



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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

LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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YELLOWKNIFE, NORTHWEST TERRITORIES

MONDAY, NOVEMBER 30, 1981

MEMBERS PRESENT

Mr. Appaqaq, Hon. George Braden, Hon. Tom Butters, Mr. Curley, Ms Cournoyea, Mr. Fraser, Hon. Arnold McCallum, Mr. MacQuarrie, Mr. McLaughlin, 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 Monday, November the 30th.

Item 2, replies to Commissioner's Address.

Item 3, oral questions.

ITEM NO. 3: ORAL QUESTIONS

Mr. MacQuarrie.

Question 18-81(3): Authority To Initiate Inquiries

MR. MACQUARRIE: Thank you, Mr. Speaker. I have a question for the Minister of Education. The Minister has said that he agreed not to release the results of the inquiry, because when he first initiated that inquiry the separate school board indicated that it would not co-operate in the inquiry if the results were to be made public. Does the Minister's promise then mean that he believes he does not have the authority to initiate inquiries into the operations of schools and school boards anywhere in the Territories, regardless of the wishes of local school authorities?

MR. SPEAKER: Mr. Minister, Mr. Patterson.

Return To Question 18-81(3): Authority To Initiate Inquiries

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I have the authority to initiate inquiries into any matter. The authority is clearly spelled out in the Education Ordinance. I only attempted to point out to the honourable Member, in explaining my difficulties in undertaking this particular investigation, that an investigation requires co-operation from those who are the subject of the investigation. I felt at the time that it was very important that the separate school board be co-operative and be supportive of the investigation, because their unwillingness to co-operate would have made the investigation much less complete and much less effective than otherwise. It is a mere practical consideration, Mr. Speaker. People can answer questions in a co-operative manner or they can answer questions in an unco-operative manner and it was the co-operative manner that I was seeking in reaching this understanding with the board that the release of the report would be made to them and them only and its further release to the public would be at their discretion. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Supplementary, Mr. MacQuarrie.

Supplementary To Question 18-81(3): Authority To Initiate Inquiries

MR. MacQUARRIE: Thank you, Mr. Speaker. I appreciate the reasoning of the honourable Minister, but it is true that as a result of the promise he made, the people who thought there was need for an inquiry in the first place have been left wondering what the results were. Over the last few days the Minister has affirmed his support for open government, and I believe that he means that sincerely. He has indicated that Mr. Coady's inquiry was not very costly, but that it was borne by the public and he seems to agree that it is ironic that the people who asked for an inquiry are now left ignorant as to its results. Since one of the major complaints, I believe, of those who asked for the inquiry in the first place was that the board generally operated in a veil of secrecy, I will now ask the Minister, Mr. Speaker, whether he will agree to initiate a second inquiry into the operations of Yellowknife Education District No. 2 and this time refuse to agree to keep the results secret?

MR. SPEAKER: Mr. Minister.

Return To Supplementary To Question 18-81(3): Authority To Initiate Inquiries

HON. DENNIS PATTERSON: First of all, Mr. Speaker, let me state clearly at the outset that none of the people who approached me to have an investigation undertaken have subsequently come back and asked that the report be released. The people who have been asking for the release of the report, like the honourable Member himself, are people who have become interested in the matter recently and who did not express concern about the matter this spring and summer. So to my knowledge, the people who requested the report be done, either are content to seek release of the report from the board or are content with my statements that I have been satisfied with the educational quality in the school district.

The second part of his question, Mr. Speaker, asks whether I would be willing to undertake yet another study at public expense when I have already been quite satisfied with the results of the first study, which showed basically that there was an adequate quality of education offered at the school, and I am not prepared to spend public money in what I consider a needless duplication. I also fear, Mr. Speaker, quite frankly, that I would be faced with the very same problem of lack of co-operation if I attempted to undertake another study. I think the attitude of the present chairperson of the separate board would not change and, therefore, I feel that such a study might not be as successful as the first in eliciting the information necessary to do a proper job. Thank you, Mr. Speaker.

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

MR. MacQUARRIE: Well, I certainly hope that the Minister's message to all boards that operate under the authority of this Legislature is simply not, when they are faced with an inquiry, to refuse to co-operate and that will mean that our government will then say, "Well, we will not do anything about it." As a matter of privilege, Mr. Speaker, and I cannot answer for the accuracy of this statement, but I am in possession of a letter, copied to me, that was sent to Mr. Braden by one Mr. A.P. Rykes, who claims to be the spokesman for a group of parents that asked for the inquiry and I quote one statement here: "Members of our group and administrators within the system have asked for a copy of the report and were told to contact the school board office. Mrs. Simons, the board chairman, refuses to release the report." So, apparently they have asked for a copy, but I will look further into that.

MR. SPEAKER: Oral questions. Mrs. Sorensen.

Question 19-81(3): Minister To Reconsider Another Public Inquiry

MRS. SORENSEN: Mr. Chairman, my question is also to the Minister of Education and it is along similar lines that Mr. MacQuarrie was commenting on. I have in my possession a letter that was written by Mrs. Irene Simons, who is the chairman of the separate school board. It was written, I believe, to you, Mr. Patterson, and within that letter Mrs. Simons makes reference to the fact that the board does not agree with the completeness of the report itself; that, in fact, the board members were not contacted and the fact that many personal comments and accusations were not substantiated. So, Mr. Patterson, I too would ask that you conduct another public inquiry into the circumstances surrounding the dismissal of the teacher, basically on the fact that the board itself does not feel that Mr. Coady's report is complete and in a public letter which was, I believe, released to the press has condemned yourself in a number of areas with respect to the way the whole inquiry was conducted. I would ask, Mr. Minister, would you reconsider calling for another public inquiry?

MR. MacQUARRIE: Hear, hear!

MR. SPEAKER: These questions are getting almost into a position of debate and really are not proper at this time.

---Applause

Are there any other oral questions? The Minister has answered. Mr. Patterson.

Return To Question 19-81(3): Minister To Reconsider Another Public Inquiry

HON. DENNIS PATTERSON: Mr. Speaker, I would just like to rise briefly to correct the mistaken assumption of the honourable Member for Yellowknife South, who asked me if I would reconsider conducting another public inquiry. This was not a public inquiry. It was an internal investigation. The Law Clerk to this Assembly made it clear as to the character of the investigation. There has never been a public inquiry on this subject. If it was a public inquiry then, of course, the failure to release any results of that inquiry would be certainly most irresponsible on my part, but there never was a public inquiry and there certainly will not be a public inquiry. Thank you, Mr. Speaker.

MR. SPEAKER: Oral questions. Mr. Curley.

Question 20-81(3): Coral Harbour Hunting Quotas

MR. CURLEY: (Translation) In Coral Harbour, when we had a meeting in the autumn, we requested that when the Minister of Renewable Resources went to the meeting in Ottawa, he request some research into the area of increased hunting around Coral Harbour. I would like to ask Mr. Nerysoo what he did on this report down in Ottawa.

MR. SPEAKER: Mr. Nerysoo.

Return To Question 20-81(3): Coral Harbour Hunting Quotas

HON. RICHARD NERYSOO: Yes, Mr. Speaker. In speaking with the Minister it was indicated to me by the Minister that it was not at present logical for him to approve further increases in the narwhal or the bowhead quotas. I, however, suggested to him that if the case was that further studies were required, those studies should take place now and he suggested I contact the committee that was stationed in Winnipeg.

I also suggested to him at that time that the user groups should be part of the committee to determine the priorities of the studies for whales in the Hudson Bay area. The Deputy Minister was supposed to contact me and have the chairman of the whaling committee contact me as to whether or not that was possible.

Now, to date I have not received any letters or any correspondence at all. I would assure the honourable Member, as well, that I will be contacting the Minister again this week on my visit to Ottawa to try to indicate where the correspondence is.

MR. SPEAKER: Thank you, Mr. Minister. Oral questions. Mrs. Sorensen.

Question 21-81(3): Workers' Compensation Task Force Report

MRS. SORENSEN: Mr. Speaker, my question is for Mr. Tologanak, the Minister of Government Services. It concerns Tabled Document 8-81(3), Report of the Workers' Compensation Task Force, which was tabled Saturday, in this House. I would ask the Minister whether he intends to move this task force report into committee of the whole for discussion during this session or during the budget session or, if not, how will the recommendations -- and there are numerous recommendations -- be considered by this Legislature?

MR. SPEAKER: Mr. Tologanak.

Return To Question 21-81(3): Workers' Compensation Task Force Report

HON. KANE TOLOGANAK: Mr. Speaker, I am going to move the task force report to be discussed in committee of the whole at a later date.

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

Item 4, questions and returns.

ITEM NO. 4: QUESTIONS AND RETURNS

Mr. Noah.

Question 22-81(3): Polar Bear Quota, Chesterfield Inlet

MR. NOAH: (Translation) Thank you, Mr. Speaker. The first one, I am going to ask the Minister for wildlife. People from Chesterfield Inlet wanted to increase their quota of polar bears. They only had eight and they wanted it increased to 12. Will the Minister of Renewable Resources respond to this request? Thank you.

MR. SPEAKER: I take it, Mr. Noah, that that was a written question. Is that correct?

MR. NOAH: Yes.

MR. SPEAKER: Are there any further written questions? Are there any returns?

Item 5, petitions.

Item 6, tabling of documents.

ITEM NO. 6: TABLING OF DOCUMENTS

Mr. Nerysoo.

HON. RICHARD NERYSOO: Mr. Speaker, I wish to table the following document: Tabled Document 10-81(3), Community Specific Energy Supply in the Yukon and Northwest Territories, prepared by Adelaar and Associates with Communitech and Associates, for the Department of Indian Affairs and Northern Development, August, 1981. A summary was also provided in English and Inuktitut.

MR. SPEAKER: Thank you, Mr. Minister. Tabling of documents.

Item 7, reports of standing and special committees.

Item 8, notices of motion for first reading of bills.

ITEM NO. 8: NOTICES OF MOTION FOR FIRST READING OF BILLS

Mr. Wah-Shee.

Notice Of Motion For First Reading Of Bill 21-81(3): Municipal Ordinance

HON. JAMES WAH-SHEE: Mr. Minister, I give notice that on Wednesday, the 2nd of December, I will move that Bill 21-81(3), An Ordinance to Amend the Municipal Ordinance, be read for the first time.

MR. SPEAKER: Thank you. Notices of motion for first reading of bills.

Item 9, notices of motion.

ITEM NO. 9: NOTICES OF MOTION

Mr. Curley.

Notice Of Motion 11-81(3): Freshwater Fish Marketing Corporation

MR. CURLEY: Mr. Speaker, I give notice that on Wednesday, December 2nd, 1981, I will move the following motion: I move that the Minister of Economic Development and the Commissioner immediately undertake a review of the performance of the FFMC and the fishing industry; and further, that the Minister and the Commissioner seek means of remedying the prejudices created by FFMC to the Delta and Eastern Arctic fishing; and further, I move that the Minister report to the next session, evaluating the Freshwater Fish Marketing Corporation and include recommendations to this Legislature about the desirability of removing the Territories from the FFMC...

HON. GEORGE BRADEN: Hear, hear!

MR. CURLEY: ...and/or recommendations to improve the performance of our fishing industry and achieve territorial independence in marketing of territorial fish.

MR. SPEAKER: Thank you, Mr. Curley. Notices of motion.

Item 10, motions.

ITEM NO. 10: MOTIONS

Motion 7-81(3). Mr. Patterson.

Motion 7-81(3): Witness To Appear Before Assembly

HON. DENNIS PATTERSON: Thank you, Mr. Speaker.

WHEREAS Arctic Pilot Project Incorporated, a consortium headed by Petro Canada, including Dome Petroleum, NOVA, an Alberta corporation, Melville Shipping and TransCanada Pipelines Limited has applied to the National Energy Board for a licence to produce gas from the Drake Point field on Melville Island in the Northwest Territories, transport it by a 100 mile pipeline to Bridport Inlet on south Melville Island, to liquefy the natural gas there, and to transport it by class seven LNG icebreaking carriers through Barrow Strait, Lancaster Sound, Baffin Bay, Davis Strait and south to a regasification terminal in eastern Canada;

AND WHEREAS the Arctic Pilot Project is proposed to involve at least two tankers making 16 return passages per year for 20 years;

AND WHEREAS the Arctic Pilot Project would have severe implications for aboriginal rights negotiations, comprehensive long-term land and marine use planning for the region and other parts of the Northwest Territories and national energy requirements;

AND WHEREAS it is important that this Assembly and all the people of the Northwest Territories are made fully aware of the implications of this project;

AND WHEREAS Inuit Tapirisat of Canada and the Baffin Region Inuit Association are interveners at the National Energy Board hearings, along with the Government of the Northwest Territories, and are desirous of appearing before this Assembly to provide information and seek support;

NOW THEREFORE, I move, seconded by the honourable Member for High Arctic, that this Assembly resolve into committee of the whole during this session to consider matters relating to the Arctic Pilot Project at a time and date to be set by Mr. Speaker;

And further, be it recommended that John Amagoalik, president of Inuit Tapirisat of Canada, Simon Awa, president of Baffin Region Inuit Association, and François Bregha of Canadian Arctic Resources Committee, and a consultant to ITC and BRIA be invited to appear as witnesses at the expense of this Assembly when this subject is considered in committee of the whole.

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

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. The project is of immense significance to all of the Northwest Territories. It is well known that Dome Petroleum is actively considering using that same route to transport Beaufort Sea oil and gas to markets elsewhere in their production phase. The project also has severe and long-term consequences in the area of our sovereignty in the Arctic Islands, aboriginal rights negotiations, land and marine use planning, and Canada's national energy requirements in the future.

I am making this motion, Mr. Speaker, at the request of ITC and the Baffin Region Inuit Association. They are non-profit organizations who are anxious to inform the public of the Northwest Territories, through this Assembly, of the implications of this project and their concerns. I think it is most important that this matter be debated during this session, Mr. Speaker, because the National Energy Board hearings are due to begin, as I understand it, in early February and our next session will have only barely started at that time.

I would suggest, Mr. Speaker, that this Assembly has shown itself to be a very useful public forum for considering many major issues, including constitutional development, the implications of uranium mining and exploration in the Northwest Territories and it would be most important that we take this opportunity to find out more about this major project. The Government of the Northwest Territories is making an intervention at the National Energy Board hearings and I also feel that in case this Assembly might wish to consider a position, this forum will also be an opportunity for Members to become informed of the issues.

Mr. Speaker, I am informed by the witnesses that they have a short presentation already prepared which they estimate would take no more than an hour or two to present. They have material written and translated so that -- I know the House is busy but I do not feel that we can be too concerned to devote an hour to considering this most important topic. I think my colleague, Mr. Pudluk, will explain how important this project is to his constituents, and particularly to the Inuit. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Patterson. The seconder, Mr. Pudluk, you have the floor.

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. I am going to make this brief, what I am going to say. This motion, I am really in support of it. I have been wanting to see this kind of matter since we have been having this session. In our future we know that we are going to have some big projects up in the High Arctic. We know that there is not going to be only one company that is going to work up there. We also know there may be problems before they come up. We have to know how we would be able to fix the problems if there is an oil spill up north. I do not think they really know how to solve or clean up after the oil spills and if it is so done, the ice up there is really thick. If it is going to be like this for the aboriginal people up north, how are we going to go along with this? Will we have to go?

The people who want to go up there, I do not think they recognize that or how they will be working up north. We know that they have studies, two to three months. They only work up there for two to three months when it is warm in the summer but they have not made any studies during the wintertime. They always say when they have the expense of the time up north, "I have been up there for five years." They always say, "We have studied up there for five years", and it never has meaning for me, what they say. When the people come as witnesses, I would like to hear what they have to say about this matter.

The people, the BRIA, are really helping support the great number of people who are going to work up there, in order to study what in High Arctic -- the meetings they are going to have in February, I know that it is quite important and it has to be done. I think they are going to be quite short with expense money to come up there for the meeting they are going to have in February, probably in Ottawa but I really do not know exactly where. We will understand when they come here as witnesses -- I think they have delayed or postponed that meeting but we will see. I really am in support of this motion and if it is adopted, I would like to talk with these people. I know you are all going to have some questions with that, these projects, their proposals. If they get a permit, the project will be a lot bigger than the Mackenzie pipeline. I would like to thank you for listening to this in support of this matter. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Pudluk. To Motion 7-81(3). Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Speaker. This is one of the major projects that is contemplated in the North and as I stated in my reply to the Commissioner's Address, I feel that there are important implications in these projects for the people of the North and that we must be sure to be ready to protect the environment and the peoples of the North when these projects get under way. So I absolutely support the intent of this motion but I do notice that it says, "Whereas it is important this Assembly and all the people of the Northwest Territories are made fully aware of the implications of this project...." I notice that that is one of the "whereases" but I notice in the motion that there is no representative invited from those who are planning the project and I feel that we ought, at least, to have one person here who would be prepared to say from their point of view what they are planning and when and why.

Amendment To Motion 7-81(3)

So now, Mr. Speaker, I will move an amendment with your permission, that in the last clause, the third line, drop the word "and" so it would read: "...and François Bregha of Canadian Arctic Resources Committee, a consultant of ITC and BRIA..." and then add these words "and a representative of the resource development companies be invited...."

AN HON. MEMBER: Do you need a seconder for that?

MR. SPEAKER: We have an amendment on the floor. Mr. Clerk, have you the wording of that, please? Is there a seconder for the amendment? Is it understood? I was just going to read it again. Mr. Braden.

HON. GEORGE BRADEN: Mr. Speaker, could I have it read back for my information, please? I did not get all of it.

MR. SPEAKER: That was the reason I wanted the amendment, to read it back.

HON. GEORGE BRADEN: I cannot second it unless...

MR. SPEAKER: Mr. Clerk, will you get me a copy of the amendment, please? With regard to the final clause on the third line, toward the end, the word "and" is dropped, a comma is inserted and it would then read "...Resources Committee, a consultant of ITC and BRIA and a representative of the resource development companies be invited to appear as witnesses at the expense of this Assembly".

HON. GEORGE BRADEN: You mean we are going to pay their way?

MR. SPEAKER: Is there a seconder? To the mover, that is correct the way that we have...

MR. MacQUARRIE: That is correct.

MR. SPEAKER: Thank you. Do I have a seconder? Mr. Nerysoo. To the amendment. Mr. Patterson.

HON. DENNIS PATTERSON: Mr. Speaker, I have no objection to the principle of the consortium representative appearing before the Assembly but I certainly do not understand why this Assembly should be required to pay the expenses of a witness for a multibillion dollar project funded largely with public funds through the Government of Canada. I have real difficulties with that concept. I mentioned in my introduction that the interests that approached me to appear were non-profit associations with limited resources and I would be hard pressed to describe Dome Petroleum, NOVA, Melville Shipping, TransCanada Pipelines Limited and Petro-Canada as falling in that category. So I have difficulties supporting the amendment for that reason.

MR. SPEAKER: To the amendment. Are there any further speakers to the amendment? Mr. MacQuarrie, do you wish to finalize? Do you wish to speak on the amendment then as ready for vote?

MR. MacQUARRIE: Yes, thank you, Mr. Speaker. Yes, I am aware that that representative of the company could probably very easily pay, but I also feel that the point of it all is to inform ourselves. It is for our benefit and the additional expense would not be very great. I cannot really see any reason for putting it on a different footing. I will just leave it as it is, Mr. Speaker.

Amendment To Motion 7-81(3), Defeated

MR. SPEAKER: Are you ready for the question? All those in favour of the amendment? Opposed to the amendment? The amendment has been defeated.

---Defeated

Mrs. Sorensen. To the motion.

Amendment To Motion 7-81(3)

MRS. SORENSEN: I have another amendment, Mr. Speaker. I will add the following clause: And further that a representative of the resource development companies be invited to appear before this Assembly when this subject is considered in committee of the whole.

MR. SPEAKER: Is the amendment understood? Is there a seconder? Mr. Nerysoo. Just one moment here. We may be in difficulty. The question of course is that a motion has been made and defeated and this motion is very, very similar. However, on the basis that it removes it from the area of having to be paid for by the Assembly and moves it into another field, I will accept the motion. Although it is a very hairline type of decision being made, I will accept the motion. I understand, Mr. Nerysoo, that you have seconded the motion?

HON. RICHARD NERYSOO: Yes.

MR. SPEAKER: To the motion now on the floor. Mr. Curley.

MR. CURLEY: Mr. Speaker, could that amendment be read again, please? Some of us did not have time to write it down.

MR. SPEAKER: Mrs. Sorensen, would you read your amendment, please?

MRS. SORENSEN: I have added an additional clause that says: And further that a representative of the resource development companies be invited to appear as a witness before this Assembly when this subject is considered in committee of the whole.

MR. SPEAKER: Mr. Curley, did you get the information? Are you satisfied or do you wish to have this typed and issued? Or do you feel it can be dealt with? You are prepared to proceed. To the amendment.

SOME HON. MEMBERS: Question.

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

Amendment To Amendment To Motion 7-81(3), Carried

MR. CURLEY: Mr. Speaker, I would like to add an amendment to the amendment, if it is in order. Right after the words "be invited", I would add "at their own expense".

MR. SPEAKER: Well, Mr. Curley, I think the intent -- as it is written, it says exactly that, although not in definite terms, but one group has concluded that it will be paid for. The separation then automatically, if it is not in that area, then the group coming must pay for their own, so I think it is already there but if you wish to put the words in, in that manner, I have really no objection. I believe it is the same thing. Is there a seconder? Seconded by Mr. Butters. All right. To the amendment of the amendment.

AN HON. MEMBER: Question.

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

---Carried

To the amendment.

SOME HON. MEMBERS: Question.

Amendment To Motion 7-81(3), Carried

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

---Carried

Now, to the motion as a whole.

SOME HON. MEMBERS: Question.

Motion 7-81(3), Carried As Amended

MR. SPEAKER: Question being called. To the motion as a whole as amended. All those in favour? Opposed, if any? The motion as amended is carried.

---Carried

MR. SPEAKER: Now, I understand we have some difficulty with Motion 9-81(3). Ms Cournoyea, did you wish to rise on a point here with regard to this motion?

MS COURNOYEA: Mr. Speaker, I am asking for unanimous consent to have someone other than myself to bring forward Motion 9-81(3) and that the motion be dealt with tomorrow, December the 1st, according to the 48 hours notice.

MR. SPEAKER: Unanimous consent is being asked to have this moved. By our rules a mover must be responsible for the motion. She is asking for this rule to be waived and that another mover proceed with this particular motion. Does she have unanimous consent to waive this rule?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Are there any nays? You have unanimous consent.

---Agreed

Then I presume you want to go back to Item 9, notices of motion and have somebody else move this motion. Do I have unanimous consent to go back to notices of motion?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Are there any nays? Notices of motion is open.

---Agreed

Mr. Braden.

HON. GEORGE BRADEN: Could I just indulge the House for about half a minute to get this straight procedurally?

MR. SPEAKER: Yes. We could recess for three or four minutes to straighten it out so you have it right.

---SHORT RECESS

Motion 9-81(3), Withdrawn

MR. SPEAKER: Essentially, what has happened is Ms Cournoyea has withdrawn Motion 9-81(3) and you have waived the rule that the mover must proceed with the motion, and at this time she wishes somebody else to introduce such a motion and you have given her unanimous consent to be back on notices of motion. Is somebody prepared now to move that motion? Mrs. Sorensen.

MRS. SORENSEN: Yes, I take it we have unanimous consent to go back to notices of motion then, Mr. Speaker?

REVERT TO ITEM NO. 9: NOTICES OF MOTION

MR. SPEAKER: That is correct procedure.

Notice Of Motion 12-81(3): Issue Of Regulations Under Wildlife Ordinance

MRS. SORENSEN: Okay. Therefore, Mr. Speaker, I wish to serve notice of motion that on December 1st, 1981, I will move the following motion:

Now therefore, I move, seconded by the honourable Member for Keewatin South, that this House recommend to the Commissioner that he promulgate regulations as provided in subsection 58(1) of the Wildlife Ordinance allowing the holders of commercial permits to abandon unmarketable portions of musk-ox or to abandon unmarketable animals, such as trophy bulls; and further that such regulations be limited specifically to commercial and guided harvesting of big game in the Western Arctic region where there are known populations of musk-ox and where commercial quotas have been issued.

MR. SPEAKER: I presume that you meant on the date, December 2nd, because 48 hours -- this now becomes a new motion and you will have to require unanimous consent to proceed with that tomorrow.

MRS. SORENSEN: Yes, Mr. Speaker.

MR. SPEAKER: Thank you. Correction is noted. Thank you. And that concludes motions for today.

Item 11, introduction of bills for first reading.

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

First report of the Special Committee on the Constitution of Canada. Bill 1-81(3), Bill 3-81(3), Bill 6-81(3), Bill 10-81(3) and Bill 17-81(3). We will move into the committee of the whole with Mr. Noah in the chair. Inasmuch as we have witnesses here today to deal with Bill 17-81(3), I would ask the consent of the House to circumvent the orders of the day by putting Bill 17-81(3) first by unanimous consent.

SOME HON. MEMBERS: Agreed.

---Agreed

MR. SPEAKER: We will proceed then with Bill 17-81(3) first, with Mr. Noah in the chair.

---Legislative Assembly resolved into committee of the whole for consideration of Bill 3-81(3), Archives Ordinance; Bill 6-81(3), Infants Ordinance; Bill 10-81(3), Psychologists Ordinance; Bill 17-81(3), Elections Ordinance, 1978; Report of the Standing Committee on Legislation, with Mr. Noah in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 3-81(3), ARCHIVES ORDINANCE; BILL 6-81(3), INFANTS ORDINANCE; BILL 10-81(3), PSYCHOLOGISTS ORDINANCE; BILL 17-81(3), ELECTIONS ORDINANCE, 1978; REPORT OF THE STANDING COMMITTEE ON LEGISLATION

Bill 17-81(3), Elections Ordinance, 1978

CHAIRMAN (Mr. Noah): (Translation) We are going to start the meeting now and we are going to deal with Bill 17-81(3), An Ordinance to Amend the Elections Ordinance, 1978. Mr. MacQuarrie is the chairman of the committee on legislation and I would like to know if he is going to be saying anything.

MR. MacQUARRIE: Yes, thank you, Mr. Chairman. Bill 17-81(3), Elections Ordinance, 1978, would amend the Elections Ordinance, 1978. The standing committee on legislation reviewed this ordinance thoroughly and noted that the amendments would be:

- a) to make the revision of the list of electors the responsibility of the returning officer;
- b) to require the chief electoral officer to prepare and print ballot papers for each electoral district and translate materials for certain electoral districts;
- c) to amend certain time limits that were noted in the ordinance;
- d) to modify eligibility provisions for proxy voting -- that is, to broaden that category;
- e) to reduce polling day prohibitions;
- f) to eliminate certain provisions respecting election expenses of candidates;
- g) to make the Clerk of the Legislative Assembly responsible for returns and declarations;
- h) to change the list of materials requiring translation; and
- i) to allow local publication of results before all Northwest Territories polls are closed.

During the consideration of the amendment, the standing committee agreed to certain other changes, some of which were recommended to it by officials of Elections Canada who appeared as witnesses before the standing committee. And among these were:

- a) The deletion of subsection 7(8) respecting addressing the writ of the election to the election clerk be deleted as the situation is already covered by subsection 7(7).
- b) The revision of paragraph 7(11)(b) to read: "delegate to election clerk so appointed his powers except those that are conferred upon him by section 22." This paragraph concerns the power and authority of additional election clerks who are not authorized under section 22 to receive nomination of candidates.
- c) The addition of provisions paralleling subsection 17(16) of the Canada Elections Act to provide Members, their spouses and dependants with a number of options respecting the place where they may be enumerated at a general election. And that was done specifically, Mr. Chairman, because a number of Members might find themselves unable to vote because they are away from their home constituencies at a particular time.
- d) The deletion in clause 27 of paragraph (a) of Rule (4.1), which would have required recording of the nature of a handicapped elector's disability or infirmity as this provision was considered to be an invasion of privacy.
- e) Revision of clause 46, subsection 22(2.1), to grant to the election clerk the authority to receive nominations in the absence of the returning officer in the course of his regular duties.
- f) Amendment of paragraph 45(3)(c) of the existing ordinance so that confirmation that an elector is a duly registered full-time student at a recognized educational institution in Canada may be obtained not only from the registrar of such an institution but also, or rather, from an official of the Department of Education of the Government of the Northwest Territories.
- g) Substitution of the words "should be" for "is capable of being" in clause 68, subsection 99(1).

The preceding changes agreed to by the standing committee, I am pleased to report, are now included in the legislation that is before this House.

Officials of Elections Canada, though, in a recent telephone conversation have advised that the following additional amendments for the reasons indicated be made to Bill 17-81(3):

1) That clause 19, subsection 15(17); a new subparagraph similar to subparagraph 17(16)(a)(iv) of the Canada Elections Act adopted as necessary for the Northwest Territories be added to provide MLAs permanently resident outside Yellowknife with the option, if they wish, of being enumerated in Yellowknife.

2) That clause 27, rule (4.1)(b), line four, and clause 52, subsection 32(1.2), line eight be amended by substituting "facility" for "assistance" to eliminate any possibility of confusion over the type of service to be provided by an election officer to handicapped voters, and to make it possible where required by a deputy returning officer to take a ballot box to a vehicle to enable a handicapped voter to vote.

3) That clause 39, rule (23), line two and clause 53, subsection 33(3), line two be amended by deleting the word "preliminary" as the words "and a statement of changes and additions" should have been included in these provisions but the word "list" standing alone is interpreted to mean a preliminary list together with a statement of changes and additions, and

4) That clause 70, subsection 99(4) line six and clause 71, subsection 99(5), line five be amended by substituting "chief electoral officer" for "Commissioner" to accurately reflect the existing operational practice.

And amendments to implement these recommendations will be advanced when the bill is being considered clause by clause.

CHAIRMAN (Mr. Noah): (Translation) Thank you, Mr. MacQuarrie. Mr. Braden.

HON. GEORGE BRADEN: Thank you, Mr. Chairman. No, I was a little confused as to what Mr. MacQuarrie was reading from, but I found out that the document was passed around. I originally thought that it was one of Mrs. Sorensen's reports, but I find that it is Mr. MacQuarrie's, so I am able to understand now what he was referring to. Thank you.

MRS. SORENSEN: I will take credit for that one.

CHAIRMAN (Mr. Noah): (Translation) While we are in committee of the whole, would you mind if Mr. Lavoie or Mrs. Gibson went to the witness table? Is everyone agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): (Translation) To the people at the witness table, I would like to welcome Mr. Lavoie and Mrs. Gibson. Welcome. In consideration of the topic of Bill 17-81(3), are there any further questions? No? If there are no further comments, we are going to go through the bill clause by clause now. Clause 1, election officer. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): I think everyone is sleeping today, or is it me?

---Laughter

Clause 2, official agent. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 3, official list of electors. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 4, postmaster. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 5. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 6, new appointment. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 7, delegation to election clerk. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 8, tenure of office of election clerk. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 9, election clerk to act. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 10. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 11, idem. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 12, supplies for returning officers. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 13. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 14. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 15, exception. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 16, secondary residence. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 17, exception. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 18, idem. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, I have a problem with the -- this is a very large bill and I am wondering if there is another way we can handle it. I wish to admit that I have not studied the bill, and is it possible at all to have the people who are on there to maybe just outline -- or Mr. MacQuarrie -- the major change that is in there, rather than just going clause by clause, because it is a long ordinance. If there are some high points on where the change is, it would be more helpful to me because up to clause 13, I do not really feel that I know what is going on or what the changes are because I had not studied the bill myself. Perhaps other people are more into this but I have not had that opportunity to do it.

CHAIRMAN (Mr. Noah): (Translation) Thank you, Ms Cournoyea. Are there any other -- Mr. Curley.

MR. CURLEY: Yes, thank you, Mr. Chairman. (Translation) I would like to add to the people at the witness table, if the witnesses do not mind changes.

CHAIRMAN (Mr. Noah): (Translation) Is everybody agreed that we just go on to the witnesses and ask questions of them, the people at the witness table?

SOME HON. MEMBERS: Agreed.

---Agreed

MR. CURLEY: Thank you, Mr. Chairman.

CHAIRMAN (Mr. Noah): Mr. MacQuarrie.

MR. MACQUARRIE: Yes, certainly that is very agreeable. I can say that the standing committee had asked Members if there were particular concerns they had with the Elections Ordinance. We did receive some returns and did incorporate

those in any amendments that were made and then the standing committee did very thoroughly go through the entire amendments -- there are many of them -- and did its best to ensure that the interests of all Members or the kinds of concerns that they would have would be raised. So while it does seem to be an awful big mouthful to digest, and I know that in itself gives Members concern, I can say that we did a very thorough job but I still agree that it is desirable where Members have concerns to check with the witnesses who have a very thorough knowledge of the ordinance.

CHAIRMAN (Mr. Noah): Okay. Mr. Curley.

MR. CURLEY: Thank you, Mr. Chairman. I would like to ask the witnesses here -- I missed the standing committee study of this particular bill, but I would like to ask the witnesses here why it was really necessary to do a major revision of the ordinance. I certainly did not have any problems the last time with the Elections Ordinance. Is it because there is a federal Elections Act or law that was changed or, if you have received some complaints, maybe could you give us some indication what kind of problems those, who did get into problems the last time, created? I think it is the kind of bill that is trying to serve those who had particular problems because they were so and I certainly did not see any problem or any reason to try and amend the previous ordinance. Could you give me some indication why and what significant changes there are with respect to this particular bill? Thank you.

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

HON. GEORGE BRADEN: Thank you, Mr. Chairman. I fully expect that the witnesses will have some comments for Mr. Curley, but I would like to indicate at the outset that perhaps we could bear in mind that, following the last election, there was a meeting of returning officers and people who were involved in the election to discuss and examine how the election went and whether there were problems in doing certain things. As a result of that meeting and further meetings, it was decided that there were certain areas where there were problems. Perhaps if I could get the Clerk to sit down and listen to this, he could provide a little more background for Mr. Curley and then we could have the witnesses speak. I would say that there were a number of concerns identified and that what is taking place in these amendments is an attempt to try to address some of those concerns. Perhaps I could have the Clerk give some general background. I would say, on the part of the government, that we worked with the Clerk and with the chief electoral officer of Canada's office on this. The Department of Justice provided our lawyers and our legal draftsmen to assist in this process. So, Mr. Chairman, if it would be all right with my colleague, Mr. Curley, then Mr. Remnant could give a bit of background and then the witnesses could speak. Thank you.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. Braden. Mr. Remnant.

Background On Amendments To Ordinance

CLERK OF THE HOUSE (Mr. Remnant): Yes, Mr. Chairman, the amendments that have been introduced to the committee are the result of comments which my office received from candidates and from other people and also of comments which were voiced by the returning officers who were the people responsible at the electoral district level for the running of the last general election. I should perhaps, Mr. Chairman, explain that following that general election, the chief electoral officer convened a meeting or, more correctly, two meetings of all returning officers to do what you might call a "post-mortem" of the election. As a result of those meetings, and of the comments which I personally received from various sources as mentioned, it was concluded that the process could be improved by a number of changes to the ordinance. When I say "improved", I mean improved to remove technical flaws from the ordinance, but just as much to overcome certain difficulties for candidates and for electors, which were reflected in the ordinance as it was at the time of that last election.

I think perhaps I should point out that the 1979 election was the first occasion on which the then new Northwest Territories Elections Ordinance had been used. Previous elections were conducted under the provisions of the Canada Elections Act. I believe that it is quite normal to expect that when you are using a major piece of legislation for the first time, that you will encounter some difficulties which need correcting before you come to use it again.

Specific Changes In Ordinance

Now, more specifically, the major changes in the ordinance concern the transfer of responsibility for carrying out the revision of the preliminary lists of electors from the enumerators to the returning officer in each electoral district. Now, in making this change, it is recognized that that cannot happen everywhere but where it is physically possible for that to happen, that is what will be done. The reason for this is very straightforward. People know who their returning officer is. They phone up their returning officer to point out that they have been omitted from the list and the way the system worked before, the returning officer then had to turn around and relay the message to the enumerator instead of looking after it himself or herself. The existing ordinance provides that each returning officer will look after the printing of ballot papers. In fact, that does not happen because there are not printing plants at the headquarters of every returning officer. In fact, the only printing facilities that can produce the ballots are located, at this time, in Yellowknife. So an amendment is proposed to reflect a change whereby the chief electoral officer will be responsible for getting the ballots printed. This will be done in most cases in Yellowknife.

There are certain times for various activities in the ordinance which, as a result of experience, need modification. The general opinion was that people who wanted to vote were not, in every case, permitted to. To ensure that more people do have an opportunity to vote, some broadening of the classes of people who can vote by proxy is contemplated. Some change to the days and hours for voting at the advance polls is proposed to make this a more effective method of voting. The prohibitions concerning the broadcasting and publicizing of election results have been modified so that publicity can be given or could be given, if this amendment passes, in a particular electoral district as soon as all the polls in that electoral district have closed.

There are certain simplifications to the election expenses provisions being advanced by this amendment. Some amendments concerning the translation of election materials into native languages are advanced. I think that, in summary, Mr. Chairman, is what the amendment is about.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. Remnant. (Translation) Now we will have coffee break for 15 minutes and then we will be back.

---SHORT RECESS

CHAIRMAN (Mr. Noah): (Translation) We have a quorum now. We can start again. Please sit down. What would the Members like to do? (Translation ends) Report progress?

---Laughter

(Translation) Mr. Lavoie, do you have any comments?

MR. LAVOIE: If I may, Mr. Chairman, I would like just to take a minute of your time to express to you the regrets of the chief electoral officer of Canada, Mr. Hamel, for not being here today. He was supposed to be here until yesterday, when he called me, and he was very ill, so he asked me to come and represent him. He asked me to tell you how sorry he was about not being able to be here.

Secondly, the recapitulation that Mr. Remnant made of the short history, if you wish, of the ordinance, the Elections Ordinance of the Northwest Territories, was extremely concise and correct, as far as I am concerned. I have been involved, directly or indirectly, in the process and let me tell you that, as Mr. Remnant was saying, originally elections were carried out in the Northwest Territories on the basis of a patched-up version of our own legislation for federal elections and it was recognized that this did not work in the North. As a result of that, the 1978 ordinance was passed and now, the process that is going on is actually trying to improve on the Elections Ordinance, predominantly to try and satisfy the electorate -- basically, the electorate. At times we talk about the candidates and we talk about the election officers, but basically, you will find that most of the changes that are brought about are directed at facilitating the franchise of the electors.

The meetings that Mr. Remnant referred to, of returning officers of the Northwest Territories, that took place both in Frobisher Bay and in Yellowknife here. I was present at both of these meetings and I can assure you that the majority of the changes that are now before you, came or emanated from this dialogue that we had with the returning officers at the last general election.

Also, I know that there were a number of discussions by members of the committee that worked on this ordinance and it is all these comments that were put together to try and arrive at a modified version of the ordinance. I might say that the changes that are incorporated here -- it looks a little frightening by the thickness of the package, but they are not actually that complicated. The change which I would say is the most complicated, which takes the most place in this document, is the change-over of the revision -- the change-over of the responsibility for the revision, which used to be the responsibility of the enumerator and it becomes the responsibility of the returning officer, who may delegate it, depending on circumstances. These are the few comments that I have at this point, Mr. Chairman.

CHAIRMAN (Mr. Noah): (Translation) Thank you, Mr. Lavoie. Mrs. Gibson, do you have any brief comments?

MRS. GIBSON: No, Mr. Chairman. I have nothing to add to Mr. Remnant and Mr. Lavoie.

CHAIRMAN (Mr. Noah): Qujannamiik, Mrs. Gibson. Mr. Curley.

MR. CURLEY: Mahsi cho. Yes. Thank you, Mr. Chairman. Could someone explain to us what this particular material with respect to the Elections Ordinance document is doing? Is that part of the bill, because it just sort of showed up on my desk during the break and maybe someone could explain whether this is actually the version of the new amendments or not, because I am not clear what it is supposed to be doing here?

CHAIRMAN (Mr. Noah): (Translation) Thank you, Mr. Curley. There are a few amendments. Mr. MacQuarrie, maybe you could make comments on it.

Technical Changes To The Ordinance

MR. MacQUARRIE: Yes, Mr. Chairman. The amended ordinance that you have in your legislation book includes all of the amendments that were suggested by the standing committee on legislation at the time we reviewed it. We recommended certain changes, the government accepted them, they made those changes and the changes are, in effect, in your book on legislation. But what has happened, Mr. Curley, since that time -- and certainly no fault of the standing committee on legislation -- is that people who are poring over the ordinance see other little technical changes that they feel ought to be made. That is what you see on the sheet handed around that says, Elections Ordinance. These were things that were noticed by, I believe, the people at the chief electoral officer's office, when they were reviewing the amendments and they have recommended to us that we make these technical changes -- I think most of them are technical -- so that, while we are doing amendments to the ordinance we amend it as fully and completely as possible.

So, as we get to each of those clauses, I will introduce these amendments, but not on the basis that the standing committee has had the opportunity to review them fully, but simply, they are being suggested by the chief electoral officer's office and by our Clerk and the government attorneys have had a chance to look at them and seem to feel that they are acceptable and they will be open for discussion then.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. MacQuarrie. Mr. Curley.

Standing Committee On Legislation Should Review All Changes

MR. CURLEY: Yes. Mr. Chairman, I am a bit concerned about the way this ordinance is being dealt with. We were informed by Mr. MacQuarrie that the standing committee on legislation has dealt with it, the government has dealt with the proposed changes, and then on top of that, the Canada election officers and staff have seen some things that have to be changed. They went about it and recommended the changes to the House without, in my mind, a proper forum being used, through the legislation committee. I am beginning to think that this thing is being rushed through us, when the election is far from being held. So, I am wondering whether or not we are really doing the proper service to the people by just pushing these kinds of amendments, without really having the committee consider the new proposals that have been tabled here. I would just like some reaction from the chairman of the legislation committee on that.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. Curley. Mr. MacQuarrie.

MR. MacQUARRIE: Yes, I in a sense have to agree that it is not desirable that there be last minute changes and if Members feel that they seem to be of such significance that they require more thorough review, I would be happy to do that. I would also be very happy if Mr. Curley would come to the next standing committee on legislation meeting so that we can use his valuable advice.

CHAIRMAN (Mr. Noah): Mr. Curley.

MR. CURLEY: I certainly will. You know, Mr. MacQuarrie has no problem in attending those, because he is right at the doorstep of any meetings of the committees, which are normally held in Yellowknife, but he would have a different story if he had other responsibilities and was from another settlement.

I would like to say, some items that have been introduced as last minute changes with respect to, for instance, clause 19 about Members, their spouses and dependants -- questions that have to be considered. I would think the legislation committee should darn well reconsider those. These are not being overlooked just because I was not there at that standing committee meeting,

but these are being overlooked because they were not introduced to the standing committee on legislation. So, I would think that it would be only proper if we defer this legislation until next January and have the standing committee have a thorough review of the proposed changes and at the same time allow other Members to review some of the items that might be considered at that time. Thank you.

CHAIRMAN (Mr. Noah): (Translation) Thank you, Mr. Curley. Bill 17-81(3) is quite long, from clause 1 to clause 75. It seems that we will not be able to finish it in two hours and if you agree, we could extend the hours. Mr. MacQuarrie, do you have any more comments?

MR. MacQUARRIE: Yes, just to clarify something for Mr. Curley. I know that getting a sheet like that makes it look like each thing that is in clause 11, clause 19 is entirely new and that is not so at all. Generally the changes that are in clause 19 are in response to concerns of Members, so that they would be assured that they would be able to vote in a place that was convenient to them. So, the clause was largely changed earlier and reviewed thoroughly by the standing committee. What has happened is we have been informed that it would be desirable to add just one other section, which appears as subparagraph (iv) in clause 19, and that is the change that would be brought to this House without having been reviewed by the standing committee. So, that is just clarification. If Mr. Curley still feels that that is, you know, too significant to deal with in this way, then certainly, I am amenable to holding back on it until the next session or something. But it must be understood, that you see a lot of writing there, but only occasionally is there a small change in wording from what has already been reviewed and considered by the standing committee.

CHAIRMAN (Mr. Noah): (Translation) Thank you, Mr. MacQuarrie. Are there any other comments? Mr. Curley.

Preferential Treatment For Members

MR. CURLEY: Yes, Mr. Chairman. I am just a bit confused. We already went through a number of clauses here in studying this particular bill clause by clause, and I just ran into this clause 19, for instance, and I do not know whether we went through it. I would have some questions about it, because it seems to me that the Members of the Assembly, for instance, should have no more privileges with respect to the voting rights than ordinary citizens to qualify as an elector by having two locations to allow him to be enumerated. I think that is not fair for business people who sometimes have to be transferred to other communities and would not normally be able to vote in their next residence community. Now, we would give through this clause 19 preferential treatment to Members and I say that is not right. I know a Member, a Member's spouse, a family, would preferably want to vote for that person and, therefore, if he cannot be enumerated in the new residence, according to the old law, they now will be given preferential treatment over any ordinary citizen, because that person would likely make the difference if the vote was only two or three different from his opponent. So, I would say this kind of practice is not right. I think it should be completely struck off this proposed legislation. If we are going to give special treatment to voters, it should not be just for the Members, it should be for everybody. Thank you.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. Curley. Mr. MacQuarrie.

MR. MacQUARRIE: Yes, certainly, when we were going through the ordinance we certainly tried to make voting more accessible for everybody -- handicapped and with respect to getting onto the lists and all sorts of things like that. So, it is not singling out Members for any preference at all. We just tried to implement the principle that everybody should have the chance to vote and if there are very good reasons why they cannot in one place, they ought to be able to in another.

Bill 17-81(3), Set Aside

At any rate, we are having a standing committee on legislation meeting at noon tomorrow, after the caucus meeting, and I would recommend that this discussion of this bill at the moment be set aside to see if tomorrow we can sort out precisely what the new recommended changes are and whether they are of such significance that the bill should be held back until the next session or whether we can proceed with it. So, I would recommend that, if it is agreeable to the House and...

AN HON. MEMBER: Agreed.

MR. MacQUARRIE: ...and we can pick it up again tomorrow if it is agreed by Members that we can go ahead with it.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Noah): Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): (Translation) Do you agree that we go on to Bill 3-81(3)?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): (Translation) Thank you, Mr. Lavoie and Mrs. Gibson for attending as witnesses.

MR. LAVOIE: Thank you very much.

Bill 3-81(3), Archives Ordinance

CHAIRMAN (Mr. Noah): (Translation) To Bill 3-81(3). Mr. Braden, do you have any comments?

HON. GEORGE BRADEN: Thank you, Mr. Chairman. I understand that there are three bills. There is Bill 3-81(3), Bill 16-81(3) and I do not have the number of the other one. I wonder if I could have the permission of this committee to invite my deputy minister of Justice to...

MR. McLAUGHLIN: Agreed.

HON. GEORGE BRADEN: ...sit at the witness table to help me?

SOME HON. MEMBERS: Agreed.

---Agreed

HON. GEORGE BRADEN: Thank you. Could I proceed then, Mr. Chairman, with some general comments on Bill 3-81(3), the Archives Ordinance?

CHAIRMAN (Mr. Noah): (Translation) Go ahead, Mr. Braden.

HON. GEORGE BRADEN: Thank you very much, Mr. Chairman. I will be brief. The Northwest Territories is presently the only jurisdiction in Canada without an Archives Ordinance. The bill before you provides for the appointment of a territorial archivist and for the establishment in law of a Northwest Territories archives. The ordinance provides a scheme for the preservation of government

records and in appropriate cases for their destruction. The ordinance also provides the archivist with statutory or legal authority to acquire documentary material in addition to what he gets from various government records, which would be stored in the Northwest Territories archives. Those are my general introductory comments, Mr. Chairman. I understand that Mr. MacQuarrie's committee also has a few comments on this.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. Braden. Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. Yes, the standing committee on legislation reviewed Bill 3-81(3) very thoroughly and during consideration of the bill, the standing committee recommended that clause 5 be amended to require public notice of the destruction of public records 15 days prior to their destruction. We recognize that somewhere along the line public records that are of no great significance become a burden and they probably should be destroyed. I think at the time I said that there is a lot of garbage and I have contributed some of it myself...

---Laughter

...and, of course, there is not much point in saving that for posterity, but we were rather alarmed that this committee could simply go ahead and do it without people being aware of it being done and so we insisted that that change be made. Also, the standing committee recommended the amendment of clause 6 of the bill to provide for the appointment of the records manager of the territorial Department of Government Services to the public records committee provided for in the bill. They had not named that person specifically and we felt that that was a person who should be on that committee, the public records committee, because that would be the person who had the greatest knowledge of what those records were and what their value was. The standing committee notes that both of those amendments have been incorporated in the bill as it now stands before the House. Therefore we recommend the bill as it is.

CHAIRMAN (Mr. Noah): (Translation) Right now, on the bill, do you want to go ahead?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 2, interpretation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 3, territorial archivist. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 4, Northwest Territories archives. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 5, transfer of public records to archives. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 6, public records committee. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 7, archivist may acquire documentary material. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 8, certified copies. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 9, authority to destroy or remove public records. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 10, offence. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 11, conflict with other ordinances and orders. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 12, regulations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 13. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Short title. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): The bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Ready for third reading. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Shall we go on with Bill 6-81(3)?

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 6-81(3), Infants Ordinance

CHAIRMAN (Mr. Noah): (Translation) Who is commenting on Bill 6-81(3)?
Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, this is simply an amendment to the Infants Ordinance that would allow the court to dispense with the consent of a parent or guardian to medical treatment for the infant, where withholding such treatment would endanger the life or seriously impair the health of the infant. The standing committee, upon looking at the particular amendment, made two notes, the substance of which would be to allow or make provision for the individual, the infant -- and again the term "infant" -- applies up to the age of 19, it would allow an application in court on behalf of the particular individual. I think the amendment that we are proposing takes into consideration the concerns of the standing committee and I would recommend we simply go through just this one amendment.

AN HON. MEMBER: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. McCallum. Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. Yes, as Mr. McCallum pointed out, we did have a particular concern noting that the definition of "infant" applied to all persons under the age of 19. We felt that it was important, that where circumstances warranted, that infants under that definition who were able to do so ought to be able to speak for themselves and to inform the court what their wishes were in the matter. So we insisted that that provision be made and we note that an appropriate provision is included in subclause 12(3) of the bill and therefore we recommend it as is, Mr. Chairman.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. MacQuarrie. Are you ready for clause 1?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 1, dispensing with the consent. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): The bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Ready for third reading. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 10-81(3), Psychologists Ordinance

CHAIRMAN (Mr. Noah): Do you wish to go on to Bill 10-81(3)?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): (Translation) Who is commenting on Bill 10-81(3)?
Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, this is a new ordinance. It provides for the registration and licensing of psychologists and intern psychologists in the Northwest Territories. There has been quite a bit of consultation and discussion of this particular ordinance. There was a relatively small number of psychologists in the Territories. Nevertheless, these people were consulted individually or collectively through a spokesman for the group. The standing committee, again, made specific recommendations as a result of their study of the bill. I have no difficulty with the recommendations made by the standing committee in two or three specific areas. Perhaps Mr. MacQuarrie may want to speak to those, but at the outset I would simply want to indicate that I have no difficulty accepting the recommendations of the standing committee. I would then recommend that we go clause by clause on it.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. McCallum. Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. During the consideration of this legislation, the standing committee heard representations from Dr. Andy Langford who is president of the psychologists association in the Northwest Territories and after hearing his representations, we considered that certain amendments would be desirable. The government Members present at that time felt that the type of amendment we were suggesting would be acceptable but the Minister of Health was not present at the meetings and so the amendments were not made at that time. Since then we have referred them to the Minister of Health and as he says, he finds them acceptable and so when we reach clause 5 and again clause 12, I will have amendments to move, Mr. Chairman.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. MacQuarrie. Are you ready for clause by clause?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Noah): Mrs. Sorensen.

MRS. SORENSEN: I have a question concerning the disciplinary body and I notice that it appears that that is the Executive Member under this ordinance -- is that in keeping with other professional bodies or is this something new?

CHAIRMAN (Mr. Noah): Mr. Braden.

HON. GEORGE BRADEN: Thank you, Mr. Chairman. I would ask my deputy minister, Mr. Lal, to give a brief answer to that question because there are different types of bodies and different types of disciplinary proceedings that we have in the Territories. I think he has got some good points to raise on this matter. Thank you.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. Braden. Mr. Lal.

MR. LAL: Thank you, Mr. Chairman. Mr. Chairman, basically in the Territories we have two kinds of professional bodies. The first kind is that which has a substantial number of members and is self-regulating. Such bodies maintain their own discipline and are therefore governed by rules that are different from the ones contemplated under clause 17 of this bill. The second type of body is the one where generally the membership is very small and the body has not been established for a long period in the Territories. In such cases, the responsibility for maintaining discipline within the profession resides with the Executive Member charged with the responsibility of administering the ordinance. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Noah): (Translation) Thank you, Mr. Lal. (Translation ends) Okay. Are we ready for clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 2, interpretation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 3, registrar. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 4, registers. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 5, association. Mr. MacQuarrie.

MR. MACQUARRIE: Yes, with respect to clause 5, the wording as it appeared in the bill initially, and which appears in Members' books said, "Where there is a corporation society or group of people representing psychologists...". Well, there is such a group. It is called the Association of Psychologists of the Northwest Territories. So, I will introduce an amendment that recognizes that and which allows the Executive Member to nominate that association if he chooses, but he is not bound to nominate that association.

Motion To Amend Clause 5, Bill 10-81(3)

So, Mr. Chairman, I will move that clause 5 be changed to read as follows:

"5(1) The Executive Member may, by statutory instrument, nominate the Association of Psychologists of the Northwest Territories as registered under the Societies Ordinance as the association for the purposes of this ordinance, and when nominated the Association of Psychologists of the Northwest Territories may exercise any powers granted to the association by this ordinance.

"5(2) Where the Executive Member does not nominate the Association of Psychologists of the Northwest Territories pursuant to this section, or where the nomination is revoked, or where the Association of Psychologists of the Northwest Territories ceases to exist or is no longer in good standing under the Societies Ordinance, the Executive Member may appoint a person or body to exercise any powers granted to or any duties imposed upon the association under this ordinance, upon such terms and conditions as the Executive Member considers advisable."

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Noah): (Translation) Question. Mr. Braden.

HON. GEORGE BRADEN: Mr. Chairman, we have examined this and the government has no problem with these amendments.

AN HON. MEMBER: Question.

Motion To Amend Clause 5, Bill 10-81(3), Carried

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

---Carried

CHAIRMAN (Mr. Noah): Clause 5, association, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 6, applications for registration. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 7, registration of interns. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 8, registration of psychologists. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 9, examinations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 10, exemption. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 11, notice of registration and refusal to register. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 12, licence to practice. Mr. MacQuarrie.

Motion To Amend Clause 12, Bill 10-81(3), Carried

MR. MacQUARRIE: Thank you, Mr. Chairman. With respect to clause 12, the committee felt that it would be desirable to change the wording slightly in subclause 12(2) and I therefore move that subclause 12(2) be amended to read as follows: "(2) The registrar, with the consent of the Executive Member and upon consultation with the association may issue a licence, subject to such restrictions or conditions as the registrar considers appropriate in the circumstances."

CHAIRMAN (Mr. Noah): (Translation) Thank you, Mr. MacQuarrie. Question being called. Mr. Braden.

HON. GEORGE BRADEN: Thank you, Mr. Chairman. The government has considered this and has no problems with it and would recommend approval.

CHAIRMAN (Mr. Noah): (Translation) Thank you. All in favour? Opposed? Carried.

---Carried

Clause 12, Bill 10-81(3), as amended?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 13, prohibited terms and exceptions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 14, no contravention of licence conditions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 15, practising while suspended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 16, administration of medicine. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 17, disciplinary proceedings. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 18, appeals. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 19, regulations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 20, penalties. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 21, amendment. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Clause 22, coming into force. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Short title, Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Bill 10-81(3), as a whole.

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Ready for third reading?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): (Translation) The bills that we were looking at are finished except for one that was set aside. What would you like to be discussing in the committee of the whole? Mr. Braden.

HON. GEORGE BRADEN: Thank you, Mr. Chairman. There is another bill in here and perhaps I should have checked earlier with the legislation committee chairman. It is Bill 16-81(3), concerning police services. Is it the case that the legislation committee is not prepared to report on that at this time, or is the absence on the order paper an oversight?

CHAIRMAN (Mr. Noah): Mr. MacQuarrie.

MR. MacQUARRIE: Mr. Chairman, in our two days of meetings prior to this session, we simply were not able to get to that bill. It was the only one we did not get to and we are dealing with that at our meeting tomorrow, and that is why it has not appeared.

CHAIRMAN (Mr. Noah): (Translation) Thank you, Mr. MacQuarrie. What would you like to do now? Mr. Curley.

MR. CURLEY: Yes, Mr. Chairman, I am wondering why the orders of the day do not include some of the bills here that are very minor ones. For instance, Bill 19-81(3) is a very minor amendment to the Wildlife Ordinance. I wonder if it is difficult to proceed with them now? That is a question to the government.

MR. McCALLUM: We did those Saturday. We have done them.

MR. CURLEY: Oh, I see. Thank you.

CHAIRMAN (Mr. Noah): (Translation) Thank you, Mr. Curley. I think we have finished Bill 19-81(3) and I think it is ready for third reading. Mr. McCallum.

MR. McCALLUM: Mr. Chairman, if you want to report progress on the bills that are ready for third reading, it is fine, but we have other business to go into in terms of reports. We could report progress on the bills that we have finished with.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Noah): Okay?

SOME HON. MEMBERS: Agreed.

---Agreed

MR. SPEAKER: Mr. Noah.

REPORT OF THE COMMITTEE OF THE WHOLE OF BILL 3-81(3), ARCHIVES ORDINANCE;
BILL 6-81(3), INFANTS ORDINANCE; BILL 10-81(3), PSYCHOLOGISTS ORDINANCE;
BILL 17-81(3), ELECTIONS ORDINANCE, 1978; REPORT OF THE STANDING COMMITTEE
ON LEGISLATION

MR. NOAH: Thank you, Mr. Speaker. Mr. Speaker, your committee has been considering Bills 3-81(3), 6-81(3) and 10-81(3) and wishes to report that these bills are ready for third reading, and wishes to report progress on Bill 17-81(3).

MR. SPEAKER: Thank you very much. And I note that there has been some amendments in those bills as amended. That is fine, let the record show. I am now prepared to go ahead with Item 13, third reading of the bills that we have before coffee break. Is the government prepared to proceed with third reading?

SOME HON. MEMBERS: Agreed.

---Agreed

ITEM NO. 14: THIRD READING OF BILLS

MR. SPEAKER: Bill 2-81(3).

Third Reading Of Bill 2-81(3): All-terrain Vehicles Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move that Bill 2-81(3), An Ordinance to Amend the All-terrain Vehicle Ordinance, be read for the third time.

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

HON. GEORGE BRADEN: Question.

MR. SPEAKER: Question being called for Bill 2-81(3). All those in favour? Opposed, if any? Bill 2-81(3) has had third reading.

---Carried

Bill 3-81(3), Mr. Braden.

Third Reading Of Bill 3-81(3): Archives Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move that Bill 3-81(3), an Ordinance Regarding the Northwest Territories Archives, be read for the third time.

MR. SPEAKER: Is there a seconder? Mr. Tologanak. Discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 3-81(3) has had third reading.

---Carried

Bill 4-81(3). Mr. Patterson.

Third Reading Of Bill 4-81(3): Education Ordinance

HON. DENNIS PATTERSON: Mr. Speaker, I move that Bill 4-81(3), An Ordinance to Amend the Education Ordinance, be read for the third time.

MR. SPEAKER: Do I have a seconder? Mr. Tologanak. Discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 4-81(3) has had third reading.

---Carried

Bill 5-81(3). Mr. Braden.

Third Reading Of Bill 5-81(3): Fair Practices Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move that Bill 5-81(3), An Ordinance to Amend the Fair Practices Ordinance, be read for the third time.

MR. SPEAKER: Do I have a seconder? Mr. McCallum. Discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 5-81(3) has had third reading.

---Carried

Bill 6-81(3). Mr. McCallum.

Third Reading Of Bill 6-81(3): Infants Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I move that Bill 6-81(3), An Ordinance to Amend the Infants Ordinance, be read for the third time.

MR. SPEAKER: Do I have a seconder? Mr. Butters. Discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 6-81(3) has had third reading.

---Carried

Bill 7-81(3). Mr. Braden.

Third Reading Of Bill 7-81(3): Interpretation Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move that Bill 7-81(3), An Ordinance to Amend the Interpretation Ordinance, be read for the third time.

MR. SPEAKER: Do I have a seconder? Mr. Patterson. Discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 7-81(3) has had third reading.

---Carried

Bill 8-81(3). Mr. Braden.

Third Reading Of Bill 8-81(3): Judicature Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move that Bill 8-81(3), An Ordinance to Amend the Judicature Ordinance, be read for the third time.

MR. SPEAKER: Is there a seconder? Mr. Nerysoo. Discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 8-81(3) has had third reading.

---Carried

Bill 9-81(3). Mr. McCallum.

Third Reading Of Bill 9-81(3): Northwest Territories Housing Corporation Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I move that Bill 9-81(3), An Ordinance to Amend the Northwest Territories Housing Corporation Ordinance, be read for the third time.

MR. SPEAKER: Do I have a seconder? Mr. Butters. Discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 9-81(3) has had third reading.

---Carried

Bill 10-81(3). Mr. McCallum.

Third Reading Of Bill 10-81(3): Psychologists Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I move that Bill 10-81(3), An Ordinance Respecting Psychologists, be read for the third time.

MR. SPEAKER: Is there a seconder? Mr. Nerysoo. Discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 10-81(3) has had third reading.

---Carried

Bill 11-81(3). Mr. McCallum.

Third Reading Of Bill 11-81(3): Northwest Territories Public Service Association Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I move that Bill 11-81(3), An Ordinance to Amend the Northwest Territories Public Service Association Ordinance, be read for the third time.

MR. SPEAKER: Is there a seconder? Mr. Butters. Discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 11-81(3) has had third reading.

---Carried

Bill 12-81(3). Mr. Butters.

Third Reading Of Bill 12-81(3): Territorial Parks Ordinance

HON. TOM BUTTERS: Mr. Speaker, I move that Bill 12-81(3), An Ordinance to Amend the Territorial Parks Ordinance, be read for the third time.

MR. SPEAKER: Do I have a seconder? Mr. McCallum. Discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 12-81(3) has had third reading.

---Carried

Bill 13-81(3). Mr. Butters.

Third Reading Of Bill 13-81(3): Travel And Outdoor Recreation Ordinance

HON. TOM BUTTERS: Mr. Speaker, I move that Bill 13-81(3), An Ordinance to Amend the Travel and Outdoor Recreation Ordinance, be read for the third time.

MR. SPEAKER: Do I have a seconder? Mr. Patterson. Discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: All those in favour? Opposed, if any? Bill 13-81(3) has had third reading.

---Carried

Bill 14-81(3). Mr. Tologanak.

Third Reading Of Bill 14-81(3): Workers' Compensation Ordinance

HON. KANE TOLOGANAK: Mr. Speaker, I move that Bill 14-81(3), An Ordinance to Amend the Workers' Compensation Ordinance, be read for the third time.

MR. SPEAKER: Is there a seconder? Mr. Braden. Discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 14-81(3) has had third reading.

---Carried

Bill 15-81(3). Mr. Braden.

Third Reading Of Bill 15-81(3): Ordinance Amendment Ordinance, 1981

HON. GEORGE BRADEN: Mr. Speaker, I move that Bill 15-81(3), An Ordinance to Amend Certain Ordinances, be read for the third time.

MR. SPEAKER: Is there a seconder? Mr. Wah-Shee. Discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 15-81(3) has had third reading.

---Carried

Bill 19-81(3). Mr. Nerysoo.

Third Reading Of Bill 19-81(3): Wildlife Ordinance

HON. RICHARD NERYSOO: Mr. Speaker, I move that Bill 19-81(3), An Ordinance to Amend the Wildlife Ordinance, be read for the third time.

MR. SPEAKER: Is there a seconder? Mr. McCallum. Discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: All those in favour? Opposed, if any? Bill 19-81(3) has had third reading.

---Carried

That then concludes the bills that are ready for third reading. What is the business that the government wishes to proceed with after coffee break?

HON. ARNOLD McCALLUM: Mr. Speaker, we could deal with the reports that are on the orders of the day, the report of the special committee on the impact of division. I think it is Mr. Fraser who will be leading that.

MR. SPEAKER: Thank you. Then we will resolve into the committee of the whole with Mr. Noah in the chair to deal with the report of the special committee on the impact of division, the interim report of the special committee on education, "Our Land Our Future", a discussion paper on the political and constitutional development. We resolve into the committee of the whole with Mr. Noah in the chair.

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

---Legislative Assembly resolved into committee of the whole for consideration of Tabled Document 1-81(3), Report on the Impact of Division of the NWT, with Mr. Noah in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER TABLED DOCUMENT 1-81(3),
REPORT ON THE IMPACT OF DIVISION OF THE NWT

CHAIRMAN (Mr. Noah): We will break for coffee for 15 minutes.

---SHORT RECESS

CHAIRMAN (Mr. Noah): (Translation) The Chair recognizes a quorum. We shall go on into committee of the whole. The topic we are dealing with right now is the report of the special committee on the impact of division. Mr. Fraser.

MR. FRASER: Thank you, Mr. Chairman. I think everybody has copies of the report.

The committee was established by the adoption by the Legislative Assembly on November the 5th, 1980 of recommendation 7, as amended, of the Report of the Special Committee on Unity.

The committee was instructed to:

- a) prepare an objective study of the impact of division upon the Territories as a whole and upon its several parts and their peoples; and
- b) disseminate the information resulting from this study as widely as seems to be necessary well in advance of any public decision making.

By motion adopted on November the 8th, 1980, the Assembly appointed the following MLAs to this committee: Mr. Peter C. Fraser, Mr. Joe Arlooktoo, Mr. Tagak Curley, Mr. Ipeelee Kilabuk, Mr. Bruce McLaughlin, Hon. Dennis Patterson, Hon. Arnold McCallum, Mrs. Lynda Sorensen, Hon. Don Stewart, and Ms Nellie Cournoyea. I had the honour to be elected chairman when the committee met on February the 6th, 1981.

Methodology

The committee, shortly after its establishment, identified the probable subject areas requiring investigation in order to report objectively on the impacts of division and concluded that the employment of a consultant was required. A subcommittee consisting of the chairman, Mr. Fraser, Mr. Patterson and Mr. Stewart was appointed to outline the consultant's tasks, to identify potential candidates and to report back to the main committee. The subcommittee spent considerable time obtaining recommendations concerning suitable candidates for the position of consultant to the committee from MLAs, former MLAs and from individuals knowledgeable in this area. It held several meetings reviewing these recommendations and to identify a small number of candidates to be interviewed by the committee.

The committee interviewed two candidates during the Hay River session and subsequently awarded the contract to Donald V. Fowke, chairman of the board of Hickling-Johnston Ltd. of Montreal, Toronto, Ottawa, Winnipeg and Calgary, management consultants.

The subcommittee referred to earlier was continued after appointment of the consultant in order to serve as a steering committee and to provide him with direction as required. To carry out the fact-finding portion of his responsibilities, the consultant met with a hundred individuals, including native leaders, government officials, businessmen and private citizens in northern and southern Canada. Numerous publications relevant to the task were reviewed. Details are provided in appendices A and D.

The committee chairman or the subcommittee participated in many of the interviews, both in the North and in the South. The committee has held a total of eight meetings while the subcommittee met seven times. It is regrettable that on numerous occasions a large number of Members found it impossible to attend these meetings.

Consultant's Report

When it met on October the 9th and 10th, the committee reviewed a draft of the consultant's report and was most impressed with the quality and objectivity of the report. The final consultant's report is attached as appendix A to this report. I would like to express the committee's appreciation to Mr. Donald Fowke and Mr. Jim Cranston for the outstanding manner in which they have carried out their responsibilities.

Informing The Public

The committee discussed extensively the most suitable means to ensure the greatest possible public access to and understanding of the consultant's report. To assist in doing this, copies of the committee's report are being released simultaneously at all regional headquarters in the Northwest Territories and in Ottawa. This distribution will include the Prime Minister, the Minister of Indian Affairs, the Minister of State, the presidents of native organizations and the news media. Each regional director has been asked to arrange distribution within the communities in his region as soon after release as possible. Because of the size and complexity of the report, the committee concluded that any attempt to depend on radio and television programming as the sole means of telling the public what it contains would be unsuccessful.

Mr. Chairman, we have about six recommendations here. I do not know how the committee wants to deal with the recommendations, whether they want to deal with each one separately or just read them out and come back and deal with them individually. What is the wish of the committee?

CHAIRMAN (Mr. Noah): (Translation) Maybe if we can read over the whole thing. Do we agree to read over the whole thing?

MR. FRASER: I will just read out the recommendations then, and then we can come back to them. Is that all right? Agreed?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Noah): Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, I wonder if we might have a period of general comments before we actually go recommendation by recommendation.

CHAIRMAN (Mr. Noah): (Translation) Yes, Mr. Butters. If anyone wishes to, they can proceed with their comments. Mr. Fraser.

MR. FRASER: Thank you, Mr. Chairman. In dealing with the public on the impact of division, we tried to stay away from the government agencies, although we did have to see some of them to get some information and some data. Mostly, we tried to deal with native leaders in the communities that we visited and hamlet councils, settlement councils and anybody that wanted to talk to us about division of the Territories.

We met a few of the Members in Ottawa and talked to them briefly and the comments that you see in the report, we did not mention any names. When we talked to somebody it was confidential. We have the names if anybody wants them, but any comments that were made by individuals, we just put it down in the report as being said. There is nothing to hide. Like I said, we have the names and they could be obtained if they have to.

We had a pretty tight schedule to work with, which did not give us too much time. As you know, the consultant was only hired in Hay River in May and before we could get the proper contract signed and everything it was into June, so we did not have that much time to get the report out. The report is kind of lengthy. I think it is 60 pages. It deals with all aspects of division, plus figures of amounts of money that was spent in different areas, the number of people, the number of businesses dealt with in the West and the East.

No Objection To Division Of NWT

We did not run into anybody in the communities who objected to the division of the Territories, which was very interesting. Everybody seemed to have the feeling that Nunavut should have happened before now, because of the different way of living that the people have up in the Eastern Arctic and the access to the communities in the Western Arctic. It was recommended earlier, in 1963, I believe, by the federal government that they divide the Territories.

The main thing that we found when touring the communities was, where are you going to draw the lines? Well, we were not doing a study on where the line was going to be drawn. Our mandate was just to do an impact study if there was a division. So, we could not tell them anything about where the line was going to be. I think that is out of our hands completely, right now, anyway. We cannot tell them where the line is going to be, but that was one of the big questions that would always come up. Where are you going to draw the line? Where is the boundary going to be? So, there is nothing in the report that says where the line is going to be. We just did not know and we did not -- it was none of our business.

The recommendations that we have come from a meeting that the committee held -- I believe it was in October -- and the recommendations were then brought forth for this report. There are six recommendations there and we could maybe open the floor for further discussion on the report itself or the recommendations before they are passed. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. Fraser. (Translation) Are there any further comments towards the topic? Mr. Patterson.

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. As a Member of the committee and perhaps as one of those Members that Mr. Fraser mentioned should have attended more meetings than I did, I would like to take this opportunity publicly to commend Mr. Fraser, particularly for the leadership he showed in getting this whole thing on the road so quickly. He deserves credit for having got things moving, made some difficult decisions or helped the committee make some difficult decisions, particularly about finding a list of suitable consultants and hiring one. Once that was done, I know he personally put in a great deal of time and effort to help the consultants in their work and particularly accompanying them or seeing that they were accompanied by people who knew the North as well as he does so that they would have some context in which to do their factual work. I would just like to personally give some credit to Mr. Fraser for having done so.

Public Should Be Informed Of Implications Of Division

I might just mention that I am really very disappointed that the constitutional development committee, which was recommended be established at the same time as this impact committee following the historic debate on division, which was held in Frobisher Bay -- I am disappointed that that constitutional development committee has not appeared to have made much progress.

MR. MacQUARRIE: Hear, hear!

HON. DENNIS PATTERSON: We agreed in Frobisher Bay that it was important that if this question was to be put to the people of the Northwest Territories, that they be informed of the implications of the decision before voting and I think we now have the necessary information which will lead to people being informed of the implications. I look forward to discussing ways of communicating this information to the people of the Northwest Territories. I think my own view is that people are eager to resolve this question and get on with the business of developing even better government in the Northwest Territories. I think the recommendations on publicity are good in that we should perhaps, in this debate, not worry too much about the issue of division but rather concentrate on how to make sure the public, and of course many of them do not speak English, are informed as fully as possible so that when the time comes to make a decision on the forthcoming plebiscite, they will be aware of the implications of that decision.

I realize the boundary is an outstanding question but I, too, believe we have agreed that that matter can be settled by an objective boundary commission and that may be something we will also have to explain to people in informing them of the results of this report. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. Patterson. Mr. Appaqaq.

Report Should Be Translated

MR. APPAQAQ: (Translation) Thank you, Mr. Chairman. I would like to ask a question. If it is not translated for our constituents -- they have to know and we will have a problem if this is not translated at all.

CHAIRMAN (Mr. Noah): (Translation) That is a good question, whether it is going to be translated or not or what.

MR. FRASER: Thank you, Mr. Chairman. As I said, we were pushed for time. The report only came out and the 15th of October was the deadline and we just barely met the deadline of October 15th. We did not have time to translate all of the report but we did translate the summary. The first few pages I think you have translated. The rest of the report -- we did not have time to translate it and if the Members wish it to be translated, I think it could be arranged once the session is over. Maybe we could get some of the translators to do the translation on the book. I myself personally think that it should be translated because it deals with the people in the Eastern Arctic and the majority of them would like to read it in their own language, but we did not have time. We only did the first nine pages of the summary and if the Members wish, the balance of the report could be translated before the plebiscite. We should have time to do it now. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. Fraser. (Translation) The report was very well done. Mr. Appaqaq.

MR. APPAQAQ: (Translation) Thank you, Mr. Chairman. I have not seen the translated report yet. I wonder where they put them. I do not know where they are. Thank you.

CHAIRMAN (Mr. Noah): Mr. Fraser.

MR. FRASER: Thank you, Mr. Chairman. I cannot tell you where the translated versions are either, but I understand they were instructed to do the first nine pages of the summary and have it translated. They said they would have it ready by the time this was tabled and it was tabled on the 12th. I wonder if I could ask somebody to go and check and see where the translated versions are. They should be here because we were informed that they would be translated and ready for distribution on November the 12th when this was tabled so we will just check it out for you and see, Mr. Chairman.

CHAIRMAN (Mr. Noah): Thank you, Mr. Fraser. (Translation) We will be handing out the translated reports at some time. Mr. Fraser.

MR. FRASER: Yes, Mr. Chairman. The Clerk is going to go check and see what happened to those translated versions. They were supposed to be tabled at the same time that this report was tabled on the 12th so we will just check it out and see and maybe we can just carry on until he comes back and see for further comments.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. Fraser. Mr. Butters.

HON. TOM BUTTERS: I do not wish to speak yet. I feel this is a consultants' report and really not a committee report. I would like to hear from some of the other Members of the committee if at all possible before I say what I wish to say. Have all the committee Members accepted that the chairman has reflected their interests and their comments?

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

MS COURNOYEA: I would just like to say for the record that I resigned from this committee so even though my name was put on at the beginning, I did not take part in the activities of the impact committee.

CHAIRMAN (Mr. Noah): Mr. Fraser.

MR. FRASER: I am sorry that I overlooked it but we have Ms Cournoyea's resignation and her name was not supposed to be in this book. I think it was brought up at our last meeting. It is a typographical error definitely, but we mentioned at the meeting that we have a written resignation from Ms Cournoyea and I am sorry that her name appeared in the book, but for the record, thank you, Ms Cournoyea.

CHAIRMAN (Mr. Noah): Ms Cournoyea.

MS COURNOYEA: I think, according to the book, it says that we were appointed to the committee. Mr. Butters was asking for comments from Members and I just wanted to say I could not comment because I was not a Member. I am not disputing my name in the book at the beginning.

CHAIRMAN (Mr. Noah): Mr. Butters.

Problem Of The Boundary

HON. TOM BUTTERS: If no Members of the committee have comments, I would just like to say briefly that really all the report says, that I can understand, is that division will cost some additional \$70 million in new capital and \$16 million in O and M costs. That increase would appear to result on whatever boundary has been chosen.

The report does include a map which indicates that there are four potential boundaries along which a division line can be drawn but there is no recommendation that I see in the report relative to the boundaries. As the chairman pointed out, that was not part of the terms of reference. I was very interested in what one of the Members of the committee said and that was that a proper boundaries commission would be established to look into this whole matter of where the boundaries would be. I just wondered whether the committee had considered that and whether or not the committee Members feel that this should be a recommendation of the report along with the other recommendations that are found on page three. I was a little bit disappointed in that I felt that the impact that will occur as a result of division will be quite different depending on where the final boundary line is drawn. I am just wondering if the chairman or other Members can tell me how that problem is going to be addressed, the problem of the boundary.

CHAIRMAN (Mr. Noah): I have Mr. MacQuarrie and then Mr. Fraser.

MR. MACQUARRIE: Well, I will defer if somebody is willing to answer the question that was asked by...

MR. FRASER: Yes, he asked a question, Mr. Chairman.

CHAIRMAN (Mr. Noah): Go ahead, Mr. Fraser.

MR. FRASER: Thank you, Mr. Chairman. The boundaries that you see in the report are not boundary lines that were put in here by the committee. The one boundary line where you see the government reserve was put in by the federal government in 1963. The other boundary indicates the COPE land claims boundary. The other one is the Dene Nation land claims boundary, and ITC. I would like to make it quite clear that those boundary lines were not something that the impact committee put into this report. They were existing boundaries that we just picked up from maps.

As far as the boundaries commission is concerned, the recommendations here that you see can be added to. I thought it was not up to us at the time to deal with -- a small committee to deal with such an important matter as a boundary commission. We just felt that it would come up in the House when the report was being discussed and at that time maybe we could recommend that a boundaries commission be set up to determine the boundaries. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. Fraser. Mr. MacQuarrie.

Discussion On Division Prior To The Plebiscite

MR. MacQUARRIE: Thank you, Mr. Chairman. The question of division is extremely important to all people of the Northwest Territories. There is no doubt about that. Because of that, I hope there is going to be a great deal of discussion on the actual question of division, prior to the plebiscite. On the one hand we know that there is a group of people, in the Eastern Arctic particularly, who have an earnest desire to establish an Eastern Arctic territory which has tightly knit interests and shared language and life style and which they feel ought to be a single territory. Then on the other hand, we have arguments in favour of remaining together, that include our shared life together over many, many years, culminating, I think, in the kind of impact that we had when we went to Ottawa two weeks ago or two and a half weeks ago, whenever it was.

So there is a great deal for each one of us to think about in respect of division, in trying to do what is just and right and best for all of the people that we represent at the present time. So if I do not say much about all of that today, it is not because I do not think it is important. There is no question at all that in my own constituency I will raise the matter and will certainly speak to it at the next session, whether the government or anyone else makes provisions for us to do so or not. I will find a way to raise the matter because I believe it is so important. Right at the moment I am willing to confine discussion and during this session, willing to confine my discussion to the recommendations that talk about dissemination of the report and I am certainly ready to go ahead and deal with each of those recommendations, Mr. Chairman.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. MacQuarrie. Mr. Patterson.

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. I just wanted to respond to Mr. Butters' concern, as a Member of the committee. I think that the report does recognize that the impact of division will be different according to boundaries. What we did, in absence of the recommendations of a boundary commission, was take the four proposals that were public and well-known and project the impact if those boundaries were to become reality. I do hope that the report -- although it does not solve the boundary question -- will help shape the consideration of this important question, because we can see now the costs, the population, the revenues, the capital expenditures and the ethnic distribution of the population according to these various proposals, boundary proposals.

We find, for example, that if the Dene boundary advanced by the Dene Nation were to become reality, according to page 36 of the report, there would be almost 2800 Inuit living in Denendeh and the communities of Coppermine, Paulatuk and Tuktoyaktuk would become part of the western territory. We can also see that if that proposal were accepted the population would be much greater in the western territory -- approximately 31,000 compared to 15,000 in the East. These are the sorts of facts that I would hope would aid not only a boundary commission, but also people who are getting ready to consider these questions.

So, I do recognize that while the report has not come out and suggested what the boundaries should be, it, I believe, will help to shape the debate on that important question and help the people of the Northwest Territories to consider

how they would vote when they do come to vote in the first plebiscite on division. I also feel that what we are really talking about, Mr. Chairman, is constitutional development and in that Mr. MacQuarrie's unity committee report did recommend that there be full debates on the subject of constitutional development before the proposed plebiscite did take place. I think the tabling of this report and its consideration by this Assembly and the action that might follow is a large step in our constitutional and political development. So, I would encourage that -- I would agree with Mr. MacQuarrie that this not be the first time this subject be debated, but I think in discussing it today and, hopefully, discussing it throughout the Northwest Territories after our session, we will be beginning this process of public constitutional debate that the unity committee recommended, in a responsible and objective way. Thank you.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. Patterson. Ms Cournoyea.

Northern Yukon's Place In Division Of Territories

MS COURNOYEA: Mr. Chairman, in terms of considering the various proposals that were referred to in the report and as it related to the economic calculations, I wonder if possibly the chairman could answer why some of the funding that is spent in the Yukon should have been, perhaps, worked into the total proposal, whereby some of the proposals are to suggest that the northern part of the Yukon really, legitimately belongs with the people who use it. Constitutionally, certainly, if they are to develop and relate to your program of events here in terms of making game laws, it would be expedient to have the northern Yukon as part of the plans for a territorial regime. I am wondering why -- certainly, to go back, I would suggest that this probably has been brought to your attention in your discussions. If it was not, I would be extremely surprised, because certainly with the 1973 Nunavut proposed line, as well as the Dene hunting grounds to the west of Fort McPherson, it would be extremely appropriate to indicate that in dividing and proposing new territorial boundaries that the northern Yukon would fit quite effectively in with this division of the Territories, because the people who are using the land and the area and who presently have a problem in the different game laws would want to have that recognized as an area that should be considered in terms of forming new territories. I am wondering why it is not reflected in your report.

CHAIRMAN (Mr. Noah): Qujannamiik, Ms Cournoyea. Mr. Fraser.

MR. FRASER: Thank you, Mr. Chairman. I understand the Member's question to read, why did we not study the boundaries of the Yukon or the game management in the Yukon she mentioned. We were doing a study on impact of division and we went to the Yukon, as they are adjoining the Territories and they have a lot in common, but all we talked about was: Would there be an impact if there was a division? What type of impact would there be on the Yukon? Their answer was that they could not see an impact of division. If there was a division, they could not see any impact at all. That is all our mandate was to do, was to study the impact of division. If there was any other thing about the boundaries and game, we were not concerned about it. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. Fraser. Ms Cournoyea and Mrs. Sorensen.

NWT People Use The Northern Yukon

MS COURNOYEA: Mr. Chairman, I do not understand why the Yukon government would not consider it an impact, because certainly the suggestions that are on the floor for division take into consideration that the northern Yukon really should belong to part of the territory -- reflective of the people that this study was representing. I am not faulting you, Mr. Fraser, at this, but I am just surprised that this one part was neglected to be considered -- even implied in your report -- because certainly with the proposals on the table, the northern Yukon is

legitimately used by the people from the Northwest Territories predominantly, certainly the North Slope of the Yukon. I cannot understand why the Yukon government would not consider that being an impact to them, considering that people who use the area would certainly suggest that that should be part of one territory.

CHAIRMAN (Mr. Noah): Do you want to respond to that, Mr. Fraser?

MR. FRASER: Yes, please, Mr. Chairman. I believe we have a mandate -- I have not got a copy of it with me right now -- but there is a mandate that says to study the impact of division of the Northwest Territories. It did not say to study the impact of the division on the Yukon or the Yukon boundaries. When we talked to them we thought where there might be an impact, could be in transportation or it could be in dealing with Nunavut itself and they said, "We have no objections. Nunavut is a long way from where we are," and they could not see an impact at all. Our mandate was to study the impact on the Northwest Territories and that is what we took it as and that is why you do not see anything in the report. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. Fraser. Ms Cournoyea.

MS COURNOYEA: Well, Mr. Chairman, I do not understand, because the suggested format and the lines on the map indicate that the northern Yukon is one proposal that is included in the various government proposals put forward. Particularly in Nunavut and certainly in terms of the Western Arctic region it is part of that. You say that you did not have a mandate to consider the Yukon, but Nunavut does and has always been extended into the Yukon. I do not want to be critical, but the thing is, that if the Yukon Territory indeed said there was no impact, I am very happy about that and I certainly congratulate you on selling that idea.

---Laughter

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

MR. FRASER: Yes. Thank you, Mr. Chairman. That is exactly what they said, Ms Cournoyea.

---Laughter

When we put the question, we mentioned that we were doing a study on the impact of division. We showed them the motion that was made by the Member to split the Territories and our mandate was then to find out what the impact would be if the Northwest Territories were divided and they said that it was fine with them, that there would be no impact, it would not be any bother to them. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Noah): Qujannamiik. Mrs. Sorensen.

MRS. SORENSEN: Briefly, in response to what Ms Cournoyea was saying. I think that area of the Yukon was overlooked in the report. The numbers of people in the northern part of the Yukon...

MS COURNOYEA: They all come out of Aklavik and there is no -- they all come.

Impact Report Is Only Step One

MRS. SORENSEN: They are the same? So perhaps the dollars would not change then. Maybe the legal aspects would be an impact in that the Yukon would probably go through the courts if there was a problem, but in any case, I do have some comments with respect to what Mr. Butters had to say about why did the impact committee not suggest a boundaries commission and particularly comments in support of what Mr. Patterson had to say.

Mr. Butters, the committee took great pains to steer away from the political impact and part of the political impact is, where will the boundaries be? Another part of the political impact is what do the people feel about division itself? So we took great pains to make sure that our consultants did not get involved in those two areas. We gave them the boundaries and they proceeded from there. Had we wanted information on where the people felt the boundaries should be and how they felt about division, the process would have been much different. There would have had to have been public meetings and consultations with all the native groups along different lines and we just did not feel that that was within our mandate nor did we feel that our consultants were prepared nor competent to do that kind of thing. That is our responsibility as far as we are concerned.

This impact report is really step one of a logical number of steps that have to be taken leading toward the possible division of the North. This provides as much information as we could come up with as a committee on the financial implications of the various boundaries and division along those lines. We attempted to obtain pure facts along financial lines, in order that we could provide the politicians with the ammunition and with the back up so that we, as politicians, could carry out phase two, which is to talk to the people, to bring facts to the people, so that they can make up their mind...

MR. CURLEY: Which phase two?

MRS. SORENSEN: ...in the plebiscite as to whether we should divide or not.

In my personal opinion, I really do feel that before we ask the people whether the North should divide or not, we should determine where the boundaries are going to be and how we do that really does need to be discussed in this House in the next few days, because it is going to be very difficult -- and this is a personal feeling, not necessarily the feeling of the committee -- for people to say yes or no to division unless they know where the line is going to be. Certainly the people that I represent will have great difficulty unless they know where the division line is going to be. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Noah): Qujannamiik, Mrs. Sorensen. Mr. Braden, did you want to ask...

MR. FRASER: Mr. Chairman, not replying to the Member or anything, but we are having trouble locating the translated version of this. It has already been done. I understand that the translation has been done, but what filing cabinet is it in, they do not seem to be able to find that filing cabinet. So, we will keep looking. That is just information for Mr. Arlooktoo, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Noah): Qujannamiik. Mr. Braden.

HON. GEORGE BRADEN: Thank you, Mr. Chairman. I have two questions. In the report it indicates that Yellowknife will lose positions or jobs to the East. I was wondering if the chairman of the committee or other committee Members who worked with the consultants could indicate generally what kinds of jobs they are referring to?

Second, I do not want to dwell on this question of the Yukon, Mr. Chairman, but I recall talking to the consultants earlier on for a very brief period when they were defining the scenarios for division. I recall mentioning to them what one John Chrétien had dreamed up a few years ago when he was the Minister of Indian Affairs and Northern Development. That scenario involved splitting the existing Northwest Territories and lumping together Yukon and Mackenzie Valley into a western territory. I believe I mentioned that to the consultants, but obviously it was not taken into consideration here. I am wondering, Mr. Chairman, could the impact committee just apprise me as to why that scenario was not considered or if it was, why it was rejected? Those are my two questions, Mr. Chairman.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. Braden. Mr. Fraser.

Losing Positions To The East

MR. FRASER: Thank you, Mr. Chairman. Well, in answer to the first question about losing jobs to the East, I do not think that we were in the position to stick our neck out and say we want somebody from Yellowknife. I do not think they were concerned about that. They were concerned in hiring their own people in the Eastern Arctic and I did not know if they wanted anybody from Yellowknife. So, if they lose their jobs, they lose their jobs here. They do not lose them in the East.

We talked to different regional directors and different groups in the Eastern Arctic and they thought that they might second some positions from the West, but not all the positions. So, I do not know where you are talking about losing positions, because they are going to be transferred positions into the Eastern Arctic from the Western Arctic until they can come up with their own administrative staff, which would probably be four or five years. This was the feeling that we got from them.

In answer to your second question, we had that question for the members in the Yukon and we talked to Mr. Pearson and we talked to one of the other Members and they did not know anything about it. Apparently, the only one that knew anything about it that would give us an answer was Erik Nielsen and we tried three times to get him. He was out fishing. He promised he would come in and meet with us and we waited an extra day for him but we could not wait any longer. Erik Nielson would have given us those answers, but he was not in town and we could not get him. So, that is to your second question, Mr. Minister.

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

MRS. SORENSEN: Could I respond to one of Mr. Braden's questions?

CHAIRMAN (Mr. Noah): Okay, Mrs. Sorensen.

MRS. SORENSEN: With respect to your question on positions, the committee anticipates that there will be, if we divide, less volume of work, because it takes more people to govern a large territory than it would a smaller territory. We did not envision that people would be physically removed from Yellowknife in any great numbers because of what would be happening over the length of time that the process would begin to divide the North -- what would be happening in the West, for instance, with the pipeline and with the Beaufort Sea. We could envision that there probably would be no less of a size of government in the West even with division, but that there were probably 200 positions that were attributed within our government in the West, which would go to the East to take care of the eastern needs. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Noah): Qujannamiik. Mr. Curley.

Disagreement With Hiring Of Consultants

MR. CURLEY: Thank you, Mr. Chairman. I am supposed to be a Member of this committee, but I have had continuing disagreement with the way the committee carried out its business in compiling this report. The reason is that any issue that deals with the concerns with the constitutional development of the Northwest Territories is a political issue, strictly on the principle that the future of the North must be carried out to a certain extent by the leadership of those people who believe in the kind of future this government should have. I do not believe the North should be so darn weak-kneed and always should pass the buck to the scientists, economists and whatnot if it wants to move in terms of political development. We have an able Minister of Constitutional Development, Mr. Wah-Shee. These are the kinds of people that we should look to when dealing with and considering the future of the Northwest Territories.

I think to those groups that believe that the North should be directed by the people in the regions who believe in self-determination rather than the so-called elite group, where you just pass the issue on to the next person -- let them guide you -- I think this kind of thing really would be a sort of humiliating one. I am not saying the report is a lousy report. I think it is a good report. It should be just a report. Close the book and let it be. Let us put it in our library and refer to it when we need it, but let it not dictate to us as to where we believe the North should be heading today or tomorrow.

Those people who believe that we should attempt to remain in the status quo as long as we can, who would want to follow up on this kind of exercise, those people have no courage to take the bull by the horns and say, look, let us make a political decision today and then we will worry about the figures and put the puzzle together when we have to. I have not always been a follower, but if someone is prepared to take the leadership today, I am prepared to follow as to how the North should be developing in terms of political development. There are many people out here who choose to be followers, whether it be a political party or whatever. But today we are faced with the need to demonstrate our strong leadership in that.

Motion To Accept Recommendations a) And b) And Delete c), d), e) And f) Of The Impact Report

So, having said that, I want to move a motion, Mr. Speaker, that the following recommendations, a) and b) be adopted and the remaining recommendations, c), d), e) and f) be deleted from the recommendations of the report.

CHAIRMAN (Mr. Noah): (Translation) To the motion, Mr. Appaqaq.

HON. DON STEWART: Can the motion be read again, Mr. Curley?

CHAIRMAN (Mr. Noah): (Translation) Mr. Curley, could you read your motion again, please?

MR. CURLEY: Yes, Mr. Chairman, my motion is that the recommendations on page three of the report a) and b) be adopted and the remaining, c), d), e) and f) be eliminated from the recommendations of the report.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. Curley. Mr. Patterson. To the motion.

HON. DENNIS PATTERSON: Mr. Chairman, I tend to agree that the ultimate decision is a political decision and also that what we are ultimately talking about in this whole question of division is the principle of whether or not the Territories should be divided. I believe that is what we will be asking the people of the Northwest Territories to consider when we ask them to vote in the plebiscite this spring -- the principle of division, just as this Assembly made a commitment based on the principle which has now been followed with data.

I have some practical reasons for thinking that what is proposed in the deleted recommendations is going to be quite a major task. I have just been through over 40 hearings. I did not attend every last one of them but I have been through about 35 community hearings with the education committee, and if I never knew it before I now know the vastness of the Northwest Territories and the very considerable time and trouble that is required to meet in communities. Some days you go and it is the wrong day because there is an event taking place, or the weather is bad and you cannot get there, or the community is not ready to meet with you. Although I do feel it was very worth while with the education committee that we took the time, I do wonder at the feasibility of visiting even the communities with a population of 500 or more, considering our heavy work schedule this winter with the budget, and considering the fact that Christmas holidays and New Year's intervene.

I do feel that we can do a lot through the media that we cannot do personally, and I suppose I feel that if Mr. Curley's amendment or recommendations are supported, that we could do just as good if not a better job of providing this information through information packages and through the media, than we could on our feet. Quite frankly, I do not know just which Members of this Assembly would be available to visit the communities if we decided to do that. Although I am a Member of the impact committee, I certainly could not make that commitment and I think for that reason Mr. Curley's recommendations might be the most practical way of approaching the problem of publicity. Thank you.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. Patterson. Mr. McLaughlin. To the motion.

Point Of Order

MR. McLAUGHLIN: Thank you, Mr. Chairman, I guess directly to the motion because I thought we were going to have general discussion before we moved into recommendations and therefore I am going to vote against the motion or ask you to rule it out of order, because I would like to hear the chairman of the committee deal with the recommendations before we start making motions on them...

MRS. SORENSEN: Point of order.

MR. McLAUGHLIN: ...so I am making a point of order that the motion is out of order until we get into the recommendations. We are still on general discussion right now, and I think other Members would like to have the chance to be involved with general discussion before we make a decision on the recommendations.

CHAIRMAN (Mr. Noah): Thank you, Mr. McLaughlin. Mr. MacQuarrie.

MR. MacQUARRIE: Mr. Chairman, a point of order was raised. I will wait until you rule on that.

Point Of Order, Ruled Out Of Order

CHAIRMAN (Mr. Noah): I am sorry, Mr. McLaughlin, you do not have any point of order, unless you want to challenge now and settle it. There is a motion on the floor. To the motion.

Ruling Challenged

MR. McLAUGHLIN: I will challenge the ruling, Mr. Chairman, because I think we are in general discussion right now and if the motion passes it is going to end the debate on this item.

MR. CURLEY: This is committee of the whole. Vote it down, vote it down.

MR. McLAUGHLIN: I want to talk about it.

REPORT OF THE COMMITTEE OF THE WHOLE OF TABLED DOCUMENT 1-81(3), REPORT ON THE IMPACT OF DIVISION OF THE NWT

MR. SPEAKER: Mr. Noah.

MR. NOAH: Thank you, Mr. Speaker. Mr. Speaker, my ruling on the point of order on whether the motion was acceptable has been challenged. Thank you.

Speaker's Ruling

MR. SPEAKER: With regard to the point of order that was raised, according to the rules in committee of the whole a Member is entitled to make a motion at any time. Now, although this motion in effect was dealing with recommendations which,

in effect, does superimpose closure on the debate, it is still the Member's right to oppose and vote against the motion. I can see nothing in the rules that would indicate that the motion was out of order in the committee of the whole if it is relevant to the business that is at hand. So I would uphold the chairman's position that there was really no point of order, that our rules do not indicate that they have control over motions made by Members in committee. So I uphold the chairman's decision. I understand that there is a group that has to leave early this evening. Is it your wish, at this time, that we recognize, the clock, or do you wish to go back into committee of the whole and take your vote?

MR. FRASER: Progress.

MR. SPEAKER: What is the wish of the House? Do you wish to recognize the clock at this time?

AN HON. MEMBER: I move that we adjourn.

MR. SPEAKER: Mr. Curley, it is your motion so...

MR. CURLEY: Yes, Mr. Speaker, I do not think it will be long to get rid of the motion. I would recommend that we continue because our planes have been lined up for 6:00 o'clock and we still have at least half an hour before we go to Fort Simpson.

MR. SPEAKER: Thank you, Mr. Curley. We will return to the committee of the whole with Mr. Noah in the chair.

---Legislative Assembly resolved into committee of the whole for consideration of Tabled Document 1-81(3), Report on the Impact of Division of the NWT, with Mr. Noah in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER TABLED DOCUMENT 1-81(3), REPORT ON THE IMPACT OF DIVISION OF THE NWT

CHAIRMAN (Mr. Noah): Now I ask Mr. Hamilton to read the motion over once more.

CLERK ASSISTANT (Mr. Hamilton): The motion is that recommendations a) and b) of the report be adopted and that recommendations c), d), e) and f) be eliminated from the report.

CHAIRMAN (Mr. Noah): Thank you, Mr. Hamilton. Mr. MacQuarrie. To the motion.

MR. MacQUARRIE: Mr. Chairman, I have suspected all along that the honourable Member for Keewatin South does not like to be confused by facts, and I think the record will show today that he has affirmed that. It is certainly acceptable for Mr. Curley to adopt that position for himself, but there are a lot of people who like to make decisions after having considered as many relevant facts as possible, and so personally I think that it is important to get this information out to as many people as possible, as far ahead of the plebiscite as possible.

Report Should Be Distributed As Is

But having said all that, I sincerely do recognize Mr. Curley's concern with c), d), e) and f), that the question has to arise, if they were adopted, which Members are going to go to the communities and what are they going to say; and I recognize that in this very sensitive issue as being something that Members can have a legitimate concern about. I think that I will either support the motion or abstain, but at any rate, I would urge the committee, despite what happens on this motion, to remember that by the second of their terms of reference,

the committee was instructed to disseminate the information resulting from this study as widely as seems to be necessary well in advance of any public decision making. They already have that mandate and so, regardless of the disposition of this motion, I would expect that the committee will ensure that the report is adequately translated and furnished in quantity to all community governments and to other parties of interest, groups of interest, throughout the Northwest Territories.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. MacQuarrie. Mr. McCallum. To the motion.

HON. ARNOLD McCALLUM: Mr. Chairman, in speaking to the motion, I hope that what the motion is saying is that we accept or adopt the first two recommendations of the committee and that we do not adopt or do not accept the remaining four. I do not think that, in a report, we can do away with them. The recommendations are in the report. So I think that if we are saying that we adopt the first two and not adopt the other four, I think that the wording of the motion does not say to adopt the last four, it says something different.

However, I think that the committee has done exactly what it was instructed to do. It has prepared an objective study of the impact upon the Territories as a whole, on its parts and its people and the appendices certainly reflect that. It indicates that they have gone into a great deal of detail in terms of even looking at the various comparisons of the boundaries.

I think, as well, that if in fact they are going to use media, including radio and TV, to disseminate that, the committee has done exactly what it is. As the motion says we can accept the first two and not accept the last four. I do not have any difficulty with the motion as it is, but I would hope that the wording is that we accept the two of them. We cannot do away with the other four. That is a report of the committee and its consultants. We simply do not accept the last four recommendations.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. McCallum. Mr. Fraser.

MR. FRASER: Thank you, Mr. Chairman. I have no problem with the motion. The only problem I have at this time is that the motion that we are talking about -- to accept a) and b) and delete c), d), e) and f) -- we around this table, we know what we are talking about. We have it right in front of us. But what about these people that are transcribing and sending this information out on the Debates, they do not know what we are talking about. I think before the motion was made that the chairman should have read these recommendations into the records and then the motion should be made to delete a) and b), and then the public who will read these Debates will know what we are talking about. Right now they do not know what we are talking about. We are talking about accepting a) and b) and deleting c), d), e) and f). That is all they know. So, I think before the motion, we should maybe read these into the record so they know what recommendations we are talking about, Mr. Chairman. That is all I have.

AN HON. MEMBER: Agreed.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. Fraser. Mr. Curley.

Members Should Not Become Creatures Of The Consultants

MR. CURLEY: Thank you, Mr. Chairman. I would like to make perfectly clear in this Legislature that my motion does not stop any Member from providing that information. If they want to visit their constituency door-to-door, whatever they want to do, that is their business, but I will say to you, if I was a Member of the committee that was asked to explain the report, I would not want to carry this thing. I have my own position as to how I think the division should occur and when it should occur. That is what I would do, because I am a politician. I would not want to become the subject and creature of the consultant...

AN HON. MEMBER: Hear, hear!

MR. CURLEY: ...but if Mr. MacQuarrie and Lynda Sorensen and those guys and Mr. Fraser want to do that, they are perfectly entitled to go and pass that information to their constituency and if they want to spend some money on their own to travel to the East during the debate of the plebiscite, you know, go before the plebiscite is held, if they want to pass the information in the consultant's report and muzzle their own convictions because they have this report with them, that is their business. They can go right ahead and do that. It does not stop them at all. My motion does not stop the report from being passed on as widely as possible. It just prevents Members from becoming the creature of the consultant, because that is not what we were asked to do when we were elected to the Legislative Assembly of the Northwest Territories.

MRS. SORENSEN: Point of order, Mr. Chairman.

CHAIRMAN (Mr. Noah): A point of order?

MRS. SORENSEN: Yes. I wonder, because Mr. Appaqaq does not have a translation, if we could ask Mr. Fraser to read out all of the recommendations so that they could be interpreted for Mr. Appaqaq to hear, so that he is aware of what we are talking about when we speak of deleting c), d), e) and f), and approving a) and b). I think it is only courtesy that Mr. Appaqaq be aware of what we are talking about.

CHAIRMAN (Mr. Noah): Mr. Fraser, do you want to go through c), d), e), f)?

MR. FRASER: Not on a point of order, I think, Mr. Chairman.

CHAIRMAN (Mr. Noah): I am sorry. I am a little bit mixed up here. I am sorry, Mrs. Sorensen. You do not have any point of order.

MRS. SORENSEN: A question of privilege, then, Mr. Chairman. A question of privilege.

CHAIRMAN (Mr. Noah): There is no such rule.

MRS. SORENSEN: A question of privilege, Mr. Chairman. We have a Member in the Legislative Assembly that does not speak English. He does not know what we are talking about. I think it is only fair that it be translated for his consideration. How can he vote if he does not know what we are talking about?

MR. CURLEY: I already sent him a note.

---Laughter

---Applause

CHAIRMAN (Mr. Noah): To the motion.

MR. MacQUARRIE: He told him how to vote.

---Laughter

MR. CURLEY: About the recommendation, not about the vote.

MR. McLAUGHLIN: Was it a political note?

MR. FRASER: Question. Question.

CHAIRMAN (Mr. Noah): Order, please. I have Mr. Appaqaq.

MR. APPAQAQ: (Translation) Thank you, Mr. Chairman. I am sorry that I do not understand what this is all about. If we are going to vote on this matter, and if it is not translated, I could say I was not here when they were having the meeting. I can say whatever I want.

---Laughter

I would like to also add, in 1980 we had a meeting in Frobisher Bay concerning the division of the Northwest Territories. I wanted to hear about the people of the Northwest Territories, how they felt about impacts, but ever since that time, when they were expecting a prepared -- it just seems that we are doing political matters, and it seems like the people up North, it seems like they never were asked properly about this matter. I do not have much to say because I do not understand what it is all about today.

CHAIRMAN (Mr. Noah): (Translation) Thank you, Mr. Appaqaq. I would just like to ask Mr. Fraser for the deletion of -- and the ones that are going to be adopted here, a) and b), and which ones are going to be deleted and which ones are going to be adopted.

HON. ARNOLD McCALLUM: Let us have the vote, first.

MR. FRASER: Mr. Chairman, with your permission, I think we have a motion on the floor -- but with your permission, I shall read the recommendations into the records, and that is all I am concerned about.

HON. DENNIS PATTERSON: Agreed.

MRS. SORENSEN: Agreed.

SOME HON. MEMBERS: Agreed.

MS COURNOYEA: Get it over with.

HON. ARNOLD McCALLUM: No.

CHAIRMAN (Mr. Noah): Agreed?

HON. KANE TOLOGANAK: Go for broke.

MR. CURLEY: No agreement.

Recommendations Of The Report On The Impact Of Division

MR. FRASER: Thank you, Mr. Chairman. The recommendations read: The committee therefore recommends:

a) that CBC and other media be encouraged to assemble information packages concerning the content of the consultant's report;

b) that CBC TV be encouraged to develop a one hour program regarding the impacts of division as reflected in the consultant's report;

c) that a special committee of the Legislative Assembly, consisting of three MLAs who were Members of the special committee on the impact of division be appointed to travel to communities in the Territories to present and explain the content of the consultant's report at public meetings and to special interest groups and concerned individuals;

d) that if the plebiscite is held on January 11, 1982, the proposed special committee visit all regional headquarters;

e) that if the plebiscite is held on April 14, 1982, the proposed special committee visit all regional headquarters and all communities with a population of 500 or more; and

f) that full use be made of newspaper, radio and TV advertising to inform the public of the proposed special committee's itinerary and meeting schedule.
Thank you, Mr. Chairman.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. Fraser. Ms Cournoyea. To the motion.

Report Clear Enough For People To Understand

MS COURNOYEA: Mr. Chairman, I would like to speak in support of the motion, and the reason I speak in support of retaining a) and b) in terms of disseminating information is because I believe the report is clear, it is concise, it does not necessarily make any suppositions that people would differ with, it has just factual information. I do not feel that this Legislative Assembly really needs to have people travelling around to give this information, because it is very clear. It has a lot of figures in it, and it does not bring up any real contentious issues. So it seems to me we have a job to do, certainly, but I do not believe that the ability of the Legislative Assembly Members would be very much utilized to carry this report back to the people, because I do not believe that making trips to the communities is the best way of getting this kind of factual information across. I think it can quite clearly be taken care of in steps a) and b). So I would like very much to support the motion that we carry the recommendations in a) and b) in regard to the report, and congratulate Mr. Fraser because...

MR. CURLEY: Hear, hear!

MS COURNOYEA: ...it is a report that I do not believe that we have to discuss much, because this is just facts and figures, and people can use these. The job now to be done is a political one. This is a very good report, and certainly I would say congratulations to Mr. Fraser in his dealings with the Yukon. We should send him over there more often...

MR. CURLEY: Hear, hear!

---Laughter

MS COURNOYEA: ...and I would like to support the motion.

---Applause

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

MR. FRASER: Thank you, Mr. Chairman. I have no problem with the motion. I do not feel like travelling all over the country again. I did enough of it this summer. My only concern was to have the recommendations read in for the records, and I have done that, and I would like to call question now and support the motion. Thank you.

MR. CURLEY: Hear, hear!

Importance Of Informing The Public Of Financial And Political Facts Of Division

MRS. SORENSEN: Mr. Chairman, I would like to speak against the motion, and the reason is that I think nothing will be more important than how this Legislature appears to have conducted itself during the time leading up to the plebiscite itself.

MR. CURLEY: We will.

MRS. SORENSEN: And I think that the most important thing that we can do in the months leading up to the plebiscite is to be seen to be informing the public as much as is possible about the financial facts and political facts of dividing the Territories.

MR. CURLEY: Based on your own convictions.

MRS. SORENSEN: And we must be seen to be doing that.

MR. CURLEY: Based on your own convictions, not on somebody's report.

MRS. SORENSEN: I think that this is probably the most important constitutional change that will be taking place in the Northwest Territories for a long time, and if we are at all to convince the federal government that we should divide, if that is what the people want, then we also must have, as part of the record, the fact that we informed the public with respect to all the facts.

Now, with respect to the actual travelling of several Members of the Legislature, I think important in any dissemination of information is the ability of the people to ask questions back, and always, always, people in this Legislature have said, time and time again...

MR. CURLEY: That is your husband's job.

MRS. SORENSEN: ...we must consult with our constituents. Well, we, all of us, have one big constituency, and that is the people of the North. On such a fundamental question of division of the North, I think that it is important that people at public meetings be given the opportunity to ask questions about the report.

MR. CURLEY: They will.

MRS. SORENSEN: It took us two days to go over the report as a committee. We had lots of questions, questions that needed clarification of our consultants, and it is not an easy report to be able to provide full information about on television or on the radio. It needs personal contact. So I think that in order to appear to have conducted ourselves in the most open way possible, leading up to the plebiscite, that it would be proper that we do send Members around to consult and have open conversations with the people about the financial and political implications of dividing the North.

CHAIRMAN (Mr. Noah): Thank you. To the motion. Mr. Patterson.

Responsibility Of MLAs To Inform Constituents

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. I do not disagree with what Mrs. Sorensen is saying, but I think that if we have a responsibility as Members of this Legislative Assembly, it is first and foremost to our own constituents. I would like to say now that I personally am sure other Members feel the same way -- I will want to make sure that my constituents fully understand this report and the issues surrounding the vote before it is taken. I think if we can just recognize the practical problems of sending yet another expensive and time-consuming group around when we have very little time -- we have six weeks of a budget session to face, and -- beginning in February. I am sure Mrs. Sorensen herself is going to want to be at that session, since she is the chairman of the standing committee on finance. The education committee has some important work to finish up part of that session, and I am going to support the motion, not because I do not think it is desirable to visit every house if we could, but simply because I do not think it is humanly possible. I wonder if even Mrs. Sorensen would be willing to travel on that rigorous schedule, so I think what we should do is make it clear that every MLA has the responsibility to inform...

MR. CURLEY: Hear, hear! Hear, hear!

HON. DENNIS PATTERSON: ...his constituents, and make the resources necessary available to ensure that the MLAs...

---Applause

...are able to understand that report. None of our constituencies are that large, so I think that that is the way to handle it, is to break the work up, constituency by constituency, and do it that way. Thank you.

MR. MacQUARRIE: Question.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Noah): To the motion. Mr. Fraser.

MR. FRASER: Just one last thing, Mr. Chairman. We sent out plenty of copies to all the regions and different native groups and organizations and there are more copies available. If the people are interested and they want to look at the report and go through it, there are copies available. Thank you.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Noah): To the motion.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Noah): Question being called.

MRS. SORENSEN: Report progress.

---Laughter

CHAIRMAN (Mr. Noah): All those in favour? Recorded? Mr. McLaughlin. You are the last one now.

MR. McLAUGHLIN: Thank you, Mr. Chairman. To the motion. Members will recall in Frobisher Bay that Mr. Sibbeston's motion was to have an objective study on the impact of division on the Territories as a whole and upon its several parts and/or people, and to disseminate the information resulting from the study as widely as seems necessary, well in advance of any public decision making; and further that this Assembly schedule debates on the question of division and on constitutional development generally at least twice before the referendum. So I think that this committee going around and operating is going to be a part of this debate process that was suggested in the original motion creating this committee as part of the process so I am against the motion to delete those sections.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Noah): Question being called. All those in favour?

AN HON. MEMBER: Recorded vote.

CHAIRMAN (Mr. Noah): Recorded vote. Stand up. All those in favour of the motion, please stand up.

Motion To Accept Recommendations a) And b) And Delete c), d), e) And f) Of The Impact Report, Carried

CLERK ASSISTANT (Mr. Hamilton): Mr. Patterson, Mr. Appaqaq, Mr. Tologanak, Ms Cournoyea, Mr. Curley, Mr. Sayine, Mr. McCallum, Mr. Wah-Shee, Mr. Butters, Mr. Nerysoo, Mr. MacQuarrie, Mr. Fraser.

CHAIRMAN (Mr. Noah): Opposed?

CLERK ASSISTANT (Mr. Hamilton): Mr. McLaughlin, Mrs. Sorensen.

---Applause

CHAIRMAN (Mr. Noah): Thank you. The motion is carried.

---Carried

MR. FRASER: Progress. Report progress.

SOME HON. MEMBERS: Report progress.

MR. MacQUARRIE: Point of order, Mr. Chairman.

CHAIRMAN (Mr. Noah): Point of order, Mr. MacQuarrie.

MR. MacQUARRIE: Yes. Do I understand that the impact report remains since some people did not have a chance to make general comments before the motion came to the floor? We were dealing with general comments.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Noah): Thank you, Mr. MacQuarrie. Shall we report progress now?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Thank you.

MR. SPEAKER: Mr. Noah.

REPORT OF THE COMMITTEE OF THE WHOLE OF TABLED DOCUMENT 1-81(3), REPORT ON THE
IMPACT OF DIVISION OF THE NWT

MR. NOAH: Thank you, Mr. Speaker. Mr. Speaker, your committee has been considering the report of the special committee on the impact of division and we wish to report that one motion was adopted. Qujannamiik.

MR. SPEAKER: Thank you, Mr. Noah. Are there any announcements, Mr. Clerk?

CLERK OF THE HOUSE (Mr. Remnant): Yes, Mr. Speaker. There will be a caucus meeting at 9:30 a.m. tomorrow in Katimavik A. At 12:00 noon tomorrow a lunch meeting of the standing committee on legislation in room 301.

MR. SPEAKER: Orders of the day please, Mr. Clerk.

ITEM NO. 16: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Remnant): Orders of the day, Tuesday, December 1st, 1:00 p.m.

1. Prayer
2. Replies to Commissioner's Address
3. Oral Questions
4. Questions and Returns

5. Petitions
6. Tabling of Documents
7. Reports of Standing and Special Committees
8. Notices of Motion for First Reading of Bills
9. Notices of Motion
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: First Report of the Special Committee on the Constitution of Canada; Bills 1-81(3) and 17-81(3); Report of the Special Committee on the Impact of Division; Interim Report of the Special Committee on Education; "Our Land Our Future", Discussion Paper on Political and Constitutional Development
14. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until 1:00 p.m., December 1st.

---ADJOURNMENT

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