



COUNCIL OF THE NORTHWEST TERRITORIES DEBATES

58th Session

8th Council

●fficial Rep●rt

FRIDAY, FEBRUARY 13, 1976

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YELLOWKNIFE, NORTHWEST TERRITORIES

FRIDAY, FEBRUARY 13, 1976

MEMBERS PRESENT

Mr. Steen, Mr. Stewart, Mr. Lafferty, Mr. Lyall, Mr. Butters, Mr. Wah-Shee, Mr. McCallum, Mr. Evaluarjuk, Mr. Ernerk, Mr. Pearson, Mr. Kilabuk, Mr. Pudluk, Mr. Searle, Mr. Nickerson

ITEM NO. 1: PRAYER

---Prayer

THE SPEAKER (Mr. Searle): Item 2, questions and returns.

ITEM NO. 2: QUESTIONS AND RETURNS

Are there any written questions? No written questions? Returns. Mr. Parker.

Return To Question 019-58: Discussion Of Recommendation Of Task Force On Northern Business

DEPUTY COMMISSIONER PARKER: Mr. Speaker, on Friday, January 30, 1976, Councillor Butters asked Question 019-58 concerning discussion by Council of the new oil and gas legislation prior to its being tabled in the House of Commons.

I have been advised that the Minister of Indian and Northern Affairs is not at liberty to consent to discussion by Council of this legislation at this time, as it has not yet been reviewed by cabinet, and the decisions on its final form and content and means of implementation have not yet been reached. Council may be interested to know, however, that principal elements of the proposed legislation were presented by the Minister on May 1, 1975, in an address to representatives of the oil and gas industry in Calgary. Copies of that address are being forwarded to the Commissioner's office and will be circulated to Council Members upon receipt.

Return To Question W20-58: Berger Inquiry

On February 2, 1976, Councillor Butters asked Question W20-58 concerning costs associated with the Berger Inquiry.

We have received the following information from the Minister of Indian and Northern Affairs relative to the questions asked. The information received from the Minister provides details of the funds provided to the Berger Inquiry through the Department of Indian and Northern Affairs. For details about the funds approved for the Canadian Broadcasting Corporation to cover the hearings, the Minister has suggested that we contact the president of the Canadian Broadcasting Corporation and for details of expenses connected with the Berger Inquiry staff, the Minister suggests we contact Mr. Ian Scott, as the Berger Inquiry is responsible for administering its own budget in accordance with the standards established for the federal public service.

This will be done, and the information will be circulated by mail to Council Members once it has been received. The Clerk has circulated the information received from the Minister relative to funding the Berger Inquiry, and I will thus not attempt to read the information into the record at this time.

Return To Question W50-58: Municipal Ordinance, Section 128

On Tuesday, February 10, 1976, Councillor Pudluk asked Question W50-58 concerning increasing allowances paid to hamlet councillors.

An amendment to the Northwest Territories Municipal Ordinance has been proposed by the Department of Local Government which will permit the rate of remuneration for hamlet and village councillors to be set by municipal bylaw. These bylaws, of course, continue to require the approval of the Commissioner. This proposed amendment to the Municipal Ordinance is tentatively scheduled to be presented to Council at the May session.

Return To Question W56-58: Breakdown For Cost Of Sewage To Settlement

On Wednesday, February 11, 1976, Councillor Stewart asked Question W56-58 requesting a breakdown of costs by settlement for sewage pick up.

As answering this question involves a good deal of research and preparation time, I must advise Councillor Stewart that the information he has requested will not be available during this session. As soon as the information has been compiled, however, it will be circulated by mail to Members of Council.

Return To Question W61-58: Extension, Dempster Highway

On Thursday, February 12, 1976, Councillor Butters asked Question W61-58 asking for written information on the scheduled completion date of the Dempster highway from Inuvik to Dawson city.

I have been advised by the Department of Indian and Northern Affairs, chief of transport division, that the Dempster highway may be open for limited access purposes in late 1978. The scheduled completion date for the highway is the summer of 1979.

Return To Question W63-58: Telephones, Clyde River

On Thursday, February 12, 1976, Councillor Kilabuk asked Question W63-58 concerning telephone service to the settlements of Clyde River and Broughton Island.

There are no plans at the present time to upgrade telephone services to Clyde River or Broughton Island, as the present Anik system is being utilized to the maximum and can not be extended. It will thus be some time yet before facilities are in place to improve telephone communications for these settlements.

MR. SPEAKER: Are there any further returns? Item 3, oral questions, Mr. Butters.

ITEM NO. 3: ORAL QUESTIONS

MR. BUTTERS: Just on a point of order on an oral question, I just wondered if the Deputy Commissioner could try and get as many returns back before the last day as possible, so it would give Members an opportunity to raise motions or take other action upon them. The last day does not leave Members much chance to act on the information provided, sir.

DEPUTY COMMISSIONER PARKER: To the best of my knowledge, there are very, very few matters left outstanding. I admit that the question this morning that I answered concerning the costs of the Berger Inquiry was only answered in part. However, we did not receive even that part of it until yesterday and so we have not had time to get in touch with Mr. Scott or the Canadian Broadcasting Corporation head office, and I really do not think that there is any chance of us getting that information during the day.

There was one further question that Mr. Butters asked that we simply have not yet had a response to, and he may be able to take the opportunity to pose a question to the Minister this evening. I will look into the number of outstanding questions and see if I can not raise the rest of the replies, but I think there are very few still outstanding.

MR. SPEAKER: Item 3, oral questions.

Item 4, presenting petitions.

Item 5, reports of standing and special committees.

Item 6, notices of motions.

Item 7, motions.

ITEM NO. 7: MOTIONS

Under motions there are Motions 20-58, 24-58, 25-58, 26-58, 27-58 and 28-58. Starting with Motion 20-58 first, Mr. Butters.

Motion 20-58: Consideration Of Matters Re: Legislative Assembly Election

MR. BUTTERS: Mr. Speaker,

WHEREAS it is now obvious that certain anomalies exist in the present boundaries of the electoral districts of the legislative assembly;

AND WHEREAS certain election procedures now followed in the legislative assembly elections are inappropriate for the particular circumstances that exist in the Northwest Territories;

NOW THEREFORE, I move that this assembly appoint a committee from among its Members to consider all matters relating to legislative assembly elections and to make recommendation to the appropriate authorities in sufficient time so that necessary federal and territorial legislative amendments may be made to take effect prior to the 1979 election.

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

MR. BUTTERS: Sir, the constituency boundaries were drawn up by a committee of the former house. I think that in practice there have been a number of problems arising from these, both from boundaries and from a new arrangement that has been implemented in the territories with regard to setting up urban districts.

My particular concern is the urban designation of some constituencies which exclude voters from voting into the communities in which they trade, into which they communicate and this is my main interest. I think other Members may have similar or other interests in seeing this committee formed.

MR. SPEAKER: Is there any further discussion? Are you ready for the question?

SOME HONOURABLE MEMBERS: The question.

Motion 20-58: Carried

MR. SPEAKER: The question being called. All in favour? Seven. Contrary? The motion is carried.

---Carried

Motion 24-58, Mr. Stewart.

Motion 24-58: Proposed Harbour And Storage Development, Mills Lake

MR. STEWART: Motion 24-58, proposed harbour and storage development, Mills Lake:

WHEREAS tests are being carried out by Northern Transportation Company Limited at Axe Point in the Mills Lake area for a proposed harbour and storage development for the movement of pipeline materials;

AND WHEREAS the Mills Lake area is recognized as a nesting area for waterfowl particularly the white swan;

AND WHEREAS one of the proposed pipeline guidelines advocates that no permanent townsites will be established during the construction phase of any such pipeline;

AND WHEREAS Hay River and Fort Simpson have proven to have the capability of handling the total tonnage required to construct any such pipeline;

NOW THEREFORE, I move that the territorial Council instruct the territorial administration to contact the necessary federal jurisdictions, especially the land use section of the Department of the Environment, to the effect that this Council opposes the construction of harbour facilities in this area and in any other unestablished area between Hay River and Fort Simpson.

MR. SPEAKER: Is there a seconder? Mr. Lafferty. Any discussion? Mr. Stewart.

MR. STEWART: Mr. Speaker, this probably is one of the more important motions relative to the pipeline question to be placed before this Council. I believe that the guidelines as indicated by the territorial government when the pipeline question was first raised, were that we must assure that the construction period did not start up satellite settlements along the route. I would point out to the Council that if a harbour facility of the magnitude that would be required to handle the pipe for the pipeline were to be established on Mills Lake in the Axe Point area, that this would indeed become a permanent town.

Avoiding Municipal Taxes

Now one of the basic reasons I believe that is behind such a move is that Northern Transportation Company Limited, a crown corporation, in conjunction with the gasoline or pipeline people, are making such a move to avoid having to pay municipal taxes, either in Hay River or at Fort Simpson and this essentially would become a company town. If the pipeline is

indeed to leave any benefit to the Northwest Territories, harbour facilities are one of the things that can be left in the settlements that are already in operation. These then would be of general benefit to all of the people of the territories from the point of view that they would be available for the movement of northern freight after the pipeline has been constructed. I think it is particularly important that we preserve the identity of the towns along the route of the construction of the said pipeline and that we protect such institutions to the best of our ability.

You will note in this motion that it says, "proposed" construction of harbour facilities in this area and any other unestablished area between Hay River and Fort Simpson. If indeed the pipeline people felt that Fort Providence for example would be a good shipping site, we have no objections to such a site being established there because it leaves something for Fort Providence and probably the same thing is true at Jean Marie River, if agreement could be received from that area. We have no objections to establishing such facilities at any point that is already established.

MR. SPEAKER: Mr. McCallum.

MR. McCALLUM: Mr. Speaker, just on a point of order. There were two or three Members who did not have their motion books and I understand they are on the way down, so it was very difficult to get full participation all the way through.

MR. SPEAKER: What Members do not have their motion books? Mr. Kilabuk and Mr. Evaluarjuk? If you wish, we could recess for five minutes. Do you want to do that until they arrive? Agreed?

---Agreed

Council stands recessed for five minutes.

---SHORT RECESS

MR. SPEAKER: Members of Council, Council will come to order. We are on Motion 24-58. Mr. Stewart, had you concluded your comments?

MR. STEWART: Yes, Mr. Speaker.

Motion 24-58 Carried

MR. SPEAKER: Is there further discussion on Motion 24-58? Are you ready for the question? Question being called. All in favour? Down. Contrary? The motion is carried.

---Carried

Members of Council, I just might say with respect to the translation I am advised that the difficulty we are having is of course an administrative one, but it arises out of the fact that though our Rules require only 24 hours notice, that is quite sufficient, except when you get motions requiring translation. Sometimes if you get them in late it is just impossible to get them translated by the next day and reproduced, so it would facilitate matters if Members could get their motions in very quickly. However, since it is the last day, I suppose that is a gratuitous comment.

Motion 25-58, Mr. Lafferty. Mr. Lafferty, where did he go? We will leave that for a moment and go to Motion 26-58, Mr. Steen.

MR. STEEN: Mr. Speaker...

MR. BUTTERS: Mr. Speaker, may I just rise? I have no motions in my book to cover these. May I get copies?

MR. SPEAKER: I am sorry, Mr. Butters. I can not hear you.

MR. BUTTERS: Sir, I do not have these particular motions in my book. May I have copies, please?

MR. SPEAKER: Would you give him Mr. Remnant's book for the moment? Mr. Steen.

Motion 26-58: Riverbank Erosion, Aklavik

MR. STEEN: Mr. Speaker, Motion 26-58, riverbank erosion, Aklavik:

WHEREAS the riverbank at Aklavik is eroding at an alarming rate;

NOW THEREFORE, I move that this legislative assembly recommend to the Commissioner that he cause a study to be made to determine how best to prevent further erosion of the riverbank at Aklavik, and the cost of such preventative measures.

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

MR. STEEN: Mr. Speaker, to the motion, just two days ago I believe this Council decided that people should have a right to stay wherever they want to stay and this is what Aklavik is doing. A few years ago they developed the town of Inuvik and the federal government felt that the people of Aklavik should move to Inuvik, but apparently this is not working. The people of Aklavik want to continue to stay at the old settlement there and I think, as everybody knows, that people have a right to stay where they feel best, where they feel the most comfortable. Aklavik is the town where I went to school. Some of our other Councillors went to school there. We love that town because it has history, it has background and it would be a shame if we did not do something to prevent the erosion of the banks of the river in Aklavik. The bank is eroding every year in the springtime as the ice comes down the river. The ice just comes against the bank and rubs against the bank and just takes pieces of the bank every

year. It is not the type of erosion where you have large waves splashing against the bank like you would have in Tuktoyaktuk where you have the ocean there.

When we first went to school in Aklavik there used to be a large area between the school and the bank where we used to pile cordwood and where we used to have a yard where the kids were playing between the bank and the school. Now apparently all that land is gone and even some of the buildings, the area along the riverbank, it is all gone. At the rate of about ten feet a year at least it is eroding. It is happening on the site where the town is built and on the bank at the side there is a house almost at the edge of the bank. You can not travel with a vehicle on the road, as it is now, without almost dropping over the edge of the bank. If we continue to leave the bank as it is, we are going to have to move a number of houses and continue to move a number of houses as the erosion takes place, if we let the erosion carry on. I do not think it would take very much to prevent the erosion. Actually most of the erosion is in the springtime, at break-up when all the ice comes down the river and tears away at the bank. There must be some kind of diversion to divert the ice from acting as a bulldozer and pulling away the dirt on the bank.

I think a place like Aklavik, a proud town, where it says at the airport, "Welcome to Aklavik. Never Say Die", that kind of feeling should be supported throughout the North. I would like the support of my colleagues to help the people stay where they want to stay because that is their choice of where they want to live. With that, Mr. Speaker, we will let it stay at that.

Motion 26-58 Carried

MR. SPEAKER: Further discussion? Question being called. All in favour? Down. Contrary? The motion is carried.

---Carried

Mr. Lafferty, we will go back to your Motion 25-58.

Motion 25-58: Hire North Training Program

MR. LAFFERTY: Mr. Speaker, I guess my five minutes is a little bit longer than everybody else's. Mr. Speaker:

WHEREAS Hire North highway project reduced employees from 200 to 45, camps have been reduced from three to one. Training of foremen, cooks, servicemen, etc., the support organization for the camps, will be lost if there is no work found for them and by the time a pipeline is built they, Hire North, will have to start all over from nothing to put together another such needed organization;

NOW THEREFORE, I move that this Council advise the administration to continue this much needed project by extending the present operations to: (a) clean up of the Canol road and; (b) clearing the right of way of the Liard-Mackenzie highway.

May I speak to the motion?

Motion Reworded

MR. SPEAKER: Just a moment, Mr. Lafferty, by the word "advise" you mean "recommend" do you?

MR. LAFFERTY: Yes, Mr. Speaker.

MR. SPEAKER: Is there any objection if I change the word "advise" to "recommend", because then it is clearly in order.

MR. LAFFERTY: Agreed.

---Agreed

MR. SPEAKER: "Now therefore, I move that this Council recommend to the administration to continue this much needed project by extending the present operations" etc., that is how it would read. Is there a seconder? Mr. Stewart.

MR. LAFFERTY: Mr. Speaker, Members of Council, all levels of Canadian governments annually spend hundreds of thousands of dollars, if not millions, in an effort to educate and train the native Indian and Metis people to take their places in industry and society. Of course, there are many of these people taking their places as desired by the planners of these programs. I believe this to be good. Any type of training programs designed for the people of the North I believe to be good. However, in the short time I have been here on the territorial Council, and since this session began, we have heard it expressed many times that we need northern trained natives for northern purposes, and it is said by the administration that there are many natives in the employ and service of the Government of the Northwest Territories and the federal government in the North. Many of these people are born and educated in the South and I have nothing against that, but I do know one thing, not all northern natives wish to become servants of the government. Today, many of our people of the North desire to take part in the operations of highway construction and maintenance and other building trades, equipment maintenance, developing construction skills to become foremen and superintendents of construction.

Skill Development Being Lost

Further, there are others who desire to become cooks or develop skills in the service industry. These were being realized by many when the Hire North project was in full operation employing up to and around 200 men with three camps, which has now been reduced to one camp and 45 men. Most of these men were and are natives from all over the Northwest Territories, and many of them who have made some progress in skill development are now being lost due to the lack of work in these areas. Some are seeking work elsewhere, mainly in the South, in British Columbia and Alberta, while some have gone on social assistance waiting for the day a job will come along in a skill they have learned during the height of the Hire North project.

If there is no work found for them in the near future, by the time any major construction takes place we will lose all of them and we will have to start all over from scratch to put together another such organization to train natives in the skills we will need. It is with this viewpoint in mind that I move this motion. It is an important motion, not only to the natives of the area which I represent but to all natives of the North who have worked for Hire North and who are looking forward to the continuation of this worth-while program, on-the-job training where one would learn the kind of skills that appeal to him, and the skills that will be needed in the event that a pipeline is built before too long or any major development taking place. The idea is to be ready by keeping a trained crew to go on to any major construction occurring in the future.

For that reason I have included in the motion, or made the motion in two parts, the clean-up of the Canol road between Norman Wells and the old Canol project, the old pipeline, where there are literally thousands and thousands of barrels and much old junk there that must be cleaned up sometime, and there is the proper road site for the future highway from that area into the Yukon where such clean-up projects would be to the future benefit of the people of the North.

Also, in the second part I have the clearing of the right of way of the Liard-Mackenzie highway. That too is an inevitability because it will have to come through sometime in the future, and to keep our unemployed people working, I can see no reason why we can not have people who are presently unemployed working and hand cleaning and so on in this area to work on future development for the Liard-Mackenzie highway.

MR. SPEAKER: Any further discussion?

SOME HONOURABLE MEMBERS: The question.

Motion 25-58 Carried

MR. SPEAKER: The question. The question being called. All in favour? Contrary? The motion is carried.

---Carried

Motion 27-58, Mr. Wah-Shee.

Motion 27-58: Preferences To Northern Businesses

MR. WAH-SHEE: Mr. Speaker, I would like to move a motion with regard to preferences to northern businesses:

WHEREAS the present purchasing and contracting policies of the territorial government do not afford sufficient preferences to northern businesses;

AND WHEREAS government does not appear to intend to implement any of the recommendations contained in the report of the task force formed to study problems encountered by northern businessmen in obtaining federal contracts, or in fact to implement any other changes;

NOW THEREFORE, I move that this legislative assembly request the government to prepare and to table at the May, 1976, session of this legislative assembly, a paper setting forth:

1. The preferences presently given to northern business in territorial government purchasing and contracting;
2. An assessment of the pertinent recommendations contained in the said task force report, and of the recommendations the government has received from time to time; and
3. A statement of the government's future intentions in this matter. Thank you.

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

MR. WAH-SHEE: Mr. Speaker, the intent of this motion is to find ways and means whereby the goods and materials that are produced in the Northwest Territories be given preference in terms of market so that adequate attention is given to northern businesses which produce goods which can be utilized in the Northwest Territories. So, where you have areas where you do not need to purchase goods from the outside, from outside the Northwest Territories, where you find those goods and materials in the territories, that they should be given preference. Thank you.

MR. SPEAKER: Any further discussion?

SOME HONOURABLE MEMBERS: The question.

Motion 27-58 Carried

MR. SPEAKER: The question. Are you ready for the question? The question being called. All in favour? Contrary? The motion is carried.

---Carried

Motion 28-58 is the only other motion, the motion to extend this session. May I suggest, gentlemen, that we not move that motion at this time and that we merely however not conclude Item 7, motions, leaving Item 7 open in case we have to come back for that. Is that agreed?

---Agreed

Item 8, tabling of documents.

Item 9, consideration in committee of the whole of bills and other matters.

ITEM NO. 9: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS

Mr. Parker, I am sorry to interrupt your interesting discussion with Mr. Pearson, but I assume you would like me to put all the financial bills into committee now as the first order?

DEPUTY COMMISSIONER PARKER: Yes, Mr. Speaker.

MR. SPEAKER: Council will resolve into committee of the whole -- perhaps I should have a motion, a motion please that Council resolve into committee of the whole to consider the financial bills.

Moved by Mr. McCallum, seconded by Mr. Lyall. The question. All in favour? Against? Carried.

---Carried

Council will resolve into committee of the whole for consideration of Bill 2-58, Bill 9-58, Bill 12-58, Bill 10-58, Bill 13-58, with Mr. Stewart in the chair.

---Council resolved into Committee of the Whole for consideration of Bill 2-58, Bill 9-58, Bill 12-58, Bill 10-58, Bill 13-58, with Mr. Stewart in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 2-58, BILL 9-58, BILL 12-58, BILL 10-58, BILL 13-58

Bill 2-58: N.W.T. Housing Corporation Loan Ordinance No. 1, 1976

THE CHAIRMAN (Mr. Stewart): The committee will come to order. Mr. Nickerson, your standing committee on legislation, if we turn to Bill 2-58, has your committee any comments?

MR. NICKERSON: Mr. Chairman, it is a recommendation that Bill 2-58 be referred as it is to the committee of the whole for consideration.

THE CHAIRMAN (Mr. Stewart): Thank you. We are in such a committee. Bill 2-58, and I direct your attention to page 1.

Part 2, definition, or clause 2 rather. Agreed?

---Agreed

Clause 3, corporation may borrow from Central Mortgage and Housing Corporation. Agreed?

---Agreed

Clause 4, agreement as to repayment of principal and interest. Agreed?

---Agreed

The schedule at the back. Agreed?

---Agreed

The short title. Agreed?

---Agreed

The bill is as a whole. Agreed?

---Agreed

Bill 9-58: Financial Agreement Ordinance, 1976

Bill 9-58, An Ordinance Respecting a Financial Agreement between the Northwest Territories and the Government of Canada.

On page 1, clause 2, definitions of "agreement", "local administrative district" and "fiscal year". Councillor Nickerson.

MR. NICKERSON: Mr. Chairman, I intend to pull a Peter Ernerk on this one, first of all, and give you the report of the standing committee and secondly, I would like to talk as a private Member.

THE CHAIRMAN (Mr. Stewart): Proceed.

MR. NICKERSON: It was agreed by the standing committee on legislation that Bill 9-58 be presented to the committee of the whole for consideration as is.

THE CHAIRMAN (Mr. Stewart): Thank you.

Clause 2, definitions, is it agreed?

MR. NICKERSON: Mr. Chairman, could we have discussion on the bill as a whole, first, please?

THE CHAIRMAN (Mr. Stewart): The bill as a whole. Councillor Nickerson.

MR. NICKERSON: Mr. Chairman, I have chosen this time to pursue the line of thinking first outlined in my reply to the Commissioner's Address. You will remember that I then first mentioned the abrogation by this Council, we ourselves, of our financial responsibilities. This Financial Agreement Ordinance, 1976, Bill 9-58, is the very instrument by which we divested ourselves of our constitutional right and, in my opinion, obligation to assume that degree of financial independence of which we are capable.

Section 13 (a) of the Northwest Territories Act clearly gives to the Commissioner in Council the power to make ordinances for the government of the territories in relation to the following subjects, and I quote: "Direct taxation within the territories in order to raise the revenue for territorial, municipal or local purposes." It is inconceivable that a sovereign government, especially one that purports to be deeply concerned with the wishes and aspirations of those it governs would therefore bargain away such powers as it has in the above-mentioned area.

In consideration for various grants and loans the government of the Northwest Territories, and now I quote from clause 3(b) of Bill 9-58, "...will suspend and refrain and will require local administrative districts in the territories to suspend and refrain from the imposition, levying and collection of individual income taxes, corporation taxes and corporate income taxes".

Council Capable Of Levying Taxes

Similar provisions are contained in clause 7, of the same bill. I contend, Mr. Chairman, that the government, the Council of the Northwest Territories have now attained a sufficient level of maturity that we are quite capable of levying our own taxes and deciding ourselves how the proceeds are to be spent.

Under the present system the federal government collects personal and corporate income taxes from the people and businesses of the Northwest Territories in much the same amount as we ourselves or a provincial government would. The sum involved, as shown in clause 3(2) of Bill 9-58 is some \$14.5 million. They then proceed to hand this money back by way of a grant but, of course, retain the right to say where and how the money will be spent.

Had these taxes been raised under our own laws, we would have been able to spend the resulting revenue in the way that we felt to be the most advantageous to the people of the Northwest Territories. In the same vein, Mr. Chairman, the Government of the Northwest

Territories must have access to revenues generated from natural resource exploitation, a field at present firmly held, I might say, in both contravention of reason and Canadian tradition by the federal government.

A formula for resource revenue sharing must be worked out soon if the Northwest Territories are ever to be financially self-sufficient.

Resource Revenue Sharing And Income Tax

I was heartened when the Commissioner in his Opening Address spoke as follows: "The Council must soon begin seriously looking at the possibility of passing legislation that would introduce resource revenue sharing and a system of income tax." Such legislation, since it deals with money, must of course originate with the administration and if the Commissioner is at all hesitant at introducing such legislation on account of the reception it might get from Council, he has only to refer to Motion 27-56, which was passed and, if I remember correctly, passed unanimously by this Council at the June, 1975, session. The resolve of that motion reads as follows: "Now therefore, I move that this Council indicate to the Commissioner its willingness and approval that negotiations be carried out between the Council of the Northwest Territories acting through the Executive Committee or such other persons as it might duly authorize in their behalf and the Government of Canada in respect to a territorial income tax and resource revenue sharing."

Mr. Chairman, I have no wish to impede passage of the Financial Agreement Ordinance this year as to do so would unduly hamper the smooth operation of the government during the coming fiscal year, but, sir, it would be with the utmost distaste that I would contemplate again having to sell out the people I have been elected to represent at this time next year.

THE CHAIRMAN (Mr. Stewart): Thank you, Mr. Nickerson. Comments on the bill as a whole?
Mr. Searle.

MR. SEARLE: Mr. Stewart, I am afraid I can not let that pass because the implication I think is that maybe some of us have sold out the people we were elected to serve in the past by not challenging this particular wording in this particular bill. Everything that Mr. Nickerson says, of course, is true but ignores the practicalities of the fact that if you did not do what we are doing, there would be a slight gap of about \$150 million, I should think. To make sure everybody understands that, if we taxed and got this additional \$14 million, we are then in a position of presumably not getting the deficit grant from the Government of Canada, which this year has to be about \$180 million.

Ownership Of Surface And Subsurface Rights

So, in other words, we collect our own \$15 million and they do not give us the \$180 million, I do not know how we would run the territories. The only way we could be in a position, the most desirable position, of course, would be if hand in hand with all of this went the ownership of surface and subsurface rights, timber and water and inland fisheries. If we had the ownership of these resources, which are really the only things that we have, hopefully in the future to barter, sell and use to raise money, if we had that, then what Mr. Nickerson says would be practical. In other words, you would have a point from which to barter, but I think past Councils and this Council and I think future Councils, just forgetting a moment that we aspire to be a legislative assembly with all the same rights the provinces have, but I think we have in the past and will continue to authorize the right to raise personal income taxes. We will continue to let the federal government do that for so long as when we add it all up we just do not come close enough to having enough money from our own sources.

As soon as we get into the position of having the resources and being able to set our royalties, our taxes on that basis, then presumably we can do the things that Mr. Nickerson foresees here. I congratulate him on his astuteness of putting his position, yet condescending to support the bill because he knows that he has no choice but to really do that and I think he will agree substantially with what I am saying, but I think I would like to draw him out of the bullrushes.

THE CHAIRMAN (Mr. Stewart): Any further comment on the bill of a general nature?

Clause 2, definitions; "agreement", "local administrative district", "fiscal year". Agreed?

---Agreed

Clause 3, Commissioner may execute agreement, agreed? Gentlemen, I need some "agrees". Are we going to agree or sit here? Agreed?

---Agreed

Clause 4, additional provisions of agreement. Agreed?

---Agreed

Clause 5, variation and amendment. Agreed?

---Agreed

Clause 6, ratification. Agreed?

---Agreed

Clause 7, no tax collections contravening agreement. Agreed?

---Agreed

Clause 8, taxes reduced. Agreed?

---Agreed

Clause 9, operation of sections 7 and 8. Agreed?

---Agreed

Clause 10, Commissioner may implement agreement. Agreed?

---Agreed

Clause 11, no borrowing after March 31st, 1977. Agreed?

---Agreed

Short title. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Similar To The Province Of Newfoundland

MR. NICKERSON: Mr. Chairman, maybe I would like to say a few words more or less in reply to what Mr. Searle has said. I think he is kind of worried about the way in which the proposals that I make would be carried out. I suggest that we could operate very much along similar lines to the province of Newfoundland where, as in many other provinces, the federal government acts as the collection agency for the collection of provincial income taxes. Presumably there is a very small charge to the province for doing this, but then these provincial income taxes are turned over to the province to be spent as the province deems fit.

In the case of Newfoundland, I believe they only locally raise about 30 per cent of their own revenues, which is not much different from the position we ourselves are in. Under a formula worked out with the federal government, certain grants and loans, etc., are then given to the government of Newfoundland, much in a similar way as they are given to the Northwest Territories at present.

I do not foresee any great deal of administrative difficulties, certainly not on the scale that Mr. Searle suggested. I think that during the next year or two years negotiations would take place between the government of the territories and the Government of Canada to allow us to proceed along the steps which I outlined and I think we could make some real progress. I do not think there is any real great impediment to what I have been suggesting.

THE CHAIRMAN (Mr. Stewart): Thank you, Councillor Nickerson. That is like having a last kick at the cat. Mr. Lyall.

MR. LYALL: Just a comment, I understand the way that it is in Newfoundland and I am not that aware of all the laws, as I have just been studying the ones that we are under but I know personally that if this is the way it is with the Newfoundland government, the poorest people on earth I saw were the people, our own people, my own relations in northern Newfoundland. They are at the state that we were at about 1958 I think. If this is going to be the case I think I would much rather go along the way Mr. Searle was speaking of.

MR. NICKERSON: Mr. Chairman, I do not -- we are talking about a matter of principle and a matter of how things should be done and I suspect that what Mr. Lyall is getting at is the actual amounts being spent. So, we are not talking along the same lines really at all. I think Mr. Searle was quite correct when he pointed out, and I agree, that until we have some revenues from natural resources we can never hope to be self-sufficient. That is the only real source of revenue in the territories and we are never going to collect very much in the way of income taxes and we know that. To my way of thinking it is extremely important that we pursue negotiations along these lines so that eventually we do get a substantial proportion of the revenues from our own resource exploitation.

THE CHAIRMAN (Mr. Stewart): Thank you. Bill 9-58, the bill as a whole, agreed?

---Agreed

Bill 10-58: Loan Authorization Ordinance No. 1, 1976-77.

I direct your attention to Bill 10-58. Bill 10-58, An Ordinance to Authorize the Commissioner to Borrow Funds from the Government of Canada and Make Loans to Persons in the Northwest Territories During Fiscal Year 1976-77.

Mr. Nickerson, your committee's report.

MR. NICKERSON: I am just looking for it. We dealt with these bills in a different order. I can not find it in the minutes, Mr. Chairman, but as far as I can remember, this is another standard ordinance and we recommended that it be submitted to the committee as a whole as is. We did not spend too much time checking into the figures and concerned ourselves more with the drafting of the legislation than the actual figures.

THE CHAIRMAN (Mr. Stewart): Thank you. Any comments on the bill in general?

Clause 2, authority to borrow from Canada. Agreed?

---Agreed

Clause 3, Commissioner may execute agreement. Agreed?

---Agreed

Clause 4, authorization to make loans. Agreed?

---Agreed

Clause 5, conditions of loans. Agreed?

---Agreed

Clause 6, guarantee. Agreed?

---Agreed

Clause 7, power to implement obligations and rights. Agreed?

---Agreed

Clause 8, regulations. Agreed?

---Agreed

Short title. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

I direct your attention ...

MR. McCALLUM: The schedule.

THE CHAIRMAN (Mr. Stewart): Yes, I am sorry. We will have to back up to page 4, Schedule I, authorization to borrow from the Government of Canada. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Bill 12-58: Supplementary Financial Agreement Ordinance, 1975

I direct your attention then to Bill 12-58, an ordinance respecting a Supplementary Financial Agreement between the Northwest Territories and the Government of Canada. Mr. Nickerson, the report from your committee.

MR. NICKERSON: Mr. Chairman, this is another standard ordinance which never varies year to year except for the amounts. It is recommended that this ordinance, or this bill be submitted to the committee of the whole as is.

THE CHAIRMAN (Mr. Stewart): Mr. Parker?

DEPUTY COMMISSIONER PARKER: Mr. Chairman, I would just like to inform Members that this is in fact an unusual circumstance whereby we vote an amendment to the financial agreement and the unusual circumstances of course are as a result of the rates of inflation, and our success in negotiating an additional grant from the federal government. Without this additional grant to cover the inflated costs of goods and services we would have been in very, very difficult circumstances.

THE CHAIRMAN (Mr. Stewart): Thank you. I direct your attention to clause 2, definitions, are we agreed?

---Agreed

Clause 3, Commissioner may execute agreement. Agreed?

---Agreed

Clause 4, additional provisions of agreement. Agreed?

---Agreed

Clause 5, variation and amendment. Agreed?

---Agreed

Clause 6, ratification. Agreed?

---Agreed

Clause 7, no tax collections contravening agreement. Agreed?

---Agreed

Clause 8. Councillor Steen.

MR. STEEN: What are we on?

THE CHAIRMAN (Mr. Stewart): We are on Bill 12-58.

MR. STEEN: I got behind.

THE CHAIRMAN (Mr. Stewart): Clause 8, taxes reduced. Agreed?

---Agreed

Clause 9, operations of sections 7 and 8. Agreed?

---Agreed

Clause 10, Commissioner may implement agreement. Agreed?

---Agreed

Short title. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Bill 13-58: Strathcona Sound Development Loan Agreement Ordinance, 1976-77.

I direct your attention to Bill 13-58, An Ordinance to Authorize the Commissioner to Borrow Funds for the Purpose of Developing a Townsite at Strathcona Sound in the Northwest Territories. Mr. Nickerson, the committee report.

MR. NICKERSON: Mr. Chairman, again this is a standard bill and the wording has not changed I do not think and it is again recommended that the bill be submitted as is to the committee of the whole.

THE CHAIRMAN (Mr. Stewart): Thank you. Comments of a general nature on Bill 13-58. I would direct your attention to clause 2, Commissioner may borrow. Agreed?

---Agreed

Clause 3, Commissioner may execute agreement. Agreed?

---Agreed

Clause 4, Commissioner may implement agreement. Agreed?

---Agreed

Short title. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Now, if we had a Speaker we could report these bills.

DEPUTY COMMISSIONER PARKER: Mr. Chairman, could I beg just a moment to check on Bill 13-58? I do not have a schedule to it and I just want to ensure whether or not there should be a schedule.

THE CHAIRMAN (Mr. Stewart): Thank you.

MR. NICKERSON: I voiced the exact same question in the legislation committee meeting held to discuss this bill and I was told that as there was only one amount involved, and that is contained in the bill proper, there was no schedule attached to this bill.

DEPUTY COMMISSIONER PARKER: I beg your pardon, Mr. Chairman. The amount, of course, is contained in clause 2 and it was my error.

THE CHAIRMAN (Mr. Stewart): I am glad I am not the only one who makes errors, Mr. Deputy Commissioner. Councillor Evaluarjuk.

Number Of Members Required For A Quorum

MR. EVALUARJUK: Mr. Chairman, I just have one question to ask. What kind of a policy do the Councillors have for asking for agreement where you only ask half the Councillors and that is my question.

THE CHAIRMAN (Mr. Stewart): Well, Councillor Evaluarjuk, by the Rules of Council we are required to have at least half of our Members present to be able to operate and we do have that number, we do have a quorum, but just barely. If we have eight persons sitting, counting the chairman, we have a quorum, that is half of the 15 Members, over half of 15.

MR. EVALUARJUK: A little while ago we did not have all of them, as two of them just arrived.

THE CHAIRMAN (Mr. Stewart): I kept a pretty close check on the count and I thought we always had seven Members sitting. Was I in error? I believe we always had seven Members and with myself that makes eight, which would give us a quorum. Councillor Lyall.

MR. LYALL: I think what he means is, that when you start with a quorum, is that enough to start it or if, say, two of them leave after the start of the meeting, is that still considered a quorum?

THE CHAIRMAN (Mr. Stewart): That is not correct, there must at all times be seven Members and the chairman to conduct the business of this house. As far as I know, I believe we have always had that required number. Are we agreed that we have at all times had seven Members in this house?

---Agreed

Thank you. Well, that concludes the committee work that has been put to me and we will recess for coffee and then report back to the Speaker.

---SHORT RECESS

THE CHAIRMAN (Mr. Stewart): The Chair recognizes a quorum and calls this committee back to order. We have been in committee on Bills 2-58, 9-58, 10-58, 12-58 and 13-58. Shall I report the business on these bills completed to the Speaker?

---Agreed

MR. SPEAKER: Mr. Stewart.

Report of the Committee of the Whole of Bill 2-58, Bill 9-58, Bill 10-58, Bill 12-58 and Bill 13-58

MR. STEWART: Mr. Speaker, your committee has been sitting studying Bills 2-58, 9-58, 10-58, 12-58 and 13-58. All of these bills have been debated and without exception have been approved as they are and are now ready for third reading.

MR. SPEAKER: Does the Executive have any preference as to the order in which the balance of the items are put into committee or should I just go in the order in which they appear on the order paper?

DEPUTY COMMISSIONER PARKER: Mr. Speaker, we have no particular preference.

MR. SPEAKER: May we have a motion then for Council to resolve into committee of the whole to consider Bill 14-58, An Amendment to the Council Ordinance?

MR. LYALL: I so move.

MR. SPEAKER: Seconded by Mr. McCallum. Question. All in favour? Down.

---Carried

Council will resolve into committee of the whole to consider Bill 14-58, An Amendment to the Council Ordinance. Mr. Stewart, do you mind taking the chair on this?

MR. STEWART: No.

MR. SPEAKER. Mr. Stewart in the chair.

---Council resolved into Committee of the Whole for consideration of Bill 14-58, Council Ordinance with Mr. Stewart in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 14-58, COUNCIL ORDINANCE

THE CHAIRMAN (Mr. Stewart): This committee will come to order. I direct your attention to Bill 14-58 to be found in the back of your book. I do not believe it is tabbed. It is not in my book anyway. It is right at the back, Bill 14-58, An Ordinance to Amend the Council Ordinance. Mr. Nickerson, do you have a report from your committee?

MR. NICKERSON: Mr. Chairman, this particular bill, because it was discussed at length by the whole Council sitting as a caucus, was not looked at separately by the standing committee on legislation.

THE CHAIRMAN (Mr. Stewart): Thank you. Bill 14-58, An Ordinance to Amend the Council Ordinance. Remarks of a general nature? Councillor McCallum.

MR. McCALLUM: Mr. Chairman, just generally speaking on the bill, the bill itself, since we talked about it with everybody here and now we have just a bare quorum, I think that it would have been better had we had more of the Members here discussing it because, as I recall at our caucus meeting discussing this, there was a great deal, or a considerable amount, of debate on it.

The other comments that I would like to make concerning this particular bill would be that I do not think it would be necessary for us to take the same route as the other territorial council in standing it aside in light of the restraints that have been placed in various parts of the country in various institutions. I think it will be submitted in the general course to the Anti-Inflation Board, but I do not think it is necessary for us to take the same stand as the Yukon Territory in standing it aside. It does not have to be previewed by the board because it is my understanding that that is not a function of the board itself, so to allay any misunderstanding that Council Members may have in voting passage of the bill, just as a point of information, Mr. Chairman, I think that we could go ahead with it. I would again like to have seen more Councillors here to debate this particular bill again.

MR. LYALL: Question.

THE CHAIRMAN (Mr. Stewart): Thank you. Any further comments of a general nature? Councillor Steen.

Costs Of Accommodation For Councillors

MR. STEEN: Mr. Chairman, one thing that interested me very much is the cost for us Councillors to come to Yellowknife and stay in the hotels, it costs us, I believe, at the rate of the hotel, \$44.50 a day, for each Councillor plus the interpreters for three weeks. For each Councillor I believe it is over \$1100 to stay in the hotel, so you have got, I believe, 13 Councillors out of 15 who stay in the hotels plus you have the six interpreters. Maybe we should start looking at -- when you look at it over a four year period, you can just about buy an apartment building. So maybe we should be looking at that.

THE CHAIRMAN (Mr. Stewart): Thank you, Councillor Steen. I remind you it is one of the duties of the territorial Council that has been expressed often in these chambers that we should assist private enterprise. Any other comments of a general nature?

MR. LYALL: Question.

THE CHAIRMAN (Mr. Stewart): If you will go to clause 1, subsection 17(1) of the Council Ordinance. Agreed?

---Agreed

Clause 2, expense allowances, section 18 of the said ordinance is repealed and the following substituted: "To increase Members' expense allowances and to provide for further annual increases commencing April 1, 1976." Agreed?

---Agreed

The next section or clause starts on the bottom of page 3. Clause 3, special indemnity. Agreed?

---Agreed

Clause 4, schedule B, at the bottom of page 4. Agreed?

MR. BUTTERS: Mr. Chairman, I had my hand up for a general comment relative to this. It would appear that the criterion for developing the expenses allowed in any constituency is transportation, I think two visits to each of the settlements in a constituency in any one year. I suggest that the requirement of Members to serve their constituents is increasing and I suggest, sir, that this Council will have more demands for service than the previous one did and I think it is much more than just travelling within one's constituency.

Telephone Expenses

I think that Members are required to write on behalf of their constituents. There is a factor of communication and I think telephones is a most important aspect of this. I recollect and know that in the House of Commons, Members of Parliament are able to phone at no toll, persons in their constituencies regarding constituency matters. As we know, we see Mr. Wally Firth making it known, "Call me collect and I will call you back." This just reflects the ability of Members of Parliament to keep in constant and immediate touch with their constituents. I would be very interested to know what Mr. Firth's phone bill would be for a year if he were charged tolls. The reason being he has a fantastic constituency to cover and I think he covers it very well and I think he covers it well because he uses the telephone. I feel that this schedule here reflects travelling by airplane and charters, but it does not reflect the business that can be conducted on the telephone. I would hope that there could be some way developed that Members, when phoning on constituency business, could have an increased allowance or a special allowance for this aspect of communication and work on their constituents' behalf.

THE CHAIRMAN (Mr. Stewart): Thank you. Clause 4 at the bottom of page 4. Agreed?

---Agreed

Clause 5, coming into force, on page 5. Agreed?

---Agreed

Shall I report back to the Speaker that this bill has been approved by this committee? Agreed?

---Agreed

MR. SPEAKER: Mr. Stewart.

Report of the Committee of the Whole of Bill 14-58, Council Ordinance

MR. STEWART: Mr. Speaker, your committee has been studying Bill 14-58, An Ordinance to Amend the Council Ordinance and the committee has approved the bill as presented with no amendments. It is now ready for third reading.

MR. SPEAKER: May we have a motion to resolve into committee of the whole to consider Bill 8-58, Justices of the Peace Ordinance? Mr. McCallum. Seconded? Mr. Lyall. Question? All in favour? Down. Carried.

---Carried

Council will resolve into committee of the whole to consider Bill 8-58, the Justices of the Peace Ordinance with Mr. Stewart in the chair.

---Council resolved into Committee of the Whole for consideration of Bill 8-58, Justices of the Peace Ordinance, with Mr. Stewart in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 8-58, JUSTICES OF THE PEACE ORDINANCE

THE CHAIRMAN (Mr. Stewart): The committee will come to order to study Bill 8-58, An Ordinance to Amend the Justices of the Peace Ordinance. Mr. Nickerson, has your committee any recommendations?

Motion To Amend Subsection (6) Of Bill 8-58

MR. NICKERSON: Yes, Mr. Chairman. The committee recommends that Bill 8-58, An Ordinance to Amend the Justices of the Peace Ordinance be amended as follows:

Delete the proposed subsection (6) as set out in the bill and substitute the following:
"(6) Notwithstanding subsection (2), where (a) the Commissioner considers it necessary or advisable to appoint a person as a justice of the peace for a specific community or area within the territories, and (b) the Commissioner considers it impractical or inadvisable to appoint a resident of that community or area as a justice of the peace, the Commissioner may appoint as a justice of the peace a person who is not a resident of the territories to exercise his powers as a justice of the peace within that specific community or area."

THE CHAIRMAN (Mr. Stewart): Thank you. Any comments on the amendment? Councillor Searle.

MR. SEARLE: In subparagraph (b) the word "unadvisable", just as a matter of grammatical construction, would we not say "inadvisable"? I do not particularly care.

THE CHAIRMAN (Mr. Stewart): The way we normally word our English it would not matter to me.

MR. SEARLE: Apart from that I assume -- and I am not on any of the committees and I do not know what this is required for, I am just guessing -- but I would assume this is to cover someone living on one of our borders, either Alberta or British Columbia or the Yukon, say Canada Tungsten? That is what I thought. So you could have someone living in the Yukon appointed as a justice of the peace and he hops in every once in a while from Whitehorse or Dawson or somewhere, okay.

THE CHAIRMAN (Mr. Stewart): I am wondering if the committee is prepared to change that "unadvisable" to "inadvisable"?

MR. NICKERSON: Yes sir, I think so. I think it is just a matter of checking it in the dictionary. Mr. Chairman, I understand that the Legal Advisor advises that the better word would be "inadvisable".

THE CHAIRMAN (Mr. Stewart): Thank you. We will amend subparagraph (b), "the Commissioner considers it impractical or inadvisable to appoint a resident of that community or area as a justice of the peace ..." Any other comments of a general nature?

MR. PEARSON: Just as a general matter I have a wire which I received from a concerned citizen, in fact a justice of the peace in Frobisher re the Justices of the Peace Ordinance, and whilst it does not have any bearing on this directly, I think if I may I would like to read it into the discussion: "Justices of the peace in this area are concerned that justices' of the peace annual conference might not be held in 1976 until the Department of Public Service provide effective lines of communication with justices of the peace. The annual meeting is the only opportunity for justices of the peace to obtain any instruction or direction in their duties. Two newly appointed justices of the peace in Frobisher rely totally on present justices of the peace for instructions, an unfair burden if justice is to be continued to be dispensed mainly by justices of the peace for the princely sum of \$100 per annum".

THE CHAIRMAN (Mr. Stewart): I asked for a question relative to justices' of the peace conferences and although I do not have the verbatim answer in front of me, it was that there will be a conference this year.

MR. PEARSON: I understand that. However, I did want to get the matter on the floor.

THE CHAIRMAN (Mr. Stewart): Thank you.

MR. PEARSON: So that my job might seem to be done.

THE CHAIRMAN (Mr. Stewart): Any other comments of a general nature? Councillor Searle.

Need To Amend The Coroners Ordinance

MR. SEARLE: Mr. Stewart, associated in a way I suppose with justices of the peace are coroners. Many justices of the peace are also coroners. I appreciate that this is not the same ordinance but I, from my own experience, know that the Coroners Ordinance is badly in need of substantial amendment and I would hope that the administration might have plans for substantial amendment to the Coroners Ordinance. I know that as long ago as four or five years, I set out a three or four page letter of amendments that I saw as a result of acting at a coroner's inquest, amendments that should be done, or otherwise you could get into serious problems of jurisdiction and everything. To my knowledge there has never been any action on that and I know since then the Panarctic inquest has pointed up several other requirements and I guess I am suggesting that it is just about time the Executive and our standing committee on legislation, in my view, looked at that ordinance.

THE CHAIRMAN (Mr. Stewart): Would the administration take this under advisement?

DEPUTY COMMISSIONER PARKER: Yes, Mr. Chairman. On the matter of the power of coroners, I believe that this is going to be a subject that we will introduce for discussion at the conference on uniform law, or the uniform conference on law, one of those things, this summer, which involves each of the provincial jurisdictions because I have the understanding that unless the various provinces agree among themselves then it will not work. In other words, there has to be a degree of reciprocity. Certainly we have the intention of revising and updating the Coroners Ordinance.

THE CHAIRMAN (Mr. Stewart): Thank you. Are there any other comments of a general nature?

Then, I will go to section 1 and I presume the proper format would be for Councillor Nickerson to move an amendment because this was just a recommendation.

MR. NICKERSON: I do so move, Mr. Chairman.

THE CHAIRMAN (Mr. Stewart): Thank you. Speaking to the amendment.

SOME HONOURABLE MEMBERS: The question.

THE CHAIRMAN (Mr. Stewart): The question being called. Bill 8-58, clause 1, non-residents, as amended. Agreed?

---Agreed

Shall I report to the Speaker that Bill 8-58, An Ordinance to Amend the Justices of the Peace Ordinance has been completed by this committee? Agreed?

---Agreed

MR. SPEAKER: Council will come to order. Mr. Stewart.

Report of the Committee of the Whole of Bill 8-58, Justices of the Peace Ordinance

MR. STEWART: Mr. Speaker, your committee has been studying Bill 8-58, An Ordinance to Amend the Justices of the Peace Ordinance and it has been amended as follows:

1. Delete the proposed subsection (6) set out in the bill and substitute the following:
(6) Notwithstanding subsection (2), where (a) the Commissioner considers it necessary or advisable to appoint a person as a justice of the peace for a specific community or area within the territories, and (b) the Commissioner considers it impractical or inadvisable to appoint a resident of that community or area as a justice of the peace, the Commissioner may appoint as a justice of the peace a person who is not a resident of the territories to exercise his powers as a justice of the peace within that specific community or area.

As amended, Bill 8-58 is ready for third reading.

MR. SPEAKER: May we have a motion to resolve into committee of the whole to consider Bill 1-58, the Trustee Ordinance? Agreed?

---Agreed

Council will resolve into committee of the whole to consider Bill 1-58, Trustee Ordinance, with Mr. Stewart in the chair.

---Council resolved into Committee of the Whole for consideration of Bill 1-58, Trustee Ordinance, with Mr. Stewart in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 1-58, TRUSTEE ORDINANCE

THE CHAIRMAN (Mr. Stewart): The committee will come to order to study Bill 1-58, An Ordinance to Amend the Trustee Ordinance. Mr. Nickerson, has your committee, your standing committee any comments?

MR. NICKERSON: Yes, sir. Bill 1-58, An Ordinance to Amend the Trustee Ordinance, to increase the limitation for the commencement of actions from one to two years be referred as presented to the committee for consideration in committee of the whole. This, sir, is a very simple bill and it would just bring the Trustee Ordinance into line with the Vehicles Ordinance and the Fatal Accidents Ordinance.

THE CHAIRMAN (Mr. Stewart): Thank you. Any comments of a general nature on Bill 1-58?

Clause 1, action by executors and administrators for torts. Agreed?

---Agreed

Clause 2, actions against executors and administrators for torts. Agreed?

---Agreed

Bill 1-58 as amended. Agreed?

---Agreed

I will report back to the Speaker that this bill is ready for third reading.

---Agreed

MR. SPEAKER: Mr. Stewart.

Report of the Committee of the Whole of Bill 1-58, Trustee Ordinance

MR. STEWART: Mr. Speaker, your committee has been studying the amendment to the Trustee Ordinance, Bill 1-58 and would like to report that this bill is ready for third reading.

MR. SPEAKER: A request has been made that we hold up on Bill 7-58 for a moment. We would, therefore, go on to Bill 5-58, Survivorship Ordinance. Is it agreed that we resolve into committee of the whole to consider Bill 5-58?

---Agreed

Council will resolve into committee of the whole to consider Bill 5-58, Survivorship Ordinance, with Mr. Stewart in the chair.

---Council resolved into Committee of the Whole for consideration of Bill 5-58, Survivorship Ordinance, with Mr. Stewart in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 5-58, SURVIVORSHIP ORDINANCE

THE CHAIRMAN (Mr. Stewart): The committee will come to order. Bill 5-58, An Ordinance to Amend the Survivorship Ordinance. Mr. Nickerson, does your committee on legislation have any comments?

MR. NICKERSON: We recommend that this bill be submitted to the committee of the whole as is. It is again a very, very simple ordinance, nothing is changed other than a renumbering of sections to bring this ordinance into line with the Insurance Ordinance which we passed last June. There is absolutely nothing new whatsoever.

THE CHAIRMAN (Mr. Stewart): Thank you. Any comments of a general nature on Bill 5-58?

Clause 1, exception. Agreed?

---Agreed

Shall I report Bill 5-58 is ready for third reading? Agreed?

---Agreed

MR. SPEAKER: Mr. Stewart.

Report of the Committee of the Whole of Bill 5-58, Survivorship Ordinance

MR. STEWART: Mr. Speaker, your committee has been studying Bill 5-58, An Ordinance to Amend the Survivorship Ordinance and report it ready for third reading.

MR. SPEAKER: Thank you, Mr. Stewart. Is it agreed that we resolve into committee of the whole to consider Bill 6-58, Emergency Medical Aid Ordinance?

---Agreed

Council will resolve into committee of the whole to consider Bill 6-58, Emergency Medical Aid Ordinance, with Mr. Stewart in the chair.

---Council resolved into Committee of the Whole for consideration of Bill 6-58, Emergency Medical Aid Ordinance, with Mr. Stewart in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 6-58, EMERGENCY MEDICAL AID ORDINANCE

THE CHAIRMAN (Mr. Stewart): The committee will come to order. Mr. Speaker, do we have travelling allowances for days like this? The committee will come to order, Bill 6-58, An Ordinance to Protect Certain Persons Rendering Aid Following an Accident or in an Emergency. Councillor Nickerson, does your committee have anything to report on Bill 6-58?

MR. NICKERSON: The committee recommends that this bill be considered by the committee of the whole and we have certain recommendations to make in respect to clause 3.

THE CHAIRMAN (Mr. Stewart): Thank you. Any comments of a general nature on Bill 6-58.

MR. PEARSON: Mr. Chairman, I wonder if I might remind my colleagues to slow down in the proceedings so that the interpreters can keep up with all this jumping up and down. It is very difficult and especially in this matter because this is a new area for interpretation, legislation and procedures, and the Members, the Eskimo speaking Members would appreciate it if it were done a little slower. Thank you.

THE CHAIRMAN (Mr. Stewart): Thank you. We will keep this point in mind. Any other comments?

Bill 6-58, clause 2, definitions. Agreed?

---Agreed

Clause 3, protection of certain persons from action. Agreed? Councillor Nickerson.

Motion To Amend Clause 3, Paragraphs (a) And (b), Bill 6-58

MR. NICKERSON: Mr. Chairman, I move that clause 3, paragraph (a) be amended by deleting the words "and without expectation of compensation or reward" and that paragraph (b) be amended by deleting the words "and that assistance is rendered at the immediate scene of the accident or emergency".

THE CHAIRMAN (Mr. Stewart): To the amendment? Councillor Nickerson.

MR. NICKERSON: Mr. Chairman, the reason for the amendment in paragraph 3(a) is if a doctor or a nurse renders emergency aid, he can be expected to be compensated mainly because of the various hospitalization insurance schemes we have in force in the Northwest Territories. Whenever a doctor or nurse is called upon to perform his or her duties, it would be a reasonable assumption that they are eventually to be paid for those services, either by the person they aided or by an agent of government. The reason for the proposed amendment in paragraph 3(b) is to cover the case of an accident victim in an airplane crash who manages to transport himself a number of miles away from the scene of the accident before treatment is rendered, before he manages to contact somebody else. The amendment is also recommended to cover the case of people escorting accident victims from the scene of the accident to hospital.

THE CHAIRMAN (Mr. Stewart): On the advice of the Legal Advisor that this is quite in order, these amendments, he does not see any legal difficulty with them. Councillor Lafferty.

MR. LAFFERTY: Mr. Chairman, I did not get Mr. Nickerson's proposed amendment on that wording here. Could you repeat that, please?

THE CHAIRMAN (Mr. Stewart): There are copies available. We did not hand these out because actually we are just deleting. We are not adding anything. We are just taking certain words out.

Clause 3, protection of certain persons from action, as amended. Agreed?

---Agreed

Shall I report to the Speaker that Bill 6-58 as amended is ready for third reading? I am sorry, I have to go back to clause 1, short title. Agreed?

---Agreed

MR. SPEAKER: Mr. Stewart.

Report of the Committee of the Whole of Bill 6-58, Emergency Medical Aid Ordinance

MR. STEWART: Mr. Speaker, your committee has been studying Bill 6-58, An Ordinance to Protect Certain Persons Rendering Aid Following an Accident or in an Emergency and wishes to report that this bill is now ready for third reading as amended.

MR. SPEAKER: Thank you. With respect to the proposed amendments to the Rules of Council, Council will resolve -- is it agreed that we resolve into committee of the whole to consider the proposed amendments to the Rules of Council? Agreed?

---Agreed

Council will resolve into committee of the whole to consider the proposed amendments to the Rules of Council, with Mr. Stewart in the chair.

---Council resolved into Committee of the Whole for consideration of Proposed Amendments to the Rules of Council, with Mr. Stewart in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER PROPOSED AMENDMENTS TO THE RULES OF COUNCIL

THE CHAIRMAN (Mr. Stewart): This is to be found in a separate document. Has everybody found it? It is called "Proposed Amendments to the Rules of the Council of the Northwest Territories". Most of you have found it in your book of motions, questions and returns, in the back of that book. Councillor McCallum.

MR. MCCALLUM: Mr. Chairman, I would just like to say that we do not have any translation of this particular document so that when we are discussing it I think it would be necessary to possibly go through it very slowly so that we do allow for translation as it involved a number of changes and explanations of the Rules of procedure of the Council. It was not readily available in syllabics. We just did not have the time.

THE CHAIRMAN (Mr. Stewart): Will it be necessary, then, to read it all and the explanations, is that your suggestion?

MR. McCALLUM: Mr. Chairman, I think that there are some of the changes, the amendments to the Rules of Council here that are, in fact, simple explanations and it may be necessary to, in fact, read them.

THE CHAIRMAN (Mr. Stewart): Thank you. Has everybody found a copy of the proposed amendments to the Rules of Council? Mr. Nickerson, has your committee any comments with regard to the proposed amendments to the Rules of Council?

MR. NICKERSON: Mr. Chairman, the legislation committee, to the best of my knowledge, does not have jurisdiction over these proposed rule changes. They were recommended by the standing committee on rules and procedures and I think it is the chairman of that committee who should speak to the proposed changes here.

THE CHAIRMAN (Mr. Stewart): Would the chairman of the rules committee like to comment at this time? Who is it?

MR. McCALLUM: Mr. Chairman, a number of amendments that we have here were requests to the standing committee to not only possibly clarify or explain some of the procedures of Council, but as well to allow Council Members to function within the Council to a little better degree. I do not have anything particular speaking to the whole number of amendments but possibly on individual amendments we can offer an explanation, although in most cases the explanations are given on the opposite page to the proposed amendments.

THE CHAIRMAN (Mr. Stewart): Thank you. Are there any other comments of a general nature on the proposed amendments to the Rules of Council? Councillor Nickerson.

MR. NICKERSON: Mr. Chairman, I have two questions relating to specific paragraphs.

THE CHAIRMAN (Mr. Stewart): You can handle those at the correct time. Councillor Pearson.

MR. PEARSON: Mr. Chairman, I wonder if we could get a description from the chairman of the rules committee as to what these changes actually are so that they may be interpreted? This paper has not been reproduced in Inuktitut and so the Members do not have the opportunity to understand what these amendments are, unless the interpreters are able to say what they are.

THE CHAIRMAN (Mr. Stewart): Councillor McCallum:

Explanation Of The Amendments

MR. McCALLUM: Mr. Chairman, the first amendment is an amendment to Rule 2 that explains the meaning of the "Executive Committee", "a point of order" and explains the term "privilege". The amendment to Rule 14 simply allows Members to vote on indemnities, expense allowances, because Members can not introduce or vote on the money bills or introduce, rather money bills.

The amendment to Rule 15 is allowing for the correcting of the transcripts of Council and, more specifically, deals with the correcting of the transcripts of the last day of the session. The amendment to Rule 29, the fourth amendment, allows for the inclusion of motions for the production of papers on the part of the administration to Council.

The amendments to Rules 39 and 40 allow for questions from Council to be directed to the two elected Executive Committee Members relating to their particular department. A further amendment to Rules 39 and 40 indicates that all questions -- I am sorry -- the amendment to Rule 40 provides that all questions shall be in writing and have to be filed with the Clerk who endorses the date and provides copies to the Members of Council, including the Commissioner and Deputy Commissioner.

A third amendment to this deals in the same way with the replies to these questions. The amendment to Rule 40, subsection (1), again allows for oral questions to be asked, not only of the Commissioner and Deputy Commissioner, but also the two elected Executive Committee Members and it indicates that they are to be to the point and it deals as well with the answering of these oral questions and/or supplementary questions as the case may be.

The amendments to Rule 42 are simply an indication to explain what motions do not require 24 hours of notice, and they are listed from (a) through to (1), 12 of them. The amendment to Rule 44 explains to Council Members what motions are not debatable. There is a Rule added immediately after Rule 44 that allows for the production of papers by the administration to Council. There is an amendment as well dealing with money bills and the procedure for the introduction of Private Member's Bills and private bills.

The amendments to Rules 82, 84 and 85 simply indicate the officers of the Council, and who may act, as well as explaining to Council Members what the duties of the Sergeant-at-Arms or his deputy, what these duties are. That is the extent of them. That is fairly brief, but it would give some idea hopefully to Members.

THE CHAIRMAN (Mr. Stewart): Thank you. Any comments or questions of a general nature? If there is nothing further I would direct this committee's attention to clause 1 in the proposed amendments to the Rules of Council. Agreed?

---Agreed

Clause 2, Speaker to preserve decorum. Agreed?

MR. NICKERSON: Mr. Chairman, I would be very interested in hearing why the change has been made to Sub-rule 10(1). I would like to know why such a decision can not be made subject to an appeal to Council now.

THE CHAIRMAN (Mr. Stewart): Mr. McCallum.

Decision Of The Speaker

MR. McCALLUM: Mr. Chairman, the amendment that was made here was to take into consideration that this is a unique assembly in that we do not have party politics, and that the Speaker has not been, or does not represent the majority party. When a decision of the Speaker has been questioned by Members of this house he makes a decision based upon precedent and if that decision does not rest well with the Member who has appealed it, at that particular time it may lead to a very difficult situation. I would suggest, Mr. Chairman, to you and to Council Members that if this does in fact occur, the Speaker is at the mercy of Members as a whole and does not receive or may not receive support of the Council which in fact leaves him very little alternative. I would hope as well, or I would suggest as well, Mr. Chairman, that such an appeal at that time could be made in the heat of an argument, and it is the committee's recommendation that it would be better served, such an appeal would be better served if it were made with due notice.

Now, this amendment, I must say, was discussed and debated among Members of the standing committee on two occasions and it was the final consensus that we go along with this kind of amendment. I would like to make it perfectly understood as well that although the Speaker of the house is, if you like, ex-officio of this committee, he did not participate in the final decision.

THE CHAIRMAN (Mr. Stewart): Councillor Nickerson.

MR. NICKERSON: From what I understand then, Speakers are human, and they are the same as anybody else, and I suppose it is even possible for them to make an error or omission once in a while. It would still be possible for a Member to appeal a decision of the Speaker by giving notice of motion and proceeding along those lines, maybe the following day. If that is the case I could very well go along with this proposed change in Sub-rule 10, and in bringing up the matter here I think that should this happen in future, people could look at the transcript of this debate and it would be made quite clear that this was the intention of Council that appeals could be made after a period of time, or after -- not during the heat of the argument but at a later time.

THE CHAIRMAN (Mr. Stewart): Is that correct? Is that a correct interpretation?

Appeals To The Speaker

MR. McCALLUM: Correct, sir. We are not trying to stop appeals to the Speaker, we are simply indicating that in light of the peculiarity of this house it may be best to do it with due motion. Now, if the Speaker is in error on his interpretation I am confident that he would recognize that himself and I would think it would be best primarily in terms -- with due notice of motion.

THE CHAIRMAN (Mr. Stewart): Mr. Nickerson.

MR. NICKERSON: I notice that the Speaker is turning varying shades of purple.

THE CHAIRMAN (Mr. Stewart): I thought that was his usual colour. Councillor Searle.

MR. SEARLE: I just wanted to say that I purposely did not take any part in the debate, in the committee, nor did I vote on this because I think it is up to Council as to exactly what rights they want to retain to themselves.

I did want to, however, reinforce what I understand to be the effect of this change if it goes through, and the wording I think is slightly unfortunate because it says "and no such decision shall be subject to an appeal to the Council". I think for clarity it might say "except upon notice of motion made in the ordinary course", because that is certainly how I would interpret it. What this is designed to prevent is exactly this, say you have a heated debate upon a subject and you have two Members taking opposite points of view. Obviously the Speaker has to decide which view is correct and has to come down on one side or the other. What this prevents is a Member who is highly excited, highly emotional, immediately saying "I appeal your decision to the Council" and the Council in a highly emotional and excited state at that instant reversing the Speaker. What it requires is, if you want to reverse the Speaker, because as Mr. Nickerson has said, he certainly can be in error and indeed probably is four out of ten times in that he is only human, hopefully he may be correct in six out of ten, and if he is not correct you should get another Speaker.

However, what this requires is the Member who wants to appeal to do so in the cool of the day, so to speak, to give notice of motion that the ruling be reversed and it be brought up the next day for debate. That is my understanding of it. I personally do not care which you do, but at least that is my understanding of the effect of this and I wanted you to know that. Now, as to whether you do one or the other that is up to the Members, and I do not speak to that.

THE CHAIRMAN (Mr. Stewart): Councillor Nickerson.

Motion To Amend Sub-rule 10(1) Of Proposed Amendments To Rules Of Council

MR. NICKERSON: Mr. Chairman, I move that the proposed amendment for Sub-rule 10(1) be amended as follows, by adding the words after the word "Council", "except on notice of motion in the ordinary course of business."

THE CHAIRMAN (Mr. Stewart): That amendment reads "except by notice of motion handled in the normal course of business?"

MR. NICKERSON: "Except on notice of motion in the ordinary course of business." It is quite possible the Legal Advisor might be able to improve on that.

THE CHAIRMAN (Mr. Stewart): I did not try and improve upon it, I just tried to copy it or write it down. Now, what did you say or would you repeat it?

MR. NICKERSON: My words were "except on notice of motion in the ordinary course of business."

THE CHAIRMAN (Mr. Stewart): "Except on notice of motion in the normal course of business."

MR. NICKERSON: I had "ordinary" and not "normal".

THE CHAIRMAN (Mr. Stewart): I am sorry. I think I have your wording, or part yours and part Councillor Searle's.

MR. NICKERSON: I think, Mr. Chairman, it might be advisable for the Legal Advisor to consider the amendment to the amendment.

THE CHAIRMAN (Mr. Stewart): Basically to clarify this point, are we agreed that such an addition should be made and ask the Legal Advisor to make such -- he knows the intent, but to provide the wording? Are we agreed on the amendment? Are we agreed?

---Agreed

Then, as amended and we will leave it up to the Legal Advisor. Councillor Butters.

MR. BUTTERS: I would like to speak to the amendment and to speak generally. My hand was up but I guess you had not noticed it.

THE CHAIRMAN (Mr. Stewart): I am sorry, my eyesight is getting bad.

MR. BUTTERS: I would wish to say that our Honourable Speaker or the Honourable Member for Yellowknife South when he sits in the Speaker's chair is too modest. I would say that his batting average as Speaker has been excellent and I think we can be very proud of the manner in which he has served this house since he has been elected by us to that post.

Order And Decorum

I would point out that relative to this rule, the present rule in our rules is similar to that of the majority of the jurisdictions across Canada, that is that an appeal in the matter of order and decorum. Order and decorum, I think in this situation -- we are probably defining it too broadly and I think that order and decorum are exactly what those words mean, the management of business of this house. I would point out too that the Canadian parliamentary procedure is different from the British in that in the British they have no appeal whatsoever. I tend to feel that possibly this is the way we should go. If the Speaker is acting in an improper manner, that can be corrected and cured by a substantive motion to remove him, and that can be done under our present rules. So, I do not think that this amendment really improves the present situation. I think the present situation, in accordance with the rules is the best, and I think that this amendment and this motion sets up a situation which might see a group, or a rump attempting to carry a motion to an appeal the next day and lobbying for this appeal and embarrassing the Speaker to the detriment of the house. So, I do not think we are really improving the situation but tinkering with it and making it worse. I may add that I was probably the minority position on the rules committee.

THE CHAIRMAN (Mr. Stewart): Any other comments on the suggested amendment? Councillor McCallum.

MR. McCALLUM: I do not think it would be out of order or against the committee, notwithstanding one of the committee Member's comments. I might point out that even though it is a practice in most jurisdictions, it is not in Quebec, or in the House of Commons in Ottawa, they appeal. I think the intent is there and I think because of the peculiar area again of this particular house I would like to see us keep the proposed amendment and the inclusion of the words that Councillor Nickerson suggested as well.

THE CHAIRMAN (Mr. Stewart): Thank you.

MR. BUTTERS: I record my vote against it, against the amendment to the amendment.

THE CHAIRMAN (Mr. Stewart): It shall be done.

MR. BUTTERS: Thank you, sir.

Amendment To Sub-rule 10(1) Defeated

THE CHAIRMAN (Mr. Stewart): Clause 2 as amended by Councillor Nickerson with the wording to be provided by the Legal Advisor, are we agreed by a show of hands? Are we agreed to include the amendment as amended by Councillor Nickerson? By a show of hands, please, so I know where I am going. Two. Opposed to the amendment? Five. The amendment is not carried.

Clause 2, as it stands. Agreed?

---Agreed

MR. NICKERSON: Mr. Chairman, we have have heard the Speaker say that even though that amendment was not included in the proposed amendment we have here, he would still interpret what is written down here as to include that amendment. Is that not correct, Mr. Chairman?

THE CHAIRMAN (Mr. Stewart): I would feel personally that the right of motion, if the motion were properly submitted, could be on any subject. I do not see that this prevents that. I think you have that right, but that is just a personal opinion.

MR. NICKERSON: I think this is a matter that should be clarified right now before the case actually occurs.

THE CHAIRMAN (Mr. Stewart): Mr. Legal Advisor? Could we take this point under advisement and get back to it while the Legal Advisor ponders the question? My advice is that by parliamentary tradition that you have the right by way of motion the following day, whether you include it or whether you do not. Actually it is redundant and is not necessary.

Clause 3, voting on indemnities, allowances, etc. Agreed?

---Agreed

On page 2, clause 4, time limit for correcting transcript. Agreed?

---Agreed

Clause 5, conduct of strangers. Agreed?

---Agreed

Clause 6, order of business commencement of session. Agreed? Councillor Nickerson.

MR. NICKERSON: Mr. Chairman, I wonder if the chairman of the rules committee could elaborate a little on what is meant by "motions for the production of papers"?

Motions For The Production Of Papers

THE CHAIRMAN (Mr. Stewart): Mr. McCallum.

MR. McCALLUM: Mr. Chairman, there have been times when Members of this Council have asked of the administration to produce to Council certain particular papers that the administration has undertaken on a topic or a particular subject and it was a simple expedient of allowing this kind of motion in the course of Council's business whereby a Council Member or Members may formally ask that these papers in fact do be produced.

THE CHAIRMAN (Mr. Stewart): Thank you.

MR. McCALLUM: It deals basically with papers that a Council Member would like made available or tabled at the Council sittings on the part of the administration.

THE CHAIRMAN (Mr. Stewart): Clause 6, agreed?

---Agreed

Clause 7, time limit on debate on Commissioner's Address, on page 3, agreed?

---Agreed

Clause 8, prima facie case, agreed?

---Agreed

Clause 9, questions to be directed to, agreed?

---Agreed

Clause 10, no notice required of motions, on page 5. Councillor Nickerson.

Timing Of Notice Of Motion

MR. NICKERSON: Mr. Chairman, when Mr. McCallum was introducing this clause 10 concerned with Rule 42, he talked about 24 hours notice being necessary for certain motions and in Rule 42(1) it says: "One days notice shall be given of a motion (a), (b), (c), etc." I was always under the assumption that one days notice did not necessarily mean 24 hours. In fact it meant the motion could be given any time during the sitting one day and that notice would be good for the motion to be brought up at any time during the following sitting, so, therefore, you could presumably give notice of motion at 5:29 p.m. on the 13th and the motion could come up for discussion at 9:01 a.m. on the 14th. I wonder if this is a correct interpretation of what is meant by one days notice or whether or not it is as Mr. McCallum said, 24 hours?

MR. McCALLUM: Mr. Chairman, in normal practice one day is 24 hours. I used the 24 hours unfortunately in this particular case and I apologize to the Member. I in fact recognized that there is an orderly conduct of business and notice of motion is usually made in this orderly conduct of business under Item 6. In order to introduce a motion or a notice of motion after that item one usually gets the concurrence for agreement of Council to go back into that particular item on the orders of the day, but in fact it does not mean or does it in any way restrict one to an actual 24 hours on the dot, no.

THE CHAIRMAN (Mr. Stewart): Clause 10, agreed?

---Agreed

Clause 11, non-debatable motions, agreed?

---Agreed

Clause 12, motions for the production of papers, agreed?

---Agreed

On page 6, clause 13? Councillor Nickerson.

MR. NICKERSON: Mr. Chairman, the words here "...that has not been first recommended to the Council by message of the Commissioner..." I wonder if we could have some explanation as to what really that means? Does that mean, for instance, that a Minister or Executive Member could bring up a certain subject and that would then be considered to have been recommended to Council by message of the Commissioner?

THE CHAIRMAN (Mr. Stewart): Mr. McCallum.

MR. McCALLUM: Mr. Chairman, I would suggest that is it. That is likely legalese and in fact does do that. It simply is a particular bill that would come up if in fact we had one of the elected Executive Members to introduce this on behalf of the Commissioner from the Executive Committee. I think we had a somewhat similar situation one or two days ago, although it was not a money bill.

THE CHAIRMAN (Mr. Stewart): Clause 13, money bills, agreed?

---Agreed

Clause 14, officers. Councillor Nickerson.

Motion To Amend Rule 82 Of Proposed Amendments To Rules Of Council

MR. NICKERSON: Mr. Chairman, I move that Rule 82 as written here be amended by adding a paragraph or subparagraph (e) "Deputy Sergeant-at-Arms". This would be to bring Rule 82 into line with Rule 85.1(3).

THE CHAIRMAN (Mr. Stewart): To the amendment. Mr. McCallum, have you any comments?

MR. McCALLUM: No.

Motion Carried

THE CHAIRMAN (Mr. Stewart): Agreed, that section with the inclusion of subsection (e) "Deputy Sergeant-at-Arms", is it agreed as amended?

---Agreed

Clause 15, when the Clerk is absent. Agreed?

---Agreed

Clause 16, Sergeant-at-Arms. Agreed?

---Agreed

This concludes the proposed amendments to the Rules of the Council. My records indicate that we have accepted two amendments. Pardon me, one amendment. Shall I report this document studied?

Motion To Accept The Proposed Amendments To The Rules Of Council

I think probably on the suggestion of the Speaker that we should have a motion accepting the proposed amendments as presented.

MR. BUTTERS: So moved.

Motion Carried

THE CHAIRMAN (Mr. Stewart): So moved by Councillor Butters. All those in favour? Opposed, if any? The motion is carried.

---Carried

MR. SPEAKER: Mr. Stewart?

Report of the Committee of the Whole of Proposed Amendments To The Rules Of Council

MR. STEWART: Mr. Speaker, your committee has been studying the proposed amendments to the Rules of the Council of the Northwest Territories and by motion have accepted the proposed amendments as amended.

Recognition Of Assistant Deputy Minister Cotterill

MR. SPEAKER: Thank you, Mr. Stewart. Before proceeding on to Bill 7-58, I would like to acknowledge an old friend of this Council and this government who is in the gallery and I would like to ask him to stand, the Assistant Deputy Minister of the Department of Indian and Northern Affairs from Ottawa, Mr. Ewan Cotterill.

---Applause

Welcome back home on behalf of the Northwest Territories Council, Mr. Cotterill.

Could I have a motion to resolve into committee of the whole for consideration of Bill 7-58, Co-operative Associations Ordinance?

MR. McCALLUM: So moved.

MR. SPEAKER: So moved, seconded? Mr. Lyall. Question. All in favour? Down.

---Carried

Council will resolve into committee of the whole for consideration of Bill 7-58, with Mr. Stewart in the chair.

---Council resolved into Committee of the Whole for consideration of Bill 7-58, Co-operative Associations Ordinance, with Mr. Stewart in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER Bill 7-58, CO-OPERATIVE ASSOCIATIONS ORDINANCE

THE CHAIRMAN (Mr. Stewart): Committee will come to order. I direct your attention to Bill 7-58, An Ordinance to Amend the Co-operative Associations Ordinance. Mr. Nickerson, does your committee on legislation have any remarks?

MR. NICKERSON: The standing committee on legislation has approved this bill for consideration in committee of the whole with one or two minor amendments which I will bring up when we get to them.

THE CHAIRMAN (Mr. Stewart): Thank you, Councillor Nickerson. Are there any comments of a general nature on Bill 7-58?

DEPUTY COMMISSIONER PARKER: Mr. Chairman, I believe at the committee meeting Mr. Sabine raised a question on another clause, the existing clause 25 in the bill, pardon me, clause 25 in the existing ordinance. Since that time our officers have reviewed this and agree that an amendment is necessary and, therefore, at an appropriate time perhaps Mr. McCallum will move a clause 5, which will be in addition to the bill before you and as copies of this additional section are available, perhaps the Legal Advisor will have them distributed.

THE CHAIRMAN (Mr. Stewart): Would you distribute the changes now so that the committee has a chance to look at them?

Bill 7-58, are there any comments of a general nature?

There being no comments of a general nature, I direct your attention to clause 1. Agreed?

---Agreed

MR. PEARSON: Mr. Chairman, could we get a brief description, please, of what this is, why we are dealing with this, for Members' general edification, and for the interpreter corps, so that they can better provide translation service to the native Members?

THE CHAIRMAN (Mr. Stewart): Thank you. Who would like to undertake such a task? Mr. Deputy Commissioner.

DEPUTY COMMISSIONER PARKER: Mr. Chairman, this amendment, which is contained in clause 1, is there for the purpose of better defining the duties and responsibilities of a member of a co-operative when he has a pecuniary interest, a financial interest in the matter being discussed, and it simply more carefully sets out what he may or may not do.

THE CHAIRMAN (Mr. Stewart): Thank you. Clause 1, voting on loans. Agreed?

---Agreed

Now, on page 2, clause 2, would you like to -- Councillor Nickerson?

MR. NICKERSON: All clause 2 merely does is keep up the inflation as certain amounts must be kept in reserve for contingencies and this was initially laid down several years ago and what we are doing, in effect is keeping up with higher prices.

THE CHAIRMAN (Mr. Stewart): Thank you. Clause 2, amount of reserve. Agreed?

---Agreed

Clause 3 on the bottom of page 2. Councillor Nickerson.

Motion To Amend Clause 3 Subclause (5) Of Bill 7-58

MR. NICKERSON: It is the recommendation of the standing committee on legislation that in clause 3 subclause (5), it be amended as follows, and the amendment is this. Add immediately after the words "the supervisor may" in the first line, the following words "with the consent of 75 per cent of the member associations".

This was a recommendation supported by the Federation of Co-operatives and it brings it into line with their standing bylaws and other rules which are laid down for their operations. With your permission, sir, I would like to move that that amendment be made.

Motion Carried

THE CHAIRMAN (Mr. Stewart): Thank you, Councillor Nickerson. Subclause (5) would read "the supervisor may, with the consent of 75 per cent of the member associations, suspend subclause (4)" and the rest remains the same. On the amendment. Is it agreed?

---Agreed

MR. STEEN: Mr. Chairman, the other day I mentioned, or asked a question on co-op managers, if they are bonded, and apparently some of the managers as they are now, are not bonded and I wonder if there should be a section in here that we put this in, a requirement that they must be bonded because, as experience has shown, some of our co-operatives are taken for a ride.

MR. NICKERSON: Mr. Chairman, I notice in the gallery that there is both Mr. Sabine, who is the general manager of the Co-operative Federation of the Northwest Territories and also Father Goussaert, who is president of the Co-operative Federation and both those two gentlemen might like to comment on what Mr. Steen has said, and I understand that section 25 of the ordinance might be opened up by Mr. McCallum and I think that these two gentlemen would like to give evidence on that section.

So I wonder if you could determine, Mr. Chairman, whether this committee will request that these two gentlemen come forward to act as witnesses?

THE CHAIRMAN (Mr. Stewart): Is the committee in agreement to call Mr. Sabine and Father Goussaert?

---Agreed

The two witnesses will be called to the witness table, please. Welcome Mr. Sabine and Father Goussaert. Councillor Nickerson.

MR. NICKERSON: I wonder if either of the two witnesses would like to comment on the remarks by Mr. Steen concerning the bonding of co-op employees?

THE CHAIRMAN (Mr. Stewart): Mr. Sabine.

MR. SABINE: Mr. Chairman and gentlemen, the new bylaws which will be considered do require the bonding of all co-operative employees in the Northwest Territories. I am not sure if that answers the question.

THE CHAIRMAN (Mr. Stewart): That I understand to mean the bylaws of the co-ops will have this as part of their regulations. However, it may be desirable still to have it in this section. Is this going to be a standard type of bylaw, Mr. Sabine, under the Commissioner's control, that you are proposing?

MR. SABINE: I ask that the question be directed to the Deputy Commissioner. This legislation, as I understand it, will be presented immediately, today maybe.

THE CHAIRMAN (Mr. Stewart): Mr. Deputy Commissioner?

Bonding To Be A Commissioner's Regulation

DEPUTY COMMISSIONER PARKER: Mr. Chairman, what we propose is that the requirement on bonding will be a Commissioner's regulation. In other words, it would be a regulation made under the ordinance, and it is within the power of the Commissioner to make that as a regulation.

Now, I stand to be corrected, but I believe that Father Goussaert and Mr. Sabine are satisfied that such a regulation be passed, requiring bonding. Perhaps that is a question you could put to them.

MR. SABINE: Mr. Chairman, we are in agreement.

THE CHAIRMAN (Mr. Stewart): You are in agreement. Does that answer your question, Councillor Steen?

MR. STEEN: Yes, and I am very happy to hear that.

DEPUTY COMMISSIONER PARKER: Mr. Chairman, with regard to clause 3 and the amendment that Mr. Nickerson has proposed, in discussion with Mr. Sabine and Mr. Buchanan, we are a bit concerned as to the means by which it would be determined that the consent of 75 per cent of the member associations had been achieved. I wonder if he had any ideas on that?

MR. NICKERSON: Mr. Chairman, this matter was discussed at the committee meeting and what we came up with there, the suggestion that was made was that probably the superintendent, or supervisor of co-operatives would inquire of the members, or would have it in his power to inquire of the various members, whether or not they had given their consent. Presumably when the federation requested initially that the general meeting not be held for one year, they would state that the consent of 75 per cent of the members had been obtained, and I do not think it was requested that an affidavit, a signed affidavit by 75 per cent of the members be submitted to the supervisor, but merely a statement attesting to the effect that by the duly authorized officers of the federation and the supervisor would have it in his power to find out whether or not this had actually been complied with.

DEPUTY COMMISSIONER PARKER: Mr. Chairman, thank you very much. It may turn out to be quite a task to contact each co-operative to determine whether they, in fact, had given their approval, however, it is something that we believe can be done.

THE CHAIRMAN (Mr. Stewart): Any further comments? Clause 3 as amended. Agreed?

---Agreed

Clause 4, on page 3. Agreed?

---Agreed

Motion To Amend Clause 5 Of Bill 7-58

MR. McCALLUM: Mr. Chairman, I would like to propose an amendment to clause 5, and I think that the Members have that, or a copy of it. It is section 25 of the present ordinance, subsection (1):

"No association shall sell goods, wares or merchandise to its members or customers on credit or in any manner than for cash, except as may be authorized by bylaw.

2. No association that has as its main object the purchasing, procuring, processing, manufacturing, exchanging, hiring and dealing in goods, wares and merchandise at retail, shall have owing to it at any time with respect to credit sales an amount in excess of one half the amount of the working capital as shown by the previous years auditor's annual report."

Following along with that, Mr. Chairman, renumber present section (2) to section (3).

THE CHAIRMAN (Mr. Stewart): Thank you. So the addition of clause 5, on that, any discussion? Councillor Nickerson.

MR. NICKERSON: This matter was brought up by Messrs. Sabine and Goussaert at the legislation committee at which the Co-operative Ordinance was discussed. At that time they made known their dissatisfaction with the present clause 25 and, in fact, the present clause 25 has not been complied with by the supervisor of co-operatives. In fact, had it been complied with, it would have been practically impossible for the co-ops to operate. They have a certain amount of difficulty collecting their bills and under the present circumstances the supervisor has been overlooking the requirements of this present clause 25. I do not think it is right that we should make the law and then require the supervisor to break that law if he is to do his job of properly supervising co-operatives, and that is where these recommended changes came in. They, of course, had to be brought in by Mr. McCallum as a Member of the Executive, because we had not initially intended to open up clause 25 for discussion. Perhaps at this time it would be advantageous to hear from the witnesses what trouble they were having with the present clause 25.

THE CHAIRMAN (Mr. Stewart): Thank you. Mr. Sabine.

MR. SABINE: Mr. Chairman, clause 25 in application, our concern was primarily with the operation of the federation and since our balance sheet indicates a net deficit, it would not be possible for us to ship anything on a credit basis. In other words, we would require payment in advance to be in full adherence to the section as it is presently in effect. The proposed change would permit the federation to function.

THE CHAIRMAN (Mr. Stewart): I take it, Mr. Sabine, you agree with the inclusion of clause 5, is that correct?

MR. SABINE: That is correct, sir.

THE CHAIRMAN (Mr. Stewart): Thank you. Any other comments? Clause 5. Agreed?

---Agreed

Shall I report the bill to the Speaker as amended and with the addition of clause 5 as being ready for third reading?

---Agreed

MR. SPEAKER: Mr. Stewart.

Report of the Committee of the Whole of Bill 7-58, An Ordinance to Amend the Co-operative Associations Ordinance

MR. STEWART: Mr. Speaker, your committee has been studying Bill 7-58 and this bill is now ready for third reading with one amendment, one addition of clause 5.

For the record, at the bottom of clause 5 there is a correction which is a technical correction; (3) at the bottom of the page of clause 5 should read "renumber present subsection (2) to subsection (3)." There is the addition of the word "sub".

MR. SPEAKER: Mr. Parker, I think I should address this to you, looking at the orders of the day, the only things outstanding would appear to be Information Items 8-58 and 14-58 for committee of the whole and those were requested to be put on by Mr. Butters. He is not in his chair, so there is not any point in proceeding with those now.

The only other item that I can think of, Mr. Stewart, would be your reporting out of Bill 4-58, Appropriations Ordinance that you left over from last evening, quite understandably, of course, but I think there is that to be done. Apart from that and the information items, the only thing left would be third reading of bills. I assume, Mr. Stewart, that you would be prepared now to report on Bill 4-58. Leaving that and Information Items 8-58 and 14-58 for a moment, on the understanding that I would come back to complete those two things, come back to Item 9 should we go on to Item 10 and complete third reading of bills?

---Agreed

ITEM NO. 10: THIRD READING OF BILLS

Item 10, third reading of bills. Let us take them in the order that they appear in our legislation book, shall we, and that way we will get them all. Bill 1-58, Mr. McCallum.

Third Reading Of Bill 1-58: Trustee Ordinance

MR. MCCALLUM: Mr. Speaker, I move that Bill No. 1-58, An Ordinance to Amend the Trustee Ordinance, be read for the third time.

MR. SPEAKER: Is there a seconder? Mr. Stewart. Could we just pause for a second, gentlemen. On third reading of bills what is the rule with respect to discussion? Do you have it at hand there, Mr. Slaven?

Discussion, is there any discussion? Question? All in favour? Down. Contrary? The bill is carried.

---Carried

Bill 2-58, Mr. McCallum.

Third Reading Of Bill 2-58: Northwest Territories Housing Corporation Loan Ordinance No. 1, 1976

MR. McCALLUM: Mr. Speaker, I move that Bill No. 2-58, An Ordinance to Authorize the Northwest Territories Housing Corporation to Borrow Funds, be read for the third time.

MR. SPEAKER: Secunder? Mr. Lafferty. Discussion? Question. All in favour? Down. Contrary? The bill is carried.

---Carried

Bill 3-58, the Supplementary Appropriation Ordinance, Mr. McCallum.

Third Reading Of Bill 3-58: Supplementary Appropriation Ordinance No. 2, 1975-76

MR. McCALLUM: Mr. Speaker, I move that Bill No. 3-58, An Ordinance Respecting Additional Expenditures for the Public Service of the Northwest Territories for the Fiscal Year Ending the 31st day of March, 1976, be read for the third time.

MR. SPEAKER: Secunder? Mr. Lyall. Discussion? Question. All in favour? Down. Contrary? Third reading is carried.

---Carried

Bill 4-58, Mr. McCallum.

MR. McCALLUM: Mr. Speaker, I move that Bill No. 4-58...

MR. SPEAKER: Excuse me, Mr. McCallum. A point of order.

MR. NICKERSON: As I understand it, Mr. Speaker, Bill 4-58 has not yet been reported from the committee stage yet.

MR. SPEAKER: Yes, you are quite right. We will have to hold third reading of Bill 4-58 until Mr. Stewart has reported out. Possibly, Mr. Clerk, you could give whatever assistance is necessary to Mr. Stewart to get the various motions, etc., together.

Bill 5-58, Mr. McCallum.

Third Reading Of Bill 5-58: Survivorship Ordinance

MR. McCALLUM: Mr. Speaker, I move that Bill 5-58, An Ordinance to Amend the Survivorship Ordinance, be read for the third time.

MR. SPEAKER: Is there a seunder? Mr. Lyall. Discussion? Question. All in favour? Down. Contrary? The motion is carried.

---Carried

Bill 6-58, Mr. McCallum.

Third Reading Of Bill 6-58: Emergency Medical Aid Ordinance

MR. McCALLUM: Mr. Speaker, I move that Bill 6-58, An Ordinance to Protect Certain Persons Rendering Aid Following an Accident or in an Emergency, be read for the third time.

MR. SPEAKER: Moved by Mr. McCallum. Is there a seunder? Mr. Lyall. Moved and seconded. Discussion? Question being called. All in favour? Down. Contrary? The motion is carried.

---Carried

Bill 7-58, Mr. McCallum.

Third Reading Of Bill 7-58: Co-operative Associations Ordinance

MR. McCALLUM: Mr. Speaker, I move that Bill No. 7-58, An Ordinance to Amend the Co-operative Associations Ordinance, be read for the third time.

MR. SPEAKER: Is there a seconder? Mr. Lyall. Discussion? Question being called. All in favour? Down. Contrary? The motion is carried.

---Carried

Bill 8-58, Mr. McCallum.

Third Reading Of Bill 8-58: Justices Of The Peace Ordinance

MR. McCALLUM: Mr. Speaker, I move that Bill 8-58, An Ordinance to Amend the Justices of the Peace Ordinance, be read for the third time.

MR. SPEAKER: Secunder? Mr. Steen. Discussion? Question being called. All in favour? Down. Contrary? The motion is carried.

---Carried

Bill 9-58, Mr. McCallum.

Third Reading Of Bill 9-58: Financial Agreement Ordinance, 1976

MR. McCALLUM: Mr. Speaker, I move that Bill 9-58, An Ordinance Respecting a Financial Agreement Between the Northwest Territories and the Government of Canada, be read for the third time.

MR. SPEAKER: Secunder? Mr. Butters. Discussion? Question. All in favour? Down. Contrary? The motion is carried.

---Carried

Bill 10-58, Mr. McCallum.

Third Reading Of Bill 10-58: Loan Authorization Ordinance No. 1, 1976-77

MR. McCALLUM: Mr. Speaker, I move that Bill 10-58, An Ordinance to Authorize the Commissioner to Borrow Funds from the Government of Canada and Make Loans to Persons in the Fiscal Year 1976-77, be read for the third time.

MR. SPEAKER: Secunder? Mr. Lafferty. Discussion? Question. All in favour? Down. Contrary? The motion is carried.

---Carried

Bill 12-58, Mr. McCallum.

Third Reading Of Bill 12-58: Supplementary Financial Agreement Ordinance, 1975

MR. McCALLUM: Mr. Speaker, I move that Bill 12-58, An Ordinance Respecting a Supplementary Financial Agreement Between the Northwest Territories and the Government of Canada, be read for the third time.

MR. SPEAKER: Is there a seconder? Mr. Lafferty. Discussion? Question. All in favour? Down. Contrary? Motion carried.

---Carried

Bill 13-58, Mr. McCallum.

Third Reading Of Bill 13-58: Strathcona Sound Development Loan Agreement Ordinance, 1976-77

MR. McCALLUM: Mr. Speaker, I move that Bill 13-58, An Ordinance to Authorize the Commissioner to Borrow Funds for the Purpose of Developing a Townsite at Strathcona Sound in the Northwest Territories, be read for the third time.

MR. SPEAKER: Seconder? Mr. Lafferty. Discussion? Question. All in favour? Down. Contrary? The motion is carried.

---Carried

Bill 14-58: Council Ordinance

MR. McCALLUM: Mr. Speaker, I move that Bill 14-58, An Ordinance to Amend the Council Ordinance, be read for the third time.

MR. SPEAKER: Seconder? Mr. Lyall. Discussion? Question being called. All in favour? Down. Contrary? Motion carried.

---Carried

Am I correct, Mr. Clerk, in assuming those are all the bills? Those are all the bills, 14 of them? Now, is it the Council's wish to go back into committee of the whole to Item 9? I see Mr. Butters is here, for Information Items 8-58 and 14-58? Mr. Butters.

MR. BUTTERS: Mr. Speaker, the item on the Commissioner in Council is the one of main concern to me, appointments.

MR. SPEAKER: Which information item is that, is that 8-58 or 14-58? I can not tell from the order paper.

MR. BUTTERS: I thought it was Information Item 8-58.

MR. SPEAKER: Do you want Information Item 14-58 in committee at the same time?

MR. BUTTERS: Not necessarily, sir. It is a minor matter.

MR. SPEAKER: Who was the second Member who signed with you, Mr. Steen? Mr. Butters says he only wants Information Item 8-58 in committee. Did you want Information Item 14-58 in or are you prepared to go in on Information Item 8-58 only?

MR. STEEN: Mr. Speaker, I only want the information Mr. Butters wants also.

MR. SPEAKER: Information Item 8-58. I take it it is agreed that we go into committee of the whole then on Information Item 8-58 only? A motion, Mr. Butters, to move into committee of the whole?

MR. BUTTERS: I so move.

MR. SPEAKER: A seconder? Mr. Steen. It is moved and seconded that Council resolve into committee of the whole to consider Information Item 8-58. Question? All in favour? Down. Contrary?

---Carried

REVERT TO ITEM NO. 9: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS

Council will resolve into committee of the whole to consider Information Item 8-58. I think we will give Mr. Stewart -- leave him out of the chair so he can put his report together. You want to discuss it, Mr. Butters, so you do not want the chair?

MR. BUTTERS: No, sir.

MR. SPEAKER: Mr. Nickerson, would you care to take the chair, please?

MR. NICKERSON: Yes.

MR. SPEAKER: With Mr. Nickerson in the chair.

---Council resolved into Committee of the Whole for consideration of Information Item 8-58: Withdrawal Of Executive Power From The Commissioner, with Mr. Nickerson in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER INFORMATION ITEM 8-58: WITHDRAWAL OF EXECUTIVE POWER FROM THE COMMISSIONER

THE CHAIRMAN (Mr. Nickerson): The committee will come to order. The committee will please come to order. The committee is to study Information Item 8-58, Withdrawal of Executive Power from the Commissioner. Mr. Butters.

MR. BUTTERS: Mr. Chairman, obviously there is a very important legal question here which I do not understand, but you will remember that during the summer session, I think it was on Mr. Steen's motion, this Council agreed that there are many boards and commissions and other bodies which have a direct effect on the lives of the people in our constituencies, and in many cases, appointments to these boards, commissions and other corporate bodies at the present time are made by the Commissioner solely or only.

If I remember the thrust of Mr. Steen's motion which I either seconded or heartily concurred in, it was that it was not a matter of withdrawing powers, it was to involve the Council, so that such appointments would be made by the Commissioner in Council which is the Commissioner and this body, sir. This reply to the motion from the Minister, after consulting his legal officers, suggests that what we are asking for is an Executive function. This may be so, but I know that lawyers can argue both sides of the case. I think that the lawyers who work for the Minister would most likely argue the Minister's case, and I hope the lawyers who work for the territorial Council might be able to argue our side of the case, and that possibly we could take this to some court to decide, either to the Supreme Court of the Northwest Territories or whatever.

However, as I say, I am just speaking without studying the matter too much, but it is alarming that the Minister has refused us this involvement in appointments to boards and commissions which affect all our lives.

THE CHAIRMAN (Mr. Nickerson): Thank you very much, Mr. Butters. Does any other Member want to comment on Information Item 8-58? Would the administration like to comment?

Normal Provincial Practice

DEPUTY COMMISSIONER PARKER: Mr. Chairman, the Executive does not take any strong position in this matter. Perhaps I could draw to Members' attention that the normal provincial practice at least permits the government to make appointments by regulation to most boards that we are discussing here, and that the matter is not ordinarily referred to the legislature. However, I realize the difference between our status and that of a province.

MR. BUTTERS: Mr. Chairman, there is a difference and I see the position that the federal government has taken, they do not see us as a government, but the analogous situation in the provinces would be that the Lieutenant-Governor appoint members to boards and commissions and this is nonsense. I suggest to you, sir, that we could become a government by the simple procedure of nine of us determining to work together as a party, and to obey party loyalties and disciplines and become the government of these territories and then we would be exactly the same as the House of Commons, and the provincial houses.

I suggest not only could we appoint, sir, members to boards and commissions, but we could manage our money because there would be a government and the government would be determining how that money is spent, just as the Government of Canada does. However, as long as we remain a legislature with each man representing his own constituency, and no uniformity, no discipline, no relationship, we will continue to be pushed around by the federal government. I am saying that if we wish to form a government we could do so tomorrow, and then we could see whether or not the Supreme Court of Canada would recognize our right as the Government of the Northwest Territories to spend money in the way we see fit and to appoint members to boards and commissions as we see fit. It is just a matter of arguing which side of the question you are on.

Advice From The Department Of Justice

THE CHAIRMAN (Mr. Nickerson): The point is well taken, Mr. Butters. I would not like to see this become a committee meeting with just one person speaking. Does anyone else have any views on this particular subject? Mr. Searle.

MR. SEARLE: Well, Mr. Chairman, I do not think I should get into the business of giving legal opinions or advice to the Council because that is not the capacity in which I sit here and hence I am going to stay away, I think, from the broader question Mr. Butters raised of whether we could or could not form a government, but instead deal with the specific matter that caused this to be raised, that is the matter of appointments of officials and persons to boards by, ineffect, the Council. It seems to me the problem we have may be simply because of the way we thought, I think on a good advice, we could go about it.

What I think the Minister's letter is saying is that we can not go about it the way that we thought we could and he has unfortunately put it in terms of encroaching on the Executive power. I do not think we intended that and I suspect that what has happened is that our motion has got into the hands of the legal people in the Department of Justice and they have written a legal opinion on a letter which embodies essentially that for him to sign and he signed it. I think essentially it has kind of taken us on to a side track. What we are interested in is having a substantial input into the question of appointments of individuals to boards and other bodies that are created pursuant to our legislation, and there are all kinds of ways that is done. Now, I may say that just under federal legislation, for instance, a look at the formula used in the Northern Canada Power Commission Act for the appointment of Mr. Stewart. There a formula is set up as to the appointment by the Minister on the recommendation of the Council of the Northwest Territories.

Various Formulae Now In Use

If you look at the land use regulations you will see the formula used in the Territorial Lands Act whereby, as I recall it, and I do not have it before me, but the sense of the wording goes like this, that after consultation with the Council of the Northwest Territories, or where that is impractical, then consultation with each and every Member thereof, the Governor in Council may amend the land use regulations. So, there are all kinds of wordings which have and are in use to give the necessary input, the necessary means whereby Council can advance their nomination. Where we are getting into the problem is on the question of who in fact can make the appointment, and the department of course takes the view that the actual making of the appointment is an Executive act. My suggestion is that we simply ask for our Legal Advisor to come up with the suggestions, after a review of the federal legislation, or whatever legislation he wants, with the various formulae which are in use to give the necessary input by this Council, and there are all kinds of examples and I have only given you two. I think that way we could do what we want to do without opening the broader question of encroachment on the Executive privilege.

THE CHAIRMAN (Mr. Nickerson): I believe Mr. Pearson wishes to speak next.

MR. PEARSON: I recall supporting this motion very strongly when it was first put at the 56th session and I do so now. I am not too sure about some of Mr. Butters' comments, and that has been tried before too, the bush in the barrens, but I think there might be an opportunity, this evening when the Minister is here, for us to discuss this very important matter with him, put it on our little list, and to discuss the principle of it with him while he is here.

THE CHAIRMAN (Mr. Nickerson): Mr. Butters, I am advised that the legal division of the Department of Public Services have prepared a statement entitled, "Northwest Territories Act, Allocation of Authority", and this has been done by the legal people within the territorial government and this is to be found in the Members manual under tab 21.

MR. BUTTERS: This discusses all the various matters by which appointments can be made as referred to earlier by Councillor Searle.

THE CHAIRMAN (Mr. Nickerson): Perhaps with the consent of the Members of the committee, the Legal Advisor to the Council might be persuaded to give some kind of a summary as to what is contained in this document. Is it agreed that this be done?

MR. BUTTERS: I would just like to point out that I think Mr. Searle's suggestion is a good one too and we should not let that go down the road.

THE CHAIRMAN (Mr. Nickerson): Is it agreed that the committee would like to hear from the Legal Advisor on the paper that his department prepared on this issue?

---Agreed

Summary Of Present Situation

THE LEGAL ADVISOR (Mr. Slaven): Mr. Chairman, you will see that this is a revision of earlier papers written in 1969 and 1971, in both cases by the territorial government legal staff. It originally arose, I believe, with reference to some proposed game legislation. This latest rewrite makes it more general, and it covers among other things, the ground covered in the letter from the Minister, Information Item 8-58, I do not see that the legal advisors to the territorial government have ever been at variance in their interpretation of the Northwest Territories Act. The paper covers who administers the government, and under whose instruction the administration takes place, the legislative powers of the Commissioner in Council, the relationship of the Government of Canada to Northwest Territories' legislation and also the public service of the Northwest Territories, and then, at the end of the paper, it spells out the powers of the Commissioner and the powers of the Commissioner in Council.

If I may say, I think that Mr. Speaker's suggestion is a very good one. If you will recall, in June 1975, Council passed an amendment to the Territorial Hospital Insurance Service Ordinance, providing for appointments by Commissioner in Council. At that time I urged strongly that the Council adopt the words "Commissioner on the recommendation of Council" which was one of the types of wording that Mr. Speaker has referred to. It is fairly uncertain whether that amendment, Commissioner in Council, is legal. It is an unfortunate way because really Commissioner in Council is the group that enacts ordinances with the three readings and assent and so on.

THE CHAIRMAN (Mr. Nickerson): Thank you, Mr. Legal Advisor. Did you wish to pursue that matter further, Mr. Butters?

MR. BUTTERS: No, I just felt that it would be remiss of this Council to allow that reply to go by, and I think that Councillor Searle's suggestion is a good one and let us keep it alive and take it from there. Sometimes it takes four years or 40 years to get these changes made, but I do not think one should stop pursuing them.

THE CHAIRMAN (Mr. Nickerson): Is it therefore, Members of this committee, your wish that I report that this discussion has been concluded?

Various Wordings To Be Prepared For Future Use

MR. SEARLE: Yes, Mr. Chairman, with hopefully the consensus of the committee that the Legal Advisor will produce for us the various wordings that might be considered correct for future use so that when we run into one of these we have them there and we know, so we do not make a mistake and put the Commissioner in Council in again, because they come up, you know, they just spring out of a piece of legislation. If we have the various acceptable formulae at hand, then we do not make the mistake of putting something in that attracts the alert constitutional eye of the Department of Justice.

THE LEGAL ADVISOR (Mr. Slaven): Mr. Chairman, if I could have some clarification. The motion from the 56th session referred to "orders, regulations and appointments". May I take it that we are only talking here of appointments, appointments, if you wish, to boards, as opposed to appointments of commissioners of oaths and notary publics and appointments of dog officers at the request of settlements. There are hundreds of these appointments by order each year and I do not think we could get anywhere in the field of regulations.

THE CHAIRMAN (Mr. Nickerson): I would presume, Mr. Legal Advisor, that it is the wish of this committee that you restrict your review just to boards appointed by this Council and not to the various dog officers, etc. Is it, therefore, agreed that we report back to the Speaker?

---Agreed

MR. SPEAKER: Mr. Nickerson.

Report of the Committee of the Whole of Information Item 8-58: Withdrawal of Executive Power From The Commissioner.

MR. NICKERSON: Mr. Speaker, your committee has been studying Information Item 8-58. The committee has concluded its deliberations and puts forth the recommendation that the Legal Advisor to the Council be asked to draw up certain formulae and wordings which would enable us in the case where various boards, etc., are to be appointed by the Council, this wording would be ready so that we would know in effect what we were doing.

MR. SPEAKER: Mr. Stewart, are you ready to report our Bill 4-58?

Committee Report On Bill 4-58: Appropriations Ordinance, 1976-77

MR. STEWART: Yes, Mr. Speaker. Your committee has been studying Bill 4-58 and with two corrections on page 3.03, Department of Planning and Program Evaluation, special projects and development, activity 1226, the total was amended to read \$4,844,000 for the transfer of funds from a section that had been deleted in the amount of \$550,000.

This, then, changed the totals on page 0.01 -- correction -- I guess that is all right. Page 0.01. There were two totals changed to pick up the correction I mentioned previously with the total on capital being changed to read \$43,629,000. During the course of debate on Bill 4-58, the following motions were approved:

I move that this Council request the Department of Education to employ more native people to work in the schools, not as classroom aides but as bona fide teachers who specialize in teaching native skills to native students, so as to prevent any further decay in the culture of the North's founding people.

A motion reading: That this Council recommend to the Commissioner that an examination of the budget be undertaken to ascertain what money and what program might be made available for this summer for youth.

A motion that the practice of making welfare payments to able-bodied individuals capable of providing for themselves and their dependents, be seriously reviewed by the Department of Social Development.

That matter of sentencing in the Northwest Territories and the concept of diversion and the need to re-establish the territorial probation service be referred to the justice and corrections committee for advice to the Council.

That this Council request the Commissioner, through the Northwest Territories Housing Corporation to submit before Council at its September sitting, a comprehensive integrated housing policy proposal satisfying the needs of all northerners, including renters and home owners and, further, that adequate funds for these programs be established in future government estimates.

That the justice and corrections advisory committee examine the matters that were raised by Members of this Council and to provide us with a report and recommendation at a subsequent session.

With these motions and the corrections I have indicated as amendments, Bill 4-58 is ready for third reading.

MR. SPEAKER: Thank you very much, Mr. Stewart. May I, on behalf of this Council, sincerely thank you and congratulate you and Mr. Butters on the way you have handled the committee work. I know it is onerous and in many ways it is very difficult because you have to give up your rights to speak on behalf of your constituents. Thank you.

---Applause

Members of Council, the time being what it is, I would propose, subject to whatever you think of the idea, to simply recess Council until 5:00 p.m., in that we have completed all of the items to and including Item 10; assent to bills is very short by the Commissioner and the other two items, as well, are short.

At 5:00 o'clock, as you know, this house will be addressed by the Minister of Indian and Northern Affairs, at 5:00 o'clock this evening.

There is third reading of Bill 4-58 yet, is there not? Let us do that now so that is done, shall we? Move to Item 10, third reading of bills.

REVERT TO ITEM NO. 10: THIRD READING OF BILLS.

Bill 4-58, Mr. McCallum.

Third Reading Of Bill 4-58: Appropriations Ordinance, 1976-77.

MR. McCALLUM: Mr. Speaker, I move that Bill 4-58, An Ordinance Respecting Expenditures for the Public Service of the Northwest Territories for the Financial Year Ending the 31st Day of March, 1977, be read for the third time.

MR. SPEAKER: Is there a seconder? Mr. Steen. Discussion? Question being called. All in favour? Down. Contrary?

---Carried

MR. McCALLUM: Mr. Speaker, may I have agreement to return to Item 2 for a very short moment?

MR. SPEAKER: Item 2, questions and returns, agreed?

---Agreed

REVERT TO ITEM NO. 2: QUESTIONS AND RETURNS

Return To Question W62-58: Teaching Of Additional Grades Re: Detah Village

MR. McCALLUM: Mr. Speaker, on the 12th of February, Councillor Wah-Shee asked Question W62-58 re the teaching of additional grades at Detah village and I have the following answer:

At the present time there is no move to extend the grade levels at Detah village. However, if in the future there is a request, the Department of Education officials will meet with the community people to determine future possibilities.

MR. SPEAKER: Mr. Steen.

MR. STEEN: Mr. Speaker, I would like, in view of the things that I have seen in Yellowknife here, I was wondering, is there legislation in the Northwest Territories to control audio sound levels in some of the public places because it just about drives us nuts. I do not think it is helping anybody. You can not hear or anything. When you are paying the waitresses, she has got to put her ear as close to your mouth as possible.

MR. SPEAKER: Excuse me, Mr. Steen. This is not the appropriate time or place to raise that. If next session you wish to raise the need for this type of legislation by way of notices of motions, then you may do so, but I really can not let you go on on the subject now.

MR. STEEN: It was just a question.

MR. SPEAKER: I see. Maybe you could get to the question. (laughter)

MR. STEEN: Well, Mr. Speaker ...

MR. SPEAKER: I think you have had quite a preamble.

MR. STEEN: Okay.

MR. SPEAKER: Members of Council, there will be a caucus meeting immediately following adjournment in room 303 for lunch, and that should not take us very long. I suggest we then simply recess until 5:00 o'clock. The Minister is not likely to be here earlier than 5:00 p.m., I take it?

DEPUTY COMMISSIONER PARKER: No.

MR. SPEAKER: We will recess until 5:00 o'clock. The other thing, if Members would like after caucus to come down and sort out those things that they want sent back to their ridings and put those on the top of their desks, the Clerk will have them packaged for you and that will be all out of the way. I think that is everything. Council stands recessed until 5:00 o'clock p.m.

---LUNCHEON ADJOURNMENT

MR. SPEAKER: Council will come to order. Members of Council, we have the honour this afternoon of having the Honourable Judd Buchanan with us here to address this house. Mr. Stewart, would you be good enough to escort the Minister to the dais.

MR. STEWART: Yes, Mr. Speaker.

Address By The Honourable Judd Buchanan, Minister Of DINA

THE MINISTER OF INDIAN AND NORTHERN AFFAIRS (The Honourable Judd Buchanan): Mr. Speaker, Mr. Commissioner, ladies and gentlemen, just over a year has gone by since I last addressed Council and I am glad to be here once again. It gives me the opportunity to review some of the changes that have taken place in the past 12 months and to focus on some of the key issues that face the territorial and federal governments in the months ahead.

A Significant Year For Council

This has been a very significant year for Council. In its first year of functioning as a fully elected and representative body, it is clear that Council is having a growing influence on the direction and administration of territorial affairs.

This session has been an extremely productive one. You have had to deal with a record budget of over \$206 million, an increase of almost 20 per cent over 1975-76. This is all the more significant at a time when federal spending elsewhere is under more rigorous restraint. The budget which Council has now approved provides for new and expanded special programs in the areas of education, training and economic development. These programs are essential if the policy objectives of both levels of government are to be achieved.

The federal government highlighted these objectives in its northern policy statement of 1972. That statement emphasized the need for higher standards of living and equality of opportunity for all northern residents. It encouraged balanced economic development in the territories. It stressed the need to safeguard the northern environment, to move forward toward more representative and more responsible government.

What is also emphasized -- and I believe this is the single most important issue now facing both native and non-native residents of the territories -- is that the highest priority should be given to needs and aspirations of the native people. It recognized that ways should be found to allow native people to deal with the pace of economic and social change, to participate in shaping the society in which they live. It called for an improvement in the social and economic position of native bands and communities, for action on their long-standing grievances, particularly on land claims.

Progress Toward Objectives Of Policy Statement

In the four years since that policy statement was released, encouraging progress has been made towards its objectives. The role and responsibility of this Council, for example, have been expanded to deal more effectively with the needs of all northern residents. It is now a fully elected body and its elected Members sit on the Executive Committee for the first time. A new financial arrangement is evolving between the federal and territorial governments, one which is now based on a "government to government" approach, which provides greater fiscal autonomy and flexibility while satisfying the needs of both governments for effective budgetary control.

Native people have taken part in these changes. Native residents now have a majority representation on territorial council. Native employment in northern economic development projects has grown and more native people are becoming involved in the administration of programs at the community level. All this represents real progress in the right direction. It should continue and the government intends that it will. But it is difficult to say how and when future progress will be attained when we are faced by the profound uncertainties deriving from land claims. That is why these land claim issues are so important to all northerners.

Effective Participation Of Native People

Native people are convinced that effective participation in the rapid developments that are transforming the North will only be possible for them and for their children through just settlement of their land claims. They believe that the social and economic benefits of such settlements will enable them to exert positive influence on the course of events directly affecting them. Non-native northerners are seeking the same ends through the evolution of government in the territories. For all northerners, therefore, the early and satisfactory settlement of native claims is of central importance because of the close relationship between these claims and the social, political and economic development of the North.

Comprehensive Claims Policy Of Federal Government

Much has been accomplished in the area of native claims since the federal government announced its comprehensive claims policy in August of 1973. This policy makes clear the government's determination to seek negotiated settlements with all native groups who have never received adequate compensation for the loss of traditional interest in land derived from historic occupancy and use. During the past two and a half years discussions or negotiations have taken place with native groups in all parts of Canada affected by that policy.

On October 23 last year the Prime Minister announced the appointment of Mr. Digby Hunt as special government representative for comprehensive claims as further evidence of the government's commitment to arrive at mutually satisfactory settlements and particularly in northern regions.

Recent Events Encouraging

In general, the recent events have been encouraging. In northern Quebec, two years of complex and intensive negotiations culminated in the signing of an agreement last November which will allow the Indian and Inuit people to play their own role in the political, social and economic evolution of northern Quebec. Far from diminishing their rights, or reducing the responsibilities that both the provincial and federal governments have for their future well being, this agreement establishes specific rights which have hitherto been vague and undefined. Some of these rights represent an advance on the provisions of the Indian Act which is recognized by all concerned as in need of updating.

Under the James Bay Agreement, guarantees and regimes to protect the native economy and culture will be embedded in legislation. A substantial degree of local and regional native authority, and a strong voice in decisions affecting the government, are provided for. Native people will have the resources to promote their own socio-economic development.

In the Yukon, full time negotiations finally got under way following Mr. Hunt's appointment last fall. Both native and federal representatives are hopeful that an agreement in principle will be ready by the agreed target date of March 31st. In British Columbia, our attempts to begin land claims negotiations are finally, after a long and frustrating history, beginning to produce results. Just a month ago yesterday, I met with the Nishga tribal council at Aiyansh. The particular significance of this meeting was the presence of a minister of the provincial government. It was a recognition on the part of the new provincial government of its obligation to be fully involved in the settlement of native claims.

Inuit Development Of Claim Moving Ahead

In the Northwest Territories, the Inuit have been moving ahead with the development of their claim in a well organized and businesslike way. A land use and occupancy study was completed and a claims negotiating committee has consulted extensively in far-flung Inuit communities about the formulation of a comprehensive claim. It is to be presented to the Prime Minister and other members of the cabinet two weeks from today, on February 27.

Three important factors emerge from this experience in other areas:

First, the claims involved are regarded as comprehensive claims in the sense that they relate to all native claimants residing in the area concerned, and the proposals for settlement comprise a package including land, cash, resource management, native participation in local government and economic development.

Secondly, the native people have organized for themselves a negotiating group or committee that represents and reflects the views and interests of the native communities concerned.

Thirdly, as a result of consultation with those communities, the negotiating group has put forward for discussion with government representatives, concrete proposals for settlement which reflect local concerns and interests.

I have described these developments elsewhere to underline that solid progress is being made in dealing with comprehensive land claims from other native groups in Canada.

Progress In Mackenzie Valley Disappointing

It draws attention to what has been happening -- or not happening -- in the Mackenzie Valley. The plain fact is that progress here has been very disappointing, notwithstanding substantial contributions, in excess of \$750,000 to date, by the government to the native associations, for preparing their negotiating position on claims. This is a situation of very great concern to me because the government is continually being urged from many quarters to settle land claims in the Mackenzie Valley before major development takes place. Frequently we are criticized for not having done so already. I can assure all those who have expressed themselves on this issue that we would like nothing better than to begin negotiations next Monday morning.

The fact is, however, that we have not been presented with a claim in the form of concrete proposals we can negotiate. It is my view that in the Mackenzie Valley we have had too much rhetoric about land claims and not enough hard work on the specific contents. While some useful work has been done under our claims research agreement it does not seem, so far, to have been taken seriously into account, either in the thinking of the leadership or in the consultation at community level. The lack of progress in the Mackenzie Valley is all the more surprising because the key factors here are not all that different from those prevailing in areas where significant progress has been made.

Since 1972, when my predecessor wrote to the Indian Brotherhood of the Northwest Territories, the government has contemplated a land claims settlement in the Mackenzie Valley that, as I said, would be comprehensive in nature. It has been ready to receive and consider proposals for settlement for all native groups residing in the valley, Indian bands or not.

In 1975, when the Indian Brotherhood and Metis Association of the Northwest Territories decided to form a joint committee for land claim purposes, we welcomed that move. We have had some meetings with this Dene land claims committee but I believe it would be more businesslike for them to formalize their committee, making it a single body legally empowered to deal with the government on native land claims arising in the Mackenzie Valley.

Proposals May Be Specific

In my capacity as Minister of Indian Affairs, and given the government's special relationship with Indians, I must be particularly concerned about the representativeness of any organizations acting on behalf of Indian chiefs and band councils. As for the possible contents of a claim in the Mackenzie Valley, settlement proposals could emerge along the lines of those put forward in other areas, but we expect that there may be specific ones relating to or reflecting regional and local variations. These can only be determined when concrete proposals are put forward by the claimants concerned.

The internal difficulties faced by the Brotherhood in recent months add to the present uncertainties about when a set of concrete claim proposals may be forthcoming. I have no desire to prescribe how the present situation within the Brotherhood should be resolved, but I consider it my duty to say that both the Indian people of the Northwest Territories and the government urgently require a fully representative organization which accurately and honestly reflects the aspirations and interests of the Indian communities concerned and which can negotiate effectively on their behalf with the government.

I am encouraged by recent reports of vigorous debate in the various Indian communities about the future of the Brotherhood and the kinds of organizational arrangements that should prevail. Self-evaluation and reassessment can be healthy processes. It is my hope that conclusions will soon begin to emerge and that it will shortly be possible for Indian representatives and government to get on with the serious business that awaits us.

Recently, in order to assess prospects for the future, a meeting was held in Regina between representatives of the Dene land claims committee and my department under the chairmanship of Dr. Lloyd Barber. Discussions at that meeting and exchanges since then provide some grounds for cautious optimism.

Steps Envisaged In Future

I should like to outline the steps that are now envisaged. I have received and accepted a request from the Dene land claims committee to make available the services of Mr. Digby Hunt supported by such other officials as may be required. He will meet once a month with representatives of the committee and Dr. Lloyd Barber. The purpose of these meetings will be to reach an understanding of the positions on both sides of the claims settlement process with the objective of establishing a basis for detailed negotiations. Progress may well be slow at first, but as work on the research program moves towards its conclusion this summer there should be a steady gain in momentum.

The Dene land claims committee has agreed that its first priority is to prepare a proposal for a comprehensive land claims settlement which will be submitted to the federal government about November 1, of this year. It is our intention that this proposal will enable negotiations to proceed systematically toward an agreement in principle.

If a solidly based statement of claim is to be prepared, there will be a need for community consultation to acquaint the people there with the elements of the claim and the underlying issues. Community understanding and support are essential for the satisfactory achievement of a settlement.

Further Funds Available To Committee

Recognizing this, I am prepared to make further funds available to the land claims committee partly in the form of a contribution and a loan, subject to terms and conditions that we will need to work out with the committee. Our objective will be to ensure that all funds provided are used to maximum effect in expediting the preparation of the claim.

The government today clearly envisages that when the Dene claim is put forward a comprehensive approach would be employed in the Mackenzie Valley similar to that which we are following in the Yukon Territory. With this in mind, Mr. Hunt has been authorized to discuss with representatives of the Dene land claims committee settlement proposals that could include the following elements: categories of land, hunting, trapping and fishing, resource management, cultural identity, and native involvement in government evolution.

I hope my remarks will be viewed as a positive response by the federal government to the Dene land claims committee's initiative and as evidence that we are prepared to take a flexible position in settling land claims in the Mackenzie Valley. I see no reason why discussion between the land claims committee and Mr. Hunt can not begin next month, and I shall be watching their progress closely.

Views Of Residents Of N.W.T. To Be Sought

As matters progress, I would expect the Commissioner or his representative to be involved in the negotiations and to reflect to us the interests of the Northwest Territories and its residents at large. I shall seek to arrange for Council to express its views from time to time on issues that are of concern to them. In the same way, we are planning to invite Commissioner Hodgson and representatives of the Executive Committee to attend the meeting in Ottawa on February 27th when the Inuit Tapirisat will be presenting their claims proposals to the government.

Out of the understanding which has been reached between representatives of the Dene committee and of my department might come a new beginning. At the same time, I am aware that a great deal of hard work separates the decision to work towards a settlement and the achievement of that actual settlement. Negotiations will be difficult. Good faith will be required on all sides.

If I have dealt at some length with these matters, it is because I recognize their importance and urgency to the territorial Council, to the federal government and to all northern residents. Despite the difficulties we have all experienced, I believe there is now a prospect of concrete achievements in the months that lie ahead.

Thank you, Mr. Speaker and Council.

---Applause

MR. SPEAKER: Thank you very much, Mr. Minister. Mr. Clerk, would you kindly ascertain whether the Commissioner is ready to assent to bills and prorogue this Council?

ITEM NO. 11: ASSENT TO BILLS

THE COMMISSIONER (Mr. Hodgson): Please be seated. As Commissioner of the Northwest Territories, I assent to Bill 1-58, Bill 2-58, Bill 3-58, Bill 4-58, Bill 5-58, Bill 6-58, Bill 7-58, Bill 8-58, Bill 9-58, Bill 10-58, Bill 12-58, Bill 13-58 and Bill 14-58.

Presentation Of Annual Report To Minister

As you know, it is my duty and responsibility each year to present to the Minister of Indian Affairs and Northern Development, the Honourable Judd Buchanan, my annual report on the activities of the government in the previous year, 1975. It is indeed my privilege, Mr. Minister, to do this today and I take pleasure in presenting you with the first copy of the 1975 annual report.

THE HONOURABLE JUDD BUCHANAN: Thank you very much, Mr. Commissioner.

---Applause

THE COMMISSIONER: Would the pages please pass copies of the report to the Members of Council? Copies will be available for all our guests immediately upon prorogation. Today they are free of charge and tomorrow they are \$6.95.

Presentation Of Warrants To Members

I wonder, Mr. Minister, if you would join me a moment. As Minister of Indian Affairs and Northern Development, it is your signature, along with the Deputy Commissioner and my own, that appears on the warrants of the Members of Council recognizing them as Members of this Council from 1975 to 1979. If Mr. Remnant could bring up the warrants, then I would be most pleased if you would be kind enough to present them to Members. As your name is called out, if Members of Council would be kind enough to come to the dais the Minister will present them to you: Councillor Steen; Councillor Stewart; Councillor Lafferty; Councillor Lyall; Councillor Butters; Councillor Nickerson; Councillor Searle, and our Speaker; Councillor Kilabuk; Councillor Pearson; Councillor Ernerk; Councillor Evaluarjuk; Councillor McCallum.

Presentation Of Certificates To Officers Of Council

Sir, I would consider it a real honour if you would present these certificates to the officers of the Council: Inspector Barber; the Sergeant-at-Arms, Mr. Fred MacKay; the Deputy Sergeant-at-Arms, Mr. MacKendrick. Thank you very much, sir.

We are just bringing out a new pin for the Arctic Winter Games and we will give you one of the first ones. Anyway, you may be on television and we can do with the advertising.

THE HONOURABLE JUDD BUCHANAN: Thank you very much.

---Applause

THE COMMISSIONER: Thank you, Mr. Minister.

ITEM NO. 12: TIME AND PLACE OF NEXT SESSION

Mr. Speaker, I believe the next order of business is naming the place, date and time of the next session of Council. The date would be Monday, May 17, at 2:30 o'clock p.m. in the city of Yellowknife. I submit that to you, sir, for your consideration.

MR. SPEAKER: Is that agreed?

---Agreed

Commissioner's Closing Remarks

THE COMMISSIONER: Mr. Speaker, Mr. Minister, Members of Council, it is customary at this time for the Commissioner, during prorogation to speak on items of interest arising out of Council's deliberations. That is, to say one or two words on behalf of the administration that may be of interest to this Council.

This has been an extremely busy session, and I know how difficult a session it must have been for some of you. This was the Northwest Territories' largest budget and was the first time that the new system was really put to the test, and I want at this time on behalf of all of you on Council, all of the people in the Northwest Territories, to express our thanks through the Minister to the Government of Canada for the support they have given us during these difficult economic times for our nation.

To the Minister, the Honourable Judd Buchanan, I want to say how grateful we are that he understands the day to day problems that we have to face here in the Northwest Territories, and, sir, I thank you very, very much for your support.

During this session I have only entered the discussion on matters of policy. Mr. Parker has handled most of the details arising out of Council's questions to the budget, and has again performed yeoman service. One of the really bright spots that stands out above anything else during this session has been the performance of Council's two Members on the Executive Committee, Mr. Ernerk and Mr. McCallum. Both of them came through with flying colours, not only in putting forward the viewpoint of the Executive Committee, but in the manner in which they handled the departments they are responsible for. I am sure you would want me to convey to our Minister the first class job that they did.

---Applause

As to the Council Members, I am sure the general public, the press, certainly the administration and I know the Minister, are very sincere in their praise for the manner in which you handled the busy schedule. This past week has been extremely busy, working every day from 9:00 a.m. until 5:30 p.m., and last night until 9:30 p.m., and most lunch periods on committee work. The Government of Canada has great faith in the people of both territories and it has never been so ably demonstrated as during this past three weeks.

During my Opening Address I spoke to you about the three principal preoccupations that concern each and every one of us within the Northwest Territories; the land claims, resource development and responsible government. During this session you have made your views known on two of the items by motion and have demonstrated abilities, by your actions on the other. I know the Minister is aware of the things you talked about and this is why he came to you today, in answer to your thoughts, motions and questions, to tell you of the government's feeling in this matter. It would seem to me that the Minister's Address today is the most important this Council has heard from a representative of the federal government during this decade. I wish to assure the Minister that the Government of the Northwest Territories, and myself, appreciate very much the point of review that he has expressed. Sometimes it is much easier to sit and say nothing or to talk about safe subjects. The Minister has gone to the very root of the issues that have been troubling you, and which have been uppermost in the minds of the people of the Northwest Territories, and I think he is not only to be complimented but congratulated for his concern for the territories in coming here today and speaking to you, the elected representatives of the people.

ITEM NO. 13: PROROGATION

Now, Mr. Minister, it is time that we prorogued this Council, and I want to add my words to those of the Speaker in appreciation for your visit here to Council today. This is always a highlight in the deliberations of Council when the Minister can come and visit Council. Upon that note I hereby prorogue this, the 58th session of the Council of the Northwest Territories.

---PROROGATION

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Northwest Territories, Yellowknife, N.W.T. at \$5.00 per session
Published under the Authority of the Commissioner
of the Northwest Territories