this House to help us attain that goal, and in that respect we are looking particularly to the Eastern Arctic, and we will be making contact hopefully before the House recesses with a number of the Members from the Eastern Arctic so that we can find out how we can work together.

The Consumer Always Pays

Now, I will go to my presentation, Mr. Chairman. It is headed, "The Consumer Always Pays". Our price always escalates when we buy more than we sell, and we are importing too much construction expertise and the consumer pays the bill. On construction work, the cost related to importing labour is often more than two thirds of the total labour bill, and again the consumer pays the bill. Labour importing costs can be avoided by developing a healthy construction industry and labour force. To afford local entrepreneurs fair opportunity, purchasing must be done in the North. When the time comes that the purchasing agent will be stationed in the North, then things will begin to change. Prices will drop and the consumer price with it. Whatever the cost, the consumer pays the bill.

To get a little history on it, in the past most construction work in the North was done by contractors from the South, using materials imported from the South, following designs and plans produced by architects and engineers from the South with supervision from conception to completion by people residing in the South. The northern labour force remained mainly unskilled. Contractors here remained small and unable to handle sophisticated work. Design and engineering often failed to utilize a readily available local material or anticipate local needs and problems. We all recognize that some progress has been made, particularly in the last several years, in correcting some of those problems and in cultivating a construction industry which is advanced and healthy enough to contribute to a strong northern economy.

The movement of the territorial administration to Yellowknife in 1967, the growth of municipal governments, the formation of the Northwest Territories Construction Association in 1976, have gone a long way toward arranging projects so as to optimize the benefits to the people of the North. Construction companies which are permanently resident in the North have gone to the point where few, if any, projects could not be handled in their entirety by contractors and trades located here. Although bonding -- and I would underline bonding -- although bonding still remains a problem, our contractors are able to bid much larger and much more complex projects.

Unfortunately, there remain too many instances where the northern construction industry is simply not given an opportunity to demonstrate its capabilities. We are concerned that too much work is awarded to people from outside the Northwest Territories, and sometimes without giving local people a fair chance to bid. We believe that with careful planning and where necessary, more consultation with our association, a greater proportion of the construction work could be handled by contractors established here. In order to accomplish this, we feel more work must be assigned to the professional people who are established in the North and are therefore more familiar with northern circumstances.

Materials Produced In North Not Being Utilized

Lumber produced in the Northwest Territories is not being adequately utilized. Another material available here and more suitable for northern conditions is pre-cast concrete. It provides better insulation -- a fact quickly recognized when temperatures drop 30 or 40 degrees below zero -- and is more fireproof than steel construction, an important consideration in communities with inadequate water supplies or crude fire-fighting facilities. Though much progress has been made in developing a construction industry we can be proud of, much still remains to be done.

In conclusion, I would point out our record is clear and honourable. Northwest Territories contractors guarantee their product and the final price of their product. Our corporate, as well as our personal income tax, flows into the treasury that pays for the many government services we enjoy; a contribution

made only by the contractors that have their headquarters in the Northwest Territories. We have shown many times that our work is superior and our price is lower. We employ more local people and services which creates spinoff which is considerable. Many of our contractors still have bonding problems. This condition is caused by underdevelopment, and by the fact that contractors are required to make large cash deposits when bidding a project. It appears this condition is imposed on the construction industry only. We do ask for support to overcome this problem, namely, bonding, and we would like to end by saying help us just a little so we may help you a lot. It pays. Thank you, Mr. Chairman.

---Applause

CHAIRMAN (Mr. Fraser): Thank you, Mr. Rattai. Are you prepared to answer any questions? Maybe the Members have some questions that they wish to put forth.

MR. RATAI: I will try, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you. The floor is open then for any questions that you might have for the witness. Mrs. Sorensen.

MRS. SORENSEN: Thank you, Mr. Chairman. I would first like to thank Mr. Rattai for waiting so long to come before us. I know that you are a businessman and that you took time out on Friday to wait until your time was called. However, it did not get called. I would also like to thank you for a short but concise point of view. I found it particularly interesting and I know all the other Members have as well.

My question concerns the difficulty that contractors are having with respect to bonding. I wonder if you could explain in more detail what bonding is, why it is required, and what the exact difficulty is with respect to bonding in the Northwest Territories.

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

Difficulty In Bonding

MR. RATAI: Yes, Mr. Chairman. Basically bonding is of this nature. I, as a contractor, want to do a job for you. You look at me and you say, are you really capable of doing this job, or are you going to mess up this job and later on I am going to have more problems than enough? Maybe you even have reservations about my financial ability. So what has been established by governments and many private companies is that they ask for a bond from an insurance company, so that they will come out and guarantee, when I am doing this work and I do not do it according to our contract and fulfil my obligations under the terms of my contract, then they will be held responsible for my shortcomings. For this reason, bonding companies are very very careful about who they bond.

Now, what happens really is where the cash deposits come in is quite often, if a contractor is unable to raise bond, he has not sufficient track record, or perhaps the client that he is working for maybe had a fair amount of problems with the contractors. Then, of course, they will shy away because they do not want problems. They do not want to have to make good somebody else's work. In that case quite often contractors have in the past, and they are today, raising large cash deposits.

Now, if a contractor is to bid, let us say on a million dollar project, he is required to put the equivalent with his bid, at the time that he is submitting his bid, \$100,000 cold cash. These are round figures; they vary somewhat with the scales, but basically this is fairly close. Then if he is lucky enough to be low, and if he can raise that kind of cash from the bank, before he starts his contract he is required to put another \$100,000 cold cash on the line, before

he starts work. Then, of course, he has to have enough work to finance his payroll, to buy materials and equipment. So really, if he is going to do a million dollar contract for -- be it the federal government, the municipal government or the territorial government -- he has got to figure on having available approximately \$300,000 cold cash in reserves.

Now, what we are concerned about, as we expand, and particularly into the people that are coming off the land and are breaking into the construction industry, is just asking too many changes at one time. I think the bonding facility should be supported somewhere where these people can slowly break into it with a little more ease. That is basically what bonding is all about. It is someone guaranteeing that you will perform that work, and if you do not, they will do it at their expense.

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

MRS. SORENSEN: Yes, as a supplementary to that then obviously the construction industry has discussed the problems that the association and its members are having with respect to bonding. Has it got any recommendations for government action in this area? Have you come up with any recommendations that we might listen to here today?

CHAIRMAN (Mr. Fraser): Mr. Rattai.

Government Must Put Up Front Money

MR. RATTAI: We have had a number of recommendations and think maybe it would be timely, Mr. Chairman, at this point to point out that when I am here I am here on behalf of the Construction Association, not on behalf of my own company, Tempo Builders Ltd. I would like to make very clear that Tempo Builders has no bonding problems at the present time, but I do know of a number of good contractors that have entered into the market and they are having problems.

Now, as far as recommendations, yes, we have had a number of recommendations and some of them almost bore fruit, but you know that governments are very apprehensive about guaranteeing anybody and I suppose so they should be. I thought we took a fair step forward and it seems last year when I was not president of the association, everything slid back, and for this reason I took the presidency again and I would like to come along with these recommendations.

Basically, it means this. If we want to expand the bidding in the Northwest Territories, this government is going to have to be prepared to put up front money, and it will cost you nothing. You will have it paid off 10 times over in the first year, but you are going to have to put up front money of the equivalent of approximately one million dollars. That is more or less our rough estimate.

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

MRS. SORENSEN: I am sorry, I do not understand what you mean by "up-front" money.

CHAIRMAN (Mr. Fraser): Mr. Rattai.

MR. RATTAI: Frankly, there are two approaches that we see that could bear fruit. One of them would be to put up a guarantee in the form of cash so that when the bonding companies -- if there is a loss, it would be coming out of there first. That would be one approach. The other approach would be to make that money available and when a contractor has his liquid assets -- and here is one thing I would like to expand on at this time. Most contractors get hung up on these liquid assets. As I pointed out, in order to do a million dollar contract, you have got to have about \$300,000 cash available for working with it. Now, bonding companies, of course, and accountants have their way of assessing your liabilities.

CHAIRMAN (Mr. Fraser): Mr. Rattai, you are going to have to slow down again. You are just going a little too fast for the interpreters. Thank you.

MR. RATTAI: Thank you, Mr. Chairman. Bonding companies do have a way of assessing your liquid cash and usually, the rule of thumb, when you have your liquid cash assessed, the bonding company says you have \$100, we will bond you for 10 times that much. That is rule of thumb. They have other formulas too, but the nature up here is such that the other formulas do not disturb us. It is the liquid position that problems the most contractors. Now, we could overcome that by the territorial government being prepared to loan this contractor an equal amount of cash, something like that, or multiplying his cash flow so that the bonding company will ease up and, of course, increase his bondability. Bidding with cash deposits is very expensive. The best way to bid is with bid bonds.

CHAIRMAN (Mr. Fraser): Thank you. I think we have lost the translation, at the last there. The sound is gone. I think I am okay here. I think it is maybe that mike over there.

MR. RATTAI: Mr. Chairman, was my answer satisfactory?

CHAIRMAN (Mr. Fraser): Try that again.

MR. RATTAI: Did you understand my answer?

CHAIRMAN (Mr. Fraser): Is it coming through? Maybe we can take a 15 minute coffee break.

---SHORT RECESS

CHAIRMAN (Mr. Fraser): The Chair recognizes a quorum and calls the meeting back to order. I think the witness was just finishing up a reply. Did you get that question answered just when we finished up there, Mr. Rattai?

MR. RATTAI: I am not sure, Mr. Chairman, which question you are talking about.

CHAIRMAN (Mr. Fraser): I think you were on bonding and you were making a final statement on bonding.

Liquid Assets And Bonding

MR. RATTAI: Yes, we were talking about bonding and I was explaining the process of bonding and really, I think I was explaining that in order to get bonding -- the hang-up for most contractors -- the problem comes about in their liquid assets. Now, usually when an accountant makes their statement, in order to establish how much liquid assets or cash you have available to reinforce your position, they take your bank balance, your receivables and your payables and then they say, all right, you have so much cash left. If you collect all your money and pay all your bills, you have so much cash left. Then they go one more step. Then they deduct a full years payments of all things that you are obliged to make during that year and they deduct that from your liquid assets and that is your liquid position.

Now, they take that liquid position and they multiply that by 10 and they say, that is how much we will bond you. Now, if you had at that point \$100,000 cash left, then of course, they would say, now we will bond you up to one million dollars. That is basically it. Does this answer the question?

CHAIRMAN (Mr. Fraser): Thank you, Mr. Rattai. Mrs. Sorensen, are you satisfied?

MRS. SORENSEN: Yes.

CHAIRMAN (Mr. Fraser): Thank you. Mr. Patterson. I do not see him in the House. Mr. Stewart, I have you next on the list.

Pressure From Large Contractors

HON. DON STEWART: Thank you, Mr. Chairman. I too would like to thank Mr. Rattai for his presentation here today. It has been pointed out to me by some of the contractors that there is a certain feeling that the bonding companies outside are receiving undue pressure from some of the larger contractors and the pressure, as I understand it, is that if the bonding companies involved wish the business of these larger companies across Canada, that they are more or less forced to not bond some of the smaller contractors in the Northwest Territories. Now, I do not know whether this is a matter of fact or not, but as I look over the companies that do have bonding in the Northwest Territories, for the most part I find that these contractors are not in direct opposition to or in competition with companies such as Poole; that they may be partly in competition, but not in direct competition. Does your organization think that this possibly is happening, that there is pressure being applied by the larger, outside contractors to prohibit or to stall companies from granting bonding in the Northwest Territories.

CHAIRMAN (Mr. Fraser): Mr. Rattai.

MR. RATTAI: Mr. Chairman, I think the Member is well aware that I have at times voiced that opinion, although I am sure that the bonding companies will not admit to it and certainly the large contractors will not admit to it. Although by the terms of some of the smaller contractors, local contractors, they think I am a large contractor and in my case, as you all know, I am working in favour of bonding for the small contractors, which will, of course increase my competition and may in a roundabout way hurt me, but I am sure that not all large contractors are of the same nature as I am. I am aware that in cases pressure has been applied on bonding companies to withhold back on particular jobs, yes.

CHAIRMAN (Mr. Fraser): Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. Mr. Rattai, could I come back to the bonding just for a moment? When you said that if we were to appropriate perhaps a million dollars as up-front money to assist northern companies with bonding, that it really would not cost us anything at all, that we would get the money back many times in a reasonably short period -- could you just explain, elaborate a little bit about how that would work? Why would it not cost us anything?

CHAIRMAN (Mr. Fraser): Mr. Rattai.

Advantages To Awarding Contracts To Northerners

MR. RATTAI: Number one is, I think the Minister of Public Works, as he searches his files he will see that there have been failures in the Northwest Territories, but I think the record will also show the failures were always by contractors that did not have their headquarters in the Northwest Territories and were not familiar with local conditions. So basically, what I am trying to say to the honourable Member is that, really, I expect there will be no losses, whatsoever. That is what I am expecting on the first thing.

On the second instance, and I think the department will bear me out, that in the past even though many contractors had to bid with cash deposits, which is a great expense, they still saved the government, completed their work and in relatively good time, and consequently, saved the taxpayer right to start with a cash sum of money right off the start. They employed more local trades, more local people and of course, the spinoff circulates.

If I may use one particular example that I am familiar with, and I am going to refer to a project that we ourselves are involved in at the present time and have had to before that, and I will use that one particularly because the figures I am quoting, I am very familiar with, and that is bridges on the Liard highway. Now, our company was successful on the last one, which is two and a half million dollars, using round figures. I am well aware, and I think most people are here -- well, that are familiar with the circumstances do know that we employed a fair amount of local trades. The piling contractor came from Hay River. The trucking firm -- and in some cases I paid a little bit more to employ local trades, simply because to me they were a known quantity. The piling, he netted pretty close to \$100,000 out of it. The trucker netted fairly close to it. The excavator probably netted \$30,000 or \$40,000 out of it, and so on we could go. Also, I would point out that our supervision really came from out of the Territories -- a long-time resident. Just about all of our tradesmen came out of the Territories, so really what we are trying to say is -- and, to top it off -- on the opening bid, I believe we saved the government something like \$80,000, and we do get good letters of recommendation from them. So really, it is a saving, a considerable saving.

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

MR. MacQUARRIE: So, you are suggesting then, Mr. Rattai, that perhaps if we had I suppose what could be called a revolving fund for bond loans to northern companies, that it would be beneficial to those companies. There would not be any danger of larger companies using up the available funds, you do not feel? They do not have problems with bonding?

MR. RATTAI: Mr. Chairman, most companies, when they become larger and have a fairly good track record, they slowly go over to bonding without difficulty. I really doubt very much that the larger companies would use the fund at all. The fund would have to be administered, I would assume. We had anticipated at the start it would have to be administered by number one, the government, number two, the bonding company and number three, the Construction Association. We had sort of envisioned that and it would have to be watched that it is doing its job properly and not being abused.

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

Opportunity To Bid On Government Contracts

MR. MacQUARRIE: Just one more, if I may, Mr. Chairman. At one other point in your brief you say that, "...and sometimes without giving local people a fair chance to bid". Why is that? Why do local people not get a fair chance to bid on government contracts? I think at one time the government did, just as it urges some of the big enterprises in the North to do, give some sort of undertaking that it would try to break down major contracts into smaller portions so that smaller companies could do some of the bidding. Is that happening, and in addition then, what are the other problems? Do they not even advertise in the North? Do they simply turn to the South first of all? Why altogether do you not feel that northern contractors are getting a fair chance to bid?

MR. RATTAI: Mr. Chairman, in replying to that question I would...

CHAIRMAN (Mr. Fraser): Mr. Rattai, if you will just wait a minute after he is through speaking, because the translation comes through, it takes a little while for them to get finished up with their translation. Before you answer a question address the Chair, okay?

MR. RATTAI: Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Mr. Rattai.

MR. RATTAI: Mr. Chairman, in reply to that question I would say, yes, both governments, both the territorial government and federal government have made efforts to break down contracts and, in fact, the territorial government did take the non-bondability of projects. In other words, projects up to \$250,000, I believe was the last figure I heard, did not need bonding at all, but this also meant, without any security at all, quite often it backfired on us. It worked against us. Contractors that were having troubles outside of the Territories came in, threw in a wild bid, and quite often did not finish the work. It has happened that Northwest Territories contractors had to finish off the work, but the breaking down of the contracts sometimes could be improved on. However, on the question of are we given opportunity to bid, quite often that is not the case.

I would like to refer to a project. A set of drawings that we received this morning and is closing next Wednesday arrived at the Construction Association office this morning. Now, that to me is not sufficient time to bid. That is not extending opportunity and quite often we find, when we phone material suppliers, Edmonton contractors have already had a weeks headstart, sometimes two weeks. I will say that we have had occasions, right here in Hay River in the last two months where local contractors were simply refused the plans and specifications by the Department of Public Works. Those are things that I am talking about. We are working together with the respective departments and sometimes we think their response is not quick enough.

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

Government Officials To Meet With The Construction Association

COMMISSIONER PARKER: Thank you, Mr. Chairman. I wanted to speak only to bring forward a piece of information. Perhaps too, I have advised Mr. Rattai, as president of the Construction Association, just before he went in the chair, so we did not have time to conclude our discussion, that the Deputy Commissioner who is in charge of the Department of Public Works would like to respond to the Construction Association for a meeting on the subject of bid bonding. I believe that a time that will be mutually satisfactory will be found early next week for that meeting to take place. At that time, Mr. Pilot is prepared, I know, to discuss with the executive members of the Construction Association some new ideas that he and his Deputy Minister have worked out with regard to bid bonds. I think that that should be quite helpful.

He has also under way, in conjunction with the Hon. Kane Tologanak and his Deputy Minister, some new ideas on the procedures of bidding, which I think will be helpful to the Construction Association and to their members. I am not at liberty to discuss that at the present time, because I think these are recommendations that the two Executive Members wish to discuss with their colleagues before they advance them. Thank you.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Commissioner. Mr. Rattai, do you think that information will be helpful to your construction branch?

MR. RATTAI: Thank you, Mr. Chairman. Yes, we are looking forward to this. I did talk to the Commissioner and, as always when I talk to the Commissioner, usually things happen. I am looking forward with great anticipation.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Rattai. Mr. Butters.

Northern Business Preference Task Force

HON. TOM BUTTERS: Thank you, Mr. Chairman. I wonder if Mr. Rattai could advise us of the recommendations as he recalls them of the northern business preference task force which identified this matter of bid bonding some four years ago as a significant problem, if not a major problem, facing northern contractors, and indicate what progress has resulted since that time in achieving some of the objectives and some of the solutions that were identified by the northern business preference task force.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. Mr. Rattai.

MR. RATTAI: Thank you, Mr. Chairman. Yes, there has been a lot of talk and a fair amount of work done too with respect to northern preference, allowing northern contractors, in some cases, the opportunity to get a job even though their price could be up to 10 per cent higher than that of a competitor bidder from the South.

Now, this sounds really terrific and it is a good idea, excepting you cannot have the lowest bid if you do not get to the bidding table, and you cannot get to the bidding table unless you have a bid bond in your hand or the equivalent. So really, yes, we are grateful to the government and I do understand that one of our members has actually benefited considerably from that 10 per cent difference, and we are grateful for it. However, we had hoped to get to the point where we can save the government money, not cost it money. That is why we say, give us a chance to bid. We will whip them all the time, or most of the time, and we will save the government money and spread the money in the economy. As far as the recommendations on the 10 per cent preference, it sounds good and I would hope that the government would practise this on some cases, but ultimately we have to get to the stage where we are competitive and can stand on our own two feet and save our government money and not cost it money.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Rattai. Mr. Butters.

Establishment Of Bid Bond Depository In NWT

HON. TOM BUTTERS: Mr. Chairman, I guess I was referring to the recommendations which I recollect being made relative to the problem of obtaining the necessary bid bonding. I had thought that they had recommended non-requirement of a bond up to a certain amount, and I thought they had also recommended with regard to establishing a bid bond depository in the Northwest Territories which has some advantage. I wonder if Mr. Rattai might comment on progress being made to that latter objective.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. Mr. Rattai.

MR. RATTAI: Thank you, Mr. Chairman, and I am certainly glad the Member asked that question. Yes, we did establish a bid depository in the Northwest Territories and it is functioning. It has functioned for more than a year, and it has, on a few occasions, meant the difference between contractors from the Northwest Territories getting the job or people from the outside.

In short what the bid depository does, it means that we get first call. Others can bid, but we do not have to run to Edmonton to bid. The people from Winnipeg or Edmonton have to come here to do their bidding. So that right now we are putting ourselves in the position with northern contracts as Edmonton firms do when contracts are bid in Edmonton or as the Red Deer contractors are when the contracts are bid there, or any other part of Canada.

CHAIRMAN (Mr. Fraser): I am sorry, Mr. Rattai. You are going to have to slow down, Mr. Rattai, because you are going too fast. You are forgetting we have the interpreters behind us here who are trying to get it through to the Members. If you would just slow down please. Continue.

MR. RATTAI: My humble apologies, Mr. Chairman. I worked on this so long that I get quite excited and then I forget to go slow. Yes, we do have a bid depository in the Northwest Territories. It has functioned for more than a year. It is doing a good job and it should be expanded on. Now there is no doubt that it has put contractors from the Northwest Territories in a preferred position rather than having it the other way around, as it was in the past. It is, however, Mr. Chairman, also true that when bidding through a bid depository we are supposed to be bonding most of our contractors, and this again comes back to the same thing. If we do not make haste and get our bonding in order, the bid depository that was designed to enhance our position will have an adverse effect. So really bonding and the bid depository ties together and is important, but the bid depository is working.

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

Membership Of Construction Association

MR. CURLEY: Yes, Mr. Chairman. I would like to ask Mr. Rattai first of all can you give me a rough estimate of how many members you have in your association, and how many of them are from the Northwest Territories and how many of them are from outside the Northwest Territories? If you could give me some idea as to how large your organization is.

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

MR. RATTAI: Mr. Chairman, I wish that our new Trade Directory was out; it is not. Then, of course, it would be all in there, but I would say by far the majority of our contractors have their headquarters in the Northwest Territories, and I would estimate that our membership is fairly close to 100.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Rattai. I do not know if that answers your question, Mr. Curley.

MR. CURLEY: Yes, it certainly helps me to understand how big an organization it is. I have some concerns. First of all, I would like to get a little bit more understanding about the purpose of bonding. My thinking seems to tell me that the bonding is probably strongly supported by the large contractors, possibly the outside contractors, because it would mean that if the bonding requirements were dropped, the large contractors would probably end up losing some of the contracting opportunities in the Territories. Would that kind of assumption be correct?

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

MR. RATTAI: Mr. Chairman, I did not get that last statement that the honourable Member made.

CHAIRMAN (Mr. Fraser): Mr. Curley.

MR. CURLEY: I am asking you if the bonding requirements, for instance, were dropped to a minimum of, I do not know what figure, I would think that the larger contractors, particularly those from the outside, would possibly lose some of the business opportunities that they would normally carry out. Would that kind of assumption be correct?

CHAIRMAN (Mr. Fraser): Mr. Rattai.

MR. RATAI: Yes, this is absolutely correct and as a few members have said to me, they said, Mr. Rattai you are more or less a fool. You are going on; they are promoting something that is going to increase your competition and, of course, reduce your ability to get jobs. Yes, it will give the smaller contractors a far better position. It means more of them can get on stream and get into it. We know some of them will fall by the wayside, but a lot of them will make it. Yes, it is true that the large contractors will find it more difficult to pick up contracts that are, say, in anything below the half million dollar range. So really it will help local development without any doubt. You are absolutely "right on the money" as I would say.

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

Possibility Of Downgrading The Quality Of Construction

MR. CURLEY: Thank you. Besides the government's protection, I suppose though the largest bonding requirements are normally required by the government, I would think, because they are possibly the largest major builders in the northern construction. They build quite large projects, particularly the Department of Public Works and the Housing Corporation.

My concern is is this bonding requirement really absolutely vital? If you were to drop it off -- I know the Commissioner likely will not drop it off -- supposing it would drop, would the standard of the building drastically be reduced so that the contractors would likely abuse their responsibilities in constructing and erecting buildings in the North, if they do not have that kind of a requirement? Do you really think that it is the only way for the contractor to complete his work and be fair with it is to have a bonding requirement?

What I am trying to say is that in order for me as a contractor to build a building for the Department of Public Works, I would have to put in a large amount of bonding. That seems to be the case today. So my question is if we were to reduce the bonding requirement drastically so that the small-time northern based operator can afford it, would the quality of the construction be downgraded? Can you comment on that, please?

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

Bid Deposits Should Be Reduced To Five Per Cent

MR. RATAI: Thank you, Mr. Chairman. It is true that we have at times said that a 10 per cent deposit with a bid is too much, and it is true that many parts of the private sector require only a five per cent deposit, but it is, of course, a government regulation that says 10 per cent and I would add at this point that also when the government contract specifies that the general contractor put up 10 per cent, then he imposes that same stipulation on his subs. In other words, proportionately speaking, so that if the original contract says 10 per cent, then the general contractor demands that from his subs, and the subcontractors find this very difficult to do. Would it really affect the quality? I doubt that the Commissioner would do this, but I think that if it was dropped to five per cent, as is fairly common in the private sector, yes, it would make it easier, but the bonding companies are still hooked up on this one thing which is do you really have enough liquid assets to finish the job?

So it would help, particularly when you are bidding with cash deposits. On the bonding end, it would not really make that much difference. It would help a little, but the quality of work, if you dropped it down to five per cent, I doubt that the quality would change at all, but if you eliminate the bonding completely -- and I think that the Department of Public Works will probably confirm -- when you eliminate bonding completely you are inviting too many people that have no track record.

Once he has the low bid, you have one heck of a time saying no to him, because you will always find somebody -- some friend as a Member of Parliament, or a Member of the Legislative Assembly, who will say, well why should this man not be given the contract? So eliminating the bonding completely, I would say, yes, will downgrade the quality of construction, but reducing it to five per cent, if this was possible, it would help, but it would be minimal, but it certainly would not downgrade the performance, I do not think.

I would say one thing, on behalf of the contractors and on behalf of the Northwest Territories Construction Association, I can say very freely the contractors are not in favour of eliminating bonds or cash deposits. There should be some security there to prove that the contractor is willing to perform and is willing to be counted.

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

Alternatives For Northern Companies

MR. CURLEY: Mr. Chairman, my last question: Again, I can see the essence of a bonding requirement, but I cannot really agree whether that is the only way to go about ensuring the best standard of construction and building of major projects in the North, because I tend to look at the North as sort of very different from the southern urban communities, where the competition is absolutely competitive. In the eastern part of the Territories, perhaps, too, in the northern part of the Mackenzie, there certainly should be a lot more room to support the construction and northern based companies. Have you not considered alternatives? I think you did say you have considered some proposals, but how about considering some of the smaller, northern owned companies rather than having to put up large amounts of money, such as 10 per cent of the major contracts, how about the government coming to an agreement whereby they would withhold, immediately, 10 per cent of the actual costs of the contract until the building or the project is completed. Is that not a condition attached to any contracts like that right now?

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

MR. RATTAI: Thank you, Mr. Chairman. As far as the holdback is concerned, the government's practice that, on top of the 10 per cent deposit -- or the 20 per cent deposit, which it really adds up to, first of all, you have to have 10 per cent to bid. Then you need another 10 per cent to get the contract, and then, after you have the contract, when they pay you, they hold back another 10 per cent, and in some cases 15 per cent. So really they already have that holdback in there. Yes, this is correct.

As far as changing the system, it sounds very good, and would probably work, excepting we are a small group, and the outside around us is very large, has evolved over a number of years, and in order to make that kind of a system work up here, we would have to, first of all, convince all of the developers that come into here to change. We would have to convince something like the bonding company to change. We would have to convince the oil companies that will be moving in here, and of course -- they promised me they are looking forward to hiring local contractors, and I do know they do need bonds. You would have to convince the municipal governments; you would have to convince the territorial government, and the federal government as well; and we do

know that a lot of the municipal contracts come out of territorial funds, or out of federal funds, and even if the municipal government wants to wipe out the security deposit, the government says, "No, if you do that, we will not give you the money." That is basically what happens. So really, what the honourable Member has said has a lot of merit, but the task would be too paramount.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Rattai. I have Mr. Patterson next. Before I recognize Dennis Patterson, I would like to recognize the grade eight class from Diamond Jenness High School, and Mrs. Boyko as their teacher, if you will.

---Applause

Thank you. Mr. Patterson.

Eastern Arctic Businessmen

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. Let me say briefly that the presentation impressed me, because I have heard a lot of those concerns expressed by people in the construction industry in the eastern part of the Northwest Territories, and that is one thing that I want to address to the witness, Mr. Chairman, and that is: Where are the eastern businessmen? Why is this a western organization? You mentioned the Eastern Arctic in your presentation. There is an awful lot of construction work going on there, but I am sure the witness will appreciate that Winnipeg is closer to Hay River for the other half of the Territories, in terms of location of a bid depository.

Could you kindly give me an idea of whether any interest has been expressed by Eastern Arctic businessmen, or whether a separate association should be formed there, or why they do not appear to be involved in your last years membership, because there are some quite large, northern based firms operating in places like Frobisher Bay, Rankin Inlet, and there are, of course, a number of enterprising smaller businessmen in the other communities. I would like some comment on that, Mr. Chairman.

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

MR. RATAI: Mr. Chairman, I am indeed glad to hear from the Member for Frobisher Bay. I did hope to talk to him, and I would emphasize, and I would underline, that in my presentation I pointed out that the Commissioner expressed concern about organizing the outlying areas, and particularly Eastern Arctic, and I think, if I remember correctly, the Commissioner particularly mentioned to me at that point, Frobisher Bay is a fairly large community and it should be developed. We would like to do just that. There is, unfortunately, a thing called money, and time, and the two sort of go hand in hand.

Now, I did point out that since that time, we did, in fact, get a membership going in Fort Simpson and Fort Liard, and it seems that we have concentrated on the Western Arctic. Usually, we spread out from where we work, and it sort of bothers me that we have no growth in the Eastern Arctic, and I would hope that Mr. Patterson and I will be spending many hours together before this Assembly prorogues, in an effort to come to grips with that particular thing, because it has to be looked at, and I would like to consult his knowledge, particularly in that respect.

Yes, it is true, Frobisher Bay is a large centre. We did at one time, and I think it is not listed in this directory, but I do believe we had two members from Frobisher Bay at one time. I do not know if they are members now, but they probably came in after the directory was published. So we are not completely without concern, but it is always a matter of -- unless we get our house in order at home, we will not be able to expand. It is like building a whole bunch of foundations, if you do not have the funds to put a house on top of it, it is sort of useless, but we would really love to expand, particularly into Frobisher Bay -- and Rankin Inlet, this, too, concerns me.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Rattai. Any further questions? I think there will be no further questions, Mr. Rattai. Mrs. Sorensen, do you have a question for the witness? Mrs. Sorensen.

Motion To Refer Presentation Of Construction Association To Standing Committee On Finance, Carried

MRS. SORENSEN: I would just, first of all, like to take this opportunity to thank Mr. Rattai for coming before us, as I know, Mr. Chairman, you will do so, but I have a motion on behalf of the standing committee on finance. My motion is that the presentation of the Construction Association made by Mr. Rattai be referred to the standing committee on finance.

CHAIRMAN (Mr. Fraser): We have a motion on the floor.

HON. GEORGE BRADEN: Question.

CHAIRMAN (Mr. Fraser): Question being called. All in favour? Down. Opposed? Motion is carried unanimously.

---Carried

Thank you. Mr. Rattai, have you a final comment?

MR. RATAI: Sir, I would merely add, at this point, the operation of the Construction Association office is fairly simple. Headquarters for this association is in Hay River, and I would invite every Member of this House to take the time off -- it only takes a few minutes -- to come down to the Construction Association office -- we operate from 8:00 to 4:30 every day, and just sort of look to see how simple it really is, and perhaps we can do a lot in this respect, and give us your advice on what you think we should be doing, and how we can expand.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Rattai. The Members are all invited down -- some of these Members are pretty spoiled. If you do not give them dinner, they will not come, but we will give them an invitation anyway.

---Laughter

Thank you again, Mr. Rattai. I am pleased, it was a very nice presentation you had to make, and I am sure the Members are quite happy with the answers you gave them, and I am sure you will be hearing from some of them again. Thank you very much.

---Applause

Uranium Mining And Exploration

The next order we have is the presentation by Mr. Terry Anderson regarding uranium mining and exploration. Is it the wish of the House that we call Mr. Anderson in as a witness?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Fraser): Agreed. Will the Sergeant-at-Arms see that Mr. Anderson is escorted to the witness table? Thank you very much. We have Mr. Anderson at the witness table now, and we are dealing with a presentation. Mr. Braden, have you some opening comments?

