



COUNCIL OF THE NORTHWEST TERRITORIES DEBATES

56th Session

8th Council

Official Report

MONDAY, JUNE 9, 1975

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YELLOWKNIFE, NORTHWEST TERRITORIES

MONDAY, JUNE 9, 1975

The Council of the Northwest Territories was convened in Yellowknife, Northwest Territories at two-thirty o'clock p.m., on Monday, June 9, 1975, for the third session, 1975, this being the fifty-sixth session.

ITEM NO. 1: PRAYER

BISHOP H.G. COOK: Let us pray. Almighty God, from whom cometh all wisdom and power, we, the Council of the Northwest Territories in session assembled, humbly beseech Thy blessing on our deliberations, to the end that, inspired by Thy divine wisdom, and setting aside all prejudices, private interests and partial affections, we may work to the benefit, welfare and happiness of the people and to Thy glory. Amen.

THE SPEAKER (Mr. Searle): I am very pleased to declare this 56th session of the Council of the Northwest Territories in session.

Mr. Clerk, would you and the Sergeant-at-Arms kindly determine whether the Commissioner is prepared to address this house?

ITEM NO. 2: COMMISSIONER'S OPENING ADDRESS

THE COMMISSIONER: Please be seated.

It is indeed a great pleasure for me to welcome you to this, the 56th session of the Council of the Northwest Territories. I want to wish you well in your deliberations over the next few weeks. The administration and I look forward to working with you and finding ways and means of better serving the 40,000 people who make up the population of the Northwest Territories.

Although it is only approximately five weeks since I had the pleasure of administering the Oath of Allegiance and the Oath of Office to each of you, much has happened since then. Before commenting on any of these events, perhaps I should make reference to one or two procedural matters. While it has been the custom for the Commissioner in Council to work out both the Rules of Council and the decorum to be used while Council is in session, I think perhaps this is a matter that in the main should be decided by Council. Perhaps it would be well, however, to refer to the Speaker the responsibility for establishing the decorum to be used while Council is in session.

I will always be pleased to appear before Council and consider it a privilege to have the opportunity, particularly in the age-old parliamentary tradition, of delivering the Commissioner's address at the opening of each session of Council. The previous Council recommended that I make one major speech a year, beginning with the first session in each new year and that at subsequent sessions I merely introduce the items of business. I am prepared, if this Council desires, to follow this procedure with the exception, as the situation demands and if topics merit special consideration, to make specific references to these matters of importance at the legislative sessions. It seems to me that by doing this, it affords an opportunity for the administration to focus attention on matters of importance, thus

alerting and providing the opportunity to Members, if they so desire, to comment during their replies to the Commissioner's address.

Procedure Regarding Bills and Budget

One of the first items I should like to deal with concerns matters raised by Council with the Honourable Judd Buchanan during his recent visit last May to Yellowknife. Perhaps I should mention that the Executive Committee followed up on all of your requests and placed the subjects formally in writing before the Minister and while in Ottawa later that month put forward once again the reasons for your requests. Late last Friday an answer was received and I have been instructed to pass on the Minister's views. In doing so I should mention that in accordance with the paper tabled during the January session, the procedure was changed and the Executive were advised not to release either the bills or the budget until they were tabled in Council at the start of each session.

Council suggested that the number of elected Councillors in the Executive Committee be increased from three at this time. In reply the Minister states that the present arrangement to include two Councillors on the committee has the approval of cabinet and which is described fully in the sessional paper tabled before Council last January, and should be given ample opportunity to prove itself. At some time before the next election, the Minister would be happy to review the function and the operation of the committee with a view to recommending changes, including the addition of a third Member.

N.W.T. Levying Personal Income Tax

Councillors suggested that consideration be given to the Northwest Territories, like the provinces, levying their own personal income tax. The Minister advised that his officials and other federal departments involved would be prepared to discuss this matter more fully, and if Council wishes, would be prepared to have the item placed on the agenda of the fall meeting of interdepartmental finance.

With reference to resource revenue sharing, the Minister advises of his support in principle to a proposal to share resource revenues with the two territorial governments. Mr. D.A. Davidson has been asked to co-ordinate the development of a submission to the cabinet with the Department of Finance and the Treasury Board, to establish basic principles on which we may negotiate the sharing of these revenues.

In connection with the desirability of improving the negotiating procedure followed each year to provide the financing for the territorial government's expenditures, the Minister advises that the finance review committee, of which Mr. Parker and I are members, is considering various ways and means to improve this situation and that he is looking forward to receiving the committee's report when it is ready.

Definition of N.W.T. Legislative Body

Councillors urged that the name of the Council be changed to "Legislative Assembly" in lieu of Council and "Minister" to designate the elected Members of the Executive Committee. The Northwest Territories Act defines the legislative body for the territories as "The Council of the Northwest Territories" and provides that the legislative process shall be Commissioner in Council. Similarly the act defines "Minister" as the Minister of Indian Affairs and Northern Development. The Northwest

Territories Act was enacted by parliament and is the basic constitutional document for the territories. As the Minister responsible for the administration he states that he is obliged to comply with its provisions and administer them as they were enacted. The use of the term "Minister" as proposed would be confusing if the elected Members were to adopt this title. In the political context a Minister is, for all intents and purposes, a member of a provincial or federal cabinet.

Executive Responsible for Drafting Legislation

The Minister advises that he is glad to learn that Council has taken the initiative to establish a standing committee on legislation. As already mentioned, in accordance with existing parliamentary practice, bills should be referred to Council committees in the same manner as the House of Commons. This, of course, follows the well-established constitutional principle that the Executive is responsible for drafting government legislation. He adds that there may be occasions when it is desirable to obtain the views of Councillors or of certain interested groups on certain aspects of bills before or during the drafting stage. Messrs. Ernerk and McCallum will be expected to provide useful input in the first instance, either in Executive Committee or in the sub-committee on legislation, of which they are Members, but the Council's own committee could also play a valuable role in this regard and as a means of informing its Members in advance of the proposed legislative program for a session, the administration might wish to consider the preparation of summaries in Eskimo syllabics as well as in English, which outline the principle and purpose of each bill.

Further, the administration might also wish to submit to Council the policy aspects of proposed legislation by means of sessional papers, so as to obtain their views. This device has the added advantage that the sessional papers become public documents once they have been tabled and are therefore available to other interested parties who may wish to comment. Whatever techniques are used to involve Councillors and the Members of the standing committee on legislation in particular in the preparation of legislation, the Minister asks that the administration keep in mind the requirement that the Minister receive the proposed legislation well in advance of tabling in order that he may acquaint himself with it.

Standing Committee on Finance

In connection with the standing committee on finance, it has been suggested that the Members of the standing committee on finance should be provided with copies of the territorial government's annual expenditure budget and other money bills, before this legislation is presented to Council. The budget is a complex document and vital to the successful operation of the territorial administration, and deserves the time and attention of Councillors. The Minister has pointed out that the development and preparation of this document and other financial legislation, is properly an Executive responsibility, and in keeping with federal and provincial practice this task should be carried out only by the Commissioner and Members of the Executive Committee. The inclusion of Mr. Ernerk and Mr. McCallum on the Executive Committee's sub-committee on finance will provide the elected viewpoint in these discussions and again the Minister feels that they should be able to inject the views of their fellow Councillors in these discussions.

During our discussions with the Minister, Mr. Parker and I suggested that it may be necessary to seek the views of the standing committee as the budget is being developed. The Minister replies that if in our judgment this is necessary to the smooth flow of Council's work, these views should be sought only on the basis of budgetary working papers and should in no way detract from the fact that the budget as finally presented to the Council is the Executive's budget, in accordance with the principle of Executive responsibility.

Consider Providing Copies of Budget to all Councillors

In addition, to assist the Council with its work, we have been authorized to consider providing copies of the budget to all Councillors for their information in advance of its formal introduction. The Minister points out, however, that the standing committee will certainly be able to examine the budget and other money bills after their introduction in Council and that the administration should work closely with the standing committee to enable its Members to obtain quickly a grasp of territorial matters. Should the standing committee on finance, or the standing committee on legislation as well, find out they require additional time to properly deal with legislation or other matters referred to them by Council, the Minister sees no objection if the Members were to carry out this task when the Council is not in session. The Minister further cautions the administration to keep in mind at all times the need to ensure that the position of the elected Executive Committee Members is not undermined or jeopardized in any way by any of the procedures previously mentioned. He states that he views these as exceptions to the normal practice, of a short term nature, to reflect the present special circumstances as described by Council to him. They should not be taken as precedent-setting and the Minister advises that he intends to review them at a later date in relation to the need to ensure that the constitutional development of the territories is in harmony with that of other parts of Canada.

Positions of Clerk of Council and Legal Advisor

Finally, with reference to the positions of the Clerk of Council and the Legal Advisor and their reporting relationship, the Minister points out that at the federal level the Clerk of the House of Commons and the law clerk and parliamentary counsel report only to the Speaker. In the provinces, however, the situation is different. In some, these officials are employed on a part time basis only when the legislative assembly is in session, and report to the Speaker when employed. In other provinces these officials are full time civil servants, and either have no responsibility to the Speaker or serve the Speaker only when the legislative assembly is in session.

The difficulty encountered at the provincial level, of course, is the need to keep these officials busy when the legislative assembly is not in session. Clearly such people, if employed by the province, can not be kept fully occupied throughout the year if they report only to the Speaker. The situation is identical in the Northwest Territories, and the Minister believes that the positions of Clerk of Council and Legal Advisor should remain unchanged. However, as Commissioner, in consultation with the Speaker, we have reached an accord where during the time the Council is in session the Council officers should report to the Speaker, and when the Council is not in session they report directly to me as Commissioner.

The administration has been very active since we last met. Among other things, the principal preoccupations have been concerned with: (1) putting into operation the new Executive and administrative structure, (2) problems related to the budget as a result of inflation and increases in goods and services, (3) housing and (4) employment.

The New Structure

Dealing with the new structure necessary to implement the Minister's decision to place two Council Members on the Executive Committee and to make changes in line with the new fully-elected territorial Council, we have made a number of significant changes as recommended by the late Dr. Mace Coffey. All of these changes have been administrative and they are in the main as follows: As a result of the new administrative reorganization, a new establishment chart has been developed.

The reporting relationship is as follows: Deputy Commissioner John Parker has been named controller and is chairman of the administration's finance committee. Departments reporting directly to him are: Department of Personnel, Department of the Territorial Treasury, Department of Planning and Program Evaluation and the Department of Economic Development. He remains responsible for the Northwest Territories liaison office in Ottawa and the emergency measures office at headquarters.

Assistant Commissioner Cotterill has been named chairman of the administration's legislation committee and the following departments report to him: Department of Public Works, Department of Public Services, Department of Local Government, Department of Natural and Cultural Affairs, the regional directors and liaison with native organizations.

In accordance with the Minister's decision, Council's Executive Committee Member, Mr. Arnold McCallum has taken over full responsibility for the Department of Education and Mr. Peter Ernerk for the Department of Social Development.

Necessary to Create a Number of Positions

As a result of these changes, it becomes necessary to create a number of positions in order to carry out and support these new duties and responsibilities. These positions will be reflected in the supplementary estimates to be tabled later in the session. As none of these positions were placed in the program forecasts for the main estimates, it is not possible to obtain new money to fund them. Therefore, I have asked the administration's finance committee to review the entire territorial establishment and to bring to my attention redundant or unfilled positions that can be dropped in order to obtain the necessary funds that are being placed in the supplementary estimates before Council for their consideration. It is my firm belief that with these changes the administration will be able to meet the commitments and provide the necessary service expected by the Minister, the Council and the people of the Northwest Territories.

In a recent message to the territorial public service, I have asked each and every member to make a new commitment to the territorial public service and the people they are dedicated to serve.

New goals and objectives have been implemented for the Government of the Northwest Territories and the Department of Planning and Program Evaluation are now reviewing the programs and policies to bring them into line with the above-mentioned changes.

Undertaking Major Financial Review

Another major preoccupation is the undertaking of a major financial review for the 1975-76 fiscal year. At the same time the administration has given careful attention to the formulation of the "A" level requirement for the 1976-77 program forecasts. We have also placed special emphasis on developing the major thrust areas for the "B" level funds from Treasury Board. It should be remembered that over the years we have had little or no success in obtaining "B" level funds from Treasury Board. This has hampered both Council and the administration in bringing forth new programs for the Northwest Territories. It is the intention of the administration to deal in some detail with this subject with the territorial Council's finance committee.

Returning for a moment to over-all financial problems, I regret to state that the administration finds it impossible to complete all of the programs, activities and plans announced and approved by the January session of Council, due to a shortage of funds. While very strong and stringent controls were implemented last November and all departments of the territorial government have been cautioned to watch very carefully all finances and to cut out unnecessary expenditures, even this will not provide enough money to do everything that has been approved. Simply, what has happened is that the territorial administration has been underfunded and we just have not been given enough money to carry out the programs and activities that have been planned. The reason for this dilemma is not due to any faults in the administration, nor because the federal government wishes to treat us unfairly. It is in the main brought about because of higher operating costs due to increased salaries, steadily climbing costs of goods and services and soaring inflation. Therefore, it will be necessary for the administration to go back to Treasury Board and place before it a new set of figures and request additional funds if we are to fulfil all of our plans and projects for this year.

All Departments to Tighten up Operations.

Preliminary meetings were held in Ottawa two weeks ago, at which time Deputy Commissioner Parker, Territorial Treasurer Holden and myself opened exploratory talks with senior members of the Department of Indian and Northern Affairs and representatives of the Treasury Board. While there, it became clear to us that all departments of the federal government have been instructed to tighten up their operations and that the federal government is facing a shortage of funds. The precise direction the federal government will take, no doubt, will be announced on June 23 when the Minister of Finance, the Honourable John Turner, brings down his expected budget. While your territorial representatives received no firm commitment one way or another, I am pleased to report that we left Ottawa with an understanding that federal representatives are prepared to consider a submission based on rising costs and unforeseen expenditures that are a result of circumstances beyond our control.

While we are only two months into the new fiscal year, I think it much better to recognize the problems that could no doubt arise because of the national financial picture and take corrective steps now no matter how unpleasant they may be, than to find ourselves in what could be a disastrous situation eight to ten months from now. Therefore, we have reviewed and made several cuts to our capital program, while at the same time we have undertaken a very extensive review of our operating and maintenance position. No final decisions have been made on operating and maintenance, but we are in a position to take whatever steps are necessary to face any eventuality. Deputy Commissioner Parker will be reporting on this matter in more depth later on during the session.

Housing Shortages.

Housing shortages continue to plague all sections and sectors of the Northwest Territories and nowhere is it more noticeable than at the capital. The Northwest Territories Housing Corporation estimates that there is an urgent need for at least 1200 units of housing in the Northwest Territories. The corporation, since its establishment, has been wrestling with this situation. The principal problems concern design, construction, operating and maintenance, ownership, and finance. As a result of continued discussions between the Northwest Territories Housing Corporation board of directors, their administration and senior officials of the territorial government, a number of far-reaching recommendations have been prepared and submitted to the Minister of Indian and Northern Affairs in Ottawa. Copies of this document will be tabled later in this session.

Over and above this, your administration has brought this matter to the attention of Treasury Board and urged support for the recommendations of the Housing Corporation, by requesting that additional funds be placed in next years budget to finance an all-out drive to come to grips with this situation.

Employment Limited to Available Housing.

While there are many employment opportunities available in most regions of the Northwest Territories, there are still a number of problems to be solved. In the large urban areas, a number of attractive employment opportunities are not being filled due to a lack of housing. In the municipalities, available units of housing are strained to the maximum and while there are a number of people prepared to accept any available employment, there is little hope of doing so due to accommodation shortages. In effect this means that a number of projects in both the government and private sectors have to be deferred, while completion dates for others are extended. In the event of any large scale development, consideration must be given to a stepped-up housing program if a chaotic situation is to be averted. As mentioned, the situation is far from satisfactory, but unless plans are developed in the event that opportunities do become available, municipalities and some communities will face serious social problems that will confound even the experts.

The situation many settlements face has additional differences, in that available employment in communities and a surplus of those wishing to pursue wage employment are not always in the same location. Construction costs are high and continue to escalate, while at the same time a series of problems that people in the community have no influence or control over, cause shortages and delays in receiving materials. Therefore, in few if any communities is there any surplus of housing, making it difficult for communities to cope with developmental impacts in any organized fashion.

To be more precise, when settlements become hamlets and take over much of the administrative and service responsibilities, they find it increasingly difficult to expand their base of operations or administration due to not having facilities or adequate housing. Many of these problems can be termed as "growing pains" and have been experienced at some time in the development of almost every community in North America and it is regrettable that in this, the last half of the 20th century ways and means have not been found to solve this dilemma.

In previous years, as Commissioner it has been my privilege to have travelled extensively throughout all sections and communities in the Northwest Territories. Wherever and whenever possible, I hope to continue to do this each year. Unfortunately, due to administrative pressures this past year which include both the reorganization and financial discussions, I have been unable to leave headquarters for any extended time. During the past six months I have made more visits to Ottawa, to take part in a series of discussions with senior federal personnel, than in any previous year. While I see no need for alarm or panic, I believe that any administration, if they are to be successful and continue to provide the programs and support and carry out their responsibilities, must be able to look ahead to anticipate and provide for solutions to problems before they arise.

Northerners Must Present a United Front.

In the main, most of the world has been faced with problems of an economic nature and our great neighbour to the South has slid into a mild depression. That Canada has been able to avoid it up to now is something to be thankful for. Continued vigilance is a must, as economic experts advise that the economy has yet to take an upward turn. The problem seems to be one of dwindling exports, which in turn means loss of revenue. No doubt the budget of the Minister of Finance will make known the direction the Government of Canada hopes to take. We here in the territories are vulnerable because no matter what part of the sector we may be in, whether it be government, municipal, industry, labour, or for that matter anything connected with wage employment, we depend to a very great degree on the help and assistance from funds raised in southern Canada. The territories is a developing part of Canada and I believe that it is the duty and responsibility of Canadians to provide this kind of support if the North is eventually to become a full partner in confederation. It is also important that northerners stand together, wherever and whenever possible and present a united front. Forty thousand people can not hope to succeed unless they work together and support, where possible, each other. It is the results that are important and while there are differences of opinion as to how these should be achieved, in the final analysis history records that a determined, sustained effort produces the best results.

No Room for Indifference or Carelessness

Your administration and this Council will be under pressure from all sides and many sectors. It may very well be that from time to time old unproductive programs should be dropped to make way for new ones more in keeping with the current situation. I also believe that it is the responsibility of the administration to continue to be up to date on trends and current affairs in order that we can plan and present now our point of view and requests if we are to have the resources and wherewithal to be able to carry them out next year, the year after and the year after that. At the same time, we must be sure that we do not duplicate our services and that we do not have to redo things over and over again. Great care must be taken to ensure the things that we have are maintained, and at the same time that all facilities and equipment are properly looked after and maintained. There is no room for indifference or carelessness.

The North is a large community and those who live here have to live with the decisions and course that is set, many times, incidentally, by people who neither live here nor have any intention of ever doing so. Therefore it is important that all of us carefully think through our recommendations and the direction which we think the territories should take. It is impossible for anyone, including this Council, to be all things to all people and while everything can be classed as important, some things are of more urgency and importance than others. It becomes a question of establishing proper goals, objectives and priorities and sticking with them until they are achieved.

Legislation to be Considered

During this session you will be asked to consider nine bills placed before you by the administration. Among these are three complete revisions of existing ordinances, four amendments to existing ordinances, a new ordinance and a Supplementary Appropriation Ordinance.

The operation of self-service retail gasoline outlets would be permitted by an amendment to the Petroleum Products Ordinance.

By enactment of the Municipal Employees Benefits Ordinance provision would be made for a retirement, death and disability benefit plan for employees of municipalities in the Northwest Territories.

A Supplementary Appropriation Ordinance would provide funding for additional expenditures in the current fiscal year not previously anticipated.

The size of the Territorial Hospital Insurance Services board would be increased from three to five members to permit more efficient conduct of its business by an amendment to the Territorial Hospital Insurance Services Ordinance.

By an amendment to the Judicature Ordinance authority would be granted for the appointment of additional judges to the court of appeal for the Northwest Territories.

The existing Credit Union Ordinance would be replaced by a revised ordinance designed to provide an up to date legislative vehicle for the formation and administration of all savings and credit unions in the Northwest Territories.

A revised Electrical Protection Ordinance to replace the existing one would provide up to date legislation reflecting changes which have occurred in the industry over the past several years.

The Insurance Ordinance would be revised to bring territorial legislation into line with the uniform legislation adopted in the common law provinces.

A means to prevent and control outbreaks of equine infectious anemia (swamp fever), a highly contagious and often fatal disease of horses, would be provided by an amendment to the Herd and Fencing Ordinance.

Amendments to the territorial Land Use Regulations will be placed before you for your review and advice.

In addition to these matters certain annual and other reports will be tabled during this session for your information.

I now wish you well on your deliberations on this, the 56th session of the Council of the Northwest Territories.

MR. SPEAKER: Please be seated.

Members of Council, I would propose at this time to take a short recess for the purposes of a coffee break. However, before doing that, may I on behalf of this Council, thank our guests, municipal representatives, military, RCMP, and judiciary for coming out here this afternoon. I am sure that I convey the thanks on behalf of this Council.

May I as well thank Bishop Cook for once again coming here for this opening ceremony, as well, of course, as my old friends in the Speaker's gallery and the general public. We will have a brief coffee break and then go back into the business of the orders of the day where we deal with other matters. Would the Members stay in their chairs for a brief minute, because the Information Services wish to take a head and shoulders shot of each of you.

The Council stands recessed for fifteen minutes.

---SHORT RECESS

MR. SPEAKER: Members of Council, can we bring Council to order, please? Just before proceeding-- may we have order, please? Just before proceeding, I would like to do two things. I would first like to acknowledge Mrs. Patricia Wilmot, if I could. Mrs. Wilmot, would you just stand up, please? Thank you. My purpose is to indicate to Council that Mrs. Wilmot has been employed during every Council session with the Council since June of 1971 and she and her husband are retiring and she is leaving in July to make her home, and her husband's home, of course, in Victoria. We will miss you very much.

MRS. WILMOT: Thank you.

MR. SPEAKER: Secondly, if I could, I would like to introduce to Members, Frederick MacKay, our new Sergeant-at-Arms. Mr. MacKay, of course, comes with us after-- he is the first Sergeant-at-Arms really. We have had others who were members of the RCMP but he will be serving Council from now on and in effect is a civilian Sergeant-at-Arms as opposed to a member of the Royal Canadian Mounted Police.

Just to give you some background, Mr. MacKay joined the Canadian Army in 1942, served overseas with the South Saskatchewan Regiment. Released at the end of the war, he returned to the University of British Columbia. He is a widower, has four children, retired in June of 1969 from the armed forces as a captain and he accepted the appointment as an administrative officer to the Department of Public Works and has kindly been made available by that department at each session of this Council. Thank you very much, Mr. MacKay.

MR. MacKAY: Thank you.

ITEM NO.3: NOTICES OF MOTIONS TO INTRODUCE BILLS FOR FIRST READING

MR. SPEAKER: Turning to the orders of the day, notices of motions, Item 3, to introduce bills for first reading.
Bill 1-56, Mr. Ernerk.

Introduction of Bill 1-56: Territorial Hospital Insurance Services Ordinance

MR. ERNERK: Mr. Speaker, I give notice that on Tuesday, 10 June 1975, I shall move that Bill 1-56, An Ordinance to Amend the Territorial Hospital Insurance Services Ordinance, be read for the first time.

MR. SPEAKER: Bill 2-56, Mr. McCallum.

MR. McCALLUM: Mr. Speaker, I give notice that on Tuesday, 10 June 1975, I shall move that Bill 10-56, An Ordinance Respecting the Retirement, Death and Disability Benefits for Municipal Employees, be read for the first time.

MR. SPEAKER: Would you like to try Bill 2-56 now, Mr. McCallum?

Introduction of Bill 2-56: Petroleum Products Ordinance

MR. McCALLUM: I am sorry. These were put in the wrong order. I give notice on Tuesday, 10 June 1975, I shall move that Bill 2-56, An Ordinance to Amend the Petroleum Products Ordinance, be read for the first time.

MR. SPEAKER: Thank you. Bill 3-56, Mr. Ernerk.

Introduction of Bill 6-56: Herd and Fencing Ordinance

MR. ERNERK: Mr. Speaker, I give notice that on Tuesday, 10 June 1975, I shall move that Bill 6-56, An Ordinance to Amend the Herd and Fencing Ordinance, be read for the first time.

MR. SPEAKER: Bill 3-56, Supplementary Appropriation, is not ready yet, so we will not give notice of that. Is that correct, Mr. Parker?

DEPUTY COMMISSIONER PARKER: Yes.

MR. SPEAKER: That was number 6, was it, Mr. Ernerk?

MR. ERNERK: Yes, Mr. Speaker.

MR. SPEAKER: Bill 5-56, the Insurance Ordinance, Mr. McCallum.

Introduction of Bill 5-56: Insurance Ordinance

MR. McCALLUM: Mr. Speaker, I give notice on Tuesday, 10 June 1975, I shall move that Bill 5-56, An Ordinance Respecting Insurance in the Northwest Territories, be read for the first time.

MR. SPEAKER: Bill 7-56, Mr. McCallum.

Introduction of Bill 7-56: Judicature Ordinance

MR. McCALLUM: Mr. Speaker, I give notice that on Tuesday, 10 June 1975, I shall move that Bill 7-56, An Ordinance to Amend the Judicature Ordinance, be read for the first time.

MR. SPEAKER: Bill 8-56, Mr. McCallum again.

Introduction of Bill 8-56: Credit Union Ordinance

MR. McCALLUM: Mr. Speaker, I give notice that on Tuesday, 10 June 1975, I shall move that Bill 8-56, An Ordinance Respecting Savings and Credit Unions, be read for the first time.

MR. SPEAKER: Bill Number 9, Mr. Ernerk.

Introduction of Bill 9-56: Electrical Protection Ordinance

MR. ERNERK: Mr. Speaker, I give notice that on Tuesday, 10 June 1975, I shall move that Bill 9-56, An Ordinance Respecting the Installation of Electrical Equipment and Wiring, be read for the first time.

MR. SPEAKER: Bill 10-56, Mr. McCallum.

Introduction of Bill 10-56: Municipal Employees Benefits Ordinance

MR. McCALLUM: Mr. Speaker, I give notice that on Tuesday, 10 June 1975, I shall move that Bill 10-56, An Ordinance Respecting Retirement, Death and Disability Benefits for Employees of Municipalities, be read for the first time.

MR. SPEAKER: Turning to the orders of the day, going on to Item 4, tabling of documents. Mr. Ernerk?

ITEM NO. 4: TABLING OF DOCUMENTS

MR. ERNERK: Mr. Speaker, I wish to table the following documents:

- (1) Report on Health Conditions in the Northwest Territories, 1974.
- (2) Mackenzie River Area Health Services Study.

MR. SPEAKER: Are there further documents to be tabled?

MR. McCALLUM: Mr. Speaker, I wish to table the following document:
Twentieth Annual Report of the Territorial Liquor Control System and
Liquor Licensing Board.

MR. SPEAKER: Are there any further documents to be tabled?

ITEM NO. 5: REPLIES TO COMMISSIONER'S OPENING ADDRESS.

Going on to Item 5, replies to Commissioner's opening address. Mr. Wah-Shee?

Mr. Wah-Shee's Reply to Commissioner's Opening Address.

MR. WAH-SHEE: James Wah-Shee from Great Slave Lake. Mr. Speaker, I am, as you know, the president of the Northwest Territories Indian Brotherhood. As you also know, the great majority of the people who live in the Great Slave Lake constituency are native people, Dene people. It is the Dene people who elected me both to the office of the president and the office of the territorial Council and in doing so I believe they were laying upon me a clear duty. In my reply to the Commissioner's speech I want to make it clear to the Council what I think this duty is. First and quite obviously I am not expected by my people to do one thing as president of the Northwest Territories Indian Brotherhood and quite the opposite as a Member of this Council. In both places, I am doing the same thing, speaking on their behalf about the matters that concern them most. I am here as a territorial Councillor only because and only so long as my people believe that their just aspirations, their declared purposes, can be advanced by this Council. Everybody should know by now what these aspirations and purposes are, but I shall state them here so that there can be no possibility of a misunderstanding.

Concept of N.W.T. not Concept of Native People.

The Dene people are native people. They have inalienable rights to security of position, possession and to self-government in their own homeland. They seek formal constitutional recognition of this right and are soon to negotiate with the Government of Canada as to just what are the boundaries of this homeland. When I speak about self-government in the Northwest Territories, this is what I mean and this is what the people who sent me here mean. They believe that the justice of their cause is so plain that this Council will wish to add whatever strength it has to ensure that this just cause prevails and what we, the Dene people, believe is just for ourselves we believe is also just for others. We believe that the Inuit and the Metis have equal rights to our home and I expect this Council to support their rights as well as those of my own people. It is not for me to speak on their behalf; they are here and will speak for themselves, but when I say that to me self-government in the Northwest Territories means self-government in our own native homeland, I mean it for all native people, Indian, Inuit and Metis. This does not make us separatists. Canada lays claim to be a democratic confederation and we can fulfill our just purpose so long as Canada acts as such. Anyway, we are realists and recognize that we have no alternative. The concept of the Northwest Territories is not the concept of the native people. My understanding is that this Council is a place where the various people of the Northwest Territories can work out the implementation of the right to self-government in consultation with each other.

Native People's Position Stated

The concept of "nunavut" and of the land of the Dene are native concepts. What we want to know is how these concepts will be incorporated in the political development of the Northwest Territories. The Dene people and the Metis got together in their own associations and stated their position as native people. The Inuit people got together in the Inuit Tapirisat of Canada and the Committee for Original Peoples Entitlement and they have stated their position. Council is a place in which they come together with the non-native elements among the people of the Northwest Territories which are also represented here. If it is not my place to speak for the Inuit, it is certainly not my place to define and speak up for the rights of the non-native element. As we all know, they are well-equipped to speak for themselves. What my people, the native people, expect is that the non-native Members of this Council will declare themselves on the question of our native people's rights.

Quite clearly I am putting the case that the most important job that this Council has to do is to make proposals for the constitutional development of the Northwest Territories. The native peoples have taken initiative outside this Council and it is their proposals that I have been referring to. I, as a Council Member, support the initiative they have taken and now want this Council as a whole to do so. If I am right that this matter of constitutional development is the most important one facing us, I am entitled to express disappointment that the Commissioner has brought forward no proposals that will enable this Council to come to grips with the question. It is all the more disappointing when we are now supposed to have two spokesmen of our own on the Executive Committee, presumably to bring this Council's main concerns to the attention of that committee.

It is not that the question has not been raised before. Dr. Hamelin in the last Council tried very hard to get the administration to turn its attention to specific principles of constitutional political development. But the administration seems not to want to take any initiative in this area, although I notice that Assistant Commissioner Cotterill made a public speech the other day on political development. I congratulate him, but perhaps the administration is right; it is not their job but ours to make the proposal for constitutional development. At all events, the administration says nothing on the subject. Consequently, I shall tomorrow submit a motion of my own in this area. I hope the Council will then support my position that we are not here for the simple purpose of examining the administrative measures now put before us but to offer political leadership to the people who have elected us.

Thank you, Mr. Speaker.

--- Applause

MR. SPEAKER: Thank you, Mr. Wah-Shee. Are there further replies to the Commissioner's opening address? Moving on then to Item 6, questions and returns. Are there any questions?

ITEM NO. 6: QUESTIONS AND RETURNS

Question W1-56: Rae-Edzo Liquor Restriction Regulations (Order of 1 June 1975)

MR. NICKERSON: Mr. Speaker, I have two questions. The first, Question W1-56 concerns the Rae-Edzo Electoral Restriction Regulations Order of 1 June 1975. Would the Commissioner please advise Council of the following:

- A. i) When were the required plebiscites held in Rae-Edzo, Lac La Martre, Rae Lakes and Detah?
- ii) What was the wording of the question voted upon?
- iii) How many ballots were cast for and against the question in each of the four communities?
- B. i) How are the regulations to be enforced especially in Rae-Edzo and Detah since it would appear that policing them properly and continuously is practically impossible?
- ii) Have the RCMP been consulted with regard to the enforcement of the regulations?

And finally, C. In view of the fact that the pronounced restrictions are unusual and persons such as tourists, etc., not familiar with local conditions, could not reasonably be expected to realize that such restrictive regulations might be in force, what steps are being taken to advise such people before entering the communities in question that these regulations are in existence?

Question W2-56: Musk-ox Meat, Prince of Wales Dinner.

Mr. Speaker, Question W2-56, concerning musk-ox meat being served at the dinner given in honour of the Prince of Wales. With regard to the musk-ox meat served at the dinner given in honour of the Prince of Wales in Yellowknife on 27 April 1975, could the Commissioner please advise Council when, how and by whom the animal or animals in question were killed and could the Commissioner assure Council that the slaughter was in accordance with both the letter and spirit of the Game Ordinance?

Thank you, Mr. Speaker.

MR. SPEAKER: Further questions?

THE COMMISSIONER: Mr. Speaker, I would prefer to take Question 1-56 as notice and file a return, as it is a very extensive one.

Return to Question W2-56: Musk-ox Meat, Prince of Wales Dinner.

The second question was concerning the musk-ox meat provided for the dinner for the Prince of Wales. That was the Minister's dinner. That was not the territorial government dinner. Secondly, the musk-ox meat was donated by the people of Sachs Harbour and, third, I am afraid I do not know who shot it or all the details but Sachs Harbour and Grise Fiord are the only areas in the Northwest Territories, to my knowledge, where they have a limited number of animals that the local people can take. I believe in the case of Sachs Harbour it is 25, so I assume that it was shot legally.

MR. SPEAKER: Further written questions?

Question W3-56: Turnover in Staff in all Departments in Last 12 Months

MR. PEARSON: Mr. Speaker, a question for the administration. I would like to know what has been the total turnover in staff in the past 12 months in all departments, and in what capacities has the turnover occurred in the various levels throughout the staff.

MR. SPEAKER: Further written questions? Obviously that is the sort of question you can not respond to now, Mr. Commissioner. We will take that as notice. Further written questions?

Going on to Item 7, oral questions. These are questions of an emergency nature where you would not have had time to put them in writing. Any oral questions?

ITEM NO. 7: ORAL QUESTIONS

Question 04-56: Vacation Travel Assistance

MR. BUTTERS: I do not know if it would be classed as an emergency but there is one I think can be answered at this time by the Minister of Education as a Member of the Executive Committee. I was referring to the motion this Council passed relative to developing the holiday assistance, holiday travel assistance plan, for members of the territorial government. It is getting close to the time when the people want to travel. I wonder what has been worked out in this area.

MR. SPEAKER: Mr. Butters, I think that is properly asked under written questions, Item 6. However, if Mr. McCallum can answer it now we will let him do so. If he wishes to take it as notice, however, he can do so.

MR. McCALLUM: Mr. Speaker, I would like to take the question as notice and come back to it.

MR. SPEAKER: Further oral questions? Going on to Item 8, presenting petitions.

ITEM NO. 8: PRESENTING PETITIONS

Lack of Policing of Intoxicated Persons in Yellowknife

MR. NICKERSON: Mr. Speaker, I have here a petition containing some 105 names of people generally resident in that part of Yellowknife North around the Explorer Hotel, within a few blocks either way. The petition was prepared by Mrs. Wardell and it complains of lack of policing of intoxicated persons within the city of Yellowknife and especially in this particular area near the hotel and it complains of drunkenness on the streets, fighting, language, people being allowed to congregate on public property, loitering, making it unsafe for children to play, lighting fires on the above-mentioned public property and being too intoxicated to extinguish them.

This is a matter of some importance, Mr. Speaker. I would like to table this petition and also later on this afternoon I would like to give notice that I intend to present a motion later concerning this particular matter. Thank you, Mr. Speaker.

MR. SPEAKER: Further petitions? Nothing further?

Item 9, reports of standing and special committees. I assume there are no reports.

Going on to Item 10, notices of motions.

ITEM NO. 10: NOTICES OF MOTIONS

Notice of Motion 1-56: Control of Alcohol Induced Offences

MR. NICKERSON: Mr. Speaker, it is my intention on Wednesday, 11 June 1975, to introduce Motion 1-56 which is to deal with the control of alcohol induced offences. This motion is by way of action on the petition I presented earlier.

MR. SPEAKER: Further notices of motions?

Notice of Motion 2-56: Media Coverage of Council

MR. STEWART: Mr. Speaker, I would like to give notice of a motion dealing with media coverage of Council. Because it is an urgent matter, I would like to request that Council waive Council rules and allow this to go into debate today.

MR. SPEAKER: When we come to Item 11, Mr. Stewart, it would be appropriate to ask for unanimous consent.

Further notices of motions under Item 10?

Notice of Motion 3-56: Constitutional Development of N.W.T.

MR. WAH-SHEE: Mr. Speaker, I would like to give notice that on 11 June 1975, I intend to bring a motion in regard to the constitutional development of the Northwest Territories.

MR. SPEAKER: Further notices of motions? Going on then to Item 11, motions. Mr. Stewart?

ITEM NO. 11: MOTIONS

MR. STEWART: Mr. Speaker, I request Council's permission to deal with the motion that I have just given because of its urgency.

MR. SPEAKER: Is there unanimous consent to permit Mr. Stewart to proceed with his motion?

--- Agreed

Motion 2-56: Media Coverage of Council

MR. STEWART: Mr. Speaker:

WHEREAS media coverage was permitted last session and permission for further coverage this first day of this session has also been granted;

NOW THEREFORE, I move that permission be continued temporarily at this Council's discretion, allowing radio and television coverage on the present basis, subject to the following conditions:

- (a) Television coverage, because of the heat created from the lights, will be permitted only in formal session (i.e. when the Speaker is in the chair) and not when Council is in committee of the whole, and
- (b) even in formal session, at the request of a Member, the Speaker may order the television lights to be extinguished, and
- (c) the press corps will appoint a contact representative with whom this house may communicate on matters of concern.

MR. SPEAKER: Is there a seconder for the motion? Mr. Pearson? Is there discussion of the motion? Mr. Stewart?

MR. BUTTERS: On a point of order, Mr. Speaker, I wonder if you could circulate a copy or if there is a copy? If you could circulate a copy of the motion I would like to have it.

MR. SPEAKER: Has that motion not been circulated? Will it take long to reproduce it? Could we have that motion reproduced?

In the meantime, to save the time of this house, we will just leave that motion and come back to it. Is that agreed?

--- Agreed

Are there any other motions? The next item, Item 12. We will need unanimous consent to go on to first reading of bills. Is it Council's wish to go on to first reading of bills?

MR. BUTTERS: Nay.

MR. SPEAKER: Unanimous consent is denied. The next item, of course, number 13, is second reading of bills and it hardly is appropriate to go into second reading when we can not have first reading.

I think in the circumstances we should recess Council for five minutes until Mr. Stewart's motion is reproduced and we will reconvene and deal with that and then I would simply propose to recognize the clock and recess Council until tomorrow morning. Shall we recess for five minutes?

Council stands recessed for five minutes.

--- SHORT RECESS

MR. SPEAKER: Will Council come to order? Returning then to Item 11, motions, the Clerk has had Mr. Stewart's motion re media coverage of Council reproduced and I believe that every Member has a copy. Is that correct?

MR. PEARSON: Yes.

MR. SPEAKER: Mr. Stewart, did you want to lead off the debate?

MR. STEWART: Mr. Speaker, basically this is a housekeeping motion to allow full coverage of the proceedings of this Council. We know, of course, by the size of the Northwest Territories that it is extremely important that the work that is done in this house be covered as fully as possible by the media. The only reason that there are some restrictions on television is the fact that some of our Members find these lights very uncomfortable and it is meant in no way to restrict television as against the radio coverage. I understand that the "(c)" portion of this motion was in fact used at the last Council and found to work very well, that the press corps appoint a contact representative to work with an appointed Member of Council on communications matters and it is on this basis that I present this motion at this time.

MR. SPEAKER: Further discussion on the motion? Are you ready for the question?

MR. PEARSON: I was just going to add, Mr. Speaker, as the seconder, that it is an excellent motion and that is why I seconded it.

Motion 2-56, Carried

MR. SPEAKER: Ready for the question? All in favour? Contrary? Motion carried.

Unless there is anything further that Council Members would like to raise, I propose to recognize the clock as 5:30 p.m. Council stands adjourned until tomorrow, Tuesday 10 June 1975, at 2:30 o'clock p.m. at the Explorer Hotel.

--- ADJOURNMENT

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