



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES
DEBATES

59th Session

8th Assembly

Official Report

MONDAY, MAY 17, 1976

Speaker The Honourable David H. Searle, O.C.

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YELLOWKNIFE, NORTHWEST TERRITORIES

MONDAY, MAY 17, 1976

The Legislative Assembly of the Northwest Territories was convened in Yellowknife, Northwest Territories at ten o'clock a.m., on Monday, May 17, 1976, for the second session, 1976, this being the fifty-ninth session.

MEMBERS PRESENT

Mr. Stewart, Mr. Lafferty, Mr. Lyall, Mr. Butters, Hon. Arnold McCallum, Mr. Evaluarjuk, Hon. Peter Ernerk, Mr. Pearson, Mr. Kilabuk, Mr. Pudluk, Hon. David Searle, Mr. Nickerson.

ITEM NO. 1: PRAYER

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

SPEAKER (The Hon. David Searle): Mr. Clerk, would you determine whether the Commissioner is available to address this house?

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

ITEM NO. 2: COMMISSIONER'S OPENING ADDRESS

COMMISSIONER (Mr. Hodgson): Please be seated.

Once again it is my pleasure to participate in the opening of the Council of the Northwest Territories. In welcoming Members of Council to the capital, I want to take this opportunity to comment very briefly on matters that will be placed before you for your consideration. Before doing so, perhaps I should make one or two comments on the progress of government since we last met.

I am pleased to say that with the arrival of Assistant Commissioner Gary Mullins and Mr. Vic Irving, Director of Public Services, and the appointment of Mr. Joe Bergasse as Director of Economic Development, all senior positions are now filled.

Current Financial Position

As you know, the federal government has been hard pressed attempting to bring inflation under control. The territorial government was very fortunate in recognizing the problems of inflation early in 1974 and then taking action at that time to trim our sails to suit the wind. The result is that we now find, based on a combination of good financial management and understanding support from the federal government, we are in a very reasonable financial situation. Nevertheless we still have many problems ahead of us and a wide range of projects waiting to be approved. Each and every one of these will depend upon the financial capability of the government.

During consideration of the estimates at the last session, Council asked the administration to see if it would be possible to obtain funds in order to complete the museum. You will recall that the proposal was to build the museum in two stages. Admittedly this was the most expensive way, but under the circumstances it seemed the only way possible. I am pleased to report to Council that in line with your recommendation, agreement has been reached with the federal government to continue with construction, and it is expected the museum will be finished next September.

Distinguished Visitors To The N.W.T.

Many distinguished people have visited the Northwest Territories this spring. Among these were His Excellency The Prime Minister of Belgium and Mrs. Tindemans, Chief of Defense Staff General Dextraze, and His Excellency The Governor of Greenland and Mrs. Lassen.

Later this afternoon Their Excellencies The Governor General and Mrs. Leger will arrive in the territories. My wife and I and a small party will leave later this morning to be on hand to welcome them when they arrive in Fort Smith. Acting on your behalf, much of my time this week will be spent with Their Excellencies. The Northwest Territories portion of the tour will terminate Friday afternoon at Tuktoyaktuk.

On Thursday next, Mr. Gordon Robertson, secretary to the cabinet for federal-provincial relations, will arrive for a four day tour of the Eastern Arctic. I have been asked to accompany Mr. Robertson during his stay with us. During his visit, Mr. Robertson will make the convocation address to the graduating class at the Gordon Robertson Educational Centre in Frobisher Bay.

As Council Members will see, the time I will spend with you during this session is limited. This is the first time that such a situation has prevailed, and I want to formally apologize to you for this. Hopefully this situation will not arise too often. Nevertheless, while I feel it important that I spend as much time attending sessions of Council as possible, on the other hand I have certain duties and responsibilities in my capacity as host for very distinguished visitors on your behalf.

Spring and summer are indeed busy times for northern Canadians, and there is a very great demand on everyone's time. Usually there is the hustle and bustle and finalization of plans for the summer sealift, and the commencement of the construction season. Staff members with children are looking forward to holidays. Council Members have many official and private responsibilities and I can well understand that it was with regret that your scheduled trip to Alaska was postponed. However, if Council Members feel they would like the trip rescheduled for later this year, these arrangements can be made.

Tribute To Mr. Devitt

Since our last meeting, Mr. Gordon Devitt, a long time northern educator and Assistant Director of the Department of Education, passed away. Mr. Devitt's contribution to the North will long be remembered, and I am sure Council Members join with me in extending both their sympathy and their appreciation to his family for the many years of valuable and distinguished service that Gordon gave to the North.

Future Of The N.W.T.

I am sure that you have all been following the presentations at the Mackenzie Valley pipeline hearings. Last year I urged Council to put forward their view to the commission. It would seem to me that much of the material that has come forward, has not necessarily been confined to pipelines. As a matter of fact, the whole question of land claims and the political future of the Northwest Territories has been raised. People across the nation, many for the first time, are becoming aware of the Northwest Territories and its infrastructure.

I would therefore suggest to you that you might like to review the many discussions and recommendations that led up to the appointment of the Carrothers Commission in 1965, and the recommendations, discussions and suggestions made by former Councils over the past ten years. A review of this kind could very well provide the Council with information from which you might like to draw up a series of recommendations in connection with the future of the Northwest Territories.

There are many very important items competing for the attention of Canadians, what with the energy crisis, inflation, the high cost of living, wage restraints and price controls, and so it is not every day that the opportunity comes when Canadians' attention is being focused on the North. There can be no question that there has never been another occasion in the history of Canada when the North has been more prominent in the minds of so many Canadians, and therefore it would seem to me to be very worthwhile for Council Members to put forward a collection of ideas on the future of the North.

Introduction Of Legislation

During this session the administration will introduce a number of bills dealing with various matters which fall within its broad range of responsibilities.

The Education Ordinance would replace the present School Ordinance with updated and revised provisions to more accurately reflect the current philosophy of education and progressive educational trends, and to provide for an increased level of local input.

Responding to the wishes of the previous Council, a revised Teachers' Association Ordinance would extend self-government and self-regulatory powers to the Northwest Territories Teachers' Association.

A number of miscellaneous amendments to the Municipal Ordinance would be introduced in response to requests placed before the administration by the Northwest Territories Association of Municipalities.

Provision would be made for local option prohibition and for compulsory jail terms for bootleggers for second and subsequent convictions, by amendments to the Liquor Ordinance.

The Northwest Territories Bar Association would be granted legislative sanction and would be allowed to govern its own affairs, including the registration and discipline of its members, by enactment of a revised Legal Profession Ordinance.

By amendments to the Territorial Hospital Insurance Services Ordinance, reference to co-insurance charges would be deleted from that ordinance and provision would be made for an increase in the membership of the board.

Amendments to the Labour Standards Ordinance would bring its provisions into line with comparable labour legislation elsewhere and would implement certain recommendations of the Labour Standards Inquiry Board report of a few years ago.

The Inter-Provincial Subpoenas Ordinance would permit entering into reciprocal arrangements with provincial jurisdictions for the enforcement of subpoenas.

Rent increases on residential property to be administered by a rent regulation officer subject to appeal to a rent review board, would be provided for an enactment of the Rent Control Ordinance.

Amendments to the Criminal Injuries Compensation Ordinance would bring that legislation into conformity with the federal-territorial cost sharing agreement, whereby 75 per cent of the costs of the program are absorbed by the federal government.

Certain provisions of the Wages Recovery Ordinance would be amended to bring them into line with today's wage rates.

A Supplementary Appropriation Ordinance would provide funds to meet expenditures in the current fiscal year which were not previously anticipated.

Recommendations to Council will be placed before you concerning a territorial income tax, also the adoption by the Northwest Territories of the Canadian forces vessel HMCS Mackenzie.

Recognition of Guests

I would like to welcome today Mrs. Helen Gurd, the Chief Commissioner of the Girl Guides of Canada. Mrs. Gurd is, to my knowledge, the first person in her position to officially visit the Northwest Territories while serving in that capacity. This evening we will ask you to join us at the state dinner at Yellowknife.

I should also like to take note of the presence within the Council enclosure today of Superintendent McCullough, the A/Commanding Officer of "G" Division of the Royal Canadian Mounted Police; Brigadier General Thorneycroft, Commander of the Canadian forces northern region; His Worship Fred Henne, Mayor of Yellowknife; and The Hon. Mr. Justice W.G. Morrow of the Supreme Court of the Northwest Territories.

The Honourable Mr. Justice W. G. Morrow

As many of you know, Mr. Justice Morrow will leave the Northwest Territories this summer on elevation to the appellate division of the Supreme Court of Alberta. I would like to take this opportunity to express the appreciation of this Council and of the people of the Northwest Territories to Mr. Justice Morrow for his most sincere and earnest efforts in the field of justice in the North during more than ten years tenure since his appointment to the judge of the Supreme Court of the Northwest Territories in 1966.

Mr. Justice Morrow is a man among men and it will be my pleasure to propose to this territorial Council that later during the session we all collectively nominate Mr. Justice Morrow for the Commissioner's Award for public service for 1976.

---Applause

I now commend to your consideration and wise judgment, the business of this house, as I declare open this, the 59th session of the Council of the Northwest Territories.

---Applause

MR. SPEAKER: Turning to the orders of the day, Item 3, notices of motions to introduce bills for first reading.

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

Bill 1-59, Hon. Peter Ernerk.

Bill 1-59: Territorial Hospital Insurance Services Ordinance

HON. PETER ERNERK: Mr. Speaker, I move that Bill 1-59, An Ordinance to Amend the Territorial Hospital Insurance Services Ordinance, be read for the first time.

MR. SPEAKER: Mr. Parker, are you having a problem?

DEPUTY COMMISSIONER PARKER: The sound system is not working.

MR. SPEAKER: For the purpose of giving notices of motions is there anyone here who feels that the sound system is critical? May we proceed? Bill 2-59, The Hon. Arnold McCallum.

Bill 2-59: Labour Standards Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I give notice that on May 18th I shall move that Bill 2-59, An Ordinance to Amend the Labour Standards Ordinance, be read for the first time.

MR. SPEAKER: Thank you. Bill 3-59, Hon. Arnold McCallum.

Bill 3-59: Wages Recovery Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I give notice that on May 18th I shall move that Bill 3-59, An Ordinance to Amend the Wages Recovery Ordinance, be read for the first time.

MR. SPEAKER: Bill 4-59, Hon. Peter Ernerk.

HON. PETER ERNERK: Mr. Speaker, I move that Bill 4-59 ...

MR. SPEAKER: Excuse me, you must give notice.

HON. PETER ERNERK: Mr. Speaker, I give notice ...

MR. SPEAKER: You give notice that Bill 4-59 will be read for the first time tomorrow.

Bill 4-59: Interprovincial Subpoenas Ordinance

HON. PETER ERNERK: Mr. Speaker, I give notice that on Tuesday, May 18th, I shall move that Bill 4-59, An Ordinance Respecting the Reciprocal Enforcement of Subpoenas, be read for the first time.

MR. SPEAKER: Thank you. Bill 5-59, Hon. Peter Ernerk.

HON. PETER ERNERK: Mr. Speaker, I move that Bill 5-59 ... excuse me, Mr. Speaker, I seem to be having a bit of a problem. Could I get some assistance from the Clerk, please?

Bill 5-59: Criminal Injuries Compensation Ordinance

Mr. Speaker, I give notice that on May 18th, I shall move that Bill 5-59, An Ordinance to Amend the Criminal Injuries Compensation Ordinance, be read for the first time.

MR. SPEAKER: Bill 6-59, Hon. Arnold McCallum.

Bill 6-59: Teachers' Association Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I give notice that on May the 18th, I shall move that Bill 6-59, An Ordinance Respecting the Northwest Territories Teachers' Association, be read for the first time.

MR. SPEAKER: Bill 7-59, Hon. Arnold McCallum.

Bill 7-59: Education Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I give notice that on May 18th, I shall move that Bill 7-59, An Ordinance Respecting Education in the Northwest Territories, be read for the first time.

MR. SPEAKER: Bill 8-59, Hon. Peter Ernerk.

Bill 8-59: Municipal Ordinance

HON. PETER ERNERK: Mr. Speaker, I give notice that on May 18th, I shall move that Bill 8-59, An Ordinance to Amend the Municipal Ordinance, be read for the first time.

MR. SPEAKER: Bill 9-59, Hon. Peter Ernerk.

Bill 9-59: Liquor Ordinance

HON. PETER ERNERK: Mr. Speaker, I give notice that on May 18th, I shall move that Bill 9-59, An Ordinance to Amend the Liquor Ordinance be read for the first time.

MR. SPEAKER: Bill 11-59, Hon. Arnold McCallum.

Bill 11-59: Rent Control Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I give notice that on May 18th, I shall move that Bill 11-59, An Ordinance for the Temporary Control of Rents in the Northwest Territories, be read for the first time.

MR. SPEAKER: Bill 12-59, Hon. Peter Ernerk.

Bill 12-59: Legal Profession Ordinance

HON. PETER ERNERK: Mr. Speaker, I give notice that on May 18th, I shall move that Bill 12-59, An Ordinance Respecting the Legal Profession, be read for the first time.

MR. SPEAKER: Turning to the orders of the day, tabling of documents. Hon. Arnold McCallum.

ITEM NO. 4: TABLING OF DOCUMENTS

HON. ARNOLD McCALLUM: Mr. Speaker, I wish to table the following documents:

5-59, Report of Commissioner's Orders and Regulations for the period January 1, 1976 to May 1, 1976.

6-59, The Travel Industry in the Northwest Territories.

1-59, Report on Rates Proposed by Northern Power Commission for the Northwest Territories.

9-59, Recommendation to Council 2-59, Territorial Income Tax.

MR. SPEAKER: Any further documents to be tabled? Mr. Ernerk?

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

4-59, The Annual Report of the Fire Marshal of the Northwest Territories and Chief of Safety Division.

2-59, Report on Health Conditions in the Northwest Territories, 1975.

3-59, Annual Report of the Territorial Hospital Insurance Services Board.

7-59, Recommendation Respecting Compensation Payable in the Northwest Territories.

8-59, Recommendation to Council 1-59, Adoption of HMCS Mackenzie by the Northwest Territories.

MR. SPEAKER: Any further documents to be tabled? Hon. Peter Ernerk, you sent me a note saying you had a duty to perform. Would you do that now?

Mr. Butters, Chairman, N.W.T. Social Assistance Appeal Board

HON. PETER ERNERK: Mr. Speaker, I announced in January that two appeal systems would be established in 1976. One is known as the local Social Assistance Appeal Committee and the other is known as the territorial Social Assistance Appeal Board. The departmental officials have been making some changes to the present social assistance regulations this year. Working group included Mr. Torrance the Director of the Department of Social Development and Mr. Britton, Mr. Stangier along with the other chiefs from the Department of Social Development. I will be making a reference to this later on but I think it would be appropriate at this time to name the first chairman of the Northwest Territories Social Assistance Appeal Board. Mr. Speaker, I am very pleased to say that on behalf of the Commissioner, Mr. Tom Butters, Councillor for Inuvik, will be the first chairman of the Northwest Territories Social Assistance Appeal Board.

---Applause

MR. SPEAKER: Mr. Butters, do you have any brief appropriate remark you would like to make?

MR. BUTTERS: Not at the moment, sir. I will examine the responsibilities and possibly speak on the matter later on during the session.

MR. SPEAKER: Thank you very much, Mr. Butters. Returning to the orders of the day, Item 5, any replies to the Commissioner's Opening Address? Mr. Butters, are you prepared to move a motion of appreciation?

MR. BUTTERS: Mr. Speaker, yes, I am.

MR. SPEAKER: The sound system, gentlemen, apparently will not be restored for some time, about an hour. However, we do have reporters taking down what you say so it will be recorded. The difficulty that we are having however is that obviously there will be no simultaneous translation.

So, I suppose if any of the Members need that system, and felt strongly about it we could recess until it is restored. Is there anyone who has a strong feeling on that? Mr. Butters?

MR. BUTTERS: Mr. Speaker, I suggest that we do as you have indicated is an option of ours, to recess until the system is available to all Members.

MR. SPEAKER: Is that the feeling of the house that we recess? Is it agreed?

---Agreed

MR. SPEAKER: Before we do so could I then on your behalf take this opportunity to thank our guests who have come here today, particularly our honoured guests sitting in the middle here. I am sure they are pleased to note that we are recessing now and they will not have to sit there any longer. Thank you very much. Council stands recessed for one hour.

---SHORT RECESS

MR. SPEAKER: The Legislature will come to order. I assume, gentlemen, that it has not escaped your notice that the house has taken the directions of the Council of the Legislature, the Council as it was, and have attempted to implement the change of name from Council to Legislative Assembly. I trust that the Members will bear with me if I lapse from time to time, but we are doing our damndest to use the words Legislative Assembly everywhere we have been using the word Council. The Legislative Assembly will come to order and turning to the orders of the day, Item 5, replies to the Commissioner's Opening Address, the mover of the motion I understand is Mr. Butters.

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

Mr. Butters's Reply To The Commissioner's Opening Address

Motion Of Appreciation By Mr. Butters

MR. BUTTERS: Mr. Speaker, with your permission, sir, I rise to move a motion of appreciation for the Commissioner's Opening Address at this, the 59th session of the Legislative Assembly of the Northwest Territories. I have a few brief notes here so Members who wish to relax and maybe doze off a little may do so and I regret the hard chairs that our guests must endure, but bear with me.

I did not reply when I received the little framed announcement of my appointment. One of the Members commiserated with me at the appointment but I am hopeful that this appeal committee will operate, will be required to operate in very infrequent cases as most of the appeal problems will be resolved at the community level. I regret the absence of my colleague Mr. Wah-Shee who I know would be quite pleased to hear of this matter being implemented because it was at his recommendation at our first session that this matter I think was brought to the public attention and interest.

By the way the record, I think, for a reply to the Commissioner's Opening Address was set by Duncan Pryde some years ago in the first session that you served. I think it was two hours and ten minutes. I do not think I will reach that but I will try.

I share with my colleagues a large measure of pleasure and relief at seeing our Commissioner back in harness and apparently well on the road to recovery after his unexpected sojourn in the hospital earlier this year. I trust, sir, that the rumours circulating a few weeks back of Commissioner Hodgson's imminent departure or departure next year were both canard and groundless presumption and that he quickly regains the strength, the optimism and initiative that has characterized his years of service to the North and its people. Usually, sir, I shrink from replying to the Commissioner's Opening Address on the same day that it is delivered since the reply both rationally and pertinently requires that the Address be studied and considered at some length. Ideally, we, the Members of this Assembly, should be drafting the words the Commissioner utters in this chamber when he is required to make what is analogous to a speech from the throne by a lieutenant governor in a provincial jurisdiction. However, on this occasion the Commissioner has permitted me a preview and my reply in response reflects that courtesy.

Expanded Coverage By Canadian Broadcasting Corporation

It is with much pleasure that I note the increased numbers of Canadian Broadcasting Corporation reporters at the press table and welcome the expanded coverage as a recognition by the corporation of its very real and critical responsibility to provide information and news material to all the residents of the Northwest Territories. Truly the CBC is the newspaper of the Northwest Territories and I congratulate Patrick Reilly, area manager for CBC Mackenzie district, for the arrangements he has made to ensure full and complete coverage of our deliberations. Particularly I applaud the appearance in our press gallery of three members of CHAK Inuvik, Ms. Ernestine Holman, Mr. Alec Greenland and Mr. Ishmael Alunik who will be providing coverage of our proceedings on a daily basis in three native languages throughout the Inuvik region and the Central Arctic.

Members of this Assembly, sir, join with the Commissioner in welcoming two senior administrative staff members, specifically Mr. Gary Mullins who is assuming the responsibilities of Assistant Commissioner following the vacancy left by the appointment of Mr. Ewan Cotterill as Assistant Deputy Minister of the Department of Indian Affairs

and Northern Development and secondly Mr. Victor Irving who recently assumed the responsibilities of directorship of the Department of Public Services. Similarly we are pleased with the most deserved promotion of Mr. Joe Bergasse as Director of the Department of Economic Development after his many years of competent service as assistant director to Dr. Tom Espie, his predecessor. We note and regret the illness of dedicated and valued senior professional staff members of the Department of Education. We were shocked to learn of the sudden death of Mr. Gordon Devitt who earned the respect and gratitude of educators, parents and students alike during his many years of service in northern education. Mr. Norm Macpherson and Mr. Harold Darkes, two other long-time northern educators, recently were hospitalized and we extend our best wishes to each of them for an early recovery and return to their full health and strength.

Strength Of Legislative Assembly Lies In Diversity

I note a vacancy within this chamber also, and here I do not refer to some of the Members who did not arrive on time, but I notice a vacant desk which indicates the people of Mackenzie Great Bear constituency lack a representative at the 59th session of the Legislative Assembly of the Northwest Territories. I regret that our former colleague, Mr. George Barnaby of Fort Good Hope, came to the conclusion that he was doing nothing as Councillor for his people and as a result felt compelled to tender his resignation. Undoubtedly the debates and exchanges that occur in this chamber can be frustrating when agreement eludes us, our opinions vary and a consensus regarding solutions to our mutual concerns is difficult to attain. Yet, in our very diversity lies our strength and value to the people of the North. Where all men agree none think much is truly said. This place should be a market place where truth may assume form and substance, a form and substance which in large measure depends upon the vigour and vitality of our debates, our disagreements and our differences of opinion. No one wins a motion or a vote or an issue. Frequently, even when one loses the division, the exercise is most worthwhile since truth is frequently revealed in the process.

Our former colleague Mr. Barnaby, I believe, in outlining his reasons for resigning suggested he wielded no influence as a Member of this body, yet I am sure the record of our debates shows that Mr. Barnaby's contribution to have been much greater than he has indicated. It is revealing for a student of the evolution of government in the Northwest Territories to consider Mr. Barnaby's first address to this Assembly on June 9 of last year and then examine with care Commissioner Hodgson's opening remarks at the 58th session in Yellowknife, January last. This legislative body does affect the direction and development of government in these territories. However, we wish him well in his new endeavour and activities with the Indian Brotherhood of the Northwest Territories and look forward to the opportunity to welcome his successor to our midst at the fall session.

Origins Of System Of Government

This chamber, this house, is more than 15 individuals involved in debate, or parochial self-seeking. In truth we are part of a system of governments whose beginnings are lost in the mists of a recorded history, not a white man's system but a system that men of many backgrounds, religions and ethnic strains have rationally chosen as the one that best guarantees and protects the equality of all men. I remember last summer when we, Members of this body, met and dined with African legislators of the commonwealth association to which we belong, and I especially recall the remarks addressed to us by the Deputy Speaker Seroney, of the Legislative Assembly of Kenya. Mr. Seroney, a black man whose ancestral roots are deeply anchored in tribal government and mores drew a circle that took us in when he said, and I paraphrase his statement here, we share a system of government enjoyed by few nations on this globe, a system that recognizes and protects the rights and responsibilities of all members of that society.

I had occasion recently to recall Mr. Seroney's talk following a discussion with The Hon. W. G. Morrow in Inuvik, when he visited my community on his last circuit as Justice of the Supreme Court of the Northwest Territories, accompanied by The Hon. Ron Basford, federal Minister of Justice. Judge Morrow has a sense of history and an appreciation of our constitutional evolution, possessed by few Canadians. After speaking with him, I saw that his court is not only an entity existing in present time but also the most current manifestation of a continuum with its beginnings in the mists of antiquity, a continuum recognized, protected and added to by each successive occupant of the supreme court bench.

Conversation With Judge Morrow

It is regrettable that we, legislators who share that continuum, who are an integral part of that history do not always fully recognize our indebtedness to men long dead, and our daily and continuing responsibility to our neighbours. But, to return to my discussion with Judge Morrow of our Supreme Court, I asked him and here I go to the record of our conversation because I am sure even in this place where hyperbole and nonsense are tolerated he would not wish me, in recounting, he would not wish me in recounting to give anything less than the verbatim reality. Therefore, and I quote the exchanges that occurred.

"In constitutional law you are known I think in Canada as a man who has a very great knowledge of constitutional law. Now, in the sense of the territories, since I recollect the speech of yours in which you pointed out that many of the laws that were on our books, that were on the books of the territories were 80 years behind the times, are we, the Northwest Territories catching up constitutionally?"

Judge Morrow replied, "May I clear the record first? I do not think I am a constitutional authority but let us put it this way, I am a student of constitutional law. But on the question of this vacuum, the speech you are referring to was a speech I gave to the board of trade at which you were present, I believe, in which I said we had a hundred year vacuum. Today I would say the territorial Council in the last eight or nine years, since I have been a judge up here has filled most of that gap but there is a long way to go yet, but the Council has brought in things, I believe you now have an Expropriation Ordinance, for instance. In this circuit I am still on what we have had way up in Resolute Bay, a criminal's compensation case. We now have legislation that permits the court to enforce domestic relation problems, all of those things have come in the last eight or nine years." Afterwards I thought long about Judge Morrow's reply, and I wish to repeat a few of the words so we might all share my revelation and I quote him again. "I would say that the territorial Council in the last eight or nine years since I have been a judge up here has filled most of the gaps, but there is a long way to go."

Delineation Of Responsibilities Not Sought

Now, frequently in this chamber and outside it I have expounded the belief that we are not using all the power granted by tradition and precedent, and we have not seriously sought to clarify and delineate the full range of our legislative and jurisdictional responsibilities. This Legislature is neither a glorified debating society nor a high-priced fancy advisory committee on northern affairs to the Hon. Judd Buchanan. This house is the Legislative Assembly of the Northwest Territories. We are the North's legislators, we are the North's lawmakers. We examine and amend the code by which all people in these territories live, a code that while protecting the interests and guaranteeing the rights of all, should shield the powerless from the powerful and identify and enshrine to the fullest degree attainable the rights and privileges we all value as free men.

The court is our partner in those objectives and endeavours, interpreting, adjudicating and ruling on the laws that are developed in this chamber. Mr. Speaker, with the Commissioner we, the Members of this Legislative Assembly, wish Bill Morrow, and I here purposefully drop his title of Supreme Court Judge, since the people of the territories recognize and honour him as a man as well as a judge and thank him for the warmth and humanity that he has brought to the demanding and often thankless and frustrating responsibility of bringing justice and order to Canada's northern frontier. We wish Judge Morrow satisfaction and fulfilment in his new responsibilities with the Appeal Division of the Supreme Court of Alberta.

Expression Of Welcome To Their Excellencies

Before moving on to more mundane and parochial matters may I also express that the pleasure and the warm welcome of all the Members of this house be extended to Their Excellencies the Governor General and Mrs. Jules Leger by the Commissioner when he greets them later today at Fort Smith on the occasion of their first official visit to the Northwest Territories. I note that the Commissioner has since left the house, but before he departed I advised him that this wish would be included in my reply to his Opening Address and he assured me that he would pass on our welcome and good wishes.

Mr. Speaker, although we are representatives of constituencies diverse and widely separated, I believe that this body, the first wholly-elected Legislative Assembly of the Northwest Territories, has achieved the unity and gained an understanding of how we in concert can form an instrument of common purpose to be used in the best interests of the people of the territories. These are words, words only. Their meaning and potential lies in their implementation and application and we as Members of this Assembly have enjoyed our year of grace. Now we must perform or we will be depreciated and cast aside by those who sent us here. Therefore, I raise for the consideration of Members some concerns which may be reflected in their own constituencies.

One area of concern relates to education. A major piece of legislation being introduced at this session is the Education Ordinance, a piece of legislation which affects major alterations and amendments to the existing School Ordinance. I will speak to the bulk of the ordinance specifically when the bill is moved into the Legislative Assembly, into committee of the whole following second reading.

Insufficient Time To Consider Education Ordinance

However, earlier this year in mid-February I believe, I received from both the Inuit Tapirisat of Canada and the joint tripartite committee consisting of the Tree of Peace, the Metis Association of the Northwest Territories and the Indian Brotherhood of the Northwest Territories, communications relating to matters raised and included in the draft Education Ordinance. Myself I received my first copy of the draft some three weeks ago and it has been in the hands of the Inuvik education advisory committee for approximately two weeks only. Two or three weeks is certainly not sufficient time to consider legislation as important to the people of the territories as is the education bill. Obviously the Northwest Territories native organizations have had this draft material for a much longer time since I was a recipient of their comments two or three months prior to the time I had received the draft document myself. Therefore, in view of the fact that only a small number of people are aware of what this ordinance contains, I will be asking my colleagues to look favourably on a suggestion that while we discuss the Education Ordinance in all its specific detail and implications during the second reading, that we do not move it into third reading but defer it until our fall session, at which time we can be assured that a greater number of our constituents have become familiar with the bill and its contents and hopefully may have collectively or individually advised Members of their thoughts and suggestions.

Earlier on I referred to the Canadian Broadcasting Corporation as the newspaper of the North. Most important to a growing community are its lines of communication. In recent years the CBC has improved both its radio and television service to northern communities. However, CBC might serve its purpose better and use its systems more productively if it moved to decentralize its management and program production function to the North with all reasonable haste and establish in each interested northern centre communications societies which would act and interact between the corporation and the community, the community the corporation serves.

Housing Needs Critical

Another area of concern relates to housing. Although I have received assurances from the organizations responsible for providing adequate accommodation to northern people that our housing needs will be met, I remain unconvinced. I believe the need for accommodating single persons and newly-marrieds in our communities remains critical and will be exacerbated in development and rapid growth centres when the petroleum exploration phase in the North is expanded. Planning should be going ahead now to meet our projected accommodation needs, needs which I am concerned are not being filled adequately and in the event of sudden large-scale development will not be filled in time.

In transportation matters also I recognize problems. On April 1st apparently the Ministry of Transport embarked on its program of cost recovery which will see northerners expected to pay increased seat-mile costs and charter fares to take up the slack in the federal department's cost of improving service in the territories. In June of last year the then minister of transport, the Hon. Jean Marchand, speaking in the House of Commons repeated his remarks of a

year earlier, noting, and I quote, "...I noted that transportation policy in Canada was based on the principle of competition. I stated that this principle was wrong in Canada. I said that it is not entirely wrong but is partially wrong, because if you look at the size of this country and the distribution of its population you will see that you can not have a transportation network which is economic everywhere. You can not have an economic system of transportation to service the North, for example, or to service those regions of the country where the population is very thin. You can not have an economic system for regions which are remote from the centre."

Frontier Areas Require Transportation Subsidies

Mr. Marchand gave special consideration to the high costs of northern transport and spoke of the possibility of designating northern areas as frontier areas requiring subsidies and assistance. This house by motion welcomed Mr. Marchand's statement and requested that the Northwest Territories be the first to be designated as a frontier area. I recently requested of the administration, though I have requested it of the administration frequently over the past year, for advice on the progress of this motion but it appears grounded while our seat-mile costs are going up, up, up.

It is interesting to note in Mr. Marchand's speech of June, 1975, the following reference related to advantages accruing to Canada for improving the infrastructure of transportation services, ground and air alike, in the North. He said: "Third, there are a number of major problems and opportunities which are now facing us, or requiring early consideration. These include the demand for extensions of the transportation system into the northern parts of Canada, which, providing the unique, environmental and social problems can be overcome, would open up access to resources which increased world prices are making more and more economic."

System Would Benefit All Canadians

The minister is not talking here about enlarging or improving the system to benefit northerners; he is talking about enlarging and improving the transportation infrastructure to benefit Canadians as a whole and, sir, I am sure this house recognizes and supports the concept that such expense should be paid also by Canadians as a whole. I recently suggested to the Commissioner that the new Minister of Transport, the Hon. Otto Lang, be invited to join us during our deliberations to determine how and when the North's air travellers may receive surcease from the increasing costs of transportation.

Power Costs

Another area of constituency concern deals with the cost of supplying power in the Northwest Territories communities, especially those communities that depend on diesel generators as a power source. Northern Canada Power Commission has recently recommended a rate increase which could see the cost of power to the consumer in small communities increased to \$150 per 1000 kilowatts, a figure six times I am sure of that being paid by consumers of hydropower in Great Slave Lake communