



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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YELLOWKNIFE, NORTHWEST TERRITORIES

FRIDAY, MARCH 4, 1983

MEMBERS PRESENT

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

ITEM NO. 1: PRAYER

---Prayer

SPEAKER (Hon. Don Stewart): Orders of the day for Friday, March 4th.

Item 2, Members' replies. There do not appear to be any replies for this morning. Item 3, oral questions. Mr. Sibbeston.

ITEM NO. 3: ORAL QUESTIONS

Question 68-83(1): Secret Meetings Of Executive Committee And Commissioner

MR. SIBBESTON: Mr. Speaker, I have been advised by reliable sources that certain Members of the Assembly who were once chosen by us to be on the Executive Committee have been having their own exclusive, secret meetings with the Commissioner...

HON. DENNIS PATTERSON: For two years!

MR. SIBBESTON: ...last night and this morning, I understand. I would like to question the Leader of the Elected Executive Committee. What has been the reason and nature of these exclusive, secret meetings? Why have all Members of this Assembly not been invited to the meetings...

HON. DENNIS PATTERSON: You are not on the ExComm!

MR. SIBBESTON: ...and has a decision been made by the Executive Committee to take a common position in respect of the issue of funds to the Commissioner's Office? If so, what is that position, and in the event that the Assembly defeats the position of the Executive Committee Members, whether they would be prepared to resign today?

MR. SPEAKER: Mr. Braden.

Return To Question 68-83(1): Secret Meetings Of Executive Committee And Commissioner

HON. GEORGE BRADEN: Mr. Speaker, the Executive Committee meets from time to time as required when issues come up in the Assembly. Obviously, these are meetings that are in addition to those which we hold regularly. There was a short meeting last night to discuss the proposal that was advanced by Mr. Sibbeston's motion yesterday afternoon. There was a further meeting this morning to think it over one more time. With respect to the discussions, I am not at liberty to discuss the deliberations in detail. However, I would indicate to the Member that you know we are obviously concerned as an Executive about the implications of the motion, and obviously we would have to examine what those implications are in terms of the budget of the Executive Committee -- the ongoing funding that would be required to maintain the Commissioner's Office; how that funding could be provided.

We are concerned, as well, about the implications that such a step by the government and the Assembly, if it was taken, would be seen by the Government of Canada. That is our job. We are entrusted and responsible to attempt to find out what the implications of certain decisions are, so I do not really think that Members of this Assembly should see that the Executive Committee is doing something that is nefarious. Now, if the motion passes this afternoon, I doubt very much that the Members of the Executive Committee would resign and direction from this House, we would have to find some particular way to accommodate that direction within the financial realities we have to work under in the system.

MR. SPEAKER: Thank you. Supplementary, Mr. Sibbeston.

Supplementary To Question 68-83(1): Secret Meetings Of Executive Committee And Commissioner

MR. SIBBESTON: Mr. Speaker, I feel that Mr. Braden is beginning to sound like some of the federal government ministers in not answering directly the question asked. One of the questions asked, very clearly, is did the Executive Committee come to a decision to take a common position, and what is this decision? Also, was the Speaker present at this meeting with the Executive Committee, either last night or this morning?

MR. SPEAKER: Mr. Braden.

Further Return To Question 68-83(1): Secret Meetings Of Executive Committee And Commissioner

HON. GEORGE BRADEN: Mr. Speaker, obviously the Executive Committee examined all the issues associated with the motion, and if the Member wants to get into a debate on them now, at this time, as opposed to waiting when the motion is back in committee of the whole, I am prepared to give some answers. However, I think the discussion would be more fruitful in committee of the whole where the motion is at this time.

Now, the Speaker was present at the meeting last night. We had some questions concerning whether the motion was or was not in order and what kind of amendments could be made and whether or not they would be in order. I am prepared to get into a discussion of the substance of the Executive Committee's position at this time. I would suspect, though, that Members would want to leave that discussion for committee of the whole.

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

Question 69-83(1): Commitment Of Department To George Calef Re Caribou Count

MR. MACQUARRIE: I have a question for the Minister of Renewable Resources. Can the Minister tell this House whether his department had at any time made a verbal commitment to wildlife biologist, George Calef, to do certain classification counts on the Bluenose caribou herd this summer?

MR. SPEAKER: Mr. Nerysoo.

Return To Question 69-83(1): Commitment Of Department To George Calef Re Caribou Count

HON. RICHARD NERYSOO: Mr. Speaker, I am aware that certain commitments have been made, but those commitments have been withdrawn, in light of not only discussions in this House, but prior discussions that occurred between myself and other officials in my department prior to debate in this House.

MR. SPEAKER: Do you have a supplementary, Mr. MacQuarrie?

Supplementary To Question 69-83(1): Commitment Of Department To George Calef Re Caribou Count

MR. MACQUARRIE: Just to be very clear, then, the offer has been withdrawn, and it is as a result of the debate that took place in this House a little more than a week ago. Is that correct?

MR. SPEAKER: Mr. Nerysoo.

Further Return To Question 69-83(1): Commitment Of Department To George Calef Re Caribou Count

HON. RICHARD NERYSOO: Mr. Speaker, the offer was withdrawn, but it was withdrawn not only with regard to debate in this House, but a discussion between myself and my officials as well, prior to the debate in this House.

MR. SPEAKER: Thank you. Mr. MacQuarrie.

Question 70-83(1): Honouring Contract With George Calef

MR. MacQUARRIE: In view of the fact that this man, I believe, gave up other work in order to be available for this, can the Minister tell me whether he will at least honour the amount of the contract that had been discussed between himself and the department?

MR. SPEAKER: Mr. Nerysoo.

Return To Question 70-83(1): Honouring Contract With George Calef

HON. RICHARD NERYSOO: Mr. Speaker, I am not aware of the kind of legal commitments we had to Mr. Calef, but if the case is such that we are obligated to settle this situation, then so be it. If the case is that we are not, then it certainly is not my intention to agree to settle this situation, unless I am legally obligated to do so.

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

Question 71-83(1): Legal Aid For Whale Hunters

MR. KILABUK: (Translation) This question is directed to the Minister of Justice. With regard to the people who have taken too many beluga whales, they will be put in court within a short time. I would like to know from the Minister of Justice if these people that are going to be in court will have lawyers and legal help? Are you able to answer this? I would like to know if they are going to have a lawyer. Thank you.

MR. SPEAKER: Mr. Braden.

HON. GEORGE BRADEN: Mr. Speaker, I am sorry I have to take that as notice, but I will get an answer for the Member as soon as possible today, which I will give to him. Then I will read a return into the record on Monday.

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

Question 72-83(1): Study On Log Construction Of Schools

MR. SAYINE: Mr. Speaker, I have a question for DPW. DPW is doing a feasibility study of log construction for Snowdrift and other schools this summer. I wish to ask DPW where this report is, and also whether DPW supports the idea of log schools.

MR. SPEAKER: Mr. McCallum.

Return To Question 72-83(1): Study On Log Construction Of Schools

HON. ARNOLD McCALLUM: Mr. Speaker, I would have to take the first part of the question as notice and come back with a reply. As to the latter part of the question, yes, we do lend some support to the construction of log schools. In fact, there are I believe, one or two log schools that DPW will be constructing in conjunction with the Department of Education.

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

Question 73-83(1): Travel Money For Court Appearance Of Constituent

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. I have a question for the Minister of Justice. In regard to the people that have to go to court in my constituency, there is a person that has to be in Frobisher today and does not have any money for travel. I would like to know, if he does not go to the court, will the punishment be increased? I would like to know if that is true and I would like to know as soon as possible, because within two hours the plane will be going up there. I had a call about half an hour ago and I am not able to send any money because this just started half an hour ago. Can this person be paid by the Minister of Justice, because he will have to be at trial on March 8th, because this has become a problem? I would like to know why and how, and given an answer, if this is possible.

MR. SPEAKER: Mr. Braden.

Return To Question 73-83(1): Travel Money For Court Appearance Of Constituent

HON. GEORGE BRADEN: Mr. Speaker, I am not aware of the individual or the circumstances surrounding the court case on Tuesday but if it is all right with the Member I will have someone from the Department of Justice speak to the Member this morning, get details of the situation and take the kinds of steps that are required to ensure that the member of his constituency is able to make the court appearance.

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

Question 74-83(1): Request For Return To Question 52-83(1)

MS COURNOYEA: Mr. Speaker, on March 1st I asked a question of the Minister of Health. It is written Question 52-83(1). I am wondering, due to the urgency of the situation, if the Minister is prepared to answer that question.

MR. SPEAKER: Mr. Tologanak.

HON. KANE TOLOGANAK: Mr. Speaker, because the question is basically a Health and Welfare Canada question I will have to rely on the zone director and the people in Ottawa to get back to me to provide the necessary information that I am unable to provide at this moment, but I will as soon as I can. My people are still working on it and pressing the people who are responsible to respond and get back to me as soon as they can. Mr. Speaker, I assure you I will provide the answer as soon as I have it in my hands.

MR. SPEAKER: Thank you. Then you are taking the question as notice. Mr. Curley.

Question 75-83(1): Further Information In Response To Question 44-82(3)

MR. CURLEY: Mr. Speaker, I would like to ask this question of the Minister responsible for the Housing Corporation. Although he provided me with Information Item 1-83(1) on February the 3rd with respect to my Question 44-82(3), I find that the information is obviously incomplete. Could I ask the Minister whether he will look further into his files and if he wants I could possibly assist him because I have some documentation that will prove that the Housing Corporation did buy materials from Paul Henzel Lumber in Winnipeg. Will he be looking into further records and provide some information?

MR. SPEAKER: Mr. McCallum.

HON. ARNOLD MCCALLUM: Mr. Speaker, I have provided the response to the Member in the information item. If the Member has further information that he believes that I should be aware of I would be more than willing to receive that from him, then evaluate that and if it requires a further response, I would be more than willing to do that as well.

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

Question 76-83(1): Executive Committee Position On Responsible Government

MR. SIBBESTON: Mr. Speaker, a question to the Leader of the Elected Executive, Mr. Braden. It seems that over the course of a number of years whenever Members have raised questions of responsible government, trying to reduce the powers of the Commissioner, the Executive Committee bands together. This has happened again, it seems, in this last instance. I am aware that the Minister in the last few days has instructed the Commissioner to devolve and transfer responsibility over certain departments to some of the elected Members. Has the Executive banded together and sent their objection to Ottawa about this granting of more responsible government to the people of the North?

MR. SPEAKER: Mr. Braden.

Return To Question 76-83(1): Executive Committee Position On Responsible Government

HON. GEORGE BRADEN: Mr. Speaker, just to clarify a point I made earlier on about the Executive Committee meeting. The meeting we had last night was not an Executive Committee meeting; the one this morning was an Executive Committee meeting. This is a point of clarification on the earlier statement.

With respect to the Member's question about the position of the Executive Committee on this latest motion or direction that Mr. Sibbeston has addressed, no, we are not banding together to come up with a common position and tell Ottawa what Mr. Sibbeston is saying is not correct. What we obviously have to do in looking at goals or objectives is to try to determine what would be the best next step and how that step should be planned and how the objective could be achieved.

I think in the past, Mr. Speaker, there has been a demonstration that the Government of the Northwest Territories and the Legislature have worked together on certain issues, such as division of the Northwest Territories, and have taken certain well-planned steps; that is, we have the committee report from Mr. MacQuarrie which was debated in Frobisher Bay. The next step we took was the holding of the plebiscite, then there was a number of steps, in between and after, to lobby the Government of Canada to agree that the people of the Northwest Territories wanted to divide and we got the results last November.

Now, in the particular case of the evolution of the Commissioner's Office and the evolution of the Executive branch generally, I recall a motion that Mr. Patterson, I believe, moved, which was accepted by this House fairly early on in our mandate, and that motion was to have the authority of the Commissioner further reduced. Over the past two years it has been my experience that the Executive Committee has taken positions which they have advanced to the Minister of Indian Affairs and Northern Development and in a well-planned way there has been further transfer of authority from the Commissioner's Office to the Offices of the Ministers of the government. What we are approaching, Mr. Speaker, in the final analysis, and I think the Executive Committee would agree with me on this, is the final step where, again, some thought and some planning has to be given to what are the ultimate final steps which are required to ultimately reduce the day to day role of the Commissioner and the Deputy, as the Chief Executive Officers of the Government of the Northwest Territories.

Again, I do not want to preclude the debate that is going to take place in committee of the whole but I think it is, perhaps, incorrect to say or suggest that the Executive Committee is grouping together to attempt to stall or stop or undermine the latest initiative of some of the Members of the Assembly. I think we are charged with the responsibility of attempting to work out a process which we believe will be acceptable to Members of the Assembly, people of the Northwest Territories and, obviously, a process which we can sell to the Government of Canada because it is the Minister of Indian Affairs and Northern Development who instructs the Commissioner to reduce his role in the day to day operations of the government. Thank you.

MR. SPEAKER: Thank you. I have been very lenient this morning with regard to these types of questions. There is a motion on the floor and under the rule of anticipation these questions really are very, very questionable as to whether they should be allowed or not because of the matter being on the floor. It comes under the rule of anticipation. Are there any further oral questions? That appears to conclude oral questions. Item 4, written questions. Mr. Curley.

ITEM NO. 4: WRITTEN QUESTIONS

Question 77-83(1): Indemnities For Justices Of The Peace In NWT

MR. CURLEY: Yes, Mr. Speaker, I have a question to the Minister of Justice. What is the indemnity, if any, for JPs in the NWT? Are they paid by the number of court cases they hold? Is it true some of them are paid five dollars for each court case?

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

Item 5, returns. Are there any returns for today?

Item 6, Ministers' statements.

Item 7, petitions.

Item 8, reports of standing and special committees.

Item 9, tabling of documents.

Item 10, notices of motion. Mr. Nerysoo.

ITEM NO. 10: NOTICES OF MOTION

Notice Of Motion 17-83(1): Establishment Of A Science Institute In The Northwest Territories

HON. RICHARD NERYSO: Mr. Speaker, I give notice that on March 7, 1983, I will move the following motion: Now therefore, I move, seconded by the honourable Member for Frobisher Bay, that the Science Advisory Board of the Northwest Territories be requested by this Legislative Assembly to make recommendations on the establishment of a science institute for the Northwest Territories and means by which the concerns of this Assembly might best be reflected in the proposed institute.

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

Notice Of Motion 18-83(1): Witness On Kaminuriak Caribou Herd

MR. MacQUARRIE: Thank you, Mr. Speaker. I wish to give notice that on Monday, March 7, I will move the following motion: Now therefore, I move, seconded by the honourable Member for Yellowknife South, that this House, at the expense of the Legislative Assembly, invite George Calef to appear before it in committee of the whole as soon as possible to comment on issues concerning himself and the Kaminuriak caribou herd that arose during debate on the estimates of the Department of Renewable Resources, and to answer questions.

MR. SPEAKER: Thank you. Notices of motion. That appears to conclude notices of motion for today.

Item 11, notices of motion for first reading of bills.

Item 12, motions. There do not appear to be any motions in the book today.

Item 13, first reading of bills. Item 14, second reading of bills. Mr. Butters.

ITEM NO. 14: SECOND READING OF BILLS

Second Reading Of Bill 2-83(1): Supplementary Appropriation Ordinance, No. 2, 1982-83

HON. TOM BUTTERS: Mr. Speaker, I move, seconded by the honourable Member for Slave River, that Bill 2-83(1), An Ordinance Respecting Additional Expenditures for the Public Service for the Current Financial Year, be read for the second time.

The purpose of this bill, Mr. Speaker, is to provide for additional expenditures for the public service for the current financial year and to permit deletions from inventory of certain lost, destroyed, obsolete or unserviceable public property.

MR. SPEAKER: Thank you. To the principle of the bill.

AN HON. MEMBER: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? The bill has had second reading.

---Carried

Second reading of bills. Item 15, consideration in committee of the whole of bills, recommendations to the Legislature and other matters.

ITEM NO. 15: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS, RECOMMENDATIONS TO THE LEGISLATURE AND OTHER MATTERS

Bill 1-83(1), Appropriation Ordinance, 1983-84, with Mr. Fraser in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 1-83(1), APPROPRIATION ORDINANCE, 1983-84.

The Executive

Total O And M, Commissioner's Office

CHAIRMAN (Mr. Fraser): We call the committee to order. We are dealing with Bill 1-83(1), main estimates, the Commissioner's Office, page 2.02,

Motion To Delete Total O And M, Commissioner's Office, The Executive, Bill 1-83(1), And To Request Federal Government To Provide Funds

I believe when the committee reported last night there was a committee motion on the floor. I will read the motion: I move that the Assembly delete all of the moneys detailed on page 2.02 and that we recommend to the Executive Committee that they request the federal government to provide funds for the operation of the Commissioner's Office. To the motion. Mr. Braden.

HON. GEORGE BRADEN: Thank you, Mr. Chairman. I have some comments I want to make on the Member's motion, and I suspect that my elected colleagues on the Executive will have additional comments to make as well, as they choose. Generally, I want to start out by saying that I believe the Legislature and the government over the last three years have really achieved a great deal in terms of constitutional development. I do not want to refer here to some of the major steps, such as the decision on division of the Territories, but I want to refer to some of the steps which are taken which perhaps do not get the kind of publicity or understanding or even recognition that they deserve.

Significant Demonstration Of Change

What often happens within an evolving government, particularly one such as we have, where there are federal representatives, is that change takes place by practice or by precedent. What that means is that there are not any legal changes to reflect more responsible government, but that in the day to day operation of the government or the Legislature that change takes place, and when you add this all up at the end of three or four years, you have what I believe to be a very significant demonstration of change.

Now, in respect of the Executive Committee and the way it functions, I go back to the day when we had our first meeting. When we told the Commissioner that there were certain functions being handled by the Commissioner's Office which we thought should be responsibilities given to elected Members -- and one in particular was the Executive Committee Secretariat -- the Commissioner mulled that over for a while and said, "Yes, I agree. That should go to an elected Member." Over the next few months there were times when other portfolio responsibilities came up, such as the responsibility for the Department of Finance. The Commissioner decided that, yes, this government should have an elected Minister of Finance, and that the federally-appointed officials should not be seen as those who have the utmost responsibility for the financial aspects and matters of the government. I could list a host of other examples, such as the creation of the Energy Secretariat, the Aboriginal Rights Secretariat, and so forth.

Some of these changes have been made with the concurrence of the Minister of Indian Affairs and Northern Development; some changes were made without the Minister's concurrence, and I do not think I am giving away any secrets that there were and are officials in the Government of Canada who did not appreciate the steps taken by the Commissioner and the Executive Committee.

Present Commissioner Operates In Different Fashion

Now, there is one demonstration of what I feel to be progress within the Executive branch. In another context, I think it is important to understand that the Commissioner operates in a much different fashion than I understood his predecessor did. When he chairs a meeting of the Executive Committee, he functions as a chairman. When he chairs a meeting of the Financial Management Board, he functions as a chairman. It has not been my experience that I have detected him trying to use his position to make sure that some particular item gets through or that a certain decision is taken on another item so that he gets his way.

I think what we have seen in the last few days, with the recent announcement that DPW and Information are going, is a further step, and it is one that the Executive Committee, as I indicated earlier on, was involved in. I recall writing to the Commissioner, oh, it must be about a year and a half ago, and laying out a process for him for the devolution or transfer of responsibilities to elected Members. Obviously the elected Members gave a lot of thought to that devolution. We said to ourselves, "Well, you know, we have got to propose change which will be supported by our colleagues in the Legislature and the people of the Territories, but we have also got to formulate proposals for change which we feel will be acceptable and indeed supported by the Government of Canada."

Now, what we have seen in the last couple of days is, I believe, a further step that has been made and supported by the Government of Canada. There are obviously some outstanding areas, with respect to the Department of Personnel and other functions that the Commissioner holds, that we would like to see delegated as well. However, the fact of life is that the Commissioner has to receive a letter of instruction from the Minister of Indian Affairs to do this.

Planned Approach To Transfer Of Commissioner's Duties

We are hoping, with some planned approach to further transfer, that we can achieve not only the transfer and delegation of those outstanding functions but also -- and this is where I think the key is involved -- we can achieve hopefully prior to the next election, a decision out of the Minister's office, and I do not think he has to go back to his cabinet on this, but a decision which would come in the form of a letter of instruction to the Commissioner to undertake his duties in a way in which, I believe it was Iona Christensen was told back in 1978 or 1979 when Jake Epp sent her the letter of instruction that eventually caused her to quit. But the Minister is able to do this type of thing on his own, and I think with a planned approach we can achieve, within this last few months of our mandate, an agreement out of the Minister to take that final step.

Symbolic Step But Not Substantive Enough

Now, in respect of the Member's motion, Mr. Chairman, I know that my colleague, Mr. Butters, has some technical or financial concerns about the implications of deleting the budget of the Commissioner's Office. I suspect that it would be fairly easy to come up with another way of paying for the salary of the Commissioner's staff and some of the related costs. But I really wonder if the committee or the Legislature wants at this time to take what I would consider to be obviously a symbolic step, but one which really does not have the kind of emphasis or substance to it which I think all Members want to see realized over the next few months. That is, a clear statement from the Minister of Indian Affairs that this is the way the Commissioner -- and the Deputy Commissioner, if that position is to be maintained -- are to function in the future in this particular government and in this territory.

So I see that the Member is proposing a symbolic step, but I do not think it is substantive enough for me, anyway. I would like to see that the Member would be calling upon the Executive and the Commissioner to go to the Minister of Northern Affairs and say, "Look, the time has come for change. We have been waiting for seven or eight years for change; now the time has come for some concrete change and not just, you know, how the Commissioner's office staff gets paid."

I think the Member brought up an important point in commenting on his motion yesterday, when he referred...

CHAIRMAN (Mr. Fraser): Mr. Braden, your 10 minutes are up. Are you just about through?

HON. GEORGE BRADEN: Sort of.

--Laughter

CHAIRMAN (Mr. Fraser): Is it agreed that he continue?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Fraser): Carry on.

HON. GEORGE BRADEN: ...when he referred to the location of the Commissioner's office. I think, while I am not sure whether his motion is intended to cover the business of location, that as well is a very symbolic and a very meaningful step, to have the Commissioner and his staff and his Deputy located in a place which is set aside for them by the government.

I guess what I would like the mover of the motion and others to bear in mind is that I think we can take a few more months and plot out something which is much more substantive. While I recognize that the Member wants to sort of call a spade a spade, you know -- the Commissioner is federal and his staff should be paid by the federal government. However, as I understand it --

and I could be corrected -- what you have in provincial governments is a situation where the provincial government covers the cost of the lieutenant-governor and the lieutenant-governor's offices. I think Mr. MacQuarrie raised a useful point last night when he said, "Well, perhaps some control over the Commissioner's budget is a way to control the way that office functions." I would just like Members to give that particular observation a bit more thought in making the decision on how we proceed in this area.

Motion Does Not Address Ultimate Objectives

To conclude, Mr. Chairman, I understand in principle the intent of the motion. I, myself, do not think that it really addresses the ultimate objectives that the mover wants to achieve and that we would all want to achieve. I would hope that in the debate which follows that we would give some consideration to an alternative, which would be much more hard-hitting and which would give the Commissioner and the Executive the kind of tools that they would need to go to Ottawa, to speak to the Minister and say that this is what has to happen and this is what the Legislature wants. As I indicated yesterday, the work has already begun on what to do with the Commissioner's Office. Thank you very much, Mr. Chairman.

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

HON. TOM BUTTERS: Thank you, Mr. Chairman. I would like to correct one misapprehension that may have occurred during the oral question period today. There was not a meeting of the Executive Committee last night. I am a Member of the Executive Committee. I was not informed of such a meeting and I was not there. As the honourable Member from Deh Cho knows I attended the standing committee on finance meeting. There was a meeting of the Executive Committee this morning, and I think it is very important that we did meet to examine the implications of this motion.

Motion Has Deep Financial Implications

It is not a symbolic motion, as the Member has suggested. It has much deeper and further implications than that. The Minister for Education correctly last night indicated that it reduces our budget by \$565,000, and that money will be lost to our appropriation as I understand it and as the Law Clerk indicated when he explained that matter. So it is not a symbolic motion. The Member who made the motion seems to forget at the present time the Government of Canada by transfer grant is providing us with \$266,489,000. That is money coming directly from the Government of Canada; 80 per cent of our budget is being paid by the Government of Canada. The Commissioner's Office is paid for out of that money, which is a pure federal grant.

Direction On Allotment Should Have Been Given A Year Ago

I would like to indicate too that we had no indication -- and I am speaking now of the Executive Committee when we negotiated this budget -- that there was a requirement and an interest and a desire on the part of this Assembly to so designate the Commissioner's Office outside of budgetary framework before you. I feel that had such a request been made, something could have been worked out, but when the budget is in place and when the negotiations have taken place and when the Executive Committee has agreed to fund the Commissioner's Office out of the territorial appropriation, it seems to me that it is not very productive or very realistic to expect us to go back on that arrangement now. I think the direction should have been given to us a year ago and not at this present time.

MR. SIBBESTON: Give us rubber stamps.

MR. CURLEY: What are we doing here -- rubber stamping?

HON. TOM BUTTERS: I do not recollect that it was ever raised in the standing committee on finance either, even by way of a question. I would have thought that something could have been achieved if we had done it through the process.

Increasing Responsibility Has Been Demonstrated

The other concern I have is that there have been a great many changes made in the direction of increasing constitutional responsibility of this government and this Assembly over the last three years. If you could categorize them and catalogue them, I think we would be very surprised and quite pleased at the achievement that has occurred. The honourable Member for Mackenzie Liard is quite aware of the Assembly as it existed in 1970 to 1975 when he was a Member of that House when elected Members had very, very little say in the management of the affairs of this government. That has changed considerably since those days.

We have, I think, demonstrated in Ottawa that we are increasingly a responsible government -- not only in the manner in which we handle the affairs of the Territories, but in which we handle our fiscal affairs. I think the Minister of the Treasury Board, Herb Gray, was impressed with what he saw occurring in the Northwest Territories, in this House, in the standing committee on finance, and in the Executive Committee; and recognized that there is a fiscal stature, a fiscal responsibility growing in the Territories.

Motion Would Set Back Objective Of Fiscal Responsibility

However, I would say that if this motion passes, it would be a quantum backward leap. It would not achieve what the honourable Member expects to achieve. It would allow the opponents of this government in Ottawa to seize on this motion and move to possibly reduce the progress or the speed of the progress that is currently being made. I have very real concerns about what might happen, should this motion pass, to our fiscal formula; a fiscal formula which is based on the providing of a greater degree of fiscal responsibility in the Territories. I think that this motion, if it were to pass, would give as I say, officials who oppose the concept of the fiscal formula, a major argument to set us back on our heels. That is not necessarily in DIAND. I am talking about other departments. I am talking about in the Department of Finance. I am talking about in the Treasury Board. I think that we could find ourselves -- not only this House but the House of the future -- set back considerably in our desire and our objective to achieve fiscal accountability and responsibility if this motion passes. I warn all the Members that we could be cutting our own throats fiscally, if we...

MR. CURLEY: Wow! Wow!

HON. TOM BUTTERS: ...if we pass this motion. Last night I looked at the possibility...

MR. CURLEY: What a courageous Minister of Finance.

HON. TOM BUTTERS: ...and I did attempt to delay the decision...

MR. SIBBESTON: No wonder we are not getting anywhere.

CHAIRMAN (Mr. Fraser): Let us have some order.

HON. TOM BUTTERS: Mr. Chairman, the Members have done very well in what we have been able to negotiate and obtain in Ottawa in this budget. We have done much better than six and five...

AN HON. MEMBER: Hear, hear!

---Applause

HON. TOM BUTTERS: ...if the people would open their ears and listen and open their eyes and read what is before them.

CHAIRMAN (Mr. Fraser): Mr. Curley, Mr. Sibbeston, Mr. Butters has the floor. Please.

HON. TOM BUTTERS: Thank you, Mr. Chairman. Last night, I admit, I sought to delay the motion until we could look at it, so we could check with the Ottawa environment and just see what might occur as a result of passage of this motion. I had thought of maybe amending the motion to add after "Executive Committee" the words, "that when developing the GNWT budget for the 1984-85 fiscal year," that they request the federal government to provide funds for the operation of the Commissioner's office. I hoped that amendment might be in order, but apparently it is out of order, so the amendment that I would wish to make is -- and I think it is in order at any time -- that we split the question, that the motion as placed be split so that the Assembly consider two motions: the first motion being that the Assembly delete all the moneys detailed on page 2.02; and the second motion being that we recommend to the Executive Committee that they request the federal government to provide funds for the operation of the Commissioner's office. So my amendment is that we split the question.

MR. CURLEY: Point of order.

CHAIRMAN (Mr. Fraser): Point of order, Mr. Curley.

MR. CURLEY: Mr. Chairman, the Member indicated that he moved that amendment, but it seems to me that what he is saying is he is suggesting there be two motions. I do not think he can introduce two motions at the same time. I just wanted to make that point clear.

CHAIRMAN (Mr. Fraser): Mr. Curley, he did not say that he was amending the motion. All he said was to split the motion into two, with one part, "move that the Assembly delete all of the moneys on page 2.02", and the second part would read, "that we recommend to the Executive Committee that they request..." All he is doing is splitting the motion. He is not amending it. Also, I am informed that it is in order to do that, to vote on the two -- the splitting of the motion. Mr. Curley, point of order.

MR. CURLEY: Mr. Chairman, yes. Could you tell me exactly what the motion -- the amendment is?

CHAIRMAN (Mr. Fraser): There is no amendment. It is only to split this question, to split the motion. That is all it is.

MR. SIBBESTON: Well, let us have it on paper.

MR. CURLEY: You cannot split the motion into two without moving an amendment or deleting it and someone else introducing it a second time. It is not possible.

CHAIRMAN (Mr. Fraser): Let us break for 15 minutes for coffee and we will decide what we are going to do with it.

---SHORT RECESS

Motion Divided Into Two Separate Motions

CHAIRMAN (Mr. Fraser): The committee will come to order. Regarding the Member's request to divide the motion, we have studied it in the rules and it is in order. The motion is divided now into two complete, separate motions. We have copies translated of the divided motion which we will distribute, and we will be dealing with the motion in two separate parts. Point of order, Mr. Pudluk.

MR. PUDLUK: Yes, Mr. Chairman. How are we going to deal with these two motions? The first one or the second one; which one are we going to deal with?

Motion To Delete Total O And M, Commissioner's Office, The Executive, Bill 1-83(1)

CHAIRMAN (Mr. Fraser): It is at the discretion of the Chair. The first motion, then, will be: That the Assembly delete all the moneys detailed on page 2.02.

MS COURNOYEA: Point of order.

CHAIRMAN (Mr. Fraser): Point of order, Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, is it a motion that we divide the motion, because we have not voted to agree to divide the motion?

CHAIRMAN (Mr. Fraser): It was not a motion. It was a request from an individual Member that the motion be divided, and at the discretion of the Chair the motion will be divided into two separate categories. Now, if anybody is willing to challenge my decision, they can go right ahead. The first motion is: That the Assembly delete all the moneys detailed on page 2.02. Copies will be distributed. We will deal with that part of the motion and then we will deal with the second part when we are through with that one. Mr. Sibbeston, to the motion.

MR. SIBBESTON: Sure, Mr. Chairman. Let us deal with the matter head-on. Mr. Chairman, my motion is that we delete all the moneys on page 2.02, Commissioner's Office, Executive. Yesterday I spoke at length on the reasons but the matter has been a little bit muddled and made unclear by Mr. Braden and Mr. Butters. All sorts of irrational reasons have been provided, I feel, so I would like to clarify for you again the basis of the motion and why you should support it.

Let us get a number of things straight. The Commissioner is sitting here with us today but I feel he has no business in this House here with us. He is appointed by the federal government and he is paid -- his cheque could be a million dollars a year for all we know -- paid by the federal government. He gets a cheque, I presume, every month. In that very important matter he is different from us. He never ran for office, not one person in the North voted for him, but yet he is given this important job and he has the privilege of sitting here with us for some reason.

Evolution Of Democratic Government

Here in the North in terms of government, our experience has been with a Commissioner. In other parts of the world a long time ago other countries have had experience with undemocratic governments. Their experience has been in some places with kings and queens, in some places with emperors, and these people got their position by force or some of them thought they got their powers from God. Kings and queens considered that they could rule their kingdoms by the powers given them by God. Slowly, through the years and decades and centuries, people have become more enlightened and eventually have opted for a more democratic system. Oftentimes kings and queens or emperors were overthrown by the masses and so the parliamentary system, a more democratic system of government, exists in most of the countries of the world. Here in the North our experience with rule by power, force, might, has been through the vehicle of the Commissioner. The federal government imposed a Commissioner system on us in the North years ago and we are just slowly evolving so that properly elected people are taking more and more control of the government.

All I am saying here today is that we have reached another step. We have made progress. Commissioner Hodgson ruled a little bit by might and he was very autocratic. We now have Mr. Parker who, as I said and I do not have to say it again too many more times, is a very good Commissioner in that he goes along with many of the changes that we want here in the North. Mr. Parker, of course, has been here most of his life so in many ways he is a very acceptable person to be the Commissioner, but we must put our likes and our good wishes and good feelings toward him aside and deal with this matter before us very objectively.

I say that the time has come now when the elected people of the North have got to agitate for more responsible government. There are quite a number of things happening: constitutional conferences, alliances and everything else set up so that we know we are moving toward eventual establishment of two territories and eventually two provinces. All I am saying is that we have reached a point in our history now, where we are nearing the end of this Assembly where we can, maybe, take another little step to show that elected people of the North want more responsible government and are prepared to take little steps to do things that are within their power.

Responsibilities Of Commissioner Diminished

All I am saying is that we delete, not approve, the \$565,000 that is put for the Commissioner's Office. We all know that the responsibility of the Commissioner has been diminished in recent days and elected people are taking over. I am just saying that we should recognize that and we should, accordingly, take away some of his staff, some of his secretarial help. Maybe he should not be given as much money to roam around the North and do what he does.

Increasingly, elected people have got to take over more responsibility and, increasingly, I believe that we have got to build up the role of our own elected leaders to do the things that the Commissioner has done unfettered and unquestioned up to date. Let us take one more little step in not approving this money for the Commissioner's Office. His duties and responsibilities have been diminished and I am saying that if we do not approve this it will be a sign to Ottawa that elected people in the North are reacting responsibly and doing what they can within their powers to fight and have a more responsible government.

I think some Members are concerned as to what may happen if we do this. If we do not approve it, obviously the budget will go ahead without the money. We will be short \$565,000 for the Commissioner's Office, but do not think the federal government will leave its number one civil servant in the North high and dry without any money. The moment that we do not approve it you can bet that some other arrangement will be made for the Commissioner to have these funds. Well, all of this money comes from the federal government anyway. Instead of funnelling it through the Assembly, they will fund it through their department's office in Yellowknife and, as I said yesterday, maybe the Commissioner will be better off. Instead of getting half a million he may well get a million dollars. So do not feel too sorry for the Commissioner if we do not approve this because he may, in fact, be better off.

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

Serious Financial Restraints

MR. CURLEY: (Translation) Thank you, Mr. Chairman. I would like to speak in my native tongue. We know that everywhere in regard to budgeting it is very hard to get money for our government to hand out now. It is very hard now to get the moneys that would be used to run the communities and for businesses and other associations. If they require any funding it is very hard to get now.

So the meaning of this motion, as I see it, is that the Commissioner's office is owned by the federal government, not by the NWT government. For this reason I feel that we should inform the federal government that they should not use the NWT funding. Why do they not pay their employees from the federal government budget? I will explain why we are doing this. Hunting is very scarce now and there are reasons why our budget is cut back -- because this is what we are told.

I do not see that we should have any conflict with this motion because the Commissioner's role is not John Parker, the Commissioner's Office is not John Parker until the federal government decides to remove him from the office. The federal government from Ottawa should deal with their employees and pay them wages because while they are not too satisfied with the Commissioner -- I think we should get back to the federal government and let them know that, if they want to have the office in the NWT. (Translation ends)

Mr. Chairman, I am in support of this motion not just for symbolic reasons. The federal government knows and this government knows that we are in a very difficult financial period and that seeking funds from here and there is getting very difficult. We have to prove every time that we desperately need funds to carry out initiatives, whether it be for small economic projects or whether it be an increase of funds for salaries or an increasing operational budget for the various territorial organizations or agencies; we must demonstrate that we have the need and that funds cannot be covered by any other agency or government source.

Federal Government Should Fund Commissioner's Office

In this case, I think we have a different story. Although 80 per cent of the territorial money comes from the federal government, it is mainly provided on the basis of the program requirements -- essential public services. But today is it fair for the Government of Canada to pass on this very important branch of its department, if it is, for the Department of Indian Affairs to expect us to cover the operation like the Commissioner's office and staff? I think Indian Affairs can afford to do that.

I say this with respect to Mr. John Parker; I think he unfortunately is caught in this kind of debate. I know John Parker is a very honourable man and it is unfortunate that he is a federal public servant. In my view he should be a territorial public servant carrying out a very important role in the development of the Territories.

HON. DENNIS PATTERSON: Hear, hear!

MR. CURLEY: Today he is doing that, he is exercising that restraint, but he has no political interests at this time and, to me, we have mixed up the two together by putting him in a political position. My remarks today are not at all directed to the person but to the Commissioner's position which the Department of Indian Affairs assigns to the Territories. I think if John Munro is serious about providing a contribution to the North, he definitely should contribute to offsetting the cost of the offices and the operational staff of the Commissioner's office. For this reason I just wanted to make it clear. Thank you.

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

MR. McLAUGHLIN: Thank you, Mr. Chairman. I have been in favour all along of doing something to decrease the powers of the Commissioner of the Northwest Territories. In fact, I remember earlier on when we were first elected, when some of us were pushing for more responsibility for this government, for Ministers taking over more from the Commissioner, some people were concerned that we should keep our federal cloak as much as possible until aboriginal land claims were settled and aboriginal rights were settled and so on, and that we should not give more power to this government. So I am very happy now that Members have changed their minds on this, in a lot of cases, and they are now trying to take power from the senior federal civil servants in the Northwest Territories and give it to elected Members of our government.

Should Reinstate Office Of Lieutenant-Governor

I would like to just point out that related precisely to what we are trying to do is that part in the Northwest Territories Act which says relevant to this, "the executive powers that were, immediately before the first day of September 1905, vested by any laws of Canada in the Lieutenant-Governor of the Northwest Territories ... shall be exercised by the Commissioner so far as they are applicable to and capable of being exercised." In actual fact in 1905, or before 1905, the Government of the Northwest Territories, the Council of the Northwest Territories and the Lieutenant-Governor at that time had more powers in a lot of jurisdictions than we do now. I think the objective that we should have is to turn the Commissioner back into a Lieutenant-Governor again; that is where we are supposed to be going. There used to be a lieutenant-governor in the Northwest Territories, and our objective is to get a lieutenant-governor of the Northwest Territories again. However, it should be pointed out that the lieutenant-governor's office and its employees in the provinces and in the Territories, if we can get one like the Yukon, are all funded by the government of those provinces or by the Yukon government.

I am going to vote against this motion, because what is going to happen here is the Commissioner will be able to remove himself, have his own employees, be less under our control. He might even go to another building and operate on his own without much contact with the Executive Committee. Right now he is much influenced by the seven elected Members, so that I think what we are doing with this is wrong. It is not only trivial, it is also going to isolate the Commissioner from this government and, because he has a lot of powers, he is going to be able to operate those powers away from the Executive Committee in another building and we will have less control and influence over the Commissioner's Office.

I am going to vote against this because what I would like to do is support a formal motion that asks the federal government to turn the Commissioner into the lieutenant-governor, like they did in the Yukon. Then we would be doing something symbolic and also meaningful, but just taking the wages for the Commissioner's secretaries away from him is not going to accomplish that. In fact, it is doing the exact opposite. It will allow him to have federal government staff. He may move to another building and he will be doing his own thing, out of harmony with what we want to do; and we will in fact achieve less. So I am going to vote against the motion.

MR. SPEAKER: Thank you, Mr. McLaughlin. To the motion. Ms Cournoyea.

Commissioner Should Have Funds Presently Assigned

MS COURNOYEA: Mr. Chairman, I am in support of the present motion mainly because I am going to support the later one. In terms of the Commissioner, I believe if we are going to be fiscally responsible and if the intention is to move the Commissioner out, then he should be allowed to have the funds that have been normally allocated to him in the first place. The funds that are available have been assigned to him already. It does not make much of a change in terms of the money. As well, I am sure that the federal government will be pleased that if we make a move, we are willing to support that move by allowing the Commissioner to have the needed funds to operate. I believe that it is only fair to him to continue to have the offices that he has had in the past. Until the funding is going to be turned over entirely to the territorial government, then I feel that we are not really losing anything for ourselves because the funds have been assigned to him already, and as the Finance Minister said, it would be most expedient if we act responsibly in making decisions. I feel if we do not assign the funds to him, then the federal government may not be so receptive because they would feel that we are turfing out a man who is supposedly here to do a job and he would not have the money to operate. Therefore, we would be asking for extra money to support another office. I would recommend that if the intent is to move with the Commissioner on the second part of the motion that was split, then we would be only responsible if we allowed him to operate with the funds that he has already been assigned. Thank you.

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

MR. MacQUARRIE: The desire of every Member in this House I think, Mr. Chairman, is to bring about a greater measure of responsible government. I appreciate that Mr. Sibbeston has taken, and is taking a leading role in pressing to bring about that change. His aim in this motion, I think, is to reduce the power of the Commissioner; that is an aim that I have, and I think that all Members of this House have. So the question is whether what is being proposed actually does that. At first appearance I thought so but with more thought devoted to it and more analysis, it appears that that is not the case. If it is not the case, then I am not going to be able to support it. Just removing the funding for that office from our budget does give an appearance of greater independence for the Assembly and so it is tempting to do something that in appearance, at least, seems to indicate progress. However, I am afraid that it is only really in appearance because if we were to support the motion and deny the funding, by that act we will not in fact have reduced the Commissioner's power in any legal sense at all.

Dangers Of Isolating Commissioner's Office

What we will have done, rather, is to cut that office adrift from a close association with this Assembly, and we will isolate the Commissioner's Office from the operation of the Assembly. With it being isolated, I think there will be a natural inclination in the holder of that office, whoever it might be as time goes by, to become alienated from the rest of this government and to attempt to build a power base for that office. In fact, by doing that, we might very well be playing the role of a Frankenstein in creating a monster that we might find it very difficult to deal with at some future time.

It is quite possible that the federal government may decide, for its own reasons, that it wishes to try to curb and reduce the power of this Assembly. With a totally independent Commissioner's Office, they might in fact have the instrument to do that -- by hand-picking a Commissioner that they felt would implement particular policies and follow particular initiatives that they wanted him to follow, and by giving him extraordinary funding to be able to do the kinds of things that they want to do. Because he would continue to have the legal powers that he has now, we would find it very difficult to do anything about that.

On the other hand, I think along with Mr. McLaughlin that it is desirable in trying to bring about true responsible government, to try to make the Commissioner not independent and strong, but rather dependent and reliant on the Assembly. We have a measure of that now and we should not let loose from that particular grip that we have. As long as the office is associated with the Assembly we can have a Commissioner who is working with us to reduce the power of that office. In fact, that is what has been happening over the past three years during the terms of this Assembly without any question -- the present Commissioner has been working with us to reduce the power of that office, rather than standing against us and attempting to throw up roadblocks, which a totally independent Commissioner might very well be tempted to do or even ordered to do by Ottawa.

I just feel that we would probably be taking the wrong step by doing this. I think there were a couple of arguments raised in support of the motion that were really not germane at all. The question of whether the Commissioner should sit with us or not is not germane because this motion will not change that at all and yet there are other initiatives already under way in order to change that, and I concur with them. The rules committee has been instructed to take steps in that direction. The argument that was raised about us needing additional funds for programs, while true, once again is certainly not served by this motion. We would be deleting funds that would be going somewhere else and would not help us to get any other funds for the kinds of programs that we want.

There are many ways, I think, to win progress toward responsible government and a number of those ways are being exercised at the present time. I think we should continue to pursue those other means and even pursue them more aggressively than we have been doing, but since I feel this motion does not really contribute toward achieving what most Members desire I feel I will have to vote against it.

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

HON. DENNIS PATTERSON: Mr. Chairman, I would like to say that I feel very strongly that we need to make progress on the evolution of the Commissioner's position. I support this. I do not like the fact, for example, and I am sure my colleagues in the Executive and all Members feel the same way, that the Commissioner should be a chief of Personnel. I think we need to evolve toward a public service commission in line with the type of authority that provincial governments have. I think we may well make some progress in that direction before the life of this Assembly is over. I think we should work toward elected Members holding all portfolios. Maybe, the Leader of the Elected Executive should assume the role of the Commissioner and should take over some of these functions and, perhaps, should even take over some of this office and staff, if there is anything to take over.

Not A Threat To Nunavut

I would like to say that I think the progress that was announced this week in transferring the two further portfolios from the Commissioner and Deputy Commissioner to elected Members is progress; I do not think it is a threat to Nunavut at all. I think it is a precedent for Nunavut. I think in Nunavut we should pick up constitutionally and politically where the NWT government left off and, perhaps, we could even do some new things and avoid some of the less desirable aspects of the development of the NWT government. Maybe we could run a cleaner, more efficient operation. Who knows? I do not see this as a retrogressive step or a threat to Nunavut and I would like to say that very clearly. I think that this is enormous progress that an elected Member is now responsible for Public Works and can answer to Mr. Curley -- whether it is in this House or whether it is in the Nunavut assembly. I would also like, Mr. Chairman, to confirm what I said yesterday, that I do not at all disagree with the concerns that have led to this motion, but I am very concerned about the way we are trying to effect this goal of evolving the Commissioner toward a lieutenant-governor. We all agree this is the object, but is this the way we do it?

I would just like to say that I am pleased that already in this session we have asked for a report on the Commissioner's role in the House. I think that a reasoned approach could come out of that which may well further decrease his profile and his participation in what is a forum for elected Members and I welcome that. I would also welcome a motion to ask the Executive Committee or anyone else for that matter, to recommend to this House as early as the next session how we could, in fact, plan to evolve toward a lieutenant-governor's position for the Commissioner, as soon as possible. The question is, how do we do it? I am speaking to the motion because frankly I think we can come up with a better plan than deleting over half a million dollars from the budget and if I am not supporting this motion, in no way am I going against the principle that I know is behind it.

Symbolic Action May Have Serious Consequences

I would agree with Mr. MacQuarrie that maybe we are just talking about appearance versus reality; maybe we are talking about a symbolic action that, in fact, may have serious consequences for us. I know that some Members may have felt that Mr. Butters' point made about fiscal responsibility and about our fiscal relations with the federal government do not have much to do with this, but I would like to offer the perspective, as a relatively new Executive Committee Member, that the budget process is a long, arduous process that began last summer. This budget that we have here

today began last summer; it was dealt with in detail in meetings with federal officials in the fall and now, at the last minute, if this motion is approved, you are going to ask the Executive Committee to go to the federal government and say, "We do not want half a million dollars after all; take it back. The House has decided to delete this item and would you be willing to cover the staff positions?" I am wondering, and I will say it again, what if the federal government says no? Where are we going to be then? Are we going to have to find the money from my department? I am not willing to give up half a million dollars from my precious resources that are allocated to Education if this thing does not work. I feel a bit hesitant about supporting a position that will back the Minister of Indian Affairs into a corner and, I think, make us look somewhat fiscally irresponsible.

More Constructive Approach Suggested

I know this sounds very conservative. I know Mr. Sibbeston wants to throw out the aspects of this Assembly that make us look like a fiefdom of Ottawa and I really sincerely say that I understand where he is coming from and I do believe that, even if I do not support this motion, I would support this movement. All I am saying is that I suggest maybe we can come up with a better plan. I would welcome the opportunity to join with Mr. Sibbeston and to work with my colleagues on the Executive Committee to come up with a plan, even for what we can do in the coming fiscal year before the next election to further erode the powers of the Commissioner. I think that is what we must do and I can say this here without any fear of reflecting poorly on Mr. Parker in the job he is doing. I would confirm that again the man has nothing to do with it; it is the office we are talking about. But this looks to me a little dangerous and I think there are better ways of tackling this problem. If this motion is defeated I sincerely would pledge my support to a motion that would come up with a more constructive approach. Thank you, Mr. Chairman.

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

MR. SIBBESTON: Mr. Chairman, I just am amazed at some Members here in their attitudes. It just seems to me that we have a chance here to do something concrete. They all say they like responsible government; they all say that they agree with what we are doing, but are not prepared today to take the little move that is suggested here and I just find that hard to believe.

As I said one time before, I guess it reflects and it says a lot about some of the Members here that they are really not ready for responsible government. It is always, "Let us devise a plan. Let us work out a better solution sometime in the future, but as ordinary thinking people let us not deal with it right now. It is too hard, harsh or unreasonable." I do not know what reasons they think.

It just seems to me we have a good chance now -- it is a little one -- and I just do not accept the arguments of some of the Members who say that we might lose this money. Mr. Patterson's saying, "Where is the money going to come from? Might we fund it out of the department?" is ludicrous. He knows as well as I that the moment we do not approve this, the federal government will just re-transfer this allotment to the federal Department of Indian Affairs and Northern Development and give it. There will be a cheque in the mail for Mr. Parker...

AN HON. MEMBER: No way!

MR. SIBBESTON: ...in a week or two to run his office. So do not use those kinds of arguments, because they are nonsensical and we are not that stupid.

Now, Mr. Butters this morning said if we go with this idea of deleting, it is a backward step; and to reinforce what he says, he says he phoned Ottawa. I just find this ludicrous. Did you talk with Mr. Parker too? Did you talk with all the federal bureaucrats in Ottawa? Well, of course the obvious answer is "No. Do not go along with it."

I guess I really begin to wonder at the stock and the quality of the Minister of Finance in some of his approaches to dealing with things. Does he run to Ottawa on every little thing? Can he not use his own head and deal with the political question ahead of him by himself? I really wonder. We have \$400 some odd million. He checks with Ottawa all the time. No wonder our budget is so small. Maybe we could have \$600 million if someone was a little braver, a little more challenging to the federal government than, "Is it okay with you bureaucrats in Ottawa? We are not going to hurt you, are we? We are not going to embarrass you?"

HON. DENNIS PATTERSON: Get on the Executive Committee and show us how to do it.

MR. SIBBESTON: Not with this group.

CHAIRMAN (Mr. Fraser): To the motion. Mr. Curley, to the motion.

Motion Symbolic But May Be Effective

MR. CURLEY: Mr. Chairman, yes. I do not want to drift away from the realities of the intent of the motion. Sure, it is possibly symbolic but it has a long-term goal to start eventually exercising some of the courage that is desperately needed in this Assembly.

We are not a bunch of scholars here. We may be scrappy but we are politicians, and politicians just do not have to be guided by the deputy ministers, consultants, and all that excess fat that goes along with every fiscal year. How much money are we going to be desperately trying to spend just before the 31st of March? You guys are worried about \$500,000? You know, there is tremendous reallocation going on now, shifting funds here and there, trying to find ways to spend the excess money that has not been spent throughout the year.

HON. TOM BUTTERS: Nonsense.

MR. CURLEY: Yes, look at the FIS; it is supposed to provide you with instant financial information.

HON. TOM BUTTERS: It does.

MR. CURLEY: Do that. Do not waste money on things like that. So, Mr. Chairman, they say that the symbolic has nothing to do with it, but yet time and time again I hear some Members of the House who have watched the recent very popular movie called "Gandhi" -- the symbolic has no role in changing political reality? I would dispute that, and we have not exercised it here.

Once this motion is dealt with, it does not mean that the government is going to stop, that the Ministers will no longer have direction from the Commissioner. Sure, they are going to get direction from the Commissioner. You know, I think you guys are more courageous than just fearful, so for that reason I will not underestimate the ability of the Executive Committee to find a better way than the ones that they are trying, to convince us that everything will come to a halt and that we will no longer have co-operation with the Department of Indian and Northern Affairs. I would think that we can live with this motion and I would urge that we vote with a clear conscience on the motion. Thank you.

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

Position Of House On Role Of Commissioner

MRS. SORENSEN: Mr. Chairman, I have to go back to Mr. Braden's opening remarks. Unlike Mr. Sibbeston, I do not feel that Mr. Braden muddied the waters with his remarks. Rather, I feel that Mr. Braden clarified the real issues that are facing this House today. I think that this House should concern itself with giving more direction to the Executive Committee with respect to its position and our position on the role of the Commissioner and the motion that we are faced with today simply does not address that issue.

I think we should be looking very seriously at what role we would like the Commissioner to play, whether he should continue to be the chairman of the Executive Committee, whether he should continue to be the chairman of the Financial Management Board, even at the same time as we have a very competent Minister of Finance who over the past two years has very definitely proved his capability. Now, mind you, he had a lot of help from the standing committee on finance, but...

---Laughter and applause

...he has demonstrated over the past two years to this House and to the federal government that he is competent, that the role that he plays is an important role, and therefore there is less of a role, then, for the Commissioner to play with respect to financial management.

Mr. McLaughlin has brought up the whole area of a lieutenant-governor, and I think that the appropriate time is now to discuss what the provincial lieutenant-governor role is and perhaps how that role could be modified to fit our different way of governing.

Role Of Deputy Commissioner

We definitely should be speaking about the role of the Deputy Commissioner. When this Ninth Assembly was elected, we were told by the Commissioner that the Deputy Commissioner's position was a position that would be extended for two years. When the two years came and went, the Executive Committee itself recommended that the Deputy Commissioner stay on. Now I feel that with the devolvement of Public Works to an Executive Member it is time to re-evaluate whether this House requires the role of a Deputy Commissioner, and whether the Executive Committee requires the role of a Deputy Commissioner to do its work.

The motion that we have before us, as has been pointed out by other Members, is really window dressing and not substantive from a political and constitutional point of view. I do not even think it is symbolic. I think it is Mr. Sibbeston shooting from the hip again. He had to come up with a motion because no one was going to ask a question -- at least he thought no one was going to ask a question -- when the Commissioner's Office came up, so he decided, "Well, I will put any old thing on the floor."

---Laughter

I think Mr. Sibbeston has done this frequently, but arising from some of the things that he has done have been good policies. I am not at all trying to criticize him. I am just saying that it is typical Sibbeston fashion.

MR. CURLEY: To the motion.

MRS. SORENSEN: However, this motion is also confrontational, and I do not think that we need at this point to be confrontational with the federal government, even though I am a Liberal, and I admit it...

---Laughter

...I do not hesitate to say that I think one of the best Ministers -- in fact, the best Minister -- that we ever have had in the Department of Indian Affairs and Northern Development has been Mr. Munro, but...

SOME HON. MEMBERS: Hear, hear!

SOME HON. MEMBERS: Shame!

MRS. SORENSEN: ...he has been a good Minister not only because he is a Liberal but because he has had this Legislative Assembly and our Executive Committee working in conjunction with each other and not taking a confrontational approach...

MR. CURLEY: What about the Yukon?

MRS. SORENSEN: ...like the Yukon government has...

MR. CURLEY: It is the same Minister.

MRS. SORENSEN: ...and like the Alberta government has, and like other governments in the South have, but all of us, those of us who are Liberal within the, so to speak, back benches have been working with the federal government...

CHAIRMAN (Mr. Fraser): Let us get to the motion. Never mind those Liberals!

---Laughter

Progress Without Confrontation

MRS. SORENSEN: I am speaking to the motion, Mr. Chairman, because I feel that this resolution is confrontational at a time when we do not need to be confrontational. The Minister of DIAND has agreed to various things over the five years. In less than five years we have gone from three Executive Members on the Executive Committee to a total of seven. We have gone from a very few departments being run by Ministers of this government to nearly all the departments. I believe now there is only the Department of Personnel that is not directly reporting to a territorial government Minister.

We have had the federal government through the Minister of Indian and Northern Affairs agree to support in principle the question of division -- that is a constitutional and political decision, and that has not been done through confrontation. That has been done through a hell of a lot of hard work by nearly every Member in this Legislature. We have a Minister of Finance who has taken on a greater leadership role in the whole area of financial management. We have just recently, within this very Legislature, put in financial accountability through the creation of a public accounts committee. That had to happen before we could do away completely, I think, with the role of the Commissioner with respect to his financial management responsibilities.

I believe that Mr. Sibbeston's intent was to call attention to the role of the Commissioner and to call for a diminishing role on the part of the Commissioner. I think that part of that diminishing role should be a change in the way the main estimates are established with respect to the support staff for the Commissioner, but I do not think that it should be the focus of this discussion. It has been the focus, but I really think that we have been wrong in focussing all our attention on whether the Commissioner's staff should be paid by Ottawa or be paid by ourselves.

I think that we should do as Mr. Butters has suggested, we should agree to accept the main estimates as they have been put before us, and we should direct the Executive Committee to proceed to negotiate our way out of that cost to our government for his support staff, we should do it in an orderly fashion and we should do it in conjunction with negotiations on a further diminishing role for the Commissioner and for the Deputy Commissioner...

AN HON. MEMBER: Hear, hear!

MRS. SORENSEN: ...and that we take that approach, which has been an approach that has got us where we are now, which is a heck of a lot further than we were in October 1979, when we were all elected. Thank you, Mr. Chairman.

AN HON. MEMBER: Hear, hear!

CHAIRMAN (Mr. Fraser): Ms Cournoyea, to the motion.

Progress Through Argument And Extreme Positions

MS COURNOYEA: Mr. Chairman, I thought that perhaps we had agreed at one time when some other Member was presuming someone else was doing something that it was sort of an unfair situation, but it looks as though we are going to continue with that. I like the response that we normally get when motions come from this side of the House -- how we should be so orderly, how we should conduct ourselves so well. Everything that has come out from this House has been because sometimes over here we make rather absurd motions, extreme motions. From that, there comes discussion on how we should all be so orderly. If these motions were not on the floor, dealt with, voted on and accepted, probably we would be sitting here exactly the same way as when we first were elected.

SOME HON. MEMBERS: Hear, hear!

---Applause

MR. SIBBESTON: That is right. Listen to us.

MS COURNOYEA: You cannot get anywhere as a political body unless you are willing to fight and make a commitment for something and make a strong stand on it.

---Applause

I do not think that anyone is denouncing the role of the Commissioner in terms of the job he has done in the past, but the same people who before valiantly argued that the Commissioner should not be here and that we should take more responsible government and promote the status quo are arguing against this motion. That I find very interesting.

Myself, I am willing to stick my neck out from time to time for my commitment and I am not worried whether the bureaucrats in Ottawa are going to find me acceptable -- or the Liberals or the Conservatives -- I really do not care. I represent a group of people and I represent them first. My profile is not important. It is whether I can get a job done or not.

I do not think any political progress has ever been made in any country by being nice a great deal of the time. The progress that has been made in this Legislative Assembly has come from motions on division which we all argued about, and other things that probably were not necessarily orderly, but the fact is that every time a motion does come from here, then we get great speeches from the other side and different people saying, "Well, gee, this is the way it should be done." Well, why did they not come up with it themselves?

SOME HON. MEMBERS: Hear, hear!

MS COURNOYEA: Why did they not come up with a motion with a great plan on how to do it? Where is it? It is easy to talk, but where is the work...

HON. DENNIS PATTERSON: I have one drafted!

---Laughter

MR. SIBBESTON: Where is it, Dennis?

MS COURNOYEA: ...that has been done to put a motion on the floor that would take orderly care of an issue that has been before us since we began, and in the last Assembly as well? So the issue of deleting...

MR. McLAUGHLIN: Subject to the division of the Territories.

---Laughter

CHAIRMAN (Mr. Fraser): Order!

MS COURNOYEA: The issue of trying to delete this fund is basically, whether we want to give the Commissioner his own office, be fair to him and give him the money to operate, wherever he may be. I think that is only a fair and responsible thing to do. I suppose the major issue is the next step and how that comes out. The motion has been split and I think it was not necessarily the right thing to do, but it has been. I believe that if you are not willing to give the money to the Commissioner to operate wherever he may be, then that is irresponsible. Thank you.

CHAIRMAN (Mr. Fraser): Thank you, Ms Cournoyea. Mr. Sibbeston, to the motion.

MR. SIBBESTON: Yes, my last comments, which I am sure will seal the vote.

---Laughter

HON. ARNOLD McCALLUM: Fate!

Road To Responsible Government Is A Struggle

MR. SIBBESTON: I just want to say again that if we are ever going to get change, real political change, that we as elected people have to agitate for it. I cannot help but think of referring you people to the whole struggle for responsible government that occurred in Alberta in the late 1800s. There is a book on it, "Struggle for Responsible Government". It did not say "the plan toward responsible government". It is a struggle, and I see what is happening here today as a struggle, and struggles are little things, not big massive plans that are well thought out and made through. Writing nice letters and making nice big plans never produce changes in government, in our case more responsible government. This is what some of the Members want to do. They do not want to deal with it today, but have some master plan that they can make in the comforts of their office and check with the federal government and make sure it is okay. Such a plan, I say, will never never work, because it is not the result of agitation. It is too much reason, as it were, too much checking with the federal bureaucrats.

I do not know a great deal about the Yukon, but I know the Yukon government years ago removed the Commissioner, and they did not attain their level of responsible government in a nice kind of rational, civil manner necessarily. There was obviously a lot of agitation, a certain amount of conflict between the elected people and the Commissioner...

HON. DENNIS PATTERSON: And they have suffered ever since!

MR. SIBBESTON: No. Today in the Yukon they have a fully elected Assembly, the Commissioner does not sit with them, they have their own leader who takes the role of the government. He selects and deals with the people that are going to sit on this, and they have made great advancements toward responsible government. They are the next step from becoming a province.

I have letters here from two federal ministers which had been written to Iona Christensen, the Commissioner in the Yukon, years ago, one in 1979 and one in the last couple of years, in fact when Mr. Epp was the Minister of Indian Affairs. They outline clearly the decreasing responsibility of the Commissioner in no uncertain terms, but you can bet that these letters were not written as a result of the federal government in Ottawa thinking it would be a good idea for the Yukoners to have responsible government. The agitation, the struggle, I am sure arose and began right in the Yukon, right in the Assembly, and this forced the federal government to act and grant more responsible government.

So I urge Members to take the step today, to vote positively, vote yes on this motion. The world is not going to end. All it means is that the Commissioner will get his money from the federal government. He is a federal employee, so he should get his money from the federal government, directly through the department. I urge you Members not to be so rational, do not plan things for so long, just act...

HON. DENNIS PATTERSON: Impulsively!

MR. SIBBESTON: ...politically wisely and on behalf of your constituents.

CHAIRMAN (Mr. Fraser): To the motion. Are we ready for the question? Mrs. Sorensen.

MRS. SORENSEN: Mr. Chairman, the reason I did not come into this House with a motion to devolve further powers from the Commissioner's Office is because on questions of constitutional and political development, anything that I have ever proposed has been amended by the eastern Members to say, "subject to division", or has gone down the tube simply because of the principle that something that a Yellowknife Member places on the floor is suspect.

HON. DENNIS PATTERSON: Keep trying!

Achievements Of Present Assembly A Credit To Executive Committee

MRS. SORENSEN: That is right, and as far as I am concerned I certainly welcome this chance given to us by Mr. Sibbeston. But I will tell you one thing; the changes that have occurred over the past five years are not as a result of the crazy motions that have come onto this floor, or the hysterical debate that we have had from time to time. It is because we have a group of seven individuals who have taken a very responsible attitude to their work over the past three years...

---Applause

AN HON. MEMBER: Hear, hear!

MRS. SORENSEN: ...and because we have had the support...

---Applause

CHAIRMAN (Mr. Fraser): Order, order!

MRS. SORENSEN: I do not often get great applause.

---Laughter

CHAIRMAN (Mr. Fraser): Maybe it is because you are a Liberal.

MRS. SORENSEN: It is also because we have had a Commissioner who has been a go-between between our Executive Committee and the federal government. He has often paved the way for us...

---Applause

Let the record show that there was double applause instead of single applause.

---Applause

So if we are to direct the Executive Committee to begin the process of negotiation, to have the federal government provide the funding for the Commissioner, I would see that the Commissioner would be totally and wholeheartedly in support of it. I really do not see that that would be a major problem with him. However, I would reiterate that if one is to read the Debates of this Legislature, particularly if one is in the federal government, they would never give us any further responsibility; that sometimes the debate is absolutely crazy, and I have been a part of that, I do not deny that, but I would say again that it has been as a result of the fine work that the Executive Committee has done on our behalf...

MR. SIBBESTON: Oh, Lynda.

MRS. SORENSEN: ...to pave the way with...

MR. CURLEY: Come on, Sorensen.

MRS. SORENSEN: ...the federal government and certainly the work of the Commissioner. Thank you, Mr. Chairman.

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

MR. MacQUARRIE: I feel I have to respond to some of the provocative comments on the other side there. You know there really is a difference between having genuine courage and having no brains.

---Laughter and applause

That, Mr. Chairman, is a distinction that is sometimes lost by the honourable Members on the other side. What disturbs me, particularly, is the outrageous self-righteousness of the Member for the Western Arctic who would have us believe that nothing worth-while is accomplished unless she proposes it. She seems to have a standard of behaviour which is very meek and clean-cut and that is, if she advances it, it is infallibly right. If anybody else does, there must be something wrong with it, and that is ridiculous, Mr. Chairman.

---Applause

Now, I will give credit where it is due and I acknowledge that some of the honourable...

CHAIRMAN (Mr. Fraser): Have you a point of order, Ms Cournoyea?

MS COURNOYEA: Mr. Chairman, it might be an appearance to Mr. -- what is his name -- MacQuarrie, however, I really feel it is not his position to assume what I think about myself. I do not do that to him so I...

CHAIRMAN (Mr. Fraser): Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. To the extent that it was an assumption, I apologize. To the extent that it was based on your very own words, I do not apologize. I will give credit where it is due and I agree that there are some honourable Members on the opposite side who have provided a needed spark and fuel toward bringing about change. However, when you have a spark and fuel together all it does sometimes is produce a loud noise and the energies are dissipated in a foul smell of exploding gas.

---Laughter and applause

You only ever really have true motor power when you have a disciplined combustion chamber. I think that some of us play that role -- bring a little order and discipline and strength to the whole process, and through hard work also bring about some of the desirable changes that are taking place.

---Applause

SOME HON. MEMBERS: Hear, hear!

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

MR. CURLEY: We could not do it without you, Bob.

Returning Moneys To Federal Government Will Accomplish Nothing

MR. EVALUARJUK: (Translation) Mr. Chairman, I would like some clarification of the motion. Can the mover of the motion clarify the motion for me? Of that \$565,000; does he want that money to go back to the federal government, or will that money stay in the Territories? Or that the federal government should give some more money in order to help the Commissioner's office function? I do not think they need the money for the budget year 1983-84, if that is going to happen. I think if we turn it back to the federal government, nothing is going to be accomplished. I think it is going to be quite difficult in 1983-84. But if we could defer this until the 1984-85 fiscal year, I could support it, if that \$565,000 goes back to the federal government; for that reason, I can support that. I would like some good clarification. If he might say that the federal government can transfer some money to the Legislative Assembly, I believe that the federal government will not just give away some money to us. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Evaluarjuk. I wonder if somebody could clarify that. Mr. Butters, could you clarify that question for the Member?

HON. TOM BUTTERS: My understanding is that the Member understands the motion. If this motion passes to delete \$565,000, our budget would be reduced by that amount of money, because it would not receive the authorization of this House to make the expenditure. It would return to our consolidated revenue fund, but it would not be assigned. I would just like to add that -- I wanted to just double-check when I made calls this morning to Ottawa -- to determine whether or not a cheque would be in the mail right away to the Commissioner's office if this was deleted, and I get no assurance that that would occur. As far as the federal government is concerned through negotiations that went ahead to develop the 1983-84 budget, the Commissioner's Office was included in those negotiations and is being funded in the 80 per cent of our budget which is provided totally by the federal government. So the federal government feels that they have provided the Commissioner's Office with support through the budget which is before us, and I do not agree with Mr. Sibbeston that there will be a cheque in the mail if this is deleted or defeated.

CHAIRMAN (Mr. Fraser): Thank you. Is that clear, Mr. Evaluarjuk. Question is being called.

MRS. SORENSEN: Recorded vote.

Motion To Delete Total O And M, Commissioner's Office, The Executive, Bill 1-83(1), Defeated

CHAIRMAN (Mr. Fraser): Recorded vote is requested, and the motion is moved that the Assembly delete all the moneys detailed on page 2.02. All those in favour, please stand.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Arlooktoo, Mr. Appaqaq, Ms Cournoyea, Mr. Curley, Mr. Wray, Mr. Sibbeston, Mr. Sayine.

CHAIRMAN (Mr. Fraser): Opposed, please stand.

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

CHAIRMAN (Mr. Fraser): Abstentions, please stand. Mr. Evaluarjuk, Mr. Pudluk.

---Defeated

Motion To Request Federal Government To Provide Funds For Operation Of Commissioner's Office

CHAIRMAN (Mr. Fraser): The motion was defeated, 11 to seven with two abstentions. We will deal with the committee motion now on the second part: That we recommend to the Executive Committee that they request the federal government to provide funds for the operation of the Commissioner's office. Mr. Patterson, to the motion.

HON. DENNIS PATTERSON: Mr. Chairman, I think this is good and I could support it but I think we should do much more than that. I think we should request the federal government to go much further than that and to change the role of the Commissioner, change the role of the Deputy Commissioner and give us a response to...

CHAIRMAN (Mr. Fraser): Are you amending the motion, Mr. Patterson, or are you speaking to the motion?

HON. DENNIS PATTERSON: No, I am suggesting, Mr. Chairman, that we should go much further than the motion and that we should defeat it or request that it be withdrawn, only so that we can ask the federal government to do much more than just fund the Commissioner's staff. I think this is what we should be doing so I am going to vote against it and I have a better motion in mind that I have drafted with a little help from others. So I will vote against it because I think we should go much further. Thank you.

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

MR. SIBBESTON: I just want it clarified then that we have this other motion which is: That we recommend to the Executive Committee that they request the federal government to provide the funds for the operation of the Commissioner's office. Obviously the Assembly will support the present funds for the Commissioner's Office. That is the result of, I think, the vote. This motion would actually be for 1984-85. I still want to advance and support the motion because I think it would be a good thing if the money for the Commissioner's Office came directly from the federal government and not through this Assembly since he is an employee of the federal government.

So I urge Members to support this and it is with the understanding that it is for next year that we are talking, so next year if the government does comply with our request here there will be no moneys for the Commissioner's Office but that in the federal government department itself, they will fund the Commissioner's Office. So it will not be part of our budget next year and that is the desire and wish. I urge Members to support it.

Now, back to the matters raised. There are all sorts of wonderful motions coming forward to deal with changes sometime in the future that are not very painful or stressful, but I still urge the Members to support one here because a very definite thing could arise out of this for next year.

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

Payment Of Provincial Lieutenant-Governors

HON. DENNIS PATTERSON: Mr. Chairman, I would like to ask a question of the Law Clerk. I would like to know if he can tell us how the offices of lieutenant-governors in provinces work? Do the funds provided for the offices of a lieutenant-governor in a province come from the provincial budget or from the federal government? I am asking this question because I would like to know the implications of this motion as to the possibility of the Commissioner becoming a lieutenant-governor. I am wondering if we would have the office of lieutenant-governor under the control of our Assembly and the funds would come from our Assembly, or is it that provincial lieutenant-governors are funded through the federal government? Thank you.

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

LAW CLERK (Mr. Fuglsang): Mr. Chairman, it is my understanding that the lieutenant-governor, being a representative of the Queen in right of the province in which he serves, gets all his funding from the province, much as the Governor General is paid by the federal government. As a representative of the Crown in right of the province he would be paid by the province and, I think, it would be fair to say that if the Commissioner were to be given the role of lieutenant-governor in the Territories that he would represent the Queen in right of the Territories and fund it direct. I would like the opportunity to check on that but I feel that is my understanding of the situation. Thank you.

CHAIRMAN (Mr. Fraser): Mr. Patterson, would you like us to check it out and make sure? I do not think the Law Clerk has had a chance to check it out properly. Would you like us to check it out and make sure? Mr. Patterson.

HON. DENNIS PATTERSON: I am sorry I could not give any more notice, Mr. Chairman; I appreciate the preliminary answer he has given and I would like to get the benefit of any research he might be able to do at some later point. I think we should go ahead with the motion on the basis of the advice he has given us now. Thank you.

CHAIRMAN (Mr. Fraser): Mr. Patterson, I understand the Clerk has the proper information that you requested. Mr. Clerk.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Chairman, the province's lieutenant-governor is paid by the federal government and his salary is set by a federal statute. The lieutenant-governor's staff, his offices and his residence in the provinces is paid for out of the budget of the particular province he is the lieutenant-governor of.

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

MR. SIBBESTON: Maybe to provide further information. The information which I received from my research officer this morning is that it is true, the salary of the lieutenant-governors of the provinces is paid for by the federal government but that provinces vary as to the service provided to the lieutenant-governor. Apparently, Saskatchewan does not provide an office or residence, so I believe that some provinces provide some services and others do not. So it is not clear one way or the other.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Sibbeston. To the motion. Do I hear question?

AN HON. MEMBER: Question.

Motion To Request Federal Government To Provide Funds For Operation Of Commissioner's Office,
Defeated

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

---Defeated

Page 2.02. Mr. Patterson.

Motion To Take Steps To Evolve Toward Responsible Government Prior To Next Election

HON. DENNIS PATTERSON: I would like to move the following motion, Mr. Chairman: Whereas this Assembly desires that the role of the Commissioner and Deputy Commissioner be clarified prior to the next territorial election; and whereas this Assembly desires that the Commissioner be instructed to assume a much reduced role in the management and administration of the NWT government; and whereas this Assembly desires evolution toward responsible government similar to the Yukon, prior to the next territorial election; and whereas the Legislature desires that this Legislature and the government have input into decisions being made by the federal Minister of Indian Affairs and Northern Development; now therefore, I move that this Legislature recommend to the DIAND Minister that steps be taken immediately to: a) develop a plan to evolve responsible government similar to Yukon by October 31, 1983; b) reduce the role of the Commissioner to that of a lieutenant-governor by October 31, 1983; c) commit to phasing out the Deputy Commissioner's position by October 31, 1983; and d) invite the DIAND Minister to the spring session, 1983, to report on these matters.

I have circulated copies of this, Mr. Chairman, and somehow, miraculously, translations have been produced as well, and circulated.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. There was just one question on d). Have you changed that wording on d) as on that you distributed? "Invite the DIAND Minister to the spring session, 1983, to report of these matters." The motion is in order. Mr. Patterson. To the motion.

HON. DENNIS PATTERSON: Yes, Mr. Chairman, I have slightly changed d) from the typewritten draft I circulated.

CHAIRMAN (Mr. Fraser): To the motion.

HON. DENNIS PATTERSON: I am not going to speak to it very much, Mr. Chairman. I think we have really all been speaking to it most of the morning, and I hope it is something that all Members can accept. It is not a vague attempt to stall the constitutional development. It sets deadlines, and if supported unanimously by Members of this Assembly will put quite an onus on the DIAND Minister to do us justice in the Northwest Territories and give us the same treatment that was given to the Yukon by the former Minister of Indian and Northern Affairs. I think we deserve to have at least the same progress that has been made in our neighbour territory to the West, and I think we are as well prepared for it as the Yukon might be -- party politics or not.

I would like to just mention that I have recommended phasing out the Deputy Commissioner's position. We have talked about the Commissioner already today and at other times and the valuable contribution he is making in the Territories, and personally what a valuable person we find him to be -- considering that he sometimes has a pretty difficult tightrope to walk. I would just like to briefly say here that in alluding to the idea of phasing out the Deputy Commissioner's position, I again do not want to cast any aspersions on the abilities of the current incumbent in that position. I would like to say here, right now, that I would certainly hope that Mr. Pilot would consider continuing to work in the Northwest Territories, but for the territorial government. I think he has a lot to offer us and if the office was vacant, I would hope that the man would remain. Since he speaks Inuktitut, he may well be a good candidate for a Commissioner for Nunavut.

So, Mr. Chairman, I just have those brief comments. I think the motion speaks for itself and presents a plan and I could see developments take place as early as the spring session. I would urge Members to support this. I think it will demonstrate to Mr. Sibbeston and others that we do want something positive to come out of his well-intentioned concern about the office of the Commissioner. I hope he will support it and recognize that it is being made in good faith and in support for what he was saying, but rather with a different strategy, and I hope a more responsible approach that will actually get us the results we all are seeking. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. Mr. Curley, to the motion.

MR. CURLEY: Mr. Chairman, I must say that it is a very, very orderly plan and scholarly...

---Laughter

...and lawyerly, so I think it should qualify, surely, to receive support from all Members.

HON. ARNOLD McCALLUM: Unquestionably.

Amendment To Motion To Take Steps To Evolve Toward Responsible Government Prior To Next Election

MR. CURLEY: It was moved by an educated Member from this side of the House...

---Laughter

...which is a very important criterion to get any kind of responsible response. Mr. Chairman, I have a few amendments here. I would like to move that on the third "whereas", that the word "government" be changed to "governments".

---Laughter

Right after the fourth "whereas", I would add another preamble, "and whereas this Legislature desires, as early as possible, resolution to divide the present Territories into two territories." Then the further amendment would be in the second line of a). I would again change the word, "government" to "governments" and add "for Nunavut and Western Arctic, similar to Yukon".

CHAIRMAN (Mr. Fraser): Mr. Curley, could we have a copy of those amendments, please? Members should be aware of the amendments, so we are going to have to take a 10 minute break to have it typed out and translated properly and then we will resume with the motion. We will take a 10 minute break. Mr. Pudluk, a point of order.

MR. PUDLUK: Mr. Chairman, I move that we report progress.

MRS. SORENSEN: No way.

SOME HON. MEMBERS: Nay, nay.

CHAIRMAN (Mr. Fraser): The motion is not debatable. All those in favour of reporting progress? Opposed? The motion is defeated.

---Defeated

We will try a recess for 10 minutes. Nice try, Ludy.

---SHORT RECESS

Can we call the committee back to order? I will have the Clerk read the complete motion as amended.

CLERK OF THE HOUSE (Mr. Hamilton): Whereas this Assembly desires that the role of the Commissioner and Deputy Commissioner be clarified prior to the next territorial election; and whereas this Assembly desires that the Commissioner and Deputy Commissioner be instructed to assume a much reduced role in the management and administration of the NWT government; and whereas this Assembly desires evolution toward responsible governments, similar to the Yukon, prior to the next territorial election; and whereas the Legislature desires that the Legislature and the government have input to decisions being made by the federal Minister of Indian Affairs and Northern Development; and whereas this Legislature desires the earliest possible resolution to divide the present Territories into two territories; now therefore, I move that this Legislature recommends to the DIAND Minister that steps be taken immediately to: a) develop a plan to evolve responsible governments for Nunavut and Western Arctic, similar to Yukon, by October 31, 1983; b) reduce the role of the Commissioner to that of a lieutenant-governor by October 31, 1983; c) commit to phasing out the Deputy Commissioner's position by October 31, 1983; and d) invite the DIAND Minister to the spring session, 1983, to report on these matters.

CHAIRMAN (Mr. Fraser): To the amendment. Mr. Curley.

MR. CURLEY: Thank you, Mr. Chairman. I am glad that the amendment is in order, but whether it is responsible -- I am going to leave it to the experts on the other side to see whether it flies or not.

HON. ARNOLD McCALLUM: You are the expert; you changed the motion.

Developing A Plan

MR. CURLEY: One of the things that I do have a concern with is part a), to develop a plan. To me, it is a very weak indication and assertion of this Assembly, asking the Minister of Indian Affairs to develop a plan...

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

CHAIRMAN (Mr. Fraser): Point of order. Mr. MacQuarrie.

MR. MacQUARRIE: Yes, the words "develop a plan" appear in the initial motion and I believe we are debating an amendment at the present time.

CHAIRMAN (Mr. Fraser): To the amendment. Mr. Curley.

MR. CURLEY: Mr. Chairman, I am speaking to part of my amendment where I included a clause putting in Nunavut and Western Arctic in that view. Although I disagree that the case should be made that we just ask the federal government to take steps to develop a plan, but that is the way that this Executive Committee -- if they want to rely on the federal government to develop a plan for them, maybe we just ought to go along with it, but to me it is a very weak way of demonstrating a responsible government.

I just wanted to include these couple of amendments to ensure that we are consistent with our constitutional development plan to divide the Territories and I do hope that you will support the amendment. Thank you.

CHAIRMAN (Mr. Fraser): To the amendment. Ms Cournoyea.

Amendment To Amendment To Motion To Take Steps To Evolve Toward Responsible Government Prior To Next Election, Carried

MS COURNOYEA: Mr. Chairman, I would like to make an amendment to the amendment. I would like to move that where "similar to the Yukon" is written, and it is on the third paragraph and I believe it is on a) of the developing plan "similar to the Yukon" and any other section that is "similar to the Yukon" is written, that that be deleted.

CHAIRMAN (Mr. Fraser): I understand, then, Ms Cournoyea, that you want to delete "similar to the Yukon" throughout the entire motion. Is that your amendment?

MS COURNOYEA: Mr. Chairman, that is correct.

CHAIRMAN (Mr. Fraser): The amendment is in order.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Fraser): Question being called. All those in favour? Down. Opposed? The amendment to the amendment is carried.

---Carried

To the amendment. Mr. Patterson.

HON. DENNIS PATTERSON: Mr. Chairman, I just want to say, as mover of this motion I welcome the amendment. I think that it confirms the position taken earlier by this House by nearly unanimous resolution in May in Inuvik to move toward division of the Northwest Territories. I think it is appropriate that this major step toward constitutional development recognize that position previously adopted by the House. So I think it is appropriate that Mr. Curley has made these amendments. I have said that I believe that any progress that we can make in this Legislature toward a change in the role of the Commissioner will benefit any new governments which are created as a result of the plebiscite and our resolution to move toward division. So I am pleased that this amendment was made and I can support it without hesitation. Thank you, Mr. Chairman.

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

MR. SIBBESTON: Mr. Chairman, I just want to say that I think this motion is a motherhood statement and it sounds very good. It is couched in beautiful terms and I suspect it was...

CHAIRMAN (Mr. Fraser): We are speaking to the amendment first, Mr. Sibbeston.

MR. SIBBESTON: Please do not interrupt -- it sounds very good, so I...

CHAIRMAN (Mr. Fraser): I beg your pardon; we are speaking to the amendment, then we can speak to the motion after.

MR. SIBBESTON: Well, I am speaking to the amendment. Can one not speak in some general terms? I was getting to it and I do not appreciate being interrupted.

CHAIRMAN (Mr. Fraser): Mr. Sibbeston, we have an amendment on the floor, then you can speak to the motion.

Responsible Government By October 1983 Is Impossible

MR. SIBBESTON: Please be patient, Mr. Chairman, I was getting to the point. Speaking to the amendment, which gives reference to Nunavut and the Western Arctic, I appreciate that the attempt by Mr. Curley is an attempt to tie us down somehow or another, get some movement or progress in respect of the establishment of Nunavut. I appreciate that; it is a valiant, very courageous and very helpful amendment, and I believe it is impossible to accomplish. What he is suggesting is that we get responsible government for Nunavut and the Western Arctic by October 1983.

Those are giant steps and this Assembly could not make one little minute step -- how do we expect to make those giant steps within a few months? So my comment on that is that it is a valiant attempt to kind of mould or bring the main motion into relevance and get something out of it, but I do not believe that it will succeed. So I will support it in the event that a miracle happens, but I really suggest to people that it is a hopeless motion and impossible to accomplish. Assembly Executive Members like these motions so I suspect that they will support it.

HON. ARNOLD McCALLUM: Not necessarily at all.

MR. SIBBESTON: It is impossible to accomplish.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Sibbeston. Mr. MacQuarrie, to the amendment, please.

MR. MacQUARRIE: Mr. Chairman, many motions we have introduced here are tied, always, to division. I am going to vote against the amendment and I am going to do so because I wish to serve notice that my support for division is conditional, and it is conditional on those from the East recognizing and agreeing publicly that the West is entitled to a territory that will be a viable territory...

HON. DENNIS PATTERSON: Of course, of course!

MR. MacQUARRIE: ...and someday that can proceed to provincial status.

MRS. SORENSEN: Hear, hear!

MR. MacQUARRIE: This is calling for such steps to be taken prior to the next territorial election and at the earliest possible resolution to divide the Territories. I do not accept that and therefore, I am going to move against this amendment.

CHAIRMAN (Mr. Fraser): To the amendment. Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, I have no difficulty with the third "whereas" clause, "toward responsible government prior to the next territorial election". However, I do have a great deal of difficulty because it seems to me in the resolution that we develop a plan to evolve responsible governments for Nunavut and Western Arctic, it does not talk about responsible governments to whatever comes about. What we are saying now is that if we pass this, in my estimation, that we agree with Nunavut as it now is known.

MRS. SORENSEN: Hear, hear!

---Applause

HON. ARNOLD McCALLUM: I do not agree with Nunavut as it is now known. I agree with the concept that the Eastern Arctic should have their own form of government, but I do not agree with Nunavut as it is now known. I do not even know what "Western Arctic" really means. So I am not going to go for the amendment that is made, I will vote against it. I would suggest that if it were to talk about governments being formed with the division -- because I support division, but I do not support Nunavut as it is now known, and I do not know what the Western Arctic is supposed to be. There has been a term bandied about, the Western Arctic municipality or the Western Arctic regional municipality. If that is what it means, that leaves other things to come to mind. So I am not for the amendment as such.

CHAIRMAN (Mr. Fraser): Mr. McLaughlin, do you have a point of order?

Motion To Extend Sitting Hours, Carried

MR. McLAUGHLIN: Yes, Mr. Chairman. I believe it is in order at any time to make a motion to extend the sitting hours of the day, so I would like to make the motion right now that this committee extend the sitting hours today to complete the debate on this motion.

AN HON. MEMBER: Agreed.

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

---Carried

To the amendment. Mr. McCallum, you still have the floor.

HON. ARNOLD McCALLUM: Mr. Chairman, I have no difficulty with the division and setting up new governments, but if the Member is asking me to vote by his amendment for Nunavut as is presently perceived by either himself or other people, I want to indicate that I am not for that particular division. I would be for a division of the Territories, but as it is perceived by most people -- you are talking the tree line...

HON. DENNIS PATTERSON: To the amendment. We are not talking about boundaries.

HON. ARNOLD McCALLUM: Mr. Chairman, I am talking to the amendment. The amendment recognizes Nunavut and the Western Arctic. Those are the words that I read in the amendment. It says, "develop a plan to evolve responsible government for Nunavut and Western Arctic", and if the Member can identify to me or define what he means by Nunavut and what he means by the Western Arctic, I would have more of a position to go on.

MR. CURLEY: Mr. Chairman.

CHAIRMAN (Mr. Fraser): Mr. Patterson.

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

HON. ARNOLD McCALLUM: Mr. Chairman, I asked a question to the mover of the motion.

MR. CURLEY: Hear, hear!

CHAIRMAN (Mr. Fraser): I am sorry. Mr. Curley, the question was to the mover of the amendment.

Decision On Boundaries Will be Handled By A Commission

MR. CURLEY: Mr. Chairman, my motion means in the event that the division takes place, it will likely be east and west, and the eastern portion regardless of where the boundaries are would be known as Nunavut. That is the position. That is what I meant. I am leaving it up to the boundaries commission to sort that out. I have not made a recommendation in the Assembly toward that. I have, as a matter of fact, tried to suggest we get on with the boundaries commission so it is not negotiated between the two individuals.

My amendment may be unclear, but I have a lot of difficulty with what you mean by responsible government. What do you really mean by responsible government? The status quo? More provincial types of power to the Territories? I have difficulty with that too. Therefore my amendment tried to clarify that we are consistent with what we have tried to develop in terms of political development of the Territories. That is not moving far to the left from the position that we have taken, nor to the far right. It is consistent with what we have been doing. That is all.

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

HON. ARNOLD McCALLUM: Mr. Chairman, I agree in terms of what the mover of the amendment indicated. He did not make any amendments to the term "responsible governments"; he made amendments by adding something to the phrase, "for Nunavut and Western Arctic". If what he is meaning is that it should be resolved by a debate or some resolution of a process that will go on in the Northwest Territories, that is fine, but I do not want it to be indicated that I am for what is perceived now to be Nunavut. I cannot even perceive of what the Western Arctic is, because I do not really believe that whatever is left should simply be called or termed the Western Arctic.

AN HON. MEMBER: The Western Territory.

AN HON. MEMBER: Denendeh.

HON. ARNOLD McCALLUM: Deh Cho, Denendeh, I do not care what you want to call it, but I am not going to be for it in terms of calling it "Western Arctic", I do not even know what kind of mass we are talking about.

CHAIRMAN (Mr. Fraser): To the amendment. Mr. Patterson.

HON. DENNIS PATTERSON: Mr. Chairman, thank you. I would like to make sure that we focus on the amendment and not the boundary issue. I am distressed that some Members are trying to turn this into a discussion of boundaries. I would like to say that I understand Mr. McCallum's concern about the word "Nunavut", and we heard him express that concern in October of 1981 in Frobisher Bay. I think probably the amendment should have described "an eastern and a western territory" or "an eastern territory to be called Nunavut and a western territory to be called Denendeh, Northwest Territories", or whatever. So I would like to just explain that in my view I can support the amendment because it is discussing a new eastern government and in no way in my mind endorses the Nunavut proposal.

I would like to say that we are likely going to receive clarification well before October 31st, 1983, from the Nunavut Constitutional Forum about precisely what is meant by the concept of a Nunavut government and what that government will look like, and I suggest that we can support the motion in anticipation that we will get a very good picture of the proposed territory in April. So I do not have any difficulties in supporting the amendment and I do not think we should make too much of these words. I would like to give the Member my assurance that I certainly am not going to hold him to accepting the 1976 Nunavut proposal if he should decide to support this amendment.

I think we are just talking about the concept of a new eastern territory and the wording may have been a bit unfortunate but I think we can agree that the intention is to recognize that what we can do in the last year of this Assembly will benefit new territories. What we can do in the Northwest Territories now, tomorrow, what we did last week, will benefit the new eastern territory, will benefit the western territory that will be created. I really think that is all Mr. Curley is suggesting, and I cannot see why the motion poses a threat. Although I agree the words "Western Arctic" have certain connotations I am quite sure Mr. Curley was not talking about Ms Cournoyea's constituency, or WARM, or the north-south axis, or a boundary, and I think we should get to the amendment. Personally, I am hungry. I think we have reached a consensus. I can support the amendment; I think all Members can, with these assurances that we have been given. I would call for the question, if no one else wishes to speak, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. Mrs. Sorensen, to the amendment.

Presupposing Wishes Of Two New Territories

MRS. SORENSEN: Mr. Chairman, I really do feel that the amendment does change the intent of the motion significantly. The original motion calls for responsible government in three different areas, to be achieved by this Legislature under this current system and with the set-up that we have now. The amendment calls for a plan to evolve for responsible government -- for two new governments that we really have no idea what the make-up is about. I really feel that this amendment should have been ruled out of order by the chairman on that basis. It is very, very difficult for me to vote in favour of developing a plan, of reducing the role of the Commissioner, of committing to phasing out the Deputy Commissioner's position by October 31st, for that area known as Nunavut. Maybe the new Nunavut government -- should and if it will ever be set-up -- will want a commissioner, will want a deputy commissioner. We have no idea. I think that it is wrong for this Legislature under this present system to presuppose what those two new governments -- should they ever be established -- will want in terms of their responsibilities and in terms of the federal presence that no doubt will be there with both those new governments as well.

Responsible government also entails being fiscally responsible; it entails having an organized structure; it must have accountability through some type of ministerial or other arrangement. We do not know whether that structure is going to exist in the new government in the East. We certainly do not know whether that government will exist in the West. We are still experimenting

with ideas for the western government and therefore, I have to vote against the amendment. I also support very strongly Mr. MacQuarrie's and Mr. McCallum's point of view with respect to the boundary, particularly Mr. MacQuarrie's point of view. I do not desire early as possible resolution to divide the present Territories unless I know where that boundary is going to be.

HON. DENNIS PATTERSON: Point of order, Mrs. Sorensen.

CHAIRMAN (Mr. Fraser): Point of order, Mrs. Sorensen, let us speak to the amendment.

MRS. SORENSEN: Mr. Chairman, I am speaking to the fifth "whereas" clause, which says "whereas this Legislature desires as early as possible resolution to divide the present Territories". I do not agree with that amendment because I do not agree that we desire earliest possible resolution. I do not desire that unless I know where that boundary is going to be. If it is not on a north-south line, then I will not agree -- and neither will the people that I represent -- to division of the Territories. Thank you, Mr. Chairman.

MR. MacQUARRIE: Hear, hear!

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

AN HON. MEMBER: Recorded vote.

CHAIRMAN (Mr. Fraser): Recorded vote. Point of order.

HON. TOM BUTTERS: Did you rule this amendment in order, Mr. Chairman? Would you reconsider if you did, because I think that the previous speaker's suggestion is a very valid one -- that the intent of the motion has been very markedly changed as a result of that amendment. We have moved from a consideration of the roles of the Commissioner and the Deputy Commissioner to the evolution of two territories.

CHAIRMAN (Mr. Fraser): Mr. Butters, I must have ruled it in order; we have been debating it for the last 15 minutes, so it was ruled in order.

HON. TOM BUTTERS: I challenge the ruling.

CHAIRMAN (Mr. Fraser): My ruling has been challenged. I have to report to the Speaker.

MR. SPEAKER: Mr. Fraser.

REPORT OF THE COMMITTEE OF THE WHOLE OF BILL 1-83(1), APPROPRIATION ORDINANCE, 1983-84

MR. FRASER: Thank you, Mr. Speaker. Your committee has been dealing with an amendment to a committee motion, and my decision that the amendment was in order has been challenged.

MR. SIBBESTON: Shame!

MR. SPEAKER: Thank you. Is it the House's desire that I try to do this quickly or would you prefer to break for an hour for lunch and come back?

HON. TOM BUTTERS: Lunch.

HON. GEORGE BRADEN: Lunch.

MR. McLAUGHLIN: We are going to be here until 3:00 or 4:00 o'clock, anyway.

MR. SPEAKER: The House will stand recessed until 2:30 while I study the matter.

--- LUNCHEON RECESS

Speaker's Ruling

I call the House back to order. In dealing with the question put to the Chair on the challenge in committee, I reviewed the amendment in light of the main motion. In the main motion, it is quite evident that the intent is to express this Assembly's desire for evolution toward responsible government and outlines four steps that could be taken immediately toward more responsible government for the Northwest Territories. The four steps are: a) develop a plan to evolve responsible government for this Assembly; b) reduce the role of the Commissioner to that of the lieutenant-governor; c) commit to phasing out the Deputy Commissioner; and d) invite the Minister to the spring session.

Amendment To Motion To Take Steps To Evolve Toward Responsible Government Prior To Next Election,
Ruled Out Of Order

Now, the amendment destroys, in my opinion, the intent to further responsible government for this Legislative Assembly -- by naming two different sections. So I rule that the amendment is out of order.

Now, the mover can still accomplish what he wishes, as long as he leaves intact the evolution of responsible government for this Assembly. You can add on and say, "and further that you would have a plan laid out for the others at the same time." However, you cannot destroy the main point of the mover's motion that is responsible government for the territorial government, as it exists today. So, I rule that the motion is out of order, and, Mr. Fraser, you resume.

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

MR. SPEAKER: Point of order. I will warn you, Mr. Curley, that these decisions are not debatable. If you have a point of privilege or order, I am quite prepared to listen to it but I am not prepared to debate the decision.

MR. CURLEY: I have not said anything yet, Mr. Speaker, but I would like at least a response to question number one. There was an amendment to my amendment that was voted on, -- was that taken into consideration when the ruling was made? By way of practice, I have been ruled out of order for trying to challenge the question when the vote has been taken to the amendment.

MR. SPEAKER: Thank you, Mr. Curley. Yes, that particular item was checked and that amendment was not an amendment to the amendment. It was an amendment to the original motion by removing the word "Yukon", which was in the original motion.

MR. CURLEY: No, no, it was not.

MR. SPEAKER: Well, that is the information I have.

MR. FRASER: Mr. Speaker, there was an amendment to the amendment that was deleted from the original motion.

MR. MacQUARRIE: Point of order.

MR. SPEAKER: Mr. MacQuarrie.

MR. MacQUARRIE: Mr. Speaker, I believe that is the terminology that was used and it probably should not have been since it certainly was not an amendment to the amendment that was on the floor. It was obviously a different amendment to the motion. So I would say while that terminology was used by some Members that in fact it was not an amendment to the amendment.

MR. SPEAKER: That is the way I understood it -- that the words which were removed, "similar to the Yukon", which were in the original motion, did not amend the amendment, it amended the original motion.

MS COURNOYEA: Mr. Speaker. Point of order.

MR. SPEAKER: Ms Cournoyea.

MS COURNOYEA: Mr. Speaker, the reason that I moved that as an amendment to the amendment is because we had already had an amendment on the floor, and it would not have been in order, if we were going to ask for "similar to the Yukon", and we are relating to two different territories, Mr. Speaker.

MR. SPEAKER: That may undoubtedly be true Ms Cournoyea, but it still was not an amendment to the amendment. It was an amendment to the original motion. The terminology was incorrect that was used, because that was part of the original motion, it was not part of the amendment, and that was taken into consideration on my ruling.

Now, Mr. Curley, there is a way to do what you want to do, and if you ask the Clerk he can give you assistance on preparing an amendment that will fit and accomplish what you want to do, but you must leave that main section "responsible government for this Legislative Assembly" as it stands now. You can add to that by saying, "and also we would like to have a plan laid out for the other thing", so that is an expansion of the motion and there is no problem with that. However, you cannot kill the original motion.

MR. SPEAKER: Mr. Fraser.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 1-83(1), APPROPRIATION ORDINANCE, 1983-84

CHAIRMAN (Mr. Fraser): I call the committee back to order. Dealing with the main motion, we had an amendment to delete "similar to the Yukon" in the third "whereas" and in the resolution itself in a) deleting "similar to the Yukon". That was passed, so we are dealing with the motion now, as amended.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Fraser): Mr. Sibbeston.

MR. SIBBESTON: Mr. Chairman, then I take it we are dealing with the original motion without any amendments whatsoever.

CHAIRMAN (Mr. Fraser): Except for deleting "similar to the Yukon" -- that is the only thing that was deleted.

MR. SIBBESTON: Mr. Chairman, I just want to say that I have some general comments about the motion. I stated earlier that I think it is a motherhood kind of motion. It sounds very good. It is couched in reasonably beautiful words and it puts something in front of us with some hope for the future. However, I really do believe that it will not accomplish anything. In my view, it is an attempt by the Executive Committee Members to put off the whole question of more responsible government.

Plan For Responsible Government Should Not Be Left Up To Federal Government

The very first thing that this motion is to do -- that this Assembly recommend to the DIAND Minister that steps be taken immediately to develop a plan -- to have the Minister develop a plan for us which, again I say, is unrealistic; we cannot expect the Minister of Indian Affairs to do the planning and the struggling for responsibility of government for us. This motion clearly asks the Minister -- it does not suggest that the initiative for constitutional changes be taken in the North. How far really are we going to get if we put a matter of evolution of responsible government in the hands of the federal government? I know some of you have a great deal of respect for Mr. Munro, but is it fair for us to put all of this matter in his hands? This is what the motion seeks to do, and I do not think it is right for elected people of the North to put the onus on the federal government to work toward responsible government for us. I say the initiative, the struggle, has to emanate here in the North. So that is my general view.

It is a good, safe motion for everybody to support, because nothing is likely to happen if you support it, and that is the kind of motion that the Executive Committee Members like. So you have defeated something very specific that could have been done this morning -- to show the people of the North and people in Ottawa that there are some people alive here in the North who are prepared to take action, prepared to show that we are interested in responsible government. But you shelved that, you put that aside. Now you say "Minister, you devise us a plan for responsible government", which I figure is absolute nonsense and it is being very irresponsible and will never come to pass, I believe. So number one, the motion is a good motherhood statement and will not come to anything.

Reducing Role Of Commissioner To Lieutenant-Governor By October 1983 Is Impossible

Secondly, to reduce the role of the Commissioner to that of lieutenant-governor by October 1983, again I say that is impossible. I have looked at the terms of reference; I have looked at the letters that two Ministers in the past few years have written to the Commissioner of the Yukon outlining the duties and the responsibility and role of the Commissioner there. The role of the Commissioner presently in the Yukon is not that of a lieutenant-governor; definitely his role as a Commissioner as we know it, has been reduced, but he still has functions and roles of a Commissioner and his role has not been reduced to that of a lieutenant-governor. They still have some distance to go there. So again asking the Minister to reduce the role of the Commissioner to that of a lieutenant-governor in the next six or seven months is an impossible feat.

HON. DENNIS PATTERSON: Do you want change or not?

MR. SIBBESTON: We want change but do not make the request so impossible that it is unlikely to happen -- this is what you have done. You have done exactly that. You said, "Sure, we want plans

for a more responsible government" but you have set out such large and impossible goals that you will be frustrated and you will be happy with nothing happening, and in this way you are supporting the status quo. So part b) sounds good; it is a motherhood statement and it is impossible to accomplish. I would say to the Executive Member in particular, "Sure, vote for it because it is a safe vote and nothing is going to happen."

Phasing Out Deputy Commissioner's Position By 1983 Is Possible

As for the third one, that is a realistic one so you are batting two out of three. That is a definite possibility. Again, we are asking the Minister to commit himself to phasing out the Deputy Commissioner's position by October 1983, so that is a reasonably good request and something that is possible. So this portion, I would say, is reasonably good and certainly possible but you are asking the Minister to do that, and then what is the agitation? What is the struggle that you are prepared to put up to have the Deputy Commissioner phased out? You have not done anything, we have just learned that his responsibilities have been reduced but we have not reduced his staff and we have not reduced moneys for him to function, you have not done anything. In order to get something from Ottawa, there has to be some local agitation and you have not done that. All you want to do is just have the Minister do it for you without any sweat, tears or effort on your part.

The last part, to have the Minister visit this spring, of course is reasonable and possible. So, in a sense, you are suggesting four matters; two of these are realistically possible but the main ones are unreasonable, unlikely to happen and typical of some of the Executive Committee Members.

Executive Committee Members Do Not Reflect Assembly

Just generally I want to say that I am very disappointed with the Executive Committee Members. In all matters that this Assembly has accomplished it has been as a result of the agitation and initiative work of the Members on this side. We dragged you to Ottawa reluctantly, we dragged you into dealing with the unity committee portion of the plebiscite and always it has been a matter of the Executive Committee Members banding together, holding one another and reluctantly agreeing, after a bunch of compromises are made. It seems to me that the Executive Committee should reflect this Assembly; it is they who should be taking the initiative. It is Mr. Wah-Shee, for example, who should be taking the initiative to get more responsible government in the North, but what has he said? What has Mr. Nerysoo said on behalf of his own people?

HON. RICHARD NERYSOO: Point of privilege.

CHAIRMAN (Mr. Fraser): Point of privilege, Mr. Nerysoo.

HON. RICHARD NERYSOO: The motion is not dealing with anything to do with me, it is dealing with something to do with regard to changing the authority of the Commissioner, and I think that the comments that were made should either be retracted or an apology made.

CHAIRMAN (Mr. Fraser): Mr. Sibbeston.

HON. JAMES WAH-SHEE: Why do you not throw a glass, Sibbeston?

MR. SIBBESTON: Go right ahead. Mr. Chairman, I do not consider that any way influencing -- with respect to the privilege of Mr. Nerysoo. I am speaking in general terms about the Executive Committee; they are a bunch of passive persons, they do not take the initiative on important matters on our behalf, they do not reflect this Assembly and they are beginning to be more and more isolated, working to preserve the status quo, working with the Commissioner and I suspect, just putting in time to the end of this Assembly when they either retire or...

CHAIRMAN (Mr. Fraser): Mr. Sibbeston, could we get back to the motion?

MR. SIBBESTON: So, Mr. Chairman, I would like to see the Executive Committee take a little more of an active role in seeking constitutional changes for the North instead of being passive and having us forcing or asking them to take the moves that are needed.

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

Division Issue Should Be Settled First

MR. CURLEY: Thank you, Mr. Chairman. As I said before, the motion as drafted I think is scholarly and formal and highly acceptable to hard working Members of the Executive Committee and Members

from the southern part of the Mackenzie, not including the Member for Fort Liard. I have said before that continuing to expand this Assembly prior to any major constitutional change would be a deterrent to really dealing with the agenda that we have worked out for the remainder of this Assembly, in terms of constitutional development for the Northwest Territories -- mainly the division issue of the Territories. To try and develop further this Assembly and the government would undermine the wish of the people of the NWT to work toward division and as a result of that I cannot support the motion and will vote against the motion, because I really feel that the Executive Committee has more than its share of work to accomplish before the next term.

By way of principle, I cannot support a motion that asks the federal Minister to take steps immediately and to make a plan for the constitutional development of the Northwest Territories. I do not agree with that at all. I do not agree with it because I am sure that the Executive Committee can certainly come up with a better plan and more reflective of the way the people of the Northwest Territories live and more responsive to the position that has been taken by this Legislative Assembly in terms of other political development positions that we have adopted. I think if we just put the ball back to the federal government we would possibly be given much better recommendations from them. For this reason I cannot support this motion and will vote against it. Thank you.

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

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. I am quite disturbed at the suggestion that this motion which I introduced is a plot to preserve the status quo and frustrate the Member for Mackenzie Liard and others and that it is a ruse to actually frustrate evolution toward responsible government. I resent that attribution of motive on my part. I do not do things for frivolous reasons and I take this motion quite seriously and I take the simple phrase "responsible government" quite seriously. I think there is a world there, Mr. Chairman, if Members would look behind those words.

DIAND Minister Can Effect Responsible Government Changes More Easily

To my mind responsible government means elimination of the trappings of federal control that Mr. Sibbeston so eloquently rails against constantly. To my mind, it means that the operations of the Government of the Northwest Territories would be directed by the elected Members of this Assembly appointed to the Executive Committee to act between sessions of this House, accountable to this Legislature and accountable to the people of the Northwest Territories through this Legislature; that is what responsible government means.

MR. SIBBESTON: Where does it say that? You are asking the government to...

HON. DENNIS PATTERSON: Well, I will get to that, Mr. Chairman. The only reason we are going to the Minister of Indian Affairs on bended knees to request these changes to take place is because, like it or not, he has the cards, he calls the shots. He could effect these changes with one letter and that is precisely what was done with the Yukon.

I think we should go beyond what was done with the Yukon. I do not think it is impossible to consider that the Minister of Indian Affairs would not reduce the role of the Commissioner to that of a lieutenant-governor or at least approve a plan which would do that. I do not think it is impossible that the Deputy Commissioner's position be phased out; it takes no amendment to federal legislation, it takes no amendment to the NWT Act -- maybe it would.

At any rate, Mr. Chairman, I am surprised at the Members' negative attitude toward these changes. Surely if their movement toward responsible government -- we should hope that the Minister will act fast, and it may well be that there is a federal election in the wind, which may well spur the Liberal government to do what the Conservative government did for the Yukon. I think there is a real good possibility of movement.

No Wish To Preserve Status Quo

Also, I would like to respectfully differ with the concern that this will preserve the status quo. I think that any changes that we can achieve in the life of this Legislative Assembly will benefit the new governments that we are all working toward creating. I agree that division of the Northwest Territories is the first priority, and we have a plan and a process under way. Personally, as a Member of the Executive Committee, I am very committed to the Nunavut territory and I am actively pursuing that in my role as Associate Minister for Constitutional Development, I am actively pursuing it through my participation in the Nunavut Constitutional Forum and I resent the suggestion that this motion is a stalling tactic to preserve the status quo.

I would say this motion zeroes in on one aspect of constitutional development that we have addressed many times in this House, the role of the Commissioner and the role of the Deputy Commissioner. I think that there are much more important issues to be dealt with, I can agree with Members: the creation of new territories, the resolution of the boundaries issue, the shaping and defining of new forms of government. However, I think that whatever forms of government evolve in the eastern and western parts of the Northwest Territories, they are not going to want to have a federal civil servant in control of the purse strings, in control of the Department of Personnel, in control of any money bill that is introduced in those Legislatures. Surely all Members of this House can support a plan to move away from that situation and that is all I am proposing -- responsible government.

MR. SIBBESTON: What is it?

HON. DENNIS PATTERSON: Well, it is motherhood, if you want to say that it is impossible, but I suggest that we have spent the better part of the day debating this most important issue. I do not think it will be taken lightly by the Minister of Indian Affairs, particularly if we have unanimous support for this motion, or substantial support for this motion. I think that the Minister of Indian and Northern Affairs may well respond to even one of these. He may come to the spring session to report on these matters and to discuss them with us. That will be progress, alone.

I think the more we can do to put pressure on Indian and Northern Affairs and the federal government through a multitude of sources, through the Constitutional Alliance, through our participation in the First Ministers' Conference on Aboriginal Rights, through this motion to take a close look at the positions of the Commissioner and Deputy Commissioner before the next election, all these pressures will result in changes. They may not be all of what we ask for, but I think if the Member followed the principle that motions should be attainable, he would not make a single motion in this House, for himself.

MR. SIBBESTON: It is impossible to accomplish it, so support it; it does not mean anything. You will not accomplish it.

HON. DENNIS PATTERSON: I am asking that it be supported, and let us not support it with the feeling that it is not going to go anywhere. I think we should think positively. Sure, it is a big challenge, but I resent the suggestion that the Executive Committee is stalling for time and putting in time until the next election. That is not what I am here for and if this motion passes, I am going to lobby the Minister of Indian Affairs every time I see him on this subject.

CHAIRMAN (Mr. Fraser): To the motion.

HON. DENNIS PATTERSON: I speak for myself, Mr. Chairman. Thank you.

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

MR. CURLEY: Mr. Chairman, I just wanted to make this clear, though, that there are really three viewpoints with respect to the political development of the Territories, and this is one of them. That motion is apparently one, that without inferring that we wanted to retain the status quo and expand that status quo, it does just that, and that is a very strong support to those people who have taken the third position of opposing the dividing of the Territories. So in that regard I see it really will create a problem to the division issue. For that reason, I wanted to make it clear that it will gain momentum for those who wish to retain the status quo, because it is an indication that this government is doing well and it is not an interim arrangement, as we have stated before. For that reason, Mr. Chairman, I will vote against it. Thank you.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Fraser): Question being called. Ms Cournoyea, to the motion.

Further Amendment To Motion To Take Steps To Evolve Toward Responsible Government Prior To Next Election, Carried

MS COURNOYEA: Mr. Chairman, I would like to make an amendment on a): "to negotiate with territorial government and the Constitutional Alliance to evolve responsible government by October 31st."

CHAIRMAN (Mr. Fraser): Can we get a copy of that, please? Ms Cournoyea, your amendment is in order. Do you want to speak to the amendment? I will ask the Clerk to read the amendment.

CLERK OF THE HOUSE (Mr. Hamilton): The amendment is to a) of the "now therefore" clause, to take out the words "develop a plan" and replace them with "negotiate with the territorial government and the Constitutional Alliance to evolve responsible government by October 31st, 1983."

CHAIRMAN (Mr. Fraser): To the amendment. Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, I hope the amendment will assure the people who have doubts about the territorial government in its own state taking this motion as further endorsement of the status quo. The Constitutional Alliance, consisting of native organizations, are recognized in dealing with the ongoing constitutional evolvement of the Northwest Territories. With their involvement I believe it would give a person such as myself the assurance that in supporting such a motion, it would not be used against myself as supporting the status quo, and that is the intent of the amendment.

CHAIRMAN (Mr. Fraser): To the amendment.

AN HON. MEMBER: Question.

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

---Carried

To the motion as amended.

AN HON. MEMBER: Question.

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

MRS. SORENSEN: Recorded vote.

CHAIRMAN (Mr. Fraser): Recorded vote being requested. All those in favour, please stand.

Motion To Take Steps To Evolve Toward Responsible Government Prior To Next Election, Carried As Amended

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Evaluarjuk, Mr. Arlooktoo, Mr. Kilabuk, Mr. Patterson, Mr. Pudluk, Mr. Appaqaq, Mr. Tologanak, Mr. Wray, Mr. Sayine, Mr. Braden, Mr. McCallum, Mr. Wah-Shee, Mr. Butters, Mr. Nerysoo, Mr. McLaughlin, Mrs. Sorensen, Mr. MacQuarrie.

CHAIRMAN (Mr. Fraser): Opposed, please stand. Abstentions, please stand.

CLERK OF THE HOUSE (Mr. Hamilton): Ms Cournoyea, Mr. Curley, Mr. Sibbeston.

---Applause

CHAIRMAN (Mr. Fraser): The motion is carried, with 17 in favour and three abstentions.

---Carried

We will now rise and report progress.

SOME HON. MEMBERS: Agreed, agreed.

CHAIRMAN (Mr. Fraser): Whether you agree or not, I am going to do it.

MR. SPEAKER: Mr. Fraser.

REPORT OF THE COMMITTEE OF THE WHOLE OF BILL 1-83(1), APPROPRIATION ORDINANCE, 1983-84

MR. FRASER: Mr. Speaker, your committee has been considering Bill 1-83(1), with one motion being adopted as amended, and wish to report progress.

MR. SPEAKER: Thank you, Mr. Fraser. Are there any announcements from the floor? Mr. Fraser.

MR. FRASER: Yes, I see some flowers over there by the desk of the honourable Member for the Western Arctic. I think it is her birthday.

---Applause

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

CLERK OF THE HOUSE (Mr. Hamilton): Announcements, Mr. Speaker. There will be a meeting of the standing committee on legislation tomorrow morning, Saturday, March 5th, at 10:00 a.m. in the caucus room. There will be a meeting of the Members' Services Board on Monday, March 7th, at 9:30 a.m. in the caucus room. We have a meeting of the CPA executive on Monday, March 7th, at 11:30 a.m. in room 211.

ITEM NO. 16: ORDERS OF THE DAY

Orders of the day, Monday, March 7th, 1:00 p.m.

1. Prayer
2. Members' Replies
3. Oral Questions
4. Written Questions
5. Returns
6. Ministers' Statements
7. Petitions
8. Reports of Standing and Special Committees
9. Tabling of Documents
10. Notices of Motion
11. Notices of Motion for First Reading of Bills
12. Motions
13. First Reading of Bills
14. Second Reading of Bills
15. Consideration in Committee of the Whole of Bills, Recommendations to the Legislature and Other Matters: Bills 1-83(1), 2-83(1), 3-83(1), 4-83(1), 5-83(1), 6-83(1), 7-83(1), 8-83(1), 9-83(1), 10-83(1), 19-83(1), 11-83(1), 12-83(1) 13-83(1), 14-83(1), 15-83(1), 16-83(1), 17-83(1), 18-83(1), 20-83(1)
16. Third Reading of Bills
17. Assent to Bills
18. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until Monday, March 7th, 1:00 p.m.

---ADJOURNMENT

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