HON. GEORGE BRADEN: Thank you, Mr. Chairman. I just have a question. Last February in Yellowknife when we were dealing with this, the committee agreed to some procedural rules for presentations and questions and answers. I was wondering if you could just outline for us what those procedural rules are.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Braden. I was going to bring it up in my opening remarks. The time limit that was set out by the last session. The presentation for each witness was 60 minutes, and the question period for MLA's was 60 minutes. Witnesses are allowed a period for concluding remarks. Is it the wish of the House that these regulations still stand? Agreed?

AN HON. MEMBER: Agreed.

CHAIRMAN (Mr. Fraser): I did not hear too many "agrees", but I guess their silence is consent. Thank you. Mr. Anderson, if you will proceed with your presentation. You have 60 minutes to make your presentation, and will you please talk slowly. We have the translators behind us, who have to translate, and if you will just talk plain and slow. Thank you very much. Proceed.

Presentation By Mr. Terry Anderson

MR. ANDERSON: Thank you very much, Mr. Speaker, Members of the Assembly, ladies and gentlemen. I shall not need my full 60 minutes, Mr. Chairman, but thank you for that time. I understand that the Assembly is beginning to reflect upon a public policy decision: Namely, should uranium mining and milling be proceeded with at this time in the Northwest Territories. Needless to say, that is a very important decision, with far-reaching implications, and I appreciate the care and attention that this Assembly is giving to it.

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

MRS. SORENSEN: I wonder, Mr. Chairman, if the witness could explain who he is and who he represents?

CHAIRMAN (Mr. Fraser): Thank you. Very good point of order. Mr. Anderson, will you please inform the House who you are, who you represent? Thank you.

MR. ANDERSON: Mr. Chairman, I am just coming to that, after these introductory comments. As I say, that is a very important decision, and it is a very complex matter, similar to a growing number of public policy questions, ranging from energy policy to health care, that contain the following kind of ingredients. They are technologically complex, with tangible and intangible effects on persons near and distant and far into the future, and they are morally controversial because of this. Who should decide and participate in the decisions? How can we evaluate various impacts and end products? By what criteria should we do so? Different values concerning the good life and the good society are involved.

That mixture makes these kinds of decisions very difficult indeed. The good of the whole community is involved. How should we manage our public household is at stake in these kinds of questions, and so our usual system of representing various interest groups, advocating their concerns, and trusting that, somehow, out of the conflicting advocacy, the good of the whole will fall out, hardly adequate to these kinds of questions.

Background Of Mr. Anderson

Now, with that setting, a word about my background and role. I grew up in Alberta, and at the time when they first started the Alaska highway, during the second World War, and I have lived, since then, in New York city and New Jersey and Virginia, in the industrial east of the United States, and all my life I have been haunted by the question: "How can we, in this part of our country, go industrially in a way that is different from older parts of the country, that learns from their past mistakes, and takes advantage of the new possibilities that are presented to us?"

Now, the last eight years I have lived in British Columbia. It has been wrestling with the kind of policy decision that we have just described and is before this Assembly. The way our province handled this question was to appoint a royal commission of inquiry commonly known as the Bates inquiry that you are familiar with. I participated quite actively in those hearings in a number of different ways. Unfortunately, as we know -- I would say unfortunately -- they were terminated, but even so, they helped inform the public and allowed the public to participate in something that affects very much its well-being, and further a lot of very valuable information was collected and is available and I commend that information to this Assembly and it is well-documented, it is well-indexed, it is accessible to you.

Representing The Dene Nation

Now, I am here, Mr. Chairman, on behalf of the Dene Nation because of my participation in those hearings in British Columbia. I want to make it clear that I am not representing the Dene Nation -- that would be presumptuous -- or its views, but nonetheless, I am here on their behalf. The Dene Nation's position on all major developments in the Northwest Territories is well-known. Land settlements should be dealt with first before major development, including uranium mining. I happen to support that position very strongly.

This policy decision has not only all the problems of other major industrial growth and questions associated with that, but it also has some important additional ones. It has very long-term consequences in effect. It is engaged in contributing to some very controversial...

CHAIRMAN (Mr. Fraser): Excuse me, we have lost the sound again.

MR. ANDERSON: Mr. Chairman, yes, I am back on? Thank you. It is engaged in contributing some very controversial end products, nuclear energy, which is highly debatable, and, of course, nuclear weapons. The Dene are publicly on record as saying they feel very disturbed -- too fast, is it? I am sorry.

CHAIRMAN (Mr. Fraser): We have lost the sound again. Okay. You can continue with your presentation again, Mr. Anderson.

MR. ANDERSON: Thank you, Mr. Chairman. The Dene are on record publicly as being very disturbed by the fact that the uranium used to produce the bomb that fell on Hiroshima killing 70,000 people was taken from their land without their knowledge or consent. Of course, an additional factor that I have been listing that makes uranium very special as a development question concerns its invisibly toxic capacities and effects. All of this makes it very morally controversial.

Profession Of Mr. Anderson

Now, Mr. Chairman, I am not an expert on technological or scientific aspects of uranium mining. I am by profession, an ethicist, and that will take some explaining. An ethicist is concerned with lifting up, naming, sorting out the important value, beliefs, and world-view issues that are involved in any complex moral decisions and questions such as this public policy issue in question. It is important to note that an ethicist is not an expert on values. I am not in the business of telling people what to do, let alone this Assembly. There are no experts on values, but I hope that I do bring some skills in my experience in helping to name and identify the values and belief issues in this important question that have already begun to surface last February on the 26th and 27th in the questions of Mrs. Sorensen, Mr. MacQuarrie and others.

What I do for a living is I teach Christian social ethics, and I have been involved in various public issues in this regard, writing papers and preparing briefs for the federal Law Reform Commission, for the Law Reform Commission of British Columbia concerned with family law, in the field of bioethics and medical ethics and most recently, in the Bates Commission.

Now this afternoon, I would like to lift up two major concerns to present before you as you ponder this policy decision and as you hear from various experts. I am sorry, Mr. Chairman, that it was not possible for John Moelaert and myself -- John Moelaert is also speaking on behalf of the Dene Nation and will appear later -- because in some ways we work together as a team; he with more expert information on the impact of the uranium mining and tailings and so on, and myself in identifying the moral issues.

I have two major concerns then to lift up. The first is this: Recognition of an open engagement with the moral and value matters entailed in this decision, and advocating that deliberate attention be given to them, because they will be involved whether we think about them or name them directly or not. They have already appeared that way in the evidence that has been before you. Secondly, I want to advocate certain values and certain moral principles as the ones that should inform the decision that is before you. I turn to each of those in turn.

Concern For Moral Issues

First of all, then, concern for the recognition and open engagement with the moral issues entailed. There are in this kind of policy decision at least two distinct but clearly related kinds of considerations that are involved in dealing with it. The first kinds of considerations have to do with information, largely technical, identifying the known, probable, and possible tangible impacts upon workers, the public, and the environment resulting from uranium mining and milling. There are short-term impacts and there are long-term impacts.

Another part of the information of this kind of consideration has to do with what are the existing institutions, laws, and agencies to implement monitoring and control of these impacts. I see the questions already arisen in this Assembly and I hope you now have an answer. What about the tailings at Great Bear Lake, the first uranium mine in Canada, or the first mine that was involved with radium and uranium in Canada? I understand from talking to one of the mining engineers involved in that operation that the tailings were dumped into the lake. Then they were reprocessed and redumped into the lake. I do not know whether that is accurate information or not, but that is another kind of the information that is involved in answering this question.

There is a second kind of consideration, apart from these largely technical forms of information and that is values, beliefs, moral principles, and world views that are involved. What is the well-being of people? What constitutes a desirable impact and an undesirable impact? Value terms are involved like safety, health, need, beliefs concerning the good life and the good society and what is desirable and true development are all at stake in this.

Now the general public, and you as their representatives, can contribute to both kinds of considerations. First, we can all contribute to information about the probable and likely impacts of such development, at least in a modest way, even though we are not experts, because we know from living in communities what the impact of various kinds of development on them are, and we experience the various kinds of mechanisms that are involved in controlling and monitoring these, but here is where we really need expert advice and information, and that is what you have been seeking as an Assembly to obtain.

The second kind of consideration is one where we play our major role as a public and as legislators. There are no experts regarding beliefs and values, and everyone has a role in helping to determine these, most particularly the public who is affected by these decisions, and you as their representatives. Now, it seems to me that there is a real danger in our society, particularly in a complex technical question of being focussed upon the technical information

to the neglect of the value and belief issues that are involved. In some ways, as difficult and controversial as the technical information is, it is much easier to deal with than the belief and moral questions that are before us. That is why my first concern is to make sure we attend to those in some deliberate and explicit way.

Technical Information And Moral Values Are Interwoven

Of central importance to any public policy formation or inquiry-related to such is an understanding not only of the existence and distinctiveness of these two kinds of considerations -- technical information and moral values -- but the complex way in which they are inseparably bound together. They are interwoven in at least three significant ways. First of all, beliefs and values and moral commitments, what is good, what is desirable, what is right, shape what technical information is sought, where research, money and effort is put. Is it important to find out long-range consequences of radiation as well as short-term effects? That is a moral and value judgment. Should we inquire about the impact of radium dust on plant and animal life as well as on miners?

Secondly, they are interwoven in terms of what data is attended to and how is it interpreted even by the expert? This inevitably depends to some degree on that expert's vested interests in the issue under discussion, either because of the agency that employs him or her, for example, an environmental protection agency, or a mining company, and/or because of strong views about the larger issue of which its technical area is a part, his views about nuclear energy, for example.

We are not speaking of deliberate falsification here, but simply a fact of bias. As one scientist discussing this problem of expert testimony puts it, the expert may be objective at least by his or her lights, but he or she cannot be neutral. This is least operative, I suppose, where so-called hard facts concern tangible impacts. For example, what effects of radon gas and its daughters on lungs are involved?

It is much more potent where informed judgments are made in areas of knowledge relatively undeveloped and/or rapidly changing. For example, long-term genetic effects of moderate amounts of atmospheric radiation. It is powerfully prevalent in educated guesses predicting likely consequences in future events. Will a safe permanent way for storing radioactive waste be found, for example?

In this last example, beliefs about technology, about human nature, about institutions, about history and the future, play a major role in determining any expert's answer, so that that expert's beliefs and values, as well as his limited area of expertise, are involved in answering that kind of question.

CHAIRMAN (Mr. Fraser): Mr. Anderson, I think the interpreters are having problems again. You will have to slow it down. I think maybe you have to speak either closer to your mike, or further away. They are having trouble picking you up.

MR. ANDERSON: Thank you, Mr. Chairman. I will try to slow down.

CHAIRMAN (Mr. Fraser): Ms Cournoyea.

MS COURNOYEA: It appears the interpreters' concern is that the calibre of English that is being used is difficult to understand.

MR. ANDERSON: So it is the terms, is it, Mr. Chairman?

CHAIRMAN (Mr. Fraser): Yes, I believe it is.

MR. ANDERSON: All right, thank you. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): In other words, you will have to speak English.

MR. ANDERSON: Yes. The most reliable experts, therefore, are those who while strongly committed to objectivity, to being completely dispassionate, realize they cannot fully attain it and declare their interests and viewpoints. That is, that they declare some of the main beliefs and moral concerns that shape their perceptions. It is good that this Assembly is seeking information from experts from the full range of various interested parties and viewpoints on uranium and the nuclear issue.

The third way the two kinds of information are interwoven is that embedded in most so-called technical information -- in this case concerning uranium mining and nuclear power -- are a number of key beliefs, criteria, and standards; things like benefit, acceptable risk, affordable, economically feasible, safe, need, profitable, cost, negligible impact. These all clearly entail values and beliefs about which the expert of it is, of course, entitled to his or her view as much as anybody else, but the key point here is that that opinion is not necessarily any more valid than that of anyone else. However, because these are closely intertwined with technical information, they are frequently mistaken as being such information. The prestige attached to technical expertise is accorded these subjective value judgments. In some, values are involved not only in evaluating impacts as to whether those impacts should be considered good or bad, safe or unsafe, but even in determining what those impacts are.

In light of this, I therefore respectfully urge the Assembly to be alert to this subtle interweaving of the two components, technical information and values, and that you continually remind the public of this and provide opportunities for identifying and debating what those values and moral components are.

Advocating That Values, Convictions And Moral Principles Be Taken Into Account

That brings me to my second major concern, Mr. Chairman. If the first was that we acknowledge that value judgments are involved in this question and name those so that they can be looked at and the public can participate in those, my second concern has to do with advocating that certain values and convictions and moral principles be taken into account. No sound conclusions about uranium mining and safety standards then, are of course possible without the technical information component, but these are some of the beliefs and values that we think should interact with technical information, the way other beliefs will, if the ones I am about to name do not do so in the fashion I have described earlier.

CHAIRMAN (Mr. Fraser): Mr. Anderson, I think the interpreters are having a problem with understanding your presentation here. I do not know what we can do about it. Maybe if you could explain some of the bigger words.

MR. ANDERSON: I am sorry, Mr. Chairman. I was not aware that I was using technical language. Could they identify any of the words that are giving them problems?

CHAIRMAN (Mr. Fraser): I think it was some of the words. I wonder if maybe we could just ask the interpreters. Mr. Anderson, did you get the reason?

MR. ANDERSON: Thank you.

CHAIRMAN (Mr. Fraser): Thank you very much, then. Please proceed.

MR. ANDERSON: I hope it will become clear, Mr. Chairman. Let me then list some of the values and beliefs and norms, some of the goods, some of the rights that we think should be involved in these decisions. The first is concern for neighbours. We are called to care with equal regard, that is, with the same regard for the well-being of all persons, the way God cares for us. In terms of this conviction, equal regard should be given to the possible and the likely impact of uranium mining, not only upon the neighbour close to us but for example, the miners that would be involved and the communities near the mine sites, but also, upon more distant people. For example, in terms of the energy needs of persons in other countries and the impact of radioactive elements entering the food chain, but also to be concerned for the well-being of future neighbours and generations, our grandchildren, our great-grandchildren and their great-grandchildren; for example, the possible genetic damage or pollution of the biosphere.

It would be morally irresponsible not to consider the wider context of uranium mining in terms of its uses both in nuclear energy and the rate surrounding that and nuclear weapons. Equal regard for all persons is quite different from a very common belief in our society that the greatest good for the greatest number of people should be the standard by which we make these decisions.

So, you have discussion, for example, in the United States that areas where uranium mining and things like that take place simply have to be regarded as zones of national sacrifice; where people have to suffer harmful effects for the sake of the greater good of the greater number. If we are to regard with equal concern the well-being of all people and we cannot write-off some people for the sake of the good of a majority, what we do with the well-being of some individuals seems to conflict with that of others.

Well-Being Of People

Well, first of all we try to see if that conflict of the well-being of some people with the well-being of others is a real one and not just seen to be apparent or an apparent one. Convictions about what constitutes true well-being of people become very important at this point. Now, there are various views about what constitutes real well-being of us as people. Central to that, I think both to native people in their history and to Jewish and Christian people is that the well-being of persons has to do with their whole person; their body, mind, and spirit, for these are all interdependent and relate to each other and both the good and the evil entail all of them.

The essentials of well-being are first of all physical existence, food, shelter, clothing, absence of sickness, basic knowledge and skills needed for survival. It includes psychological well-being, affection, support, community and self-respect. It entails a person's spiritual life, a sense of meaning and purpose. Well-being entails, thirdly, a sense of integrity, of personal identity and freedom.

Now, affluence in terms of consuming a lot of goods and services is clearly not essential to this understanding of well-being. It may enhance well-being, but it is not essential to it and the possible conflict between maintaining and increasing electrical energy consumption in our society so that we can consume a high number of goods and services cannot be compared, therefore, to the possible health damage to workers or genetic damage to future generations. That is not a conflict between true well-being. It is, rather, a conflict between certain peoples' wants and wishes and other peoples' essential well-being.

Individuals And Groups

A further conviction that affects one's understanding of human well-being is that we are not first individuals and only secondarily members of groups and communities, nor are we primarily members of groups and communities and only secondarily individuals. We are both at once. The well-being of persons, therefore, that you have to consider as legislators in making this decision entails both personal self-fulfilment and the common good of the society in these Territories and trying to bring those in harmony with each other.

Sound economic and political systems must be our concern as well as the right of individuals and, therefore, it is very important to ask the question and try to assess the results, for example, of what are the social costs of uranium mining in terms of disrupted communities. What kinds of social controls will be needed to monitor, regulate and protect dangerous wastes, transportation and preventing their use for nuclear weapons? What kind of regulatory society would this entail?

Another important aspect of our understanding of human beings is that we are prone as groups and individuals, I would argue, whatever our values and moral commitments, to seek our own interests and our own well-being at the expense of others and even to define other peoples' well-being in terms advantageous to our own. This leads to questions that are sometimes awkward and provoking. What groups stand most to...

CHAIRMAN (Mr. Fraser): Mr. Anderson, I think the sound is gone again. Maybe we could take a few minutes break. I do not seem to have any sound here either. I wish to inform Members that we will take a 15 minute break and I believe the Clerk has set up a bell to ring when the coffee break is up, so all Members could get back in the House. Thank you very much. Please, 15 minutes. Mr. McCallum, 15 minutes.

---SHORT RECESS

CHAIRMAN (Mr. Fraser): The Chair recognizes a quorum. Mr. Anderson, will you proceed with your presentation, please?

MR. ANDERSON: Thank you, Mr. Chairman. I am nearly finished. The point I was making when we took the coffee break and were having trouble with the sound was listing yet another belief that I think is involved in these decisions, or one that I am trying to advocate should be involved; namely, that knowing ourselves as we do, we are all prone to seek our own interests first and that of others secondly. That leads us to ask difficult questions like, what groups will bear most of the burden and risks? Who gets the gain and who has to pay the cost? Who has the power to influence and finally to make decisions about uranium mining and how much will public opinion and the people who are most affected by it really count?

This belief also leads us to advocate that people most affected by this decision have some way of participating in making it and saying what they think is for their own good. Special regard should be given to those groups who have the least power and their voice should be taken account of when decisions are made. That is hard when you are dealing with future generations, grandchildren and great-grandchildren. Special attention needs to be paid to those kinds of concerns and to native interests in comparison to the power of large corporations and governments.

Concern For The Well-Being Of All Groups

Now, what if we have said that some of what happens here is that people think there is a conflict between the well-being of some people and the good of others and that conflict may just seem to be the case and is not really one, but what if there really is a conflict between what is good for some people and good for other groups? Well, here is where if we are to be concerned equally for the well-being of all, we are pushed to questions of justice. If there is a conflict between the good of one neighbour and the good of others, how do we sort that out? Well, we need to negotiate that and make sure that each person's well-being is taken account of, even if we have to make some trade-offs, rather than simply forgetting the interests of one group for the sake of another. So, our beliefs about justice then include concern for fair distribution of the costs, the risks, the benefits and opposition to any arrangement where one set of people get most of the benefits but bear little of the costs.

A final belief that is very much involved in these decisions, at least I am saying I think should be, is a belief about the world around us, about the environment. There is a vision that the Hebrew people have of what the world should be like, which is called Shalom. Shalom is the belief that God's promise is to change persons and to change society into a condition of peace with justice and with goodwill between people and harmony between people and nature and between all and God. Now, that vision of Shalom is one that says we are given responsibility to care for the animals and the plants and the air and the soil around us and that we are to care for that in a way that will bring about Shalom, rather than simply our own selfish good. We are not to use the land, the soil, the air, the plants and the animals in a way that just suits us or is destructive, but that it is a sacred trust, to deal with care and with thought.

Well, these then are some of the beliefs and moral convictions that we frankly will hope shape the direction of the Assembly's deliberations and judgments and conclusions. These kinds of beliefs or their equivalent will be involved whether you think about it or not. We are hoping that these will be the kinds of ones that will shape your discussion.

A final note of conclusion in terms of my own viewpoint, one helpful device that persons in ethics like myself have in making difficult moral decisions is what we call the moral burden of proof. I am not sure how you translate that and my apologies to the translators. That is when you put together all the technical information and the kind of values that you think are important, where does the moral burden of proof seem to rest? Again, I am sorry. I do not know how you would translate that. In my view, when you put that together in regard to uranium mining, you come out saying something like this; that there have to be very strong reasons for proceeding at this time with uranium mining rather than the other way around, that there have to be strong reasons for not pursuing it.

Reasons For Proceeding With Uranium Mining Questioned

When I ask the question that way, are there strong reasons for proceeding with uranium mining at this time given the fact that it produces things we have some disease about, that we are not certain about its impact on the environment; that there are questions about tailings and their impact on health; that it involves future people, our children and our grandchildren and our great-grandchildren. When I put it that way, are there strong reasons for proceeding? I find it hard to think of any kinds of reasons that would lead us to say we ought to proceed now rather than later. That is my own viewpoint and in that sense, I agree with the decision of the province of British Columbia and the province of Newfoundland on this matter. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you very much, Mr. Anderson. We have the floor open now for a question period by Members. A time limit of 60 minutes. Mr. Butters, do you want to lead it off?

HON. TOM BUTTERS: Mr. Chairman, just a couple of questions to the witness. I spoke with the...

CHAIRMAN (Mr. Fraser): Could you get a little bit closer to your mike? We cannot hear you.

HON. TOM BUTTERS: Sorry, Mr. Chairman. I spoke with the Minister for Renewable...

CHAIRMAN (Mr. Fraser): Sorry, Mr. Butters. Mr. Anderson, do you have a headset that you can hear? Do you have a headset there with you?

MR. ANDERSON: No, sir.

CHAIRMAN (Mr. Fraser): Thank you very much. Mr. Butters, I am sorry. Proceed.

Situation In Newfoundland

HON. TOM BUTTERS: Mr. Chairman, what I wished to ask our witness is whether or not I am making a fair statement. A couple of months ago I spoke with the Minister of Renewable Resources for Newfoundland, and inquired of him the basis for the Newfoundland decision regarding uranium exploration. My understanding of his reply to me was that Newfoundland has not placed a moratorium or prevented exploration for uranium in that jurisdiction. What has really occurred is that they have examined the application of one company, I believe, in the Labrador, and found that company's proposal unsatisfactory to them, and requiring many adjustments and amendments before it would be satisfactory. But I do not think that Newfoundland has placed an all-out ban on the exploration and development of uranium.

