



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

6th Session

9th Assembly

HANSARD

Official Report

WEDNESDAY, DECEMBER 2, 1981

Pages 308 to 362

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

LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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YELLOWKNIFE, NORTHWEST TERRITORIES

WEDNESDAY, DECEMBER 2, 1981

MEMBERS PRESENT

Mr. Appaqaq, Mr. Arlooktoo, Hon. George Braden, Hon. Tom Butters, Mr. Curley, Ms Cournoyea, Mr. Evaluarjuk, Mr. Fraser, Mr. Kilabuk, Hon. Arnold McCallum, Mr. MacQuarrie, Mr. McLaughlin, 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.

Item 2, replies to Commissioner's Address.

ITEM NO. 2: REPLIES TO COMMISSIONER'S ADDRESS

Mr. Appaqaq.

Mr. Appaqaq's Reply

MR. APPAQAQ: (Translation) I would like to make a reply to the Commissioner even if he is not present. The matter that we were doing in Ottawa. I was very thankful that the clause was reinstated. I consider that I was not much help.

I would like to discuss one topic. It is going to be a short topic. It is that there was some concern that a blind person brought up to me and I am going to make the point that that blind person told me, that in southern cities the blind people are making good pensions and it is about \$250, that is a monthly pension. Also the person says again that in the Northwest Territories it is only \$90 for the whole month up here in the Northwest Territories. Also if that person is working for anything that they can stop that pension. I am asking if the Commissioner of the Northwest Territories would take this into consideration toward the blind people. I think there are quite a few blind people up here in the Northwest Territories and that \$90 pension a month is not enough, especially if you have dependants or a spouse. That \$90 is not very good for a whole month and also I am informed that the \$90 pension is just in the way and it can be stopped whenever that person is working. So I thought that if we were to stop this and also maybe they can create another fund to have more funds. I do not want to talk too much. If you understand this, I would like to thank you very much.

MR. SPEAKER: Thank you, Mr. Appaqaq. Replies to the Commissioner's Address.

Item 3, oral questions.

ITEM NO. 3: ORAL QUESTIONS

Mr. Appaqaq.

MR. APPAQAQ: (Translation) I am sorry. It is a written question.

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

Question 42-81(3): Erosion Of Cemetery At Moose Factory

MR. McLAUGHLIN: Thank you, Mr. Speaker. I have a question for the Minister of Health. Is the Minister aware of the grave situation at Moose Factory which seriously threatens the health of some residents of the Northwest Territories? Does the Minister have an action plan to prevent the emergency situation which might threaten the Belcher Islands and other Hudson Bay communities if the river continues to erode away the cemetery at Moose Factory where bodies are buried and preserved in the permafrost, some of these people having died of bubonic plague in the 1700s and 1800s and these people may be washed into Hudson Bay causing germs to possibly affect the people in that area?

MR. SPEAKER: Mr. Minister.

HON. ARNOLD McCALLUM: Mr. Speaker, I would have thought that that might have been a written question seeing as I would not possibly have that kind of response at my finger tips or even at the top of my head. However, I will take the Member's concern for the welfare of people in the area of Hudson Bay and respond to him at a later time.

MRS. SORENSEN: Why not consult with Quincy?

HON. ARNOLD McCALLUM: Say that again.

MR. SPEAKER: May we have some order? If you would like to be Speaker, the chair is up here, Mr. McCallum. Oral questions. Mr. Arlooktoo.

Question 43-81(3): Country Food Store For Cape Dorset

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. I would like to ask the person -- I do not know which one -- but a Member of the Executive Committee: The local hunters' and trappers' association in Cape Dorset has requested for a country food store to be opened. I received correspondence and it was already mentioned to the Executive Committee but we never heard about this topic. I am not sure about this question, if it is directed to Tom Butters or the Commissioner. My question is that the local HTA wanted to open a country food store carrying Inuit foods and some other things like hunting equipment. Thank you.

MR. SPEAKER: Thank you. Mr. Butters.

HON. TOM BUTTERS: Mr. Speaker, the question is correctly directed to my department. I regret I cannot respond immediately so I will take it as notice and see that some reply is given before the end of the session.

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

Question 44-81(3): Meals At Hostel In Frobisher Bay

MR. EVALUARJUK: (Translation) I would like to ask the Minister of Education: In Frobisher Bay, the younger students, they go to a course and have someone by the name of Temoot Qamukkaat. The students are mainly concerned about the meals they have in the hostel. I am wondering if the Minister of Education would take actions on that concern.

MR. SPEAKER: Mr. Patterson.

Return To Question 44-81(3): Meals At Hostel In Frobisher Bay

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. Yes, I will look into that. I was not aware of complaints about food at the hostel, I presume Ukkivik, because we had made arrangements last year and this year to provide a significant amount of country food in the diet to answer some complaints in that area. However, I will look into the problem and consult with the Member to make sure his concerns are addressed. Thank you.

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

Item 4, questions and returns.

ITEM NO. 4: QUESTIONS AND RETURNS

Ms Cournoyea.

Question 45-81(3): Training Of Social Services Staff, Inuvik

MS COURNOYEA: I have a question:

Mr. Speaker, my question is directed to the Minister of Health and Social Services. A great deal of concern has been expressed in the Inuvik region of the lack of adequate training of staff employed in the Social Services department in that region. There have been instances of practising social workers being sent to attend social work assistance courses when they have had a firm offer for a degree place at a university. There have been instances where social workers employed by the department for over 11 years have been refused training opportunities and where social workers sent to Red Deer Community College have been sent halfway through their course to take up studies at Fort Smith. Staff hired for positions in the Social Services department have not received orientation to their employment for months after taking their jobs.

In view of these grave concerns, will the Minister assure the House that he will immediately undertake an examination of the training opportunities being made available to the staff employed in the Social Services department in the Inuvik region and will he further assure this House that staff so employed will receive training which is commensurate with the very serious positions that they hold?

MR. SPEAKER: Thank you. Written questions. Mr. Appaqaq.

Question 46-81(3): HF Radios For Sanikiluaq Hunters

MR. APPAQAQ: (Translation) I have one question to the Minister of Renewable Resources. I am sure he is not here. It is okay, it is a written question. The local hunters in Sanikiluaq would like to know if they could purchase high frequency radios. How much would they cost and where would they get them?

MR. SPEAKER: Thank you. Written questions. Mr. Arlooktoo.

Question 47-81(3): Sewing Centre In Cape Dorset

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. This question was requested from the sewing centre in Cape Dorset -- Natsiq. They wanted to know if the Department of Economic Development and Tourism could give the sewing centre funding assistance.

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

Question 48-81(3): Unemployment Insurance For People Working For Religious Organizations

MR. KILABUK: (Translation) Thank you, Mr. Speaker. My question is directed to the Minister of Finance, concerning unemployment insurance. The people who work for religious organizations in Pangnirtung were not eligible to collect unemployment insurance in 1980-81. Maybe in other communities they are facing the same problem. Even though they have the qualified number of weeks to collect unemployment insurance and they have paid federal tax and other deductibles, why is this so? Would the Minister responsible look into this?

MR. SPEAKER: Thank you. Written questions. Ms Cournoyea.

Question 49-81(3): Staffing Position Of Superintendent Of Social Services, Inuvik

MS COURNOYEA: Mr. Speaker, my question is directed to the Minister of Health and Social Services. It has come to my knowledge that the Department of Health is conducting an internal competition for the position of superintendent of Social Services in Inuvik. As the Minister well knows, he has encountered great difficulty in filling the next most senior position to that of the superintendent of Social Services, although in that case, the competition was open to persons within or outside of the department. I cannot therefore see how the Minister can hope to staff the superintendent's position with a competent individual through an internal competition only. Would the Minister therefore undertake to revise his decision on the internal competition to persons within and without the Public Service so that it can be filled by a suitable and competent individual?

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

Question 50-81(3): Funds For Organized Caribou Hunt

MR. KILABUK: (Translation) Mr. Speaker. This question was requested from the residents of Broughton Island to the Minister of Renewable Resources. The residents of Broughton Island are grateful that they were able to get assistance for organized caribou hunting last year. The caribou meat which was taken during organized hunting was distributed to single parents and welfare recipients in Broughton Island. The caribou hunting grounds are quite a distance from Broughton Island, so they are requesting more funds for organized caribou hunts, while the season for good hide is right. As the price of gas has gone up, they are requesting \$3000 if possible. Thank you.

MR. SPEAKER: Thank you. Are there any further written questions? Mr. Noah.

Question 51-81(3): Additional Nurse At Baker Lake

MR. NOAH: (Translation) Thank you. Mr. Speaker, my question is directed to the Minister responsible for Health and Social Services. The residents of Baker Lake are concerned that there are only two nurses in the community. Two nurses are not enough to look after a population of 1000. The residents of Baker Lake request a total of at least three nurses and are asking for strong support from the Minister. Will the Minister respond to this request?

MR. SPEAKER: Thank you. The Chair would like to recognize Mr. Amagoalik, president of ITC, in the gallery.

---Applause

Written questions. Ms Cournoyea.

Question 52-81(3): Foster Homes And Receiving Home, Inuvik

MS COURNOYEA: Mr. Speaker, my question is again directed to the Minister of Health and Social Services. Mr. Speaker, grave concern has been expressed at the policy of the Department of Social Services in respect of foster homes and the receiving home in Inuvik. It is my understanding that apprehended children are being placed in foster homes that have not been properly and adequately vetted prior to such placement.

Would the Minister assure this House that no such children will be placed in a foster home that has not been adequately vetted as to its suitability to receive apprehended children?

Further, would the Minister indicate what plans he has for the Inuvik receiving home which seems more and more to have taken on the appearance of a holding institution comparable with that at Fort Smith rather than a receiving home?

MR. SPEAKER: Thank you. Written questions. Ms Cournoyea.

Question 53-81(3): Promotions Within Department Of Social Services

MS COURNOYEA: Mr. Speaker, my question is addressed to the Minister of Health and Social Services. Will the Minister confirm and assure this House that promotions within the Department of Social Services will be very carefully scrutinized by him and will not be handed to managers and other employees who have an established record of incompetence in the department? Will the Minister further assure the House that native persons employed within the department be given training opportunities so that they can be promoted to responsible positions within the department?

MR. SPEAKER: Written questions. Are there any returns today? Mr. Butters.

Return To Question 32-81(3): Questions Not Being Answered

HON. TOM BUTTERS: Mr. Speaker, yesterday in response to the question of the Member for Keewatin North I indicated I would look into the matter regarding answers to his questions and I have been assured that the department is developing some responses and I believe I could be fairly certain in indicating that they will be made available to the House and the Member before this session closes.

Return To Question 11-81(3): Departure Of Regional Superintendent Of Economic Development In Inuvik

I have two other responses. On November 13th the honourable Member for the Western Arctic questioned me regarding the departure of the regional superintendent of Economic Development in Inuvik.

The circumstances surrounding the recent departure of the regional superintendent of Economic Development and Tourism in the Inuvik region are as follows: The resignation tendered by the regional superintendent of Economic Development and Tourism to the regional director contained no specific reasons for his departure. In later conversation with the superintendent, the regional director was made aware of personal reasons underlying his leaving, extended separation from his wife, who was injured during a car accident on his removal -- or his removal into Inuvik, dissatisfaction with his role as a civil servant and the stated desire to return to other pursuits in private enterprise in the South.

Members will appreciate that this matter falls within the area of personnel relations and as such contains some elements of a confidential nature. However, if the Member who posed the question is dissatisfied with this reply, I will be pleased to discuss the matter with her privately.

Further Return To Question 23-81(3): School Of Mining

I have also, Mr. Speaker, a bit of additional information relative to the establishment of a mining school in the Northwest Territories. With regard to training, training is currently available for approximately 70 per cent of occupations in the mining industry. These would include electrician, millwright, heavy duty mechanic, mine assayer, mine ventilation technician, surveyor, accountant, bookkeeper, typist, heavy duty operation, industrial orientation and industrial first aid. It would be available within the industry itself. Training is not available in certain occupations underground, a miner, and on the surface in the mill operation. When I mention that training is unavailable, I mean that it is not available to residents of the Northwest Territories who are not working in the industry. We are continuing to pursue this matter and as I mentioned, we are looking at the possibility of using facilities at Thebacha College and I will have further information on the progress being made, to respond to this motion at a later date.

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

Item 5 on your orders of the day, petitions.

Item 6, tabling of documents.

Item 7, reports of standing and special committees.

ITEM NO. 7: REPORTS OF STANDING AND SPECIAL COMMITTEES

Mrs. Sorensen.

12th Report Of The Standing Committee On Finance

MRS. SORENSEN: Thank you, Mr. Speaker. I have the 12th Report of the Standing Committee on Finance to the Legislative Assembly entitled "The Cost of Living, A Pilot Project."

During the budget session in February, 1981, the mayor of Pelly Bay made a submission regarding the high cost of living in his community. His submission was in response to the following motion adopted by the Legislature in Frobisher Bay, October, 1980. It was Motion 39-80(2) and it was as follows:

"Whereas there is great concern in the Northwest Territories about the high costs of utilities, home-ownership, personal and property taxes, food and other current heavy burdens placed upon people living and working in the Northwest Territories by the general high costs of living;

And whereas the Legislative Assembly wishes to address the whole question of the cost of living in an organized manner;

And whereas the Legislative Assembly wishes to provide an opportunity to the citizens of the Northwest Territories to provide input and to make suggestions and recommendations for action on this very important matter;

Now therefore, I move that the Legislative Assembly, during this current session in Frobisher Bay and the next three sessions, set aside and publicize time for the committee of the whole to hear representations from individuals and/or organizations concerned with the high cost of living in the Northwest Territories."

Mr. Speaker, following a discussion in the House of the Pelly Bay submission, the brief was referred to the standing committee on finance for comment, response and recommendation. Research has revealed that Pelly Bay pays the highest prices for food and some non-food items in the Northwest Territories. For this reason, the standing committee on finance has chosen to recommend that the community of Pelly Bay be designated as a pilot project for the purposes of studying response to the high cost of living.

I have a little bit of background, Mr. Speaker. Over the summer your committee reviewed all the studies that have been done over the past 10 years concerning the cost of living in the Northwest Territories. It further reviewed the northern freight subsidy programs instituted by the Saskatchewan government in five northern Saskatchewan communities and obtained information on the Greenland subsidy program. We soon discovered that the problems associated with high cost of living were complicated. We determined that a band-aid approach in a piecemeal fashion would only add to the problem, raise expectations, and perhaps even waste taxpayers' dollars. It was clearly evident that an overall approach to the cost of living was the only responsible way in which to respond to the needs of the consumers of the Northwest Territories.

Major Areas Of Concern Re Cost Of Living

Major areas of concern were:

- 1) Have we made use of the most economical modes of transporting supplies into the North? Has our transportation system changed over the last few years? If so, how? What transportation modes have we not utilized?
- 2) Is warehousing in strategic areas in the North a viable option?
- 3) Is The Bay and the co-op training and orientation provided to their managers producing ultimate efficiency?
- 4) Is the North making good use of Canada Post?

---Applause

MR. CURLEY: Tell us, tell us!

---Laughter

MRS. SORENSEN: We will now.

- 5) Are we putting enough emphasis on the support of country foods and in particular, intersettlement trade?
- 6) What about growing our own foods; using greenhouses and chicken farms, for instance?
- 7) Are we providing enough basic consumer education to individuals to assist them effectively?
- 8) What are the alternatives and options for any assistance programs? What are the financial implications?
- 9) What programs are already in place which assist with the cost of living and who is the target group? Are they effective?
- 10) Is the federal government prepared to address this issue with our Legislature?

Mr. Speaker, your committee, knowing that the answers to all these questions would not come easily, decided that it could begin the process of answering some of these questions by recommending a pilot project. We also realized that at least one more year of research and study was required if this Legislature was to truly address the cost of living in a comprehensive fashion.

Recommendations To Offset High Cost Of Living

Therefore, in addition to recommending that the Executive Committee proceed to examine, evaluate alternatives and make recommendations to offset the high cost of living in the Northwest Territories, the standing committee on finance further recommends the following:

- 1) That Pelly Bay be designated as a pilot project over a two year period;
- 2) That a suitable method of assistance to lower the cost of certain food and non-food items be instituted in Pelly Bay;
- 3) That a specific target group within Pelly Bay be identified; and
- 4) That careful monitoring to determine the effects of this assistance be conducted with a view to answering such questions as:
 - a) What is the most efficient administrative process for the assistance program?
 - b) What is the impact on the target group? Does it meet expectations?
 - c) Is the assistance program meeting the needs of the people, in their opinion?
 - d) What is the impact on free enterprise that might be involved, not only in the community, but outside the community as well?
 - e) Are there areas where the government might be taken advantage of?

Motion To Refer 12th Report Of Standing Committee On Finance To Committee Of The Whole, Carried

Mr. Speaker, that concludes the standing committee on finance's report. I would move that the report be referred to committee of the whole for discussion, sometime before the end of this session.

MR. SPEAKER: Thank you. I have a motion on the floor. Do I have a seconder? Mr. McLaughlin. Discussion. Are you ready for the question?

AN HON. MEMBER: Question.

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

---Carried

Reports of standing and special committees. Mr. Braden.

Second Report Of The Special Committee On The Constitution Of Canada

HON. GEORGE BRADEN: Thank you, Mr. Speaker. I would like to provide the House with the Second Report of the Special Committee on the Constitution of Canada.

Mr. Speaker, in the five days since your committee submitted its first report a number of meetings have been held to address the proposals set out in a committee of the whole motion. You will recall that the co-chairmen of the special committee were directed:

- a) to examine all avenues available to this House to achieve its stated goal of seeking the deletion of paragraphs 41(1)(e) and 41(1)(f) in the proposed Constitution Act;
- b) to examine all legal alternatives available to this House and the Government of the Northwest Territories, including seeking appropriate court action to seek the deletion of paragraphs 41(1)(e) and 41(1)(f) of the proposed Constitution Act;
- c) to seek legal advice from experts in the area of constitutional law on the alternatives available to this House to seek set objectives of this House;
- d) to examine and make recommendations on the possibility of taking appropriate steps to seek provincehood for the Northwest Territories prior to the Constitution Act of 1981 coming into force;
- e) to consider inviting provincial premiers to the Northwest Territories to explain their position on constitutional development and extension of provincial boundaries into the Northwest Territories; and

f) to examine such other and further alternatives available to this House to achieve its stated resolve to seek the deletion of paragraphs 41(1)(e) and (f) and make appropriate recommendations to this House.

With respect to items b) and c), your committee is pleased to report that Dr. Ken Lysyk has agreed to meet with Members of the special committee. Dr. Lysyk is the dean of the University of British Columbia law school and an expert in Canadian law and the constitution, as well as Canadian laws that affect native people. It is expected that Dr. Lysyk will be able to advise us on matters relating to possible court action to delete paragraphs 41(1)(e) and 41(1)(f) of the proposed Constitution Act.

Further, your committee has engaged the services of a British law firm which has been asked to advise us on the extent of obligation created between the parliament of Canada and the Queen by virtue of the 1867 address and the Rupert's Land and North-Western Territory Act of 1870.

While the committee cannot yet make specific recommendations, we are confident that the information and advice being gathered will be useful in the efforts to have 41(1)(e) and (f) deleted, either before or after patriation. Mr. Speaker, you will appreciate that because of the significance of this course of action we must be sure of our position and the appropriateness of court action as opposed to other approaches to achieving our objectives.

With respect to item d), your committee can report that a draft resolution has been prepared. The resolution is currently being translated for your consideration, and further discussions are taking place with respect to the timing for introduction of such a resolution. Mr. Speaker, it is important to recognize that such a resolution is a major and significant step which must reflect the long-term aspirations of the people of the Northwest Territories. Nevertheless, if the committee feels that there is some urgency to proceed with such a resolution, either for legal purposes or to challenge the federal-provincial governments, we would recommend proceeding on such a course of action. To conclude this point, your committee continues to explore the options and develop strategies on this item as well as item e), which concerns inviting premiers to the Northwest Territories to discuss their positions on paragraphs 41(1)(e) and (f).

In conclusion, your committee is pleased to report that it will be proceeding in the following areas:

- a) seeking a greater role and enhanced status at federal-provincial meetings on the Canadian constitution;
- b) establishing a small subgroup of the special committee to assist the co-chairmen conducting their work;
- c) reviewing the present structures of the Northwest Territories government relating to constitutional development with a view to making changes to accommodate the critical work that must be done in the immediate future;
- d) finalizing before this session ends the process for further negotiations with the provinces.

I would just like to add, Mr. Speaker, that I am extremely disturbed at some of the reports that have been coming out in the media which suggest that the Legislative Assembly's committee is split on matters concerning filing legal action and the resolution for provincial status. I would like to indicate on behalf of my colleagues, that this is simply not the case. We are, obviously, investigating as thoroughly as possible the kinds of options that are open to us. I find this kind of media report to be totally false and to not accurately reflect the hard work that all the Members of the committee are putting into this particular issue; and I would also say all the hard work that is being done by our staff as well...

MR. MacQUARRIE: Hear, hear!

SOME HON. MEMBERS: Hear, hear!

---Applause

HON. GEORGE BRADEN: Mr. Speaker, we will be reporting back to the House again before this session ends with further recommendations and further progress. Thank you.

MR. SPEAKER: Thank you, Mr. Braden. 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. McCallum.

Notice Of Motion For First Reading Of Bill 18-81(3): Council Retiring Allowances Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I give notice that on Friday, December the 4th, I shall move that Bill 18-81(3), An Ordinance to Provide Retiring Allowances on a Non-contributory Basis to Persons Who Have Served as Members of the Council of the Northwest Territories, be read for the first time.

MR. SPEAKER: Thank you. Any other notices of motion for first reading of bills? Item 9, notices of motion.

ITEM NO. 9: NOTICES OF MOTION

Mr. MacQuarrie.

Notice Of Motion 20-81(3): Postponement Of Implementation Of Staff Housing Policy

MR. MacQUARRIE: Mr. Speaker, I wish to give notice that on Friday, December 4th, I will move, seconded by the honourable Member for Yellowknife South, that this House recommend to the Executive Committee that it postpone the full implementation of its new policy on staff housing, if within a certain reasonable time there is no concrete proposal for the construction of new rental accommodation in Yellowknife. And further, that the Executive Committee investigate and act upon means it can use to ensure that sufficient rental accommodation is constructed in Yellowknife including, as a last resort, instructions to the Northwest Territories Housing Corporation to construct and make available such accommodation.

MR. SPEAKER: Thank you. Notices of motion. Ms Cournoyea.

Notice Of Motion 21-81(3): Investigation Of Economic Development Operations, Inuvik

MS COURNOYEA: Mr. Speaker, I wish to give notice that on Friday, December the 4th, I will bring a motion to the floor referring to the following:

Now therefore, I move that the Legislative Assembly recommend to the Executive Committee that a public inquiry be established under the Public Inquiries Ordinance, March 28th, 1977, to investigate the past and present operations of the Inuvik regional economic development operations, in order to make recommendations with a view to develop a comprehensive plan to build an effective and responsive capability to deal with the critical demands to meet the objective of involving the residents in that area to meaningfully and effectively participate in the industrial development economic opportunities.

MR. SPEAKER: Thank you. Notices of motion.

Item 10, motions.

ITEM NO. 10: MOTIONS

Motion 12-81(3), Issue of Regulations under Wildlife Ordinance. Mrs. Sorensen.

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

MRS. SORENSEN: Thank you, Mr. Speaker.

WHEREAS by the provisions of the Wildlife Ordinance the Commissioner is empowered to make regulations pertaining to the wastage, destruction and abandonment of game meat;

AND WHEREAS the Wildlife Ordinance provides for the issue of commercial permits to take wildlife for commercial purposes;

AND WHEREAS such commercial permits have been issued to take wildlife for commercial marketing purposes in the Western Arctic region of the Northwest Territories;

AND WHEREAS it is prudent and desirable for the management of caribou and musk-ox and the commercial marketing of musk-ox from Banks Island, that certain unmarketable portions such as necks, backbones and shanks of musk-ox, or unmarketable animals such as trophy bulls, be permitted by the regulations to be abandoned or disposed of by means other than marketing;

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: Your motion is in order. Proceed, Mrs. Sorensen.

MRS. SORENSEN: Mr. Speaker, in the last 10 years, between 1971 and 1980, the musk-ox population on Banks Island has increased at an unprecedented rate, from an estimated 4000 to an estimated 20,000 animals. The people of Sachs Harbour have observed this rapid increase and for some time have expressed concern that it could lead, through overcrowding, to an eventual crash of the musk-ox population. They were also concerned that a continuing rapid increase in the number of musk-oxen would jeopardize the Banks Island population of Peary's caribou, a wildlife resource of great importance to the livelihood of the people of Sachs Harbour.

Mr. Speaker, last October these concerns were brought to the attention of the newly formed Inuvialuit Game Council, a body of Inuvialuit hunters and trappers empowered under the 1978 COPE Canada agreement in principle, to oversee wildlife management in the Western Arctic. The council drafted a musk-ox management plan for consideration by Sachs Harbour and the Northwest Territories Department of Renewable Resources.

As a result of meetings in Yellowknife during the month of March, a formal management plan for Banks Island musk-ox and caribou was signed by representatives of the Sachs Harbour Hunters' and Trappers' Association, the game council, the Inuvialuit Development Corporation and the Department of Renewable Resources. The plan sets forth the long-term objectives of musk-ox and caribou management for Banks Island and identified the steps required to achieve these goals. For this year, a harvest of approximately 200 animals was planned to provide necessary biological information and to supply a manageable quantity of meat to the IDC for expansion of its country food marketing enterprise. With the hides and horns from the harvest, the IDC will initiate product development projects.

Marketing Of Musk-Ox Meat

Mr. Speaker, the problem, however, is the limiting factor in the management strategy and the ability to market meat; and that largely is the result of section 58 of the ordinance. Over the last three years the IDC has undertaken the marketing of musk-ox meat and they have experienced several predictable difficulties. Their objective in marketing has been to develop large volume markets, while producing high quality meat at reasonable prices, and prices local people can afford. The harvesting by the Inuvialuit Development Corporation has revealed that transportation is the major cost associated with the product. In addition, older animals, particularly trophy bulls, and front quarters are much more difficult to market.

Mr. Speaker, 80 per cent of IDC's cost is air transportation cost, and their request to abandon or dispose of many portions of musk-ox will be an important means of making it possible to achieve their market objective of providing meat at reasonable cost, while maintaining the principle of utilization. By not having to transport the heavy unmarketable portions the unit cost will be greatly reduced. In addition, the overriding management concern about over-population of musk-ox could be more effectively addressed. I would urge Members, Mr. Speaker, to support the motion.

MR. SPEAKER: Thank you, Mrs. Sorensen. Mr. Curley, as seconder.

MR. CURLEY: Question.

Motion 12-81(3), Carried

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

---Carried

That appears to conclude motions for today.

Item 11, introduction of bills for first reading. Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Speaker, I wonder if I may have unanimous consent of the House to...

MR. CURLEY: Point of order, Mr. Speaker.

MR. SPEAKER: Point of order, Mr. Curley.

MR. CURLEY: Yes, Mr. Speaker, I have on my motion book that my motion is in order and I wonder why you overlooked that, regarding the Freshwater Fish Marketing Corporation.

MR. SPEAKER: I will just check it for a moment. On the list of the orders of the day it is not indicated, Mr. Curley. We will go back and check that for you. Mr. Curley, you indicated when you gave notice of motion that you would handle it on December the 3rd, and tomorrow is December the 3rd. You are certainly within the time frame. If you wish to deal with it today, and seek unanimous consent, I have no objections.

SOME HON. MEMBERS: Agreed.

MR. CURLEY: Agreed.

---Agreed

MR. SPEAKER: You have evidently unanimous consent to proceed with your motion.

MRS. SORENSEN: Agreed.

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

MR. CURLEY: Thank you, Mr. Speaker. It was my fault really. I will proceed, Mr. Speaker.

WHEREAS the Northwest Territories has existing legislation, the Freshwater Fish Marketing Ordinance, providing the FFMC with exclusive marketing rights in and outside the Northwest Territories and thus making the Northwest Territories one of the five participating provinces in the crown corporation;

AND WHEREAS the Northwest Territories agreed to participate in the FFMC in 1969 because it was thought such participation would benefit the local fishing industry and the Northwest Territories economy;

AND WHEREAS factors may have changed in the Northwest Territories since that time;

AND WHEREAS in particular, the Northwest Territories participation in the FFMC has proved prejudicial to the development of an economic viable fresh-water fish industry in the Delta;

NOW THEREFORE, I move, seconded by the honourable Member for Frobisher Bay, 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 the 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 and/or recommendations to improve the performance of our fishing industry and achieve territorial independence in marketing of territorial fish.

MR. SPEAKER: One moment please. Mr. Clerk. Mr. Curley, I was just having a little difficulty with your last line of your motion, the words reading "and achieve territorial independence...." As long as the intent is that this is a recommendation to the Commissioner, that this is not an order because it cannot be an order -- it is just the wording that gave me a little difficulty. As long as it is understood, I will rule that the motion is in order. Proceed.

MR. CURLEY: Thank you, Mr. Speaker. I have some comments here which would enable the administration to consider this motion seriously. With respect to Delta fishery, the Freshwater Fish Marketing Corporation, through the ordinance, controls all marketing inside the Northwest Territories and controls marketing between the Northwest Territories and all other provinces and territories in Canada, plus all overseas markets. I think, Mr. Speaker, you will remember that this particular agency continued to create problems for the marketing of territorial fish, not only in the Delta region, but particularly also in the Eastern Arctic.

The second point is that the Freshwater Fish Marketing Corporation makes no distinction, either in price or grading, between the unique northern high quality fish and fish caught in the provinces, and the list goes on. The price for Delta fish is the same as for Lake Winnipeg fish, f.o.b. Winnipeg. Therefore it costs us more to ship our fish to Winnipeg than we get for the fish from the Freshwater Fish Marketing Corporation. We feel the Northwest Territories has a specialty fish which should be marketed as such and the Freshwater Fish Marketing Corporation will not do this. We have buyers willing to pay two to three times what the FFMC will pay for our fish. Therefore, the FFMC is costing us money. We cannot sell to these buyers. The Freshwater Fish Marketing Corporation may benefit Manitoba fishermen but it does so at our expense.

Protection For People In Fishing Industry

The renewable resources of the Northwest Territories are a big resource for economic development in many of our regions. We should be free to develop our market and our products and not be curtailed by crown corporations who are unwilling to recognize or accommodate our rightful ambitions and put us subservient to their own objectives, and objectives of other provinces in the country. Shedding the shackles of the FFMC, by removing their exclusive right, the strength they hold over our price resource, would sanction the free market to the Territories and permit us to be mothers of our own destiny.

Mr. Speaker, the honourable Member from the Western Arctic strongly shares this particular position. I would also like to remind the Members of this House that we do have natural resources, particularly the potential of the fisheries in the Territories and it is about time that we take it seriously because I do not think we are going to ever develop that fast the non-renewable resources. Therefore we have to seek means to protect those people who are interested in harvesting our renewable resources. Fisheries is one area that we could develop and should be proud to develop and seek means to rectify the problems that fishermen do face in the Territories.

It is not a motherhood motion. I strongly urge you to continue and ask the administration and see if they can untie some of the problems that the fishermen face in this area, because if we do that, we are going to possibly be competitive with the other major fisheries in Canada. We have resources in the Eastern Arctic that have never been tapped and therefore should be explored. There are companies that are willing to look into that but I believe by removing some of the obstacles that we face with this crown corporation, we will be making a major step in improving the fishing industry for those people who are willing to invest and put their time into this thing. I hope the Members will support this motion.

MR. SPEAKER: Thank you, Mr. Curley. Mr. Patterson, you are seconder of this motion.

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I think the Members of this House have been made aware of concerns about the Freshwater Fish Marketing Corporation before. Last winter we heard from a representative of that corporation and we heard from a former member of this Assembly, Mr. Lyall, about the problems that a co-op faces in dealing with this corporation. I think the discussion that we had last year was very frustrating for many of us because it is a complicated area and there are difficult questions involved. Therefore I am pleased to have the opportunity to second this motion calling for a proper study to be done by our Economic Development department. I am quite sure the department would be pleased to co-operate in order to try to address the problems that seem to arise particularly in the Eastern Arctic and the Central Arctic and the Delta. I do not know very much about the situation as far as the lakes fishery is concerned. It may be that the Freshwater Fish Marketing Corporation is serving those people well and if so, we should find out.

I am very concerned that Arctic char for example, which is a prized delicacy throughout the world, is being lumped in with much less unique species of fish in the southern market and that the Freshwater Fish Marketing Corporation is making no apparent efforts to market Arctic char the way it should be marketed, as a delicacy. I am also personally aware of the situation where buyers are begging to pay very good prices for Arctic char in restaurants in Montreal, restaurants in Vancouver. Under the present monopoly situation of the Freshwater Fish Marketing Corporation, our development corporations, our individual fishermen, our co-ops are unable to pursue these opportunities and I think those corporations and individuals and organizations should be given a chance to develop that market.

Retarded State Of Fishing Industry In The NWT

I am also concerned, Mr. Speaker, about the general retarded state of the fishing industry in the Northwest Territories. I think it is a tremendous source of employment and economic self-sufficiency for the Northwest Territories and when I compare what is happening between Greenland and the other side of Davis Strait in the area of fishing, there is something very seriously wrong in the Northwest Territories. Fishing is ideally suited to the skills and traditional pursuits of many native people and for some reason, we are not pursuing this opportunity. The federal Department of Fisheries and Oceans seems to be spending its time concerned with exotic species like narwhal and beluga whales and walrus, but they are ignoring the fishery; neglecting test fishing and encouraging this very important resource. Sometimes it seems they want to do the glamorous stuff and neglect what is a much more economically significant area, the fisheries.

So all these problems must be addressed by this government. I think a good start would be to objectively examine the effectiveness of the Freshwater Fish Marketing Corporation. I think debates over the years will show Members' concern and frustration with this group. Here is a chance to do a proper evaluation and give this Assembly the information it needs to take action. So I fully support the motion, Mr. Speaker. Thank you.

MR. SPEAKER: Thank you, Mr. Patterson. To the motion. Mr. Sayine.

MR. SAYINE: Yes, Mr. Speaker, I also support the motion because the fishermen on the Great Slave Lake have also had problems with the FFMC and they have also talked about trying to pull away from the Freshwater Fish Marketing Corporation. I think that this study would be a very good idea if everybody would have good input into it.

MR. SPEAKER: Thank you. To the motion. Mr. Tologanak.

HON. KANE TOLOGANAK: Mr. Speaker, I just want to indicate very briefly that I am in support of the motion to undertake a review of the performance of the FFMC. The Central Arctic, as many people may know, has a fishery in Cambridge Bay and the fishing of Arctic char in the Central Arctic has always been one of the attractions to many tourists and the people of our Territories as well. People are asking for Arctic char when they go up north. This summer, for some odd reason, one fish was interested in the Arctic char and came all the way from BC, a salmon. It somehow got into the Coppermine River and ended up in Coppermine so we suitably packaged it up and sent it on its way back to BC. Thank you.

---Laughter

MR. SPEAKER: To the motion, Motion 11-81(3). Mr. Curley, do you wish to wind up the -- I am sorry, Mr. Butters.

Remarks From The Minister Of Economic Development

HON. TOM BUTTERS: Mr. Speaker, the mover of the motion sent me a little note asking if I would wish to say something on the motion. I am happy to do so. I have no problem with it and I am quite sure neither does the government. I would indicate that the concern with regard to the Freshwater Fish Marketing Corporation is certainly not new. In fact, I recall some three years ago having Mr. Lal at that time look very thoroughly into the arrangement which we are involved in, and determining if there were steps that could be taken to remove ourselves from that arrangement. I have also discussed the matter with the Minister of Indian Affairs and Northern Development, whom Members know signs for this jurisdiction with regard to that agreement. The Minister's response to me, very informally, was that he would have no problem with regard to removing this territory from such an agreement provided it could be demonstrably clear that the individual fishermen would benefit from such a withdrawal or such action. So yes, we have looked into it and we will look into it, I am quite sure, if the motion passes.

---Applause

SOME HON. MEMBERS: Question.

MR. SPEAKER: Thank you, Mr. Minister. Mr. Curley, do you wish to use your prerogative?

SOME HON. MEMBERS: Question.

Motion 11-81(3), Carried

MR. SPEAKER: Question being called. All those in favour of the motion? Opposed, if any? Let the record show the motion was passed unanimously.

---Carried

I believe that now concludes the motions. Does anybody else have a motion?

Item 11, introduction of bills for first reading.

ITEM NO. 11: INTRODUCTION OF BILLS FOR FIRST READING

Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Speaker, I wonder if I may have unanimous consent of the House to move first reading of Bill 18-81(3)?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: The Minister is asking for the waiving of the 48 hour period for the introduction of this bill. Does he have unanimous consent?

SOME HON. MEMBERS: Agreed.

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

---Agreed

First Reading Of Bill 18-81(3): Council Retiring Allowances Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I move that Bill 18-81(3), An Ordinance to Provide Retiring Allowances on a Non-contributory Basis to Persons Who Have Served as Members of the Council of the Northwest Territories, be read for the first time.

MR. SPEAKER: Is there a seconder? Mr. Braden. All those in favour? Opposed, if any? Bill 18-81(3) has first reading.

---Carried

Item 12, second reading of bills.

ITEM NO. 12: SECOND READING OF BILLS

HON. ARNOLD McCALLUM: I wonder, Mr. Speaker, if I may have unanimous consent to give second reading to the bill.

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Unanimous consent is being requested again to waive the time period on this bill. Is there unanimous consent?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Are there any nays?

---Agreed

Proceed, Mr. Minister. You are getting lucky today.

HON. ARNOLD McCALLUM: Three for three is not bad, eh?

Second Reading Of Bill 18-81(3): Council Retiring Allowances Ordinance

Mr. Speaker, I move that Bill 18-81(3), An Ordinance to Provide Retiring Allowances on a Non-contributory Basis to Persons Who Have Served as Members of the Council of the Northwest Territories, be read for the second time. The purpose of the bill, Mr. Speaker, is to retroactively

- a) increase the base on which retiring allowances are calculated by expanding the definition of "pensionable remuneration" to include annual indemnities, per diem indemnities and salaries;
- b) establish a non-contributory plan with option to contribute for an additional allowance and entitlement to a withdrawal allowance;
- c) establish a basic non-contributory allowance for MLAs and an additional non-contributory allowance for the Speaker, Deputy Speaker and chairman of the committee of the whole and Executive Members;
- d) allow Members who do not have pensionable service and who have made voluntary contributions, a withdrawal allowance that can be paid either in a lump sum or by way of an annual allowance which is subject to the supplementary retirement benefits provisions of the ordinance;
- e) reduce the retirement age from 60 to 55 years;
- f) allow dependants and surviving spouse, including a designated common-law spouse, entitlement to the Member's allowance upon his death;
- g) permit any allowance payable under this ordinance to be paid in full notwithstanding any other allowance that a Member may be receiving as a result of employment in the public service;
- h) allow the Members' Services Board to administer the Legislative Assembly retiring allowances fund; and
- i) allow Members to buy back previous service by way of instalments over a period not exceeding 15 years.

Mr. Speaker, I must indicate that that bill will now be distributed to Members. It is not in the book. It will be distributed to the Members, though.

MR. SPEAKER: Thank you. Do I have a seconder? Mr. Tologanak. Discussion in principle.

SOME HON. MEMBERS: Question.

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

---Carried

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

Report of the special committee on the constitution of Canada; Bill 1-81(3), Supplementary Appropriation Ordinance, 1981-82; Bill 17-81(3), Elections Ordinance, 1978, as amended; Tabled Document 5-81(3), Our Land Our Future, discussion paper on political and constitutional development; Tabled Document 8-81(3), Report of Workers' Compensation Task Force.

Inasmuch as we have witnesses here today that must leave tonight, with regard to Bill 17-81(3), do I have agreement to go immediately into that this afternoon?

SOME HON. MEMBERS: Agreed.

---Agreed

MR. SPEAKER: Mr. Butters.

HON. TOM BUTTERS: I would like to also inform the House that the information required for the conclusion of Bill 1-81(3) is available and we could probably go with that later today as well.

AN HON. MEMBER: Agreed.

MR. SPEAKER: Fine. Well then, if we have agreement, we will go into Bill 17-81(3) first and then complete Bill 1-81(3), with Mr. Fraser in the chair.

---Legislative Assembly resolved into committee of the whole for consideration of Bill 17-81(3), Elections Ordinance, 1978; Bill 1-81(3), Supplementary Appropriation Ordinance, 1981-82; Report of the Standing Committee on Legislation; Tabled Document 8-81(3), Report of the Workers' Compensation Task Force; Tabled Document 5-81(3), Our Land Our Future; Report of the Standing Committee on Finance, with Mr. Fraser in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 17-81(3), ELECTIONS ORDINANCE, 1978; BILL 1-81(3), SUPPLEMENTARY APPROPRIATION ORDINANCE, 1981-82; REPORT OF THE STANDING COMMITTEE ON LEGISLATION; TABLED DOCUMENT 8-81(3), REPORT OF THE WORKERS' COMPENSATION TASK FORCE; TABLED DOCUMENT 5-81(3), OUR LAND OUR FUTURE; REPORT OF THE STANDING COMMITTEE ON FINANCE

CHAIRMAN (Mr. Fraser): The committee will come to order and we will take a 15 minute coffee break.

---SHORT RECESS

CHAIRMAN (Mr. Fraser): The Chair recognizes a quorum. We will deal with Bill 17-81(3), An Ordinance to Amend the Elections Ordinance, 1978. Mr. Braden.

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

HON. GEORGE BRADEN: Thank you, Mr. Chairman. I know that Mr. MacQuarrie has quite a number of remarks to make on this bill. I wonder if the committee would agree to invite Mrs. Gibson and Mr. Lavoie from the chief electoral officer's office to be present here to assist this committee in consideration of amendments to Bill 17-81(3).

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Fraser): Is it agreed to bring the witnesses in?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Will you see that the witnesses are brought in? Thank you. Mr. Braden.

HON. GEORGE BRADEN: Thank you, Mr. Chairman. Mr. Chairman, the government does not have anything further to add to the discussion. I wonder if Mr. MacQuarrie could carry this one through, since his committee has been working on this in detail.

CHAIRMAN (Mr. Fraser): Just before we ask Mr. MacQuarrie to go ahead, I will introduce the witnesses. Louis Lavoie, director of operations, Elections Canada and Mrs. Trudy Gibson. How do we wish to deal with this bill? Mr. MacQuarrie, do you have any comments? Thank you. Mr. MacQuarrie.

MR. MacQUARRIE: As I mentioned the other day in my report, Mr. Chairman, the bill, as it has been brought into the House, already reflects a number of additional amendments that were made by the standing committee on legislation when we met just prior to the opening of this session, but in addition, because it is a technical kind of bill, there are certain other amendments that have seemed to those who are directly concerned with the bill to be prudent. The standing committee on legislation has since met to discuss those and I, on behalf of the committee, will be introducing certain amendments as we move along through the bill.

The first one begins in clause 11, so perhaps if I might recommend, Mr. Chairman, if Members wish to discuss the bill generally, fine. If not, we might begin to move clause by clause and when we reach those clauses where I have appropriate amendments, I will let you know at that time.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Before we go into the bill I would like to recognize Mr. Pilakapsi, the mayor of Rankin Inlet, and the councillor, Mr. Bill Coward, in the gallery, please.

---Applause

Thank you. We will deal with the bill, then, clause by clause, and wherever there is an amendment, I understand that Mr. MacQuarrie will be bringing the amendment forward. Is that agreed?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Fraser): Agreed.

---Agreed

Clause 1, election officer. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 2, official agent. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 11, idem. Mr. MacQuarrie.

Motion To Correct Clause 11, Bill 17-81(3), Carried

MR. MacQUARRIE: In the clause, as you find it in your legislation books, there is a slight typographical error, and so, I move that clause 11 be amended by deleting the word "electorial" where it appears in line five, paragraph 7(11)(a) and that the word "electoral" be substituted.

CHAIRMAN (Mr. Fraser): To the motion.

SOME HON. MEMBERS: Question.

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

---Carried

Clause 11, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 19, Members, their spouses and dependants. Mr. MacQuarrie.

Motion To Amend Clause 19, Bill 17-81(3)

MR. MacQUARRIE: Thank you, Mr. Chairman. I will move that clause 19 be amended by adding immediately after subparagraph 15(17)(a)(iii) the following new subparagraph: "(iv) the place, if any, in Yellowknife or the area surrounding Yellowknife where the former Member has his place of residence, for the purpose of carrying out his duties as an Executive Committee Member...."

That is the amendment I am proposing. Members may notice that there is a slight change in wording from the sheets that have been passed around to them. That is because when we met at noon today -- the standing committee on legislation -- that slight change was moved and accepted in the majority by the committee. Further, I would amend that section by substituting "or" for "and" at the end of subparagraph (iii) and replacing the semicolon with a comma and deleting "or" from the end of subparagraph (ii).

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

MR. McLAUGHLIN: Yes, Mr. Chairman. I would like to amend the proposed amendment.

MR. MacQUARRIE: A point of order, Mr. Chairman.

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

Motion To Amend Clause 19, Bill 17-81(3), Reworded

MR. MacQUARRIE: Yes. I got carried away. It should read, "Executive Member", not "Executive Committee Member". Executive Member. That is just so that the term is in conformity with the interpretation that is put on those words "...out his duties as an Executive Member", and I am sorry. If you will proceed, then.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Mr. McLaughlin, to the motion.

MR. McLAUGHLIN: Yes, Mr. Chairman. When the committee first met on this item it was considered that Members should be protected if they moved to Yellowknife for any reason. At that time the committee expressed the desire that any Member of the Assembly who moves to Yellowknife, should be protected in the same manner as, for example, Members of Parliament are if they move to Ottawa; that they and their families should not lose the right to vote in their home constituency, or would have the opportunity to vote in the new residence, which in this case would be Yellowknife, if they so pleased. I do not think that it should be changed -- that this privilege should only be given to the Executive Committee Members. I think the privilege should extend to all Members of the House. I think ordinary Members of the House should also have this advantage.

For example, if a Member of the Assembly from Rae, for example, did not happen to be a Member of the Executive Committee, he might choose to live in Yellowknife for the whole time that he is a Member of the Legislative Assembly and he would not be given the same right to vote in Yellowknife if he and his family members so chose, as the Executive Committee Member would be.

Amendment To Motion To Amend Clause 19, Bill 17-81(3)

So, I would like to amend the chairman of the legislation committee's amendment to read as it was originally intended by the legislation committee; to read, "...carrying out his duties as a Member of the Council".

CHAIRMAN (Mr. Fraser): Thank you, Mr. McLaughlin. You usually make an amendment and then talk about it. You are finished talking on the amendment, are you?

---Laughter

MR. CURLEY: He does not know what he is talking about.

---Laughter

CHAIRMAN (Mr. Fraser): To the amendment. Mr. McLaughlin, to the amendment.

MR. McLAUGHLIN: Mr. Chairman, I was originally talking about the amendment, but now I would like to talk about the amendment to the amendment. I think as time goes by, as sessions last longer, as committees take on more jobs -- right now it is a fairly difficult and time-consuming job for the chairman of the standing committee on finance, for example. Right now we are lucky, because the chairman is a Member for Yellowknife and lives here, but if the finance committee chairman was not from Yellowknife, he might decide to move to Yellowknife because of the amount of time required by that job. So, I would like to make sure that ordinary Members would have the same opportunity to serve their constituency and serve the Assembly as Executive Committee Members do. So, that is the reason I am making the amendment to the amendment, Mr. Chairman.

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

MR. CURLEY: Yes, Mr. Chairman. You know, I did delete that particular amendment to the amendment introduced by Mr. McLaughlin today, because by mere principle I do not agree that extra privileges should be given to Members of the Assembly. What that particular motion with the amendment to the amendment does is that if I, as a Member for my constituency, Keewatin region, were to try and find a reason that I should be able to serve my constituency by residing in Yellowknife and decided not to vote in my riding, this amendment to the amendment would give me the right to vote in Yellowknife, even though I have a permanent residence in Rankin Inlet. So, to me it is a silly thing. I think it is really nonsense that they should be given that extra privilege.

No doubt, if you are serious about representing your constituents, you will want to live where your constituents are. No constituents, I think, are going to convince you that you could do more to represent them by residing in Yellowknife, and have your name eligible to be put on the electoral list in Yellowknife, because you would end up voting for Lynda Sorensen when you should be voting for yourself in your area. So, that is what this does. It gives the privilege to a Member.

MRS. SORENSEN: I can use all the votes I can get.

MR. CURLEY: So, I do not think any of my constituents would want me to vote for Lynda Sorensen and have my name put on the list in her riding.

---Laughter

That is what that silly thing does.

CHAIRMAN (Mr. Fraser): Are you sure of that?

Privilege Of Voting Would Be A Special One

MR. CURLEY: The other principle that I am against is that there are people who work in their ordinary daily employment, for instance, the interpreter corps; they do not have any special privileges. You know, for no reason should they have their names listed under Lynda Sorensen's riding when they could be voting for Dennis Patterson in Frobisher Bay. That is why I recommended that extra privilege to ordinary Members be deleted and that the Executive Committee Members who choose to live in Yellowknife and want to have their names listed on the electoral list in their place of residence -- for instance, the surrounding areas of Yellowknife -- I think that is fine, because they are representing the Territories as Executive Members. But I am not convinced that ordinary Members, other than the Executive Committee, should be given that right, because it is

just giving an extra privilege to them. As ordinary residents they have that right already, to be able to vote in any place they call home, which would be most likely Yellowknife if they choose to permanently reside in Yellowknife. So, I will vote against that amendment to the amendment. Thank you.

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

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Fraser): Mr. McLaughlin.

MR. McLAUGHLIN: In Mr. Curley's argument, Mr. Chairman, he is assuming, of course, that the person is going to run again. There is also the possibility existing where the person might not choose to run again. For example, you, yourself, Mr. Chairman, are residing in Yellowknife at this time. If you decide not to run in the next election, the returning officer in Yellowknife might say "Well, you are from Norman Wells." The returning officer in Norman Wells might say "You are from Yellowknife." So there is no guarantee that you can get yourself on the electors' list anywhere and that is the problem I think that has to be addressed here.

Also you could have a situation where -- for example, Mr. Curley. What if they decide before the next election to change some of the boundaries, the constituency boundaries? Then a person might find that his home constituency where he lives is now in a different constituency and he would not be able to get on the electors' list in the constituency he is representing because his home community might have been moved out of that. You know, we have a Member like Ms Cournoyea who lives in Inuvik, who represents a different constituency. What if she chooses to vote and reside in that community? What you are doing here is by allowing this privilege for Executive Committee Members to make sure that they have the flexibility to vote and live and run in whichever riding they want, you are by the very essence of restricting it to them, putting the ordinary Member out on a limb. I would like to ask Mr. Fuglsang, the Law Clerk, for an opinion on what would happen in a situation if Members chose to run in a different riding than they were in last time. For a Member who chose to not run in the next election, but if he stayed in Yellowknife, could he vote? For Members whose constituency boundaries might change, you know, where is your residence? That is the problem. Most of the changes we have made in this Elections Ordinance have been to make sure that people do not lose their opportunity to vote. So I would like to ask an opinion on that.

CHAIRMAN (Mr. Fraser): Thank you, Mr. McLaughlin. I think maybe that is a question for the witnesses. They have not done anything yet so maybe we will ask one of them to reply to that, please. Mr. Lavoie.

MR. LAVOIE: Thank you very much, Mr. Chairman. One thing I can say is that the amendments, previous to the amendment that is being sought, in our Canada Elections Act the wording is identical to what was being submitted. In other words, it is all outgoing Members that have this privilege, but again, I do not think that everything has to be similar to the Canada Elections Act, because, you know, we are dealing with larger numbers of people. We are dealing also with the notion of political parties which is different. It is up to the Members to decide the way they want it. I think, as far as I am concerned, both versions can be lived with.

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

MR. CURLEY: Mr. Chairman, I think the mover of the amendment to the amendment -- I suggest has not read that subsection (17) because immediately it says "Each candidate..." and I will just summarize it, is qualified as an elector and is respectively entitled (a) to have his name entered on the list of electors for any of the following places: (i) the actual place of ordinary residence of the former Member.

So if an ordinary Member decided to live in Yellowknife, he is eligible immediately to vote in that place and have his name listed in the electoral list here, but the particular subparagraph we are dealing with, number (iv), refers only to Yellowknife, that the Member is eligible to qualify as an elector. Number (iv) says the place is really Yellowknife or the surrounding area of Yellowknife. So that is what I am concerned with. I do not think that all of us should be given that privilege to vote for Lynda Sorensen unless we absolutely have to because that is exactly what this particular section tries to do.

---Laughter

Thank you, Mr. Chairman.

MRS. SORENSEN: You are pushing your luck, Mr. Curley.

CHAIRMAN (Mr. Fraser): Quit picking on Mrs. Sorensen. To the amendment. Mr. McLaughlin.

MR. McLAUGHLIN: Mr. Chairman, the point is if it is necessary to make sure that the Executive Committee Member and his family are able to vote -- I am putting forth the situation that an ordinary Member could be residing in Yellowknife to do his business as he thinks he sees fit. Other Members of the Assembly do not have the right to tell me or any other Member where I think I can do my business and where I should live in the Northwest Territories. What I am trying to say -- and I want the Law Clerk to give us advice -- is it possible that an ordinary Member would not have the same privileges as an Executive Committee Member if an ordinary Member chose to live in Yellowknife? Would he and his family lose the opportunity to vote that we are trying to protect for the Executive Committee Member? In other words, are we giving a privilege to Executive Committee Members that we are not giving to ordinary Members and their families? I do not think that that is right, that Executive Committee Members should have a privilege that ordinary Members do not have.

CHAIRMAN (Mr. Fraser): Thank you, Mr. McLaughlin. They will be using me for an example. I do not want to vote in Yellowknife anyway. Mr. Fuglsang, could you straighten him out on that, please?

Opinion Of Law Clerk

LAW CLERK (Mr. Fuglsang): Mr. Chairman, actually I am being asked to give an interpretation here of something that is not law and I have not studied it in the context of law. I am not trying to pass the buck by saying that. I believe that if an ordinary Member under this legislation did move to Yellowknife, if he establishes his residency here and his family moved with him, then I do not see how they could be deprived of voting in Yellowknife, whether they be an ordinary Member or an Executive Member under this legislation. I think you are looking at a very rare occasion where there would be any actual distinction between the position of the ordinary Member and the Executive Member, as the legislation is now proposed. I do not know if that -- I should not use the term "ordinary Member" -- just a Member who is not a Member of the Executive Committee. I cannot even imagine an example of a situation where the discrimination would be detrimental -- so detrimental that someone would lose their franchise. I just cannot see that under this legislation. I am sorry if that does not help you but I really was not prepared -- I really am not prepared to offer much more to you. I am sorry about that.

CHAIRMAN (Mr. Fraser): I understand that ordinary Joe Blow is in the same position as an ordinary Member. Is that right? Mr. McLaughlin. To the amendment.

MR. McLAUGHLIN: Which brings up the point then, why do you have to specify Executive Committee Members? Why are you trying to give -- why is the Executive Committee Member -- why are we trying to do something to protect him if there is nothing to protect? What is the different thing he does when he moves here?

Is he going to live in the street instead of in a house? Why are we making a distinction between an Executive Committee Member and an ordinary Member in this? I do not understand the whole concept of trying to protect this Executive Committee Member's right. If the ordinary Member is not going to be affected, if he is not going to lose his right to vote, then why are we worried about the Executive Committee Member in the first place?

AN. HON. MEMBER: Question.

CHAIRMAN (Mr. Fraser): To the amendment. Question being called.

MR. McLAUGHLIN: I would like to ask legal advice on why we are worried about the Executive Committee Member then. That is the question I am asking. Why are we worried about the Executive Committee Member in the first place?

CHAIRMAN (Mr. Fraser): Thank you, Mr. McLaughlin. Mr. Fuglsang, will you...

LAW CLERK (Mr. Fuglsang): First of all, I do not feel that that is a legal question. It is a question of policy to be determined by the Members of this House and I do not feel that I can enter into that.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Fuglsang. Mr. Braden.

HON. GEORGE BRADEN: Thank you, Mr. Chairman. I wonder if I might have my deputy minister of Justice come into the House and offer some comments on this concern.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Fraser): Is it agreed that we invite Mr. Lal in as a witness to maybe...

MR. MacQUARRIE: It may not be a necessary question.

CHAIRMAN (Mr. Fraser): Mr. Lal, do you understand the question?

Subparagraph Provides Guidance To Returning Officer

MR. LAL: I do, Mr. Chairman, and I concur with Mr. Fuglsang that it is strictly not a legal question. However, in order to assist this committee, I may explain the purpose of including subparagraph 15(17)(a)(iv) in clause 19. The purpose, Mr. Chairman, of this clause is simply to ensure that if there is ever a question raised by a returning officer about the eligibility of a Member to vote in Yellowknife on the basis of some doubt being cast on whether the person in question is a resident of Yellowknife or of his home community, this particular provision will eliminate that doubt and would provide the necessary guidance to the returning officer to enrol that Member on the electoral list. Thank you.

CHAIRMAN (Mr. Fraser): Thank you very much, Mr. Lal. This is not a legal question. To the amendment. Question. Mr. McLaughlin.

MR. McLAUGHLIN: Just so that I understand it then, if it was left "Member", that would clear the problem, but now if you put "Executive Committee Member", you are going to solve the problem for the Executive Committee, but you will still cast doubt upon whether an ordinary Member can be in Yellowknife. So it will not be clear whether he can vote or not. That is the point I am trying to make. You are eliminating the protection for the ordinary Member then.

MR. CURLEY: Why do you not read it? Read it!

MR. McLAUGHLIN: He just said it.

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

HON. DENNIS PATTERSON: Mr. Chairman, I just wanted to make it clear, as an Executive Member who spends some time in Yellowknife -- perhaps too much time -- that although I recognize that Mr. MacQuarrie and Mrs. Sorensen are probably going to need every vote they can get...

MRS. SORENSEN: You are right.

---Laughter

HON. DENNIS PATTERSON: ...in the next election, I am going back to Frobisher Bay and I am going to vote for myself. Thank you.

MR. MacQUARRIE: Why would you do that?

MRS. SORENSEN: It is the only vote he will get.

---Laughter

CHAIRMAN (Mr. Fraser): To the amendment. Question. Mr. Curley, go ahead.

MR. CURLEY: Yes, Mr. Chairman. I think Mr. McLaughlin is not clear. He should read this particular subparagraph 15(17)(a)(iv). It specifically refers to a Member carrying out his duties as an Executive Member. It does not talk about an ordinary Member carrying out his duty. My amendment during the legislation committee was that unless the Member is paid a full salary to carry out his duties and has to move to Yellowknife, I am not sure whether that person should be given that privilege to vote in other than his constituency and get on the electoral list, but if he were to move, as an ordinary Member, and permanently decides to have his place of residence in Yellowknife, no doubt there is no question, because that would be a separate matter, I think. It talks about a Member carrying out his duty as a Member and having to move to Yellowknife and that is why I think -- I do not see any ordinary Member would be given additional duties and responsibilities other than ones that constituents have asked him to do and where they should be done. Thank you.

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

MR. McLAUGHLIN: I would just like to make it clear. Mr. Lal told us that the reason for trying to protect the Member, which was the ordinary intent -- the ordinary Member was to -- the object was to try to remove any doubts about whether this person will have a chance to vote in one of the two places -- that he could have one returning officer saying he lives in one place and the other one saying he lives in the other and this would remove that doubt for all Members of the Assembly,

Intention Was To Allow For Committee Work

There is a possibility that a Member who was not in Yellowknife could be the chairman of a standing committee or of a special committee that ended up having to do quite a bit of work in Yellowknife, so he decided to stay there around the time of the election and this would allow that Member and his family to be able to vote. I think that original intention that the legislation had, was to make sure that Members and their families would not lose their right to vote if this happened to them, if he were carrying out his duties as a Member of the Assembly, just as the original proposed amendment says, that was passed around to us. I think to change that and only to protect the Executive Committee Members is wrong and I think it is contrary to the whole democratic process, because the individual Members of the House are elected in their constituency by their voters and those people are the ones who determine whether that person does a good job or not and they are the ones who can kick him out at the next election. Other Members -- I do not think it is my right to tell Mr. Curley where he should go and where he should live and I do not think it is Mr. Curley's or any other Member's right to tell any Member of this House where they should be to do their business. I do not think that if a Member decides to live in Yellowknife in order to best serve his constituents -- maybe this person is handicapped and finds travelling on airplanes difficult all the time.

HON. DENNIS PATTERSON: Are you speaking of yourself, Mr. McLaughlin?

MR. McLAUGHLIN: I may be mentally handicapped if I stay on the Assembly with Mr. Curley too long.

---Laughter

I do not think that other Members have the right to determine how myself or any other Member carries out his business and by voting against my amendment to the amendment you are going to be imposing your will on another Member and his rights and I think that is wrong and it should not be done. So, I would urge Members to vote for my amendment to the amendment, to make sure that ordinary Members do not suffer this doubt that Executive Committee Members are being protected from.

CHAIRMAN (Mr. Fraser): Do I hear question?

HON. KANE TOLOGANAK: Question.

CHAIRMAN (Mr. Fraser): Question is called.

MR. McLAUGHLIN: Recorded vote.

CHAIRMAN (Mr. Fraser): The amendment to the amendment. A Member has called for a recorded vote. Please, could you read the amendment just before we vote on that?

CLERK ASSISTANT (Mr. Hamilton): The amendment is to reinstate the words, after "out his duties", "as a Member of the Council".

CHAIRMAN (Mr. Fraser): Thank you. A recorded vote. Please stand. To the amendment to the amendment. Please stand.

CLERK ASSISTANT (Mr. Hamilton): Mr. McLaughlin, Mr. MacQuarrie.

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

CLERK ASSISTANT (Mr. Hamilton): Mr. Evaluarjuk, Mr. Arlooktoo, Mr. Kilabuk, Mr. Patterson, Mr. Appaqaq, Mr. Tologanak, Ms Cournoyea, Mr. Curley, Mr. Noah, Mr. Braden, Mr. McCallum, Mr. Wah-Shee.

MR. McLAUGHLIN: You have voted yourselves into being an elite group.

CHAIRMAN (Mr. Fraser): Abstentions.

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

Amendment To Motion To Amend Clause 19, Bill 17-81(3), Defeated

CHAIRMAN (Mr. Fraser): Sorry, dear. The amendment is defeated.

---Defeated

To the motion, as amended. No. To the motion. Mr. McLaughlin, to the motion.

MR. McLAUGHLIN: I would like to speak against this amendment because I think what it does is provide extra privileges for Executive Members. The amendment is detrimental to the ordinary Members of the House and I would like to speak against and will vote against the amendment.

CHAIRMAN (Mr. Fraser): Thank you. Mr. MacQuarrie, I recognize you. Before we go any further I would like to recognize Mr. Simon Awa, president of the Baffin Regional Inuit Association and Mr. Francois Bregha of Canadian Arctic Resources Committee.

---Applause

Thank you. Mr. MacQuarrie, to the motion.

MR. MacQUARRIE: Yes, Mr. Chairman. As the chairman of the standing committee on legislation I did not have the opportunity to vote at the time that the wording was being discussed. I certainly supported the arguments and the position of Mr. McLaughlin, but I will vote in favour of this motion because I believe that it is important to enable as many people as possible to vote. That was my aim when I suggested amendments to the Elections Ordinance and so, if I am not in a position to be able to extend that freedom and that opportunity to all people, or to as many people as possible, I still will not, for that reason, deny it to others who may be put in a difficult situation -- the Executive Members -- because we specifically ask them, as an Assembly, to take onerous duties on themselves and to live a great deal of their time in Yellowknife. I support that they at least ought to have that right and I will support the motion.

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

HON. KANE TOLOGANAK: Question.

Motion To Amend Clause 19, Bill 17-81(3), Carried

CHAIRMAN (Mr. Fraser): Question is called. All in favour? Down. Against? The motion is carried.

---Carried

Clause 19, as amended. Agreed.

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 20, receipt of preliminary list copies. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 21, reproduction of preliminary lists. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 22, certificate. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 23, distribution of copies of preliminary lists. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 24, revision of lists of electors. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 25, disposal of copies of statement of changes and additions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 26. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 27. Mr. MacQuarrie. Just before I let you speak, Mr. MacQuarrie, are we through with the witness, Mr. Lal, now, Mr. Braden? Can we excuse him?

HON. GEORGE BRADEN: Sure.

CHAIRMAN (Mr. Fraser): Thank you very much, Mr. Lal. Mr. MacQuarrie.

Motion To Amend Clause 27, Bill 17-81(3), Carried

MR. MacQUARRIE: With respect to clause 27, Mr. Chairman, I move that clause 27, rule (4.1)(b) be amended by deleting the word "assistance" in line four and substituting the word "facility". In moving that, it is the opinion of the chief electoral officer's office that that word will better cover the situation for returning officers who may be required to provide special facility for people who cannot vote under the same circumstances as others. For instance, that might refer to the bringing of a ballot box to the door of the polling station so that handicapped voters can vote. So, there is no change in meaning at all. It is just felt that facility is a better word than assistance, Mr. Chairman.

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

MR. CURLEY: Question.

CHAIRMAN (Mr. Fraser): All in favour? Down. Opposed? The motion is carried.

---Carried

Clause 27, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 28. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 29. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 30. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 31. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 32. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 33. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 34. Mr. MacQuarrie, clause 34.

Motion To Amend Clause 34, Bill 17-81(3), Carried

MR. MacQUARRIE: Mr. Chairman, I move that clause 34, rule 16(b) be amended by deleting the words "in the index book" in line one. Again, that is a technical amendment.

CHAIRMAN (Mr. Fraser): To the motion.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Fraser): Question is called. All in favour? Down. Opposed?
Carried.

---Carried

Clause 34, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 35. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 36. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 37. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 38. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 39. Mr. MacQuarrie.

Motion To Amend Clause 39, Bill 17-81(3), Carried

MR. MacQUARRIE: I move that clause 39, rule (23) be amended by deleting the word "preliminary" in line two. Again, a technical amendment, Mr. Chairman.

CHAIRMAN (Mr. Fraser): To the motion.

SOME HON. MEMBERS: Question.

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

---Carried

Clause 39 as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 40. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 41. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 42. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 43. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 44, ballot paper. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 45, returning officer may visit communities. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 46, election clerk may receive nominations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 47, notices. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 48, exceptional circumstances. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 49, number of ballot papers required. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 50. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 51, printer's name and affidavit. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 52, access for disabled voters. Mr. MacQuarrie.

Motion To Amend Clause 52, Bill 17-81(3), Carried

MR. MacQUARRIE: Mr. Chairman, I move that clause 52, subsection 32(1.2) be amended by deleting the word "assistance" in line seven and substituting the words "a type of facility in order to vote at the polling station on polling day", and by deleting in line eight the words "the assistance" and substituting the words "a type of facility" and that is, Mr. Chairman, a consequential amendment to maintain conformity with what we agreed to earlier.

CHAIRMAN (Mr. Fraser): To the motion.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Fraser): Question is called. All in favour? Down. Opposed? Carried.

---Carried

Clause 52, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 53. Mr. MacQuarrie.

Motion To Amend Clause 53, Bill 17-81(3), Carried

MR. MacQUARRIE: Mr. Chairman, I move that clause 53, subsection 33(3) be amended by deleting the word "preliminary" in line two. Again, in conformity with what we have done earlier.

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

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Fraser): Question is called. All in favour? Down. Opposed? Carried.

---Carried

Clause 53 as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 54, special statements of changes and additions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 55, appointment of proxy voters. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 56, notice to disabled, infirmed. Mr. MacQuarrie.

Motion To Amend Clause 56, Bill 17-81(3), Carried

MR. MacQUARRIE: Mr. Chairman, I move that clause 56, subsection 45(1.1) be amended by deleting the word "assistance" in line seven and substituting the word "facility". Again, a consequential amendment.

CHAIRMAN (Mr. Fraser): To the motion. All in favour? Down. Opposed? Carried.

---Carried

Clause 56 as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 57. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 58, polling day prohibitions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 59, definitions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 60, definitions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 61, printed documents, requirements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 62, opening hours for advance polls. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 63. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 64. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 65. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 66, advance poll, examination, etc. of ballot box. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 67, reopening of advance poll. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 68, definition. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 69, materials for translation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 70, translation of pro forma documents. Mr. MacQuarrie, clause 70.

Motion To Amend Clause 70, Bill 17-81(3), Carried

MR. MacQUARRIE: Mr. Chairman, I move that clause 70, subsection 99(4) be amended by deleting the word "Commissioner" in line six and substituting the words "chief electoral officer".

CHAIRMAN (Mr. Fraser): To the motion.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Fraser): Question is called. All in favour? Down. Opposed? Carried.

---Carried

Clause 70 as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 71, late transmission. Mr. MacQuarrie, clause 71.

Motion To Amend Clause 71, Bill 17-81(3), Carried

MR. MacQUARRIE: I move that clause 71, subsection 99(5) be amended by deleting the word "Commissioner" where it appears in line five and substituting the words "chief electoral officer".

CHAIRMAN (Mr. Fraser): Clause 71. To the motion. Mr. MacQuarrie.

MR. MacQUARRIE: I am sorry, I was voting.

---Laughter

CHAIRMAN (Mr. Fraser): Question being called. All in favour? Down. Opposed? Carried.

---Carried

Clause 71 as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 72, Commissioner to provide translation services. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 73, distribution etc. of translations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 74, translation of ballots. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 75, premature publication of results. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 76. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): I now report the bill ready for third reading.

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Thank you. Is it then the wish that we go to Bill 1-81(3)?

AN HON. MEMBER: Yes.

CHAIRMAN (Mr. Fraser): Could we thank the witnesses or do we want to continue to keep them here, Mr. Braden? Mr. MacQuarrie.

MR. MACQUARRIE: Yes, Mr. Chairman, I personally would like to say thank you very much to the witnesses. Because of some difficulties we had, they had to stay on an extra day and did so very willingly. It has meant inconvenience for them but we appreciate that very much. Thank you.

---Applause

CHAIRMAN (Mr. Fraser): Thank you very much.

Bill 1-81(3), Supplementary Appropriation Ordinance, 1981-82

CHAIRMAN (Mr. Fraser): We are dealing with Bill 1-81(3), details. Mrs. Sorensen, how do you want to proceed with this?

Information From Minister Of Finance To Standing Committee On Finance

MRS. SORENSEN: Thank you, Mr. Chairman. The Minister of Finance has given the standing committee on finance a package of material containing all of the requested information. That information is being passed around to Members now. I would particularly like to draw attention to the area under Renewable Resources on page three of the letter dated December 1, 1981, from the Minister of Finance, entitled "Supplementary Appropriation No. 1, 1981-82, Questions Raised by the Standing Committee on Finance".

On that page, in response to questions that I had asked about whether we had any ability within our government to assess fire damaged areas, and in particular, the areas south of the lake, the information has been received that the territorial government is staffing a fire biologist and technician position. Support of the DIAND, Dene/Metis fire management committee is ongoing at both technical and policy levels. Fire occurrence mapping for the past 10 to 15 years has been secured and occurrence locations are now being compiled for overlay on

maps of wildlife and trapping distributions below the tree line. Background literature and information review is nearly complete. Input will be made as required to DIAND's priority zoning decisions. The compensation study referred to will explore some of the fire/wildlife issues. Funding for this program was supplied by DIAND and equivalent funding is likely from DIAND for 1982-83.

Mr. Chairman, I believe that Mr. Curley has also received an answer to his request for a breakdown of what contractors were used in the regions, whether they were northern or southern contractors and how many local people were employed on the retrofit programs in those regions.

Mr. Chairman, I have no further questions and nothing more that I wish to bring to the attention of the Assembly and unless other Members have any questions regarding the information that we have supplied, I would recommend that we go ahead and accept Bill 1-81(3).

CHAIRMAN (Mr. Fraser): Thank you, Mrs. Sorensen. Is the wish then that we go through the bill clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 3, amount granted. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 4, purpose and effect of each item. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 5, lapsing of appropriations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 6, transfer of money and accountable advances. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 7, coming into force. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Schedule, operations and maintenance, \$1,472,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Schedule, capital, \$13,246,600. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Total supplementary appropriations, \$14,718,600. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Clause 1, short title. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): The bill as a whole.

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Do we report the bill now ready for third reading?
Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Is it the wish of the committee that we continue with
Our Land Our Future which, when we finished up last night, we were still
dealing with?

HON. ARNOLD McCALLUM: Mr. Chairman.

CHAIRMAN (Mr. Fraser): Mr. McCallum.

Tabled Document 8-81(3), Report Of The Workers' Compensation Task Force

HON. ARNOLD McCALLUM: Mr. Chairman, we had asked to have the Workers'
Compensation Board report here and we have a witness here at the present
time. I wonder, would it be in the best interest to have that report dealt
with first?

CHAIRMAN (Mr. Fraser): Mr. McCallum, is the witness leaving town? What is
the wish of the Members?

HON. ARNOLD McCALLUM: I have no idea whether he is leaving town or not,
Mr. Chairman. I do not know if that is pertinent. We have a witness here
for the report.

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

MRS. SORENSEN: Mr. Chairman, if I can be of assistance to the committee, I have
gone through the 57 recommendations of the task force report. There are some
very, very important implications to the recommendations. I was going to make
the recommendation or the motion that we invite members of the task force or an
individual representing the task force to appear before us at the next session
so that Members would have time to take the report, digest it and look at the
implications. Further, I was going to make a recommendation that the Executive
Committee, in the interim, conduct a financial analysis of the recommendations
themselves so that before we accept or reject them, we would know what it would
mean financially to implement or not implement these recommendations.

I was thinking in terms of that because of the length of time and the amount of time that I would personally like to spend reviewing each recommendation with the task force representative and I do not think we have that time now.

CHAIRMAN (Mr. Fraser): Thank you, Mrs. Sorensen. What is the wish of the committee? We have one of the Members requesting we bring the Workers' Compensation Board task force in as witnesses. Are we going to deal with Tabled Document 8-81(3)? Do you want to deal with that now? Mr. Tologanak.

HON. KANE TOLOGANAK: Mr. Chairman, I brought up a motion yesterday at the request of the honourable Member for Yellowknife South, but if it is the wish of this committee that we discuss it at the next session, I certainly have no problem. I am sure it could wait until then if that is the wish.

MRS. SORENSEN: I would make a motion.

CHAIRMAN (Mr. Fraser): Mrs. Sorensen.

Motion To Invite Member Of Workers' Compensation Task Force As Witness Next Session

MRS. SORENSEN: I would move then, Mr. Chairman, that this Legislature invite a member or members of the task force to appear before us during the 1982 budget debate to explain and answer questions concerning their recommendations and further recommend that the Executive Committee conduct a financial analysis of the recommendations before that review.

CHAIRMAN (Mr. Fraser): Thank you, Mrs. Sorensen. Can we have a copy of that motion, please? The motion is in order. To the motion. Mrs. Sorensen.

MRS. SORENSEN: Just very briefly, Mr. Chairman, I have had occasion to look at the 57 recommendations and in particular, the section that calls for the entire occupational and safety responsibilities to be turned over to the Workers' Compensation Board from our government. I think that there are some excellent recommendations within the report that need thorough review by the Legislative Assembly and by the Executive Committee prior to the discussion in this House. I felt that it was important to acknowledge the report immediately and that is why I asked for it to be placed in committee of the whole. So often important reports like this seem to get tabled in this House and then lost somewhere in the mountains of paper that come before us. I do wish to commend the task force for its work and to say to the task force that our decision, if it is so, not to discuss the report at this time, is no reflection on the worthiness of the report, simply that we need a bit more time to digest the recommendations such as they are. Thank you, Mr. Chairman.

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

AN HON. MEMBER: Question.

Motion To Invite Member Of Workers' Compensation Task Force As Witness Next Session, Carried

CHAIRMAN (Mr. Fraser): Question being called. All in favour? Down. Opposed? The motion is carried. That has dealt with Tabled Document 8-81(3), Report of the Workers' Compensation Task Force.

---Carried

Is it the committee's wish now that we deal with Our Land Our Future? Agreed?

AN HON. MEMBER: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): After 15 minutes coffee break. Thank you.

---SHORT RECESS

Tabled Document 5-81(3), Our Land Our Future

CHAIRMAN (Mr. Noah): (Translation) I think we can resume our meeting in committee of the whole. Tabled Document 5-81(3), Our Land Our Future, will be our first -- there is a motion on the floor. Mr. McLaughlin.

Consideration Of Motion To Amend Function (i) Page (ii) Of Tabled Document 5-81(3), Our Land Our Future, And Accept Functions (i), (ii) And (iii) As Basis For Discussion

MR. McLAUGHLIN: Thank you, Mr. Chairman. I think I spoke enough about the motion last time. I would just like to summarize it, that I think that the paper that was discussed by caucus in September and put out by the Executive Committee Member now is pretty broad in its scope and it covers most of the areas concerned with constitutional development. It, along with the other papers by different groups in the Territories, could be used as a vehicle to get the debate going so that some sort of organized debate can take place and we can get on with constitutional development in the Territories.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. McLaughlin. (Translation) To the motion. Would you like the motion to be read? This is not translated yet. Mr. Curley.

MR. CURLEY: Mr. Chairman, I am not sure whether this is as broad as possible, a motion that would formulate this Assembly's position on constitutional development. We have already passed one motion, or one report, last year in Frobisher Bay, that gives this Assembly's position with respect to constitutional development and that was dealt with and passed by the House, which in my mind, was a guideline for the political development of the Territories.

Now the Member wants to move that this report, which in my mind is a very academic sort of paper, be this Assembly's position on constitutional development, you know, which should be the main focus. I am not sure whether that is the case and I do not think I could support the motion because of the reason that it is not too clear as to how the Minister responsible for constitutional development would be able to co-ordinate the two very distinct regions, the Eastern Arctic and the western area.

We in the Eastern Arctic have very clearly formulated the position with respect to the constitutional involvement of that part although there are problems. Very practical problems like boundary must be dealt with. I think the kind of constitutional development the Eastern Arctic people want is clear and concise and if the Government of Canada were to agree to the division, it could be easily adopted. But in the Western Arctic, there are many problems and I think these two areas have to be dealt with in a separate approach, not one single approach to the whole issue of the constitutional development. So, because of that, I cannot support the motion because it is too narrow. I would have wanted to see that we make a recommendation that the Eastern Arctic and the Western Arctic be given equal consideration by appointing either an Eastern Arctic minister to deal with that part, and at some point in future before too long, that we would present those two positions in the House and again, deal with it as we have to. But the way it is right now -- the Western Arctic situation, the way the Dene Nation has proposed a political development is really holding back the Eastern Arctic concerns.

So, to try and put everything into one bag, where the Minister responsible for constitutional development were to be given that whole mandate without clearly defining the priorities in the Eastern Arctic, is going to be a delay. So, I am going to have to vote against the motion because the paper presented by the Minister, although it is a good discussion paper, I do not think it is the best possible report to serve as a focus for debate on the constitutional development. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Noah): (Translation) Thank you, Mr. Curley. To the motion. To those that cannot read English...

(No translation)

CLERK ASSISTANT (Mr. Hamilton): The motion before the committee is: That I move that this committee of the whole accept the three principles with the first principle being removed and replaced with the following: (i) To serve as the focus for debate to formulate the Ninth Legislative Assembly's position on constitutional development; and further, that the two other principles remain the same.

CHAIRMAN (Mr. Noah): (Translation) Thank you. To the motion. Mr. Wah-Shee.

Process Toward Consensus Not Necessarily Applicable To Eastern Arctic

HON. JAMES WAH-SHEE: I would like to make a comment regarding the principles. I agree that it is not necessary to have one process for the whole territory. The paper which I have tabled deals with a number of principles which, I would hope, would be considered by the House. If you read into the paper itself, it has recommendations of principles in coming up with a consensus for the western territories. I also agree that in the East, they already have a process in place and there is no question regarding what the residents of the Eastern Arctic want. They want to have their own territory with a responsible government. However, in the West, we do not, at the present time, have a collective consensus on the political aspirations for the western territory. So this particular process would help a great deal to come up with a consensus for the western territory. So this particular process that we are proposing, along with the principles, does not necessarily have to apply to the Eastern Arctic and this is something that I did not make quite clear yesterday and I hope that that will clarify the questions that are being raised by Mr. Curley.

CHAIRMAN (Mr. Noah): Mr. Wah-Shee, qujannamiik. (Translation) To the motion. I was wondering if you were talking to the motion. Mr. McCallum.

HON. ARNOLD McCALLUM: I would just like to indicate that in terms of the motion, the motion -- as I read it -- is to accept the functions of the paper itself to be, in fact, the principles upon which we should be discussing constitutional development, and I find it difficult to accept a motion that says that in effect what the paper is attempting to do -- the purpose for which the paper was put together -- or these functions are now to become what we would use to formulate decisions on constitutional development. I, like Mr. Wah-Shee, would have preferred us to discuss the principles that are on page one of the report, that indicate that before we deal with the issue of political and constitutional change, it would be important to develop these broad principles. I think they can be principles that could be accepted by whatever group, by whatever territory may be developed. I find it difficult to accept as three principles for us to discuss, to change simply the function of a piece of paper that Mr. Wah-Shee has brought before us, because those three sentences that are on the second page, the roman numeral (ii), simply indicate what purpose the paper is trying to do. But the broad principles have been set forth for discussion in terms of any kind of change, that I do not think anybody here would disagree with. Those are more to the point in dealing with the kinds of concerns that were raised by Members opposite. So I am not in favour of accepting those three functions of the paper as being the broad guidelines for any constitutional development.

Motion To Amend Function (i) Page (ii) Of Tabled Document 5-81(3), Our Land Our Future, And Accept Functions (i), (ii) And (iii) As Basis For Discussion, Withdrawn

MR. McLAUGHLIN: Mr. Chairman, I will withdraw my motion so we can keep doing nothing.

CHAIRMAN (Mr. Noah): (Translation) Mr. McLaughlin has withdrawn his motion.

MRS. SORENSEN: Mr. Chairman.

CHAIRMAN (Mr. Noah): (Translation) General discussion. Mrs. Sorensen.

MRS. SORENSEN: Mr. Chairman, I wonder if we could move to page one and begin the discussion of the principles. I would ask Mr. Wah-Shee to go through them with us and to explain why he felt they were important and to just generally elaborate on the basic principles themselves.

CHAIRMAN (Mr. Noah): (Translation) Are we agreed? We will go back to page one? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Thank you. Mr. Wah-Shee.

HON. JAMES WAH-SHEE: Mr. Chairman, I would like to ask the committee if I could ask one of my staff...

MR. CURLEY: No.

HON. JAMES WAH-SHEE: ...to appear as witness...

SOME HON. MEMBERS: Agreed.

HON. JAMES WAH-SHEE: ...to answer any questions.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Noah): (Translation) Somebody disagreed. Somebody has to make a motion first because somebody disagreed. There is no rule that says how many have to be able to disagree. Mr. Wah-Shee.

Motion To Invite Staff Member To Appear As Witness

HON. JAMES WAH-SHEE: Well, I would like to move that motion, then, please to ask one of my staff to appear as witness.

MRS. SORENSEN: Question.

CHAIRMAN (Mr. Noah): (Translation) Question is being called. To the motion. Mr. Curley.

MR. CURLEY: Mr. Chairman, I cannot see why we have to have a bureaucrat answer our questions with respect to constitutional development of the Territories.

MR. MacQUARRIE: Hear, hear!

MR. CURLEY: It is not their business. They should be where they belong. They have work to do. This is a political issue and it should be dealt with by politicians and if Mr. Wah-Shee wants to discuss that issue with his staff for a while, maybe we could have a break for a while, while he is consulting with his advisers, but I will vote against this motion because politicians should be the ones that should be debating the political development issue and we have not got any bureaucrat that has been given the mandate to deal with the political and constitutional development. So I will vote against the motion.

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

MR. MacQUARRIE: Yes, I absolutely agree with everything that Mr. Curley said -- bite my tongue! Furthermore, I think that if there is interpretation of those principles, Members are free in this committee to say what they understand by them. If the Minister does not agree that that is what is to be understood, it can be reconciled in that way and I would just prefer to see us get on with general discussion concerning the paper.

CHAIRMAN (Mr. Noah): (Translation) To the motion. Mr. Wah-Shee.

Motion To Invite Staff Member To Appear As Witness, Withdrawn

HON. JAMES WAH-SHEE: Just to proceed with the paper, I would like to withdraw my motion and proceed with the paper.

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

MR. MacQUARRIE: Thank you, Mr. Chairman. With respect...

MRS. SORENSEN: Mr. Chairman, I asked Mr. Wah-Shee a specific question about principles and to elaborate on them.

CHAIRMAN (Mr. Noah): Mrs. Sorensen.

MRS. SORENSEN: Mr. Chairman, I thought I had understood that I had asked Mr. Wah-Shee a specific question about the principles on page one and that is what we would be discussing now.

CHAIRMAN (Mr. Noah): Yes, you did. Mr. Wah-Shee.

Principles Of Discussion Paper

HON. JAMES WAH-SHEE: Mr. Chairman, may I proceed with page one, principles, item by item? First of all, on page one we have five principles which we are suggesting, which would be the basis for discussion. They are:

- "1. Government decision making should rest as closely as possible with those governed." Basically, it is a principle whereby the people closely affected should have the opportunity to run their own affairs.
- "2. Every level of government in the Northwest Territories must have sufficient power, authority, and resources available vested in it to enable it to carry out its responsibilities." I think that is self-explanatory.
- "3. Government should be representative of and accountable to the people of the Northwest Territories." This primarily means that elected people should be accountable to their electorate.
- "4. Residents of the Northwest Territories should enjoy political rights and privileges equal to those enjoyed by other Canadians.
- "5. Residents of the Northwest Territories should assume the major responsibility for determining the constitutional framework of the Northwest Territories and the direction of political change within that broad framework." That, Mr. Chairman, primarily means that the people of the North should determine their own political future, the type of responsible government that they may want and the type of direction that the people of the North want regarding self-government. If there are any questions, Mr. Chairman, I will be happy to answer.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. Wah-Shee. Ms Cournoyca.

MS COURNOYEA: Yes, Mr. Chairman. I was wondering, in principle five, "Residents of the Northwest Territories should assume the major responsibility for determining the constitutional framework...", and then over on page (ii) you have,

"Until such time as the issues of division and aboriginal claims are settled, this government will maintain that position for the existing Northwest Territories." This is a transitional forum, and I am wondering if Mr. Wah-Shee can assure us that if the claims can be settled for certain groups that the constitutional framework -- if it is debated forever -- would not necessarily hold up those claims or vice versa, that the constitutional development would not be held up because of the lack of settlement of certain claims? I wonder if you could enlighten me how those two relate to each other?

CHAIRMAN (Mr. Noah): Qujannamiik, Ms Cournoyea. Mr. Wah-Shee.

Native Organizations Also Interested In Constitutional Development

HON. JAMES WAH-SHEE: Mr. Chairman, we are concerned that in order for us to make progress on constitutional development, it is essential that we get the very close working relationship of the native organizations and that the native organizations would have to be involved in the whole area of constitutional development. We feel that the whole question of constitutional development and aboriginal rights which are going to be negotiated are interrelated. My understanding is that the native organizations, when they are wanting to negotiate aboriginal rights, are not only talking specifically about land, royalties, responsibility for certain areas of services and programs, but also, they are very keen and interested in the whole area of participating in the constitutional development of the Northwest Territories. That is the reason why we feel that the two are interrelated.

Regarding the issue of division, as I stated earlier, the residents of the East have their aspirations. They also have a process in place and I think this House has already made its position quite clear, that we do support division and that that has to be dealt with as well. However, I think that the purpose of the paper right here is that we do not have the consensus in the western territory and that hopefully what we can do is co-ordinate the activities in the Eastern Arctic working toward the division and responsible government for that particular territory. As well, we should get some consensus building in the West. Does that answer your question?

CHAIRMAN (Mr. Noah): Thank you, Mr. Wah-Shee. Ms Cournoyea.

MS COURNOYEA: That does not answer the question. On page (ii) you said that the Northwest Territories will maintain its role until all of these things, such as aboriginal rights, are settled and I am wondering how you would see one holding up the other? If a constitutional package takes so long to develop in the West -- as you say, it probably will take a long time to develop a consensus or there is no consensus -- I do not quite understand what you are saying -- how would that hold up the settlement of claims, because you are maintaining on page (ii), as I read that, that until -- those things should be settled together or co-operatively, or am I wrong?

CHAIRMAN (Mr. Noah): Qujannamiik, Ms Cournoyea. Mr. Wah-Shee.

HON. JAMES WAH-SHEE: In reference to the transitional government, the feeling that we have on the Executive is that because we are moving toward a division of two separate territories plus the negotiations of aboriginal rights are taking place, as well, we want to move toward developing constitutional development, we feel that we have to view the present structure of government as a transitional one. It is a position that we have taken on the Executive because we do not really know what type of political institution we may end up with in the western territory.

As well, in the East I imagine that work is being done in terms of developing the type of institution that they would like to see in place in the Eastern Arctic. However, I do not feel that there will be lack of co-ordination. The one thing that I do not have with the paper and which I regret not doing so now,

is that we have a process, if Members wish I could table tomorrow, which outlines the involvement of native organizations, the Legislature and the Government of the Northwest Territories, whereby we have a public forum but all major changes or consensus we have, will have to have an overall agreement among ourselves. I think this is where the individual native organizations that negotiate with the federal government on aboriginal rights will still continue to do so, but in the area of constitutional development, it requires that all of us participate and have an agreement before we can go forward and discuss it with the federal government.

CHAIRMAN (Mr. Noah): Thank you, Mr. Wah-Shee. Supplementary, Ms Cournoyea.

Government Transitional Until Division And Aboriginal Claims Settled

MS COURNOYEA: I still do not understand. On this you said that "Until such time as the issues of division and aboriginal claims are settled, this government will maintain that position for the existing Northwest Territories." Now, it may be that the issue of division will be settled very quickly, but perhaps the aboriginal claim of the Dene may take many years to settle. So, are we going to have to wait for both of those before anything is done, even though they are closely related?

CHAIRMAN (Mr. Noah): Qujannamiik, Ms Cournoyea. Mr. Wah-Shee.

HON. JAMES WAH-SHEE: Well, my feeling is that we will still be a transitional government any way you look at it. It is the position that we have taken. It is not a role, I do not know any other way to look at the government that we have at the present time. As far as the timing for the settlement of aboriginal claims, it is very hard to indicate how long it will take, but surely we will have all groups plugged into the process. It may be that some of the native groups may not reach a final settlement at the same time as others. What would be the best way of handling this, I suppose, is that we have to have a process in place which will deal with constitutional development. But in the area of the timing of aboriginal claims, it is very hard to say.

CHAIRMAN (Mr. Noah): Thank you, Mr. Wah-Shee. Mr. MacQuarrie.

MR. MACQUARRIE: General comments?

CHAIRMAN (Mr. Noah): Yes.

MR. MACQUARRIE: Thank you, Mr. Chairman. I feel that the paper that Mr. Wah-Shee has brought in is generally a good paper as a focus for discussion on political and constitutional development. Certainly in some segments of it, when I read them, I hear some of my own ideas being played back, or ideas that were expressed in the report of the special committee on unity, which were at that time not necessarily accepted by the Executive Committee or a majority of Members. At any rate, while in a general way it is a good paper, there are certainly things in it and in the discussion that has revolved around it up until now, that are of concern to me.

Eastern Arctic Form Of Government Not Yet Settled

I would say first of all that despite what Mr. Curley said yesterday that reaching common agreement on the process is, I think, crucial. I suspect that if we are able to do that, that it would not be long after that before we were able to determine the kind of government that was suitable to a majority of residents in a united territory or in either the Western Arctic or the Eastern Arctic. I say that the matter of the Eastern Arctic being absolutely ready to proceed, and the Western Arctic holding them back is utter nonsense. The problem, even for the Eastern Arctic, is much more complex than what Mr. Patterson and Mr. Curley have allowed. We hear...

MR. CURLEY: Why?

MR. MacQUARRIE: ...that it is clear that the people in the Eastern Arctic have their act together and know what they want. Well, that is not clear yet. We are waiting for a plebiscite, and once the plebiscite is held it may then be clear that the people of the Eastern Arctic want a separate territory; and for my part, I have already said that if that is the case then I am willing to accept that. I certainly would not try to stand in the way of it at all.

But that is not the main constitutional question, even in the Eastern Arctic. All that has been talked about is...

MR. CURLEY: Speak to your region.

MR. MacQUARRIE: ...the question of division...

MR. CURLEY: Speak to your region.

MR. MacQUARRIE: ...so once -- I thought you wanted us to be very specific, Mr. Curley, so I am trying to be very specific.

MR. CURLEY: So speak about your constituency.

MR. MacQUARRIE: Once -- if the people of the Northwest Territories decide that there should be two territories, then you have the problem in both territories of determining what kind of government there will be in each territory. I would say that in the Eastern Arctic that question is not yet settled...

MR. CURLEY: Well, you cannot...

MR. MacQUARRIE: ...because besides being a name, "Nunavut", Nunavut is also a proposal for a very specific kind of government. The question that will arise if there is to be an Eastern Arctic territory is: Will that be the government that is acceptable to the people of the Eastern Arctic, to all of the people of the Eastern Arctic? Who is going to negotiate that form of government with the federal government? Will it be the Inuit Tapirisat of Canada? I would say that if there is even one person like myself, now residing in the Eastern Arctic, that they will not accept that, that they will want to have some representation at the table when they talk about what form of government there is to be in the Eastern Arctic...

MR. CURLEY: Speak of that in your motion.

MR. MacQUARRIE: Yes, you do not like it when we get very specific! The Nunavut proposal -- there is much misunderstanding among Members here. I think that most Members have not read that proposal and I very certainly suspect that most people in the Northwest Territories have not read that proposal. If they were to read it, and if they were strong supporters of local government as it exists now, they might have some concern about what is in that paper. They might have concerns with respect to the type of economic development that would be allowed to take place under the specific terms of that Nunavut proposal. Mr. Curley wanted us to be very specific and so I would invite him, if he wishes, to bring that paper into this House and let us talk about it. I would love to have a go at it publicly.

MR. CURLEY: Bring a motion. Bring a motion.

MR. MacQUARRIE: Perhaps I will. Perhaps I will, yes.

MR. CURLEY: Go ahead.

MR. MacQUARRIE: So, what I am saying then, is that there is going to be a process in the Eastern Arctic, just as there will be in the Western Arctic, of deciding who is going to sit at a table to negotiate a government for the Eastern Arctic territory and what kind of government will that be. There will have to, I presume, be quite a bit of discussion about that, in an Eastern Arctic territory, should this government and the people of the North decide to divide the Territories.

With respect to, again, the accusation that we are holding things up, I say nonsense. You will see movement if, when the plebiscite is held, people do want a division, you will see the question of boundaries being addressed through a commission or in some other way. You will see a question of someone to oversee the division being addressed and so on. But once that is decided there will still have to be some sort of consensus in the Eastern Arctic as to the kind of government that will finally prevail in that territory.

Independent Forum For Determining Future Government

In reading Mr. Wah-Shee's paper, I have a couple of other concerns, and one of them deals...

MR. CURLEY: No doubt.

MR. MacQUARRIE: I guess I am striking home. One of them deals with the question of a forum for determining future government in the Western Arctic territory. When the discussion paper was first brought to us in caucus, it left open the kinds of options that might exist for determining a government in the Western Arctic. Yet through a motion in caucus -- a majority supported it and I opposed it -- it was decided to go along with the idea that the Dene land claims negotiations might very well be a suitable forum for determining a new form of government for the Western Arctic; and this government was asked to ask the federal government to broaden the terms of the Dene negotiator.

Well, I did not accept that idea in caucus. I still do not accept that idea, and if people are to look for consensus I submit that it will be hard to achieve, if there is an attempt to use that forum as the forum for negotiating a Western Arctic government. It must be an independent forum, one that is agreed to by consensus, and I would hope that it would include all parties of interest. Certainly, if we are to have a Western Arctic territory I for one would hope that the Inuvialuit in the Delta and Beaufort Sea area would consider being a part of the Western Arctic territory. If that is so, if they at least would consider that, without making any commitment one way or the other, then I would say that they would have to be at the table that determined what form of government that was going to be, and not be represented by somebody else. They could not have an effective voice at the Dene claims negotiation table. Neither would many of the non-native people in the Northwest Territories.

Parties Of Interest Should Have Direct Representation

Mr. Wah-Shee's paper suggests that non-native interests will be looked after adequately by the territorial government. Again, that is a point that I challenge absolutely. That is not acceptable. There is a native majority on the Legislative Assembly of the Northwest Territories. Despite the best of will it is simply true that no one can represent the interests of any group of people as well as those who hold those interests, and if we are going to have effective constitutional development we must adhere to that principle. We see what happened when our interests were being looked after by the federal government...

CHAIRMAN (Mr. Noah): Mr. MacQuarrie, your time is up.

MR. MacQUARRIE: I will speak again later if I am allowed.

CHAIRMAN (Mr. Noah): That is 10 minutes. Is it agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Noah): Proceed, Mr. MacQuarrie.

MR. MacQUARRIE: I will have to pick up my train of thought now, Mr. Chairman. We see that when the federal government was supposedly safeguarding our interests at the negotiations with the provinces, we lost out. Because although those who were there might or might not have had good will -- we cannot say, but let us suppose they had good will -- they still did not recognize clearly what our interests were and they sacrificed them. To have one group of people represent the interests of another would be a little like Prime Minister Begin saying to the Palestinian Arabs who live in Israel, "Do not worry, we will look after your interests, we have good will." Well, they might have good will, but they do not really understand the interests of those people. So, in any negotiation to determine new forms of government in any territory that I am to be part of, I will absolutely insist -- to the extent that I am able -- that it be an independent forum and that all parties of interest have direct representation.

CHAIRMAN (Mr. Noah): Qujannamiik, Mr. MacQuarrie. Are you through?

MR. MacQUARRIE: It is hard to tell, Mr. Chairman. I may have something more to say later but momentarily, yes. Thank you.

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

Legislative Assembly Should Decide Process For Constitutional Development

MR. CURLEY: Thank you, Mr. Chairman. I believe that one of the best forums for political development and constitutional development is this Assembly. I do not think it should be just...

AN HON. MEMBER: Hear, hear!

MR. CURLEY: ...one Minister asking for a grand plan adopted by this House and taking off and doing nothing like he did -- like we adopted a number of guidelines one year ago and nothing has been done about them. All we saw was an attempt to delay any progress toward constitutional development of the Territories. I am tired of seeing documents like this which really serve as an academic paper, as though some of us Members here are not really qualified to speak for our constituents. It gives me the impression that I am naive and that I have to have academic people to show me how to work toward respectable and acceptable forms of guidance, that I need guidance to go through this. I believe that my constituents are the ones that guide me to pursuing their convictions and their positions. I am tired of giving guidelines to the Minister. We already gave him the guidelines in June of 1980 in Baker Lake when we adopted the portfolio of constitutional and aboriginal rights. We gave him a certain amount of guidelines to consult with the public and to consult with the native organizations so he can get on with this work, but it is not enough. You know, he wants more, but I am not sure whether he deserves to be given more because we have already given a number of guidelines through this House and nothing has been done.

The forum for political development and the process for political development and constitutional development is this Assembly. We do not have to find it somewhere out there. It is here. Sure, we are accountable. As Members of the Assembly, we must constantly go back and debate the issue but we have to start here. That is what I am trying to say. We have a number of guidelines. If we compile all the motions and resolutions and documents that this House has dealt with, with respect to constitutional development, we get more than what we can ask for already during the last two years. When I talk about the Nunavut proposal, I look at it as strictly a democratic and a responsible document. It is not way out, at the right or left. It is a decent document, democratically put together, and it is in keeping with federalism. It is not a bad document at all. I think it is even better than Mr. MacQuarrie because he has told me, in private conversations, that he stands toward a Marxist philosophy. So who would want to get mixed up with that kind of a philosopher?

MR. MacQUARRIE: Me!

---Laughter

MR. CURLEY: No wonder he has a difficult time understanding where he stands.

HON. DENNIS PATTERSON: He is in the wrong country.

MR. CURLEY: So what I would like to suggest is that...

MR. MacQUARRIE: Yes, I recognize that.

AN HON. MEMBER: ...moving North.

MR. CURLEY: I would like to ask this House whether or not they would agree with me that the best forum for political debate, as one of the first, is this Assembly. I think it should be so.

AN HON. MEMBER: Hear, hear!

MR. CURLEY: It should not be given to some bureaucrats and let them attempt to guide us through a grand academically oriented piece of document that we have to go through. We have a number of documents, one being the unity committee's recommendations, one being the public document that has been tabled, one being specifically Drury's report. It calls for much the same thing, that the people are going to have to make the decision, and we are going to have to be involved in it. So I would like to suggest that a certain document, like ITC's Nunavut proposal, be one of the guidelines that maybe this House can consider. I would hope that Mr. MacQuarrie will move that motion so that we can deal with that document in this House. Thank you, Mr. Chairman.

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

Legislative Assembly Representative Of All People Of NWT

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. I must respond to the surprising statements that have come from Mr. MacQuarrie who I thought was a man of principle and that one of his fundamental principles was a belief in democracy. Now he is telling us that because there is a native majority in this House, the interests of all the people of the Northwest Territories are no longer represented by this Assembly. I find this position very surprising from Mr. MacQuarrie because if you follow his reasoning, then I suppose he himself should not be sitting in this House because he does not represent the interests of the people who did not vote for him in his constituency. There were, I believe, a significant number of people who did not vote for him and perhaps now I am...

MR. MacQUARRIE: Three, I think.

---Laughter

HON. DENNIS PATTERSON: Perhaps now I am beginning to understand why. He does not believe in democracy. I believe Mr. MacQuarrie might belong to that camp of people who, prior to the Ninth Assembly, said that the Ninth Assembly was not representative and was not a proper forum because there were not enough native people in the Assembly. Now Mr. MacQuarrie is telling us it is not representative because there are too many. Democracy is a reflection of the people who vote in elections and, in fact, this Assembly, I think, is very representative of the population of the Northwest Territories. There is a majority of native people in this Assembly because there is a majority of native people in the Northwest Territories. Yellowknife is not typical in its

composition of the population of the Northwest Territories, and Members from Yellowknife who find themselves on the wrong side of issues from time to time are perhaps learning the hard way, that this Assembly is finally representative of all the people of the Northwest Territories.

I find it very surprising that Mr. MacQuarrie would reject this Assembly's position as a forum because he seems to me to be a very active Member who does not hesitate to participate in discussions in this Assembly. When I heard him say that the Dene Nation land claims negotiations was not an appropriate forum for reflecting the interests of all the people of the Northwest Territories, I thought he was going to lead up to saying that this Assembly was a more appropriate forum. Now I hear that he is talking about some other kind of independent forum and I wonder who is going to constitute that forum. Mr. MacQuarrie does not seem to be content with the representatives chosen by the people. Perhaps Mr. MacQuarrie would only be content with the representatives chosen by Mr. MacQuarrie.

MR. CURLEY: I believe so.

HON. DENNIS PATTERSON: So I have to differ with him on suggesting that this Assembly is not an appropriate forum for constitutional development and I also must disagree with him that the Nunavut proposal is not clear, or is not clearly understood. I have said all along that the Nunavut proposal is simple to understand because, initially, it advocates a territorial form of government, which we all -- most of us at least -- appear to understand. The theory of the Nunavut proposal is that such a territorial government will be a stepping stone to a provincial type of status and, democratically, that new assembly will determine its constitutional directions for the future as this Assembly has been grappling with these issues.

I think we are making some progress. I think that the question of dividing the Northwest Territories is a major step in constitutional development and I think it has established a principle of public decision making. If Mr. MacQuarrie is unsatisfied with the Legislative Assembly, then rather than creating another independent forum, perhaps he should give credit to the Assembly for establishing, through the plebiscite process, a means of ratifying its decisions by all the people of the Northwest Territories. I cannot think of a more democratic way of collectively determining our political future and I thought that was what Mr. MacQuarrie's unity committee recommended. Now he is telling us that it should be an independent forum whose composition is very unclear. I do not understand it and I do not accept it and I think we should look to this Assembly...

MR. MacQUARRIE: Plebiscite...

HON. DENNIS PATTERSON: I reject it because I do not understand it and because I do not think Mr. MacQuarrie knows what he is talking about either. I think that this Assembly is perhaps an imperfect representation of the interests of the people of the Northwest Territories. Democracy is an imperfect process, but it is the best that we have been able to develop over thousands of years. I have faith in the territorial form of government as a way of expressing the interests of all the people. I think that though Mr. MacQuarrie might be part of a minority in some respects in this Assembly, no one could say that his voice is not heard, sometimes ad nauseam. So I reject those remarks of his and I think I agree with Mr. Curley's faith in this Assembly. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Noah): (Translation) Yes, we are discussing Our Land Our Future. We are not only dealing with Mr. MacQuarrie. It would be better if you would direct speeches to either Mr. Wah-Shee or -- the only two people that are really -- Mr. MacQuarrie is to speak.

MR. MacQUARRIE: Thank you, Mr. Chairman. I feel that the discussion that is going on is pertinent to the paper and very critical because it will determine finally whether we are able to move ahead successfully toward constitutional

development in the Northwest Territories that is acceptable to everybody. We all make mistakes in judgment. Mr. Patterson indicated that he had misjudged me. He thought I was interested in democracy and suspects now that perhaps I am not. Well, I made a misjudgment too. I thought Mr. Patterson was an intelligent man who could discern subtleties of thought which he apparently has not been able to do.

MR. CURLEY: Enlighten him!

Minorities Must Have Input

MR. MacQUARRIE: I will. I believe very much in democracy and I would say that wherever you have majorities, you have also, by definition, minorities. One of the principal rules of democracy, Mr. Patterson, is that majorities will rule. I accept that principle of democracy, but there is another principle, just as important and that is that the majority will have respect and consideration for minorities and allow those voices to be heard. Hence, Mr. Patterson, the reason why, when the federal constitutional process was going on, I condemned it because parties of interest, of obvious interest, were not represented such as the aboriginal peoples of Canada and such as the governments of the Territories and I say that they should have been represented. That is perfectly consistent with what I am saying now. It is all right to have majorities in legislative houses make decisions that will be operative in a country, pass the laws, and others have to abide by them. That is acceptable. What we are doing here is trying to build a constitution that will determine the future of this territory. We will establish terms and conditions under which all peoples will have to live for many, many years to come and so I simply say that it is most important -- it is of the utmost importance -- that all people who have legitimate interests have direct input in determining what kind of government that will be. I am very, very pleased to hear from both Mr. Patterson and Mr. Curley that the best forum for determining constitutional development is this Assembly.

--Applause

Or as Mr. Curley, I think, put it, that the forum and process is this Assembly. I would love to agree. I want to agree. I wish it were that simple.

MR. CURLEY: Take the leadership!

Native Associations Repudiate Authority Of Assembly

MR. MacQUARRIE: And if either of you can bring in tomorrow to me a statement from the major native associations in the Northwest Territories that they accept the authority of this government unquestionably and that they give it permission to go ahead and negotiate constitutional development for all of the Northwest Territories, then I will immediately switch my position and accept this Assembly as an appropriate forum. But I happen to recall that native associations in the past have repudiated the authority of this Assembly and so, what I am trying to do is to reconcile those differences. It was well-meaning, the Eighth Assembly when it attempted to go ahead and say "We will do it for everybody." All right. Now, what you are saying is the Ninth Assembly can go ahead and do it for everybody, because we are more representative. Yes, we are -- I honestly believe that -- but at the same time we still do not have that undertaking from native associations. So, if you will bring it into this Assembly and table it, then we will be able to cut through what is obviously going to be a very difficult process, determine a constitutional development position for ourselves and go ahead and secure it.

I mean that sincerely, that if you are able to persuade the associations to do that, I would like nothing better, but I just sincerely believe that it is not that simple and not that easy. So, I would like to see a forum at which each of those associations is adequately and effectively represented so that their peoples' interests will be looked after. But what I am saying is there is a non-native

minority in the Territories which would like to speak directly on behalf of its own interests as well. If there is not that type of forum, then I am saying I simply could not accept whatever forum it was.

It is all right for representatives to say that they represent people when there is no question that the government that exists has the fundamental consent of all the people under its jurisdiction. I am afraid this government does not yet have that. That is the only reason that I say we cannot just go ahead and do it on our own. I hope you are enlightened, Mr. Patterson.

---Laughter

CHAIRMAN (Mr. Noah): Thank you, Mr. MacQuarrie. You have done very well.

MR. MacQUARRIE: Under 10 minutes?

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

MR. CURLEY: Thank you, Mr. Chairman. That is where the problem is. You know, some Members are not prepared to take on the example of -- in exercising their right, their privilege to take on an issue. We might get an attack from here and there. They do not have any convictions on their own. I believe you would be surprised to hear how the leaders of the native organizations would react to that. They are responsible and they have played a very, very important role. They have done a lot more work than you or I have done in laying out the principles and the kinds of things that they see could work in the Territories and we have been trying to demonstrate that here. John Amagoalik is here and he is probably prepared to talk to you about it.

It is these problems that we have in this Assembly. People are not prepared to take a position on constitutional development. I am not convinced now that this present Assembly is a forum for political development and constitutional development of the Territories. I do not think it wants to be. I do not think Members from the West want to. They rather want to pass the buck to somebody else and excuse themselves from taking the issue right on and dealing with it. For that reason, Mr. Chairman, I would like to move a motion.

Motion To Dissolve House And Call Election

My motion is, I move that this House dissolve immediately and call an election on constitutional development and division of the Northwest Territories.

HON. DENNIS PATTERSON: You asked for it, MacQuarrie.

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

MR. McLAUGHLIN: How many parties?

CHAIRMAN (Mr. Noah): Order, please. We will take a five minute recess and look at this motion.

---SHORT RECESS

Motion To Dissolve House And Call Election, Ruled Out Of Order

CHAIRMAN (Mr. Noah): (Translation) Let us resume our meeting. The motion that was raised -- the House does not have the authority to dissolve itself. The motion is out of order because the House does not have the authority to dissolve itself. Am I understandable in English?

SOME HON. MEMBERS: Yes.

CHAIRMAN (Mr. Noah): Yes?

SOME HON. MEMBERS: Yes.

CHAIRMAN (Mr. Noah): Mr. Curley.

Chairman's Ruling Challenged

MR. CURLEY: Mr. Chairman, because my motion concerns constitutional development and division as far as the report is concerned, I am challenging your decision.

---SHORT RECESS

MR. SPEAKER: Mr. Noah.

MR. NOAH: Thank you, Mr. Speaker. During committee a motion was introduced and I ruled it out of order. My decision has been challenged. Thank you.

MR. SPEAKER: Thank you, Mr. Noah. I was present when the motion was made and due to the complexity of the question it is my decision that I withhold a decision until 1:00 o'clock tomorrow afternoon and I will have a proper written statement to be made at that time. It will give me adequate time to make sure that the decision being made is proper, rather than trying to make a decision of this importance on such short notice. Mr. Clerk, are there any announcements?

CLERK OF THE HOUSE (Mr. Remnant): Yes, Mr. Speaker.

MR. CURLEY: Mr. Speaker, on a point of order.

MR. SPEAKER: Sorry, Mr. Curley. Unless it has to do with something relevant -- there is a point of decision to be made by the Speaker. The Speaker will not make that point until tomorrow.

MR. CURLEY: Give me a chance, Mr. Speaker. In view of the ruling, I would like to be given an opportunity to go back to notices of motion and ask for consent, please.

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

MR. SPEAKER: Until such a time as a decision has been made relative to this, there will be no further business acted in this House other than the Clerk's announcements and the orders for tomorrow. I will hear you tomorrow at 1:00 o'clock. Mr. Clerk, proceed.

MR. CURLEY: Point of order, Mr. Speaker.

MR. SPEAKER: There are no further points of order and my ruling stands. Your decision will be forthcoming, at 1:00 o'clock tomorrow at which time the business of the House can be resumed. Until this point is resolved, there can be no further business of this House.

MR. CURLEY: Point of privilege, Mr. Speaker.

MR. SPEAKER: You have no privilege, Mr. Curley.

MR. CURLEY: Goodness! Can I ask to go back to this item on the orders of the day?

MR. SPEAKER: The day's business is being withheld because of a decision that is required from the Speaker's chair...

MRS. SORENSEN: Maybe he wants to withdraw his motion.

---Laughter

MR. SPEAKER; ...and until that decision has been made no further business can take place in the House and that will be forthcoming at 1:00 o'clock tomorrow. Mr. Clerk, announcements and orders for tomorrow.

CLERK OF THE HOUSE (Mr. Remnant): The education committee will be holding a public hearing in Rae tonight. Members of that committee are asked to be in the lobby of the Explorer Hotel at 6:20 this evening for departure to Rae. Tomorrow morning at 9:30 a.m. there is a caucus meeting in Katimavik A.

ITEM NO. 14: ORDERS OF THE DAY

Orders of the day, Thursday, December 3, 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: Report of the Special Committee on the Constitution of Canada; Bill 18-81(3); Bill 20-81(3); Tabled Document 5-81(3), Our Land Our Future; 12th Report of the Standing Committee on Finance; Matters Relating to the Arctic Pilot Project
14. Third Reading of Bills
15. Assent to Bills
16. Prorogation

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until 1:00 p.m., December 3rd.

---ADJOURNMENT

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