MR. ANDERSON: I am sorry I do not have accurate information on that, Mr. Chairman. What it seems to me has happened, though, at the very least, is that they are asking the question the right way, as I put it, in terms of moral burden of proof. That is, there have to be awfully good reasons for proceeding rather than for not doing so.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Anderson. Before you answer the question, if you will just wait a while, until I give you the okay. The interpreters need a little time to catch up. Thank you. Mr. Butters.

Research In British Columbia

HON. TOM BUTTERS: Once again, I would ask the witness whether this is a fair statement. The British Columbia government did impose a seven year moratorium on uranium exploration. The government carried out this restriction without waiting for the report of research which it had had commissioned, or had intended to use in making its decision. When that research was made public, some six weeks ago, by Dr. Bates, I believe, he and his researchers felt that uranium exploration could go ahead in that province without any deleterious effects.

CHAIRMAN (Mr. Fraser): Mr. Anderson.

MR. ANDERSON: Thank you, Mr. Chairman. First of all, it is correct that the decision was made before hearing the report of the commission, and the report -- I have it with me, as a matter of fact -- the Bates report did not, as was first reported in the press, endorse uranium mining or encourage it. It did say, however, that with proper regulation and control, it thought that it was appropriate to proceed with exploration. They did not say that in regard to mining and milling, but the commission's job was not to make that decision. It was to inquire into the regulations and safety regulations that they thought would be necessary if mining and milling were to proceed, and that is all they report on.

CHAIRMAN (Mr. Fraser): Mr. Patterson.

Studies On Moral Issues

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. I would like to ask, in your association, Mr. Anderson, with the inquiry that took place in British Columbia, was this moral question, if you like, addressed by participants at the hearing? Perhaps you can tell me, also, if it was addressed, or if it has been addressed elsewhere, by the various Canadian studies that have looked into the issue of uranium mining and exploration. It seems to me you are urging quite eloquently that we cannot afford not to look at these broader issues. We cannot let the technological issues overwhelm us. Have other fact-finding bodies, or even other people who have made appearances and presentations before these groups in other parts of the country, addressed these issues, and could you give me any indication of what sentiments have been expressed in those other forums? Thank you.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. Mr. Anderson, proceed.

MR. ANDERSON: Thank you. Yes, first of all, regarding the Bates Commission, originally there was no place in the slated hearings to raise explicitly these kinds of moral concerns. Under the urging of various groups, including church groups, and as a result of the public hearings that were heard at various possible mine sites and communities that were to be affected, obviously -- at least I would say obviously -- a great number of these concerns arose from the public's mind and from church presentations. In light of that, the Bates Commission recognized their significance, and decided, after consultation with some of the groups, to have a whole set of hearings on these moral and ethical questions. Those were slated, witnesses were lined up, and we were prepared to go ahead with that, and then the commission was cancelled, and unfortunately we were not able to proceed to that set of hearings.

That was disappointing, because the hope was that not only would the hearings go to the public and hear their concerns, then get some technical information, then clarify what the moral issues were, then report those to the public, and then go back to the public to hear how they felt about the mix of those, but it was stopped midway. Many of the moral questions concerning this matter, in terms of them arising elsewhere, have centred more around the question of nuclear energy and energy policy and alternates rather than uranium mining. There have been some moral issues raised regarding uranium mining in the Saskatchewan hearings, and also in some of the work in Australia, and once again largely by church and native groups that have been involved in those.

One of the things that made the Bates Commission notable, and one of the reasons I am urging it here, is that I think it is important for us to do this kind of thinking, with uranium mining, because those are the questions -- if I hear rightly -- that the public are asking and are wanting us to make judgments about. Have I answered your question, Mr. Patterson?

CHAIRMAN (Mr. Fraser): Mr. Patterson.

HON. DENNIS PATTERSON: Yes, thank you, Mr. Chairman. I am wondering if I could just follow up with one supplementary question, and that is, obviously there are interests in this whole debate who would say that we are wasting our time listening to you, that there is no place for this kind of discussion, that if we do not produce uranium in the Northwest Territories, some other part of the country will. Why should we not get in on the benefits, that bombs are going to be made whether it is uranium stolen from Canadian sources or anywhere else.

Moral Justification For Proceeding

I am just wondering. In your observations, have the pro-mining interests and the industrial interests, in your view, attempted to address these moral issues and grapple with them, and, if so, are there moral justifications presented for proceeding? In other words, can you give me some indication about reasons that we might -- as you said -- strong reasons that might be offered morally for proceeding rather than not proceeding?

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

MR. ANDERSON: Thank you, Mr. Chairman. First of all, concerning corporations and so on, I think that a number of corporations -- and they vary widely, of course -- have expressed moral concern about impacts on environment and so on, and expressed arguments about how they think those concerns can be met.

I do not know, myself, of any clear arguing as to why uranium ought to be mined at this time. I think, though, that the kind of reasons that would be persuasive to me would be something like this. If one were to say, "If it could be shown that nuclear energy for the production of electricity is absolutely essential to the basic well-being" -- remember how I defined that -- "of people, and there are ways of minimizing the hazard and risk to the health of people and to the environment," then it seems to me that that would be quite morally persuasive. It seems to me that we are not at the place where it is essential, that it is needed for essential well-being, but only for more affluent wants and needs. There are other ways of both conserving energy and producing that, and it is not yet clear that we are not going to either be damaging environment or -- even more importantly, I would say, since that is a technical debate, and I am no expert on that, but that is the kind of information that I would like to have, if I were on this Assembly, and that is what you are seeking.

But even more than that, it seems to me it has a great deal to do with the kind of society we are building for our children and grandchildren and great-grandchildren. How are we locking them in? What kinds of social controls? No expert can tell us that. We are the experts on that. What kind of society is going to be needed to maintain the stability to safeguard tailings so that they do not leak into the environment, so that the products of uranium mining will not be used for nuclear weapons by the wrong groups, and so on -- a highly controlled society, and that is what makes me highly nervous about the equation.

CHAIRMAN (Mr. Fraser): Thank you very much, Mr. Anderson. Any further questions? Mr. Noah.

MR. NOAH: (Translation) Thank you, Mr. Chairman. Mr. Anderson explained himself very clearly to the MLA's. Also I have three questions which I am going to ask. Is it true that in Japan they have told Canada to explore uranium mines? My first question is whether the Japanese have paid Canadians to mine uranium. My second question is about nuclear power. What is the amount of nuclear power that you have in the whole world? They have made nuclear power that is capable of destroying the world three times over. I would like an answer on that.

Questions On Threat To Environment And People

The third question: The scientists, the experts who deal with uranium, they say that uranium can be properly handled, and some of them say that uranium is very dangerous, that it cannot be completely controlled; also, it can be a threat on the environment or the land. Could you tell me if this is true? Is it true that it is a threat? Is it true that near Baker Lake they found uranium, and if they mine this uranium, and they are working on it, that would affect women who were pregnant, or the animals who are pregnant? Is it true that it will cause cancer within babies? Is it true about this situation?

I am asking these questions. I am not joking around after what Mr. Anderson said. I have seen some other people who are smiling. I would not be here just to laugh about these serious things. It seems like some of them are just here for the money, and not really taking these things seriously, but we are trying as hard as we can to talk about these serious concerns. It is not a joke.

If you are not going to be supporting the people, I think it is useless to be a Member of the Legislative Assembly. If you did not understand my question, please ask me because I think this is very serious. There is going to be a uranium mine near Baker Lake which is about 55 miles away and this mine is going to be opened in about five years. I am taking this very seriously and I would like you to answer my three questions. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Noah. Mr. Anderson.

MR. ANDERSON: Thank you, Mr. Chairman. I hope I have understood the three questions. The first one had to do with, is Japan paying Canadians to explore for uranium and mine? I do not know the answer to that question. The second question, do we have enough nuclear weapons and power to destroy the world several times over? Yes, we do. It is of great moral concern, I think. That is part of the moral issue that, I think, Mrs. Sorensen raised last February, but it is not the only part of the moral question. Do we wish to contribute further to that destructive power? I do not think it is good sound moral thinking to say if we do not provide it, somebody else will. That is a little like saying if I do not kill you, you are going to die anyway, so I might as well kill you. We would hardly say that that was a sound moral way of thinking. We have to accept responsibility for our own actions, and one of the ways of assessing responsibility for our own actions is trying to see what consequences they will lead to.

The third question about uranium mining and whether it is harmful and in what ways to the environment and to persons living near it, particularly pregnant animals and pregnant women. I am not an expert on the effects of low level radiation. You have heard from Dr. Meyers concerning that and you will hear from Dr. Woollard of the British Columbia Medical Association later this week, who could answer that question better.

Decision In Terms Of Our Own Values

I do think it is the right question to ask. I think one has to be aware -- this was my point in talking about the relation of good to technical information -- that one has to be aware that the only thing the expert can tell you as an expert is what will be the impact of radiation upon pregnant women and pregnant animals. They cannot tell you properly whether that is safe or desirable. That is a judgment we have to make. No expert can tell us as an expert whether it is safe or desirable. They can only tell you as an expert what the consequences will be. Then we have to decide in terms of our own values whether we think that is acceptable or safe or desirable.

So I appreciate the question. I hope that you will ask Dr. Woollard that later this week. What is the effect of long-term low level radiation that might come from tailings and uranium mining, if any, on pregnant women? Then you people have to make the decision whether you think that is worth it and whether you think that is safe or not for them, and they need to answer that question for themselves. My main question that I was raising in response to Mr. Patterson's question earlier is, for what do we want to take these risks? What do we stand to gain and who stands to gain it for taking those kinds of risks and uncertainties? Thank you.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Anderson. Are you satisfied with the answers, Mr. Noah? Do you have another question? Proceed, Mr. Noah.

MR. NOAH: (Translation) Yes, Mr. Chairman. In our community is there going to be any radiation? It is going to be hard to answer this question which deals about radiation, but it is good to hear that it could be answered. When we were together in February, maybe I should have asked the question. Maybe I am asking a question that cannot be answered, but I am saying that this is very important and it is a very great concern of the people in my community. Maybe if you do not live in Baker Lake, it might be funny and it might not seem important, but I am from Baker Lake. To me it is very much a concern of mine. Thank you very much to the witness that he has been able to give us some guidelines.

CHAIRMAN (Mr. Fraser): Any further questions? Mr. MacQuarrie, I think you had your hand up.

MR. MacQUARRIE: Thank you, Mr. Chairman. Mr. Anderson, I certainly approve very much of the kind of approach you take to what is a very serious problem. I probably have differences in the final analysis as to the values that you advocate. Certainly not with all of them, but maybe we would differ there; but I certainly agree it is a serious problem and that has to be the kind of approach that is taken.

In response to one thing that Mr. Patterson said, I would feel that industries generally do not take moral concerns into account. They operate on the basis of profit and that is the concern that they have. Nevertheless, it is possible for others to make them take account of other concerns and certainly that is a responsibility of government to do so.

You made the statement, Mr. Anderson, that there have to be very strong reasons for pursuing uranium mining. I agree that that is the case. I presume that you say that because of dangers or risks that are involved in uranium mining, milling, and the production of electricity by nuclear reactors. I would suppose that you are not saying and that you do not believe that man should refuse to act wherever he encounters risk. Am I right in saying that?

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

The End Must Justify Degree Of Risk

MR. ANDERSON: Thank you, Mr. Chairman. First of all, just to clarify a point, I was saying that from my point of view there have to be awfully good reasons for proceeding with uranium mining and milling at this time, and you ascertain correctly because of the risks entailed, but also because of the end products and so on. You are saying that you would assume that we cannot refuse to act because of risks. No, I believe that is correct. We cannot do anything without some risk. It seems to me the morally responsible thing to do is try to ascertain what risks are entailed -- and that is what you are endeavouring to do -- but also who bears those and why are we taking those risks, and do the ends justify the degree of risk taken? That is what is creating the dilemma for us, I think, is in assessing that.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Anderson. Mr. MacQuarrie.

MR. MacQUARRIE: So in trying to determine the degree of risk that is associated with exploration, mining, milling of uranium, we must turn to people who are knowledgeable in the area, people who are experts, and if you disagree with that, you can say so in a moment. We then have the problem after hearing these people of making a value judgment as to whether we want to proceed in view of whatever risks are present, but I would assume that you would advocate to everybody that when the value judgment is made that it should be made on the basis of the best factual information that is available, and not on any other basis. Am I correct in that?

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

Judgment Based On Factual Information

MR. ANDERSON: Thank you, Mr. Chairman. Yes, I do believe very strongly it should be made on the best factual information available. I was trying to indicate how to get the best factual information available. It is important to hear from people who have that but are persuaded differently about this issue, because even factual information is coloured by one's own values.

I think that it is important -- one place where I do disagree with you, with respect, is that I do not think experts can tell us the degree of risk. I think they can tell us the likelihood of certain impacts, but we have to make judgments that are shaped by our beliefs as to how risky something is. Let me see if I can give an example.

An expert can tell us, I think -- I hope -- what the impact might be if an accident were to occur with tailings. The risk factor entails value judgments about how likely people are to make mistakes, how likely people are to be careless, how likely people are to exercise controls in monitoring, all those kinds of questions which entail value and political judgments that, I think, you, as an Assembly, are called upon to make and no expert can do for you as an expert.

CHAIRMAN (Mr. Fraser): Mr. MacQuarrie.

MR. MacQUARRIE: I would certainly agree that the last things that you mentioned also have to be taken into account. There is no question about that in my mind. Dealing with the costs to someone of embarking on this kind of undertaking is important and sometimes in an undertaking it means as you said that some segment of society is paying costs while others are benefiting. I can only agree that that is so, and that it has happened throughout history, and I suppose will continue to happen. I am thinking at the moment, for instance, of benefits that we, in the North, presently enjoy -- and I think the enjoyment is widespread -- of the use of electrical generators and vehicles of one kind or another, the use of oil furnaces for heating our homes, and there is no doubt that the costs in

terms of lives -- lost lives -- in terms of pollution of lakes, and that sort of thing, is being paid elsewhere. Would you agree with that?

CHAIRMAN (Mr. Fraser): Mr. Anderson.

MR. ANDERSON: Thank you, Mr. Chairman. Yes, I would. It seems to me once again a morally responsible course of action is to do whatever we can do within our limited control to not repeat that error or increase that problem -- that lamentable problem.

Decision Of Those Affected

If I may, referring back to the earlier questions, illustration, follow that through, it would seem to me that supposing it were to turn out -- and this is what you are trying to ascertain -- that the impact of radiation coming from tailings in a proposed mine at Baker Lake were to be quite a strong impact on pregnant women, that is the first thing one has to find out. Experts can tell us that impact and if those women and that community were to decide that that impact -- and they alone, I think, ought to decide that that impact is unacceptable, undesirable, and in their view, unhealthy, it seems to me that if they are to bear that, they should not be asked to bear that cost for the sake of benefiting people like myself in Vancouver or people in Toronto so we can have more electrical gadgets of some kind. Rather that is the kind of thing that to me is wrong.

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

MR. MACQUARRIE: The matter as to whether a group alone which is impacted -- and I would certainly say it depends on the degree of impact. In other words, if there were no doubt about certain very undesirable consequences, I think that a society in its majority -- our kind of society simply would not tolerate that sort of imposition.

Short of that, where there is a great deal of doubt as to whether impact might be serious and the best available evidence indicates that it would not be harmful or dangerous -- I am saying if that were the case -- then I am not sure that it is only people in an impacted area that have the right to make a decision with respect to whatever is going to occur. That if there are others -- that if the impacted group is part of a larger society, which they value for the good things that it can bring into their lives, then it is maybe right and just to expect some measure of sacrifice on their part.

Difficult Area For Judgment

This gets into the question of can someone decide for someone else what is good for them, and that is a very difficult area, but it is a sort of two-edged sword. You did say earlier that one should not decide for another what is good for him, yet the first value that you advocated is that we have concern for others. Does that not entail making a judgment about others and their condition and what might be good for them?

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

MR. ANDERSON: Thank you, Mr. Chairman. First of all, there is the very difficult question of who should decide what is a serious impact or a dangerous impact. What I have been suggesting is experts could tell us what is the actual impact, even though there is some debate about that, but the people who are affected by it should be the ones primarily who decide whether they regard that as serious and healthy or dangerous.

Now, if they do -- let us assume that they do do that and yet other people feel they need the benefits of uranium mining, who decides that and on what grounds? One way of deciding that is to say that the people who are impacted by it should simply sacrifice themselves for the greater majority. I do not believe that is the right way to decide it. Another way to decide it is to say that somehow the people who are having this negative impact, what they judge to be a bad impact on them -- say the pregnant mothers at Baker Lake -- and others who want the benefits and feel they need those benefits should enter into some kind of negotiation or we, on their behalf, should try to distribute those costs and benefits equally between them, at some fair distribution. That is the better, although less tidy way of doing it, I think.

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

MR. MacQUARRIE: Thank you. I have something now. I have others, but I will quit. Is it ethical for one to make a value judgment about the basis on which others have made their value judgments?

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

Approaches To Decision On Well-Being Of Others

MR. ANDERSON: Thank you, Mr. Chairman. I can see that the honourable Member, Mr. MacQuarrie, and myself need to have a good philosophical discussion over supper, but let me put it this way, how do we decide and who decides what is the well-being, the good of my neighbour that I seek? There are three approaches to that. One is to say, I should decide what is best for the people of Baker Lake or the Assembly and do it for their good, whether they think it is good or not. That is what we call paternalism. Another way is to say the people themselves should decide that and we should simply follow what they think is for their own well-being. That is what people in my trade call the blank cheque. We sign a blank cheque if we are really concerned about others. A third way is to say that I and the person whose good I am seeking should try and negotiate and decide together what we think is for their good. That is the way I advocate.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Anderson. Mr. Curley.

MR. CURLEY: (Translation) Thank you, Mr. Chairman. I just want to make a short comment. When they are discussing this topic on exploration of uranium as to how they can explore it, we should all know, the Inuit, all of us should know that that is Ottawa's business. We should also know, if we are going to make decisions, how are the decisions going to be made concerning uranium exploration. That is my question to myself. Maybe that should be directed to the people that are going to be benefited from it, because it is going to be good for them -- to your constituency concerns, because they are in Hay River. The Northwest Territories Legislature is going to have to deal with mining exploration. Bob MacQuarrie, maybe he does not care much. Bob MacQuarrie's constituents might not be concerned about it, whether or not the people in northern constituencies, the hunters and the people that use that land are going to be thinking about them or are they going to be thinking about them -- something about the Inuit?

The federal people, because it is making money for the southern people and it is being supported by the federal government, are we just going to be concerned with the dangerous side of it? We all know it is good for the world, because they buy that stuff. When they buy it from Canada it is good for international trade, and Canada is getting benefit from the money. Are we going to be talking about these things or the Northwest Territories Legislature and the people of the North? Do we have to make decisions, or is that the way to do it? I think I will talk in English. (Translation ends)

Perplexing Question Facing Assembly

I think we are faced with a real sort of a perplexing type of question here as the Assembly. I think we pretty well know now that the uranium exploration is good for the international community. It is good for the balance of payments made for the federal trade as a nation. I think it is good for some constituencies in the Northwest Territories. So, my question today is, okay, because it is good for those certain groups of communities, this Assembly should accept that premise and say this Assembly should have no business in trying to find better guidelines as to how the uranium exploration should go on in the Northwest Territories, or production.

It seems to me that as we have been debating it we have been trying to say, look, should we consider it on the basis of moral obligations or should we consider the issue of exploration of uranium and production in terms of profits or should we consider the need for making a decision on the basis of the international market? You know, I think it is very good that we do consider all those things, but my question is, what is actually good for the people of the Northwest Territories, taking into consideration all those interest groups? Because some Members' constituencies are possibly majority in support of the exploration and production with the present guidelines, should that dictate to the people in the Baker Lake area or Rankin Inlet area that they are in fact majority -- that this Assembly should sit back and just see the experts argue their principles and we sit there and watch and see who is going to be a better actor or more persuasive?

Pressing For Safeguards

It seems to me that we are paying a lot of attention to that. So, I am faced with trying to find a path, where this Assembly should take a stand on its own; or should we press for strong, clear-cut, strong, safe safeguards for uranium exploration and production before we can begin to say that the production will actually begin to take place in this part of the North? That is what I am faced with. I do not really care that some moral principles really dictate the decision or not. I think we will never persuade anyone on those bases, but I think we should seriously consider, you know, what is the safest way to proceed? Is it so dangerous? Is it so dangerous today to say to the Government of Canada and to the companies, look, we are not sure? The safeguards are not stringent enough; we rather would like to wait a couple of years until we can be convinced that the exploration can actually protect our people and protect our environment and protect the wildlife in the Territories. These are the kinds of genuine concerns that I have. I will not want to go into moral debate with my colleague for Yellowknife Centre, because he seems to always have a much stronger principle than I do.

So, I think as we debate this, we should set aside our own little prejudices and sort of sincerely try to see whether or not what is happening today is really actually good for the people as a whole. Forget about me being a minority. That may be a problem too, but I think we should sincerely actually try to find a path that will actually benefit all of us, including the exploration companies. I do not think they should be digging and exploring up here if they are just going to lose money. I think there should be, surely, a lot of consideration for that, for the people who are working, but I think overall the objective is where and how should this Assembly -- what should its position be during the next few years, beginning now, as this type of exploration actually takes place in this part of the North. Quyanamik.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Curley. Mr. Anderson, do you want to reply?

Values Influencing Judgment

MR. ANDERSON: Thank you, Mr. Chairman. Yes, because I think that is an example of how values are properly influencing your judgment. The value of what is

good for the people of the Northwest Territories is a very important value and one that I think is an important moral value to uphold. Our experience in British Columbia may illustrate that point. One of the reasons that the government decided to declare a moratorium at this time -- I think it leaves the question open for the future about uranium mining -- was that the public, in so far as they were consulted in the communities said, in effect, we would rather stand the loss of the additional employment and cash flow and so on that accrues to that kind of thing in our community at this time. We would rather go without that than take the risks of being exposed and having our environment exposed to the uncertainties of long-term storage of uranium mining tailings and so on. They said that our way of living, our land and so on is more important to us than having another skidoo or something, and so on. That is essentially what the people in the local communities affected in British Columbia said. I happen to agree with those value judgments and -- but those are the kinds of questions, I think, that we should be examining.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Anderson. Any more questions?
Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. First, I would like to say that I say yes to the third method of determining what ought to happen, where it is both parties that talk it through and try to come to an agreement that is acceptable to both of them. I absolutely support that. Also, in response to what Tagak Curley said, I say absolutely, the decision finally has to be made thinking about the people that are going to be impacted. It should not be simply mining interests that make the decision nor the welfare of my constituents alone. It has to be the well-being of the people in the Northwest Territories and certainly the well-being of people in the area most immediately impacted, but that raises the question simply of what is the real risk that is involved in that to the people who will be impacted most? We still have other witnesses to hear and I will be interested to hear what they have to say.

Same Question Applied Throughout History

In talking about the good for the people of the Northwest Territories and whether uranium exploration and mining is for the good of the people in the Territories, I know that in this area there are complications. Nevertheless, that same question might be and could have been asked about many significant developments in the history of man, the development of aircraft for instance. It would be hard for somebody -- well, for the Wright brothers, who flew the first successful plane and others who advocated an air age to demonstrate to other people that it was for the benefit of man and I am sure that there would be some today who could point to the many deaths that have resulted as a result of aircraft, both in the industry making them and also in aircraft accidents and who could also point to the subversion of purpose to which aircraft have been placed in warfare and maybe make a case to say that it was not for the betterment of man.

My only point is that it is sometimes very difficult to come to terms with what is for the betterment of men and certainly in this area it is very difficult. Perhaps the British Columbia decision was a little easier for them to make in the sense that they have a great many other industries that are developed and an economy that is flying quite high right at the present time and it is something that they could set aside. I am not saying that it is necessarily different in the Territories, but at least that question has to be asked as well.

The last point that I would like to address right at this moment would be the moral question of whether becoming involved in the production of uranium, knowing the kinds of uses to which it has been put -- and you suggested that it is not enough then just to say that if we do not do it somebody else will do it and the bombs are going to be there anyway. In a sense I agree that that is a correct approach. If it is morally wrong to mine and produce it, then we ought not to do it, regardless, but I am still not persuaded that it is morally wrong and certainly not just because it is put to such a horrible use

by some as killing other members of the human race in great numbers.

Again, I can point to many things that are produced. Surely, the intent of production has something to do with morality and there are a great many things produced -- airplanes, cars. I understand that there are more people killed in automobile accidents in the United States in any single year than all of the American soldiers who were killed in Vietnam during the whole term of the war. There is a slaughter on the highways. So, that question could be asked about cars, about knives, about rifles, about high explosives. So, just the fact that something is -- that its purpose is subverted by others, I do not think is sufficient to say that you ought not to proceed. Will you comment on that, please?

CHAIRMAN (Mr. Pudluk): Thank you, Mr. MacQuarrie. Our time has gone up. Mr. Anderson, do you want to reply to Mr. MacQuarrie's remark, and also you can do your closing remarks at the same time? Thank you.

Unintended Misuse Of Uranium

MR. ANDERSON: Thank you, Mr. Chairman. It is true that we cannot be held responsible for results of our actions; that is, uranium we produce, the misuse that might be put to it, we do not intend, but the point is that a good portion of uranium mining and uranium ore is produced with that intention, for nuclear weapons and for nuclear energy which raises another whole controversy, depending on how you feel about nuclear energy.

There is one point though I wanted to raise about this whole area of risk and that is it relates to problems that arise in medicine also. It is one one might call informed consent. One of the things that makes uranium mining more difficult to deal with in this regard or different than other forms of mining and risk is that when people take that risk on and expose themselves to its impact as they do, say, in coal mining which is a very high risk and so on, there is a visibility, there is an easy knowledge, there is a clear indication of what the effect is going to be on them and therefore the risk they enter into and their consent to do so therefore is easily informed consent.

The difficulty with radiation is that it is not visible and clear; it is hard to know what its long-term accumulation will be on you, as an individual, because it varies with individuals. It is hard to give informed consent to the risk that is entailed and therefore to control that and make sure that people know what they are getting into and so on when they enter that.

Just for a concluding comment then, may I thank the Assembly for their patience in listening to my philosophical and moral concerns, and for your interest and concern in wrestling the last set of hearings and now these with these important questions, as difficult as they are to solve, and have seen the connection between values, beliefs about human nature and how those will shape our decisions regarding this important question.

I hope that you will continue to debate those and to proceed as you are doing in hearing carefully what the experts have to say about impact, but making up your own mind about whether you think that impact is desirable, whether you think the intended consequences to which uranium is put to use is sound and good, whether you think the controls are necessary for monitoring and safeguarding it, what kind of society they lead us toward, whether you think what it will do to animals and to pregnant women and the risks they employ is worth the benefits those people whom you represent will receive from it. Those difficult but crucial questions will be the ones that finally shape your judgment, and I am glad and welcome the opportunity to think out loud and clearly with you about them. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Thank you very much, Mr. Anderson. Sergeant-at-Arms, could you escort the witnesses?

CHAIRMAN (Mr. Pudluk): Would this House like to consider Sessional Paper 1-81(2), on agricultural policies? Mr. Butters.

Sessional Paper 1-81(2), Principles For The Development Of An Agricultural Policy

HON. TOM BUTTERS: Mr. Chairman, at the close of Thursday's session, I had tried to get your eye, but I guess progress intervened. I think we can close this debate up reasonably quickly in view of the comments that were made on Thursday. It would appear from the discussions that we had that Members feel that the policy or the principles for the policy that were advanced by the government are premature at this time, and that there are certain things that should be in place before the policy is developed and approved by this Assembly.

The Members who spoke, if I recollect, all agreed that there is a need for a policy and that at another time they could probably give approval to the principles that we are putting forward. One of the points that was raised by Mr. Greenfield, who is not here today -- he is out seeding his plot -- that really the policy at the current time is affecting only a few people -- a handful of people -- and possibly the Executive Committee might look at the particular and peculiar conditions of these people and see whether or not any assistance could be provided them in terms of their particular requirement.

So having said that as mover of the motion of support for principle one, I would suggest that the government withdraw that, take the guidance and direction that we have received from the House during the committee of the whole debate, and at a proper time or a more appropriate time bring back those principles for reconsideration and discussion, and that in the interim we would look at the particular situation in which a few local agriculturalists may find themselves.

Suggestion To Withdraw Motion Of Approval

So that is my suggestion to the House that I would then withdraw that motion of approval of principle one.

CHAIRMAN (Mr. Pudluk): (Translation) I would like to ask Mr. Curley -- Tom Butters moved he withdraws his motion and you made an amendment. Will it be the same or would you like to withdraw it?

MR. CURLEY: Thank you. (Translation) Mr. Chairman, I think it was better what the government -- there had to be a policy regarding agriculture after the land claims have been settled. I do not want to withdraw it.

CHAIRMAN (Mr. Pudluk): Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, I would indicate too, that with the withdrawal of the motion, obviously the government would withdraw the paper for presentation at a more appropriate time, a time in keeping with the recommendations of the mover of the amendment and other Members.

AN HON. MEMBER: Agreed.

CHAIRMAN (Mr. Pudluk): Mr. Curley.

MR. CURLEY: Could I first of all ask for clarification from the Minister? Could I ask you a question? Your position is that you want to completely withdraw the paper until such time as when -- are you thinking about reintroducing the policy with respect to that?

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Curley. Mr. Butters.

Paper Would Be Reintroduced At A More Appropriate Time

HON. TOM BUTTERS: I would think that we would withdraw the paper until a time when it will have an opportunity of passing, and I doubt that at the present

time, with the feeling of Members, that it would be supported. So Members have mentioned that there are certain aspects, claims resolution, that should be completed. I think this is what we would look at the progress being made in this whole area of claims. So I cannot give you a time when I think the paper would be back, but we would withdraw it and let it lie until a more appropriate time for its consideration.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Butters. Mr. Curley.

MR. CURLEY: One last question before I take the final. I do not think that the problem is that the paper is going to pass here. I think it is going to be passed, but is the problem you are facing putting in a condition of land claim settlement? Is that the real problem rather than your assumption that it might not likely be passed here?

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Curley. Mr. Butters.

HON. TOM BUTTERS: I thought that the suggestion from Members on the other side was that the development of a policy at this time was presumptuous, and until the land claim matters had been resolved, the development of a policy should be shelved. The policy cannot be implemented so that it would be better to see what occurs as a result of the land claims negotiations before a policy is developed. There may be additional principles as a result of those discussions. It would seem at this time, as I say, a little presumptuous and forward, possibly, to discuss something that cannot be applied.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Butters. Mr. Curley, did you make your decision?

Member To Confer With Dene Representative

MR. CURLEY: Yes, thank you, Mr. Chairman. I think it is important that I at least confer with the representative from the Dene community. As a result of that I will now move that we report progress.

CHAIRMAN (Mr. Pudluk): Is that a motion? The motion is not debatable. All those in favour of that motion please raise your hands. Down. Opposed? Motion is carried.

---Carried

SPEAKER (Hon. Don Stewart): Thank you, Mr. Pudluk.

REPORT OF THE COMMITTEE OF THE WHOLE OF COST OF LIVING IN THE NORTHWEST TERRITORIES; PRESENTATION BY MR. TERRY ANDERSON RE URANIUM MINING AND EXPLORATION; SESSIONAL PAPER 1-81(2), PRINCIPLES FOR THE DEVELOPMENT OF AN AGRICULTURAL POLICY

MR. PUDLUK: Mr. Speaker, your committee has been concerned with the cost of living in the Northwest Territories and presentation by Mr. Terry Anderson regarding uranium mining and exploration. Those matters concluded. On Sessional Paper 1-81(2), I wish to report progress.

MR. SPEAKER: Thank you, Mr. Pudluk. Mr. Clerk, announcements and orders of the day, please.

CLERK OF THE HOUSE (Mr. Remnant): There will be a meeting of the caucus at 9:30 a.m. tomorrow in the downstairs banquet room of the Ptarmigan Inn. On Thursday, there is a meeting of the standing committee on legislation at 11:45 a.m. in the caucus room in this school. At 7:00 p.m. a public meeting, education committee, at Pine Point school.

ITEM NO. 14: ORDERS OF THE DAY

Orders of the day, 1:00 p.m., Wednesday, May 20, at Diamond Jenness High School gymnasium.

1. Prayer
2. Replies to the Commissioner's Address
3. Oral Questions
4. Questions and Returns
5. Petitions
6. Tabling of Documents
7. Reports of Standing and Special Committees
8. Notices of Motion
9. Notices of Motion for First Reading of Bills
10. Motions
11. Introduction of Bills for First Reading
12. Second Reading of Bills
13. Consideration in Committee of the Whole of Bills, Recommendations to the Legislature and Other Matters: Federal Government Proposals and Planning Relating to the Northwest Territories; Uranium Exploration and Mining; Sessional Paper 1-81(2), Principles for the Development of an Agricultural Policy
14. Orders of the Day

MR. SPEAKER: This House then will stand adjourned until 1:00 p.m., May the 20th.

---ADJOURNMENT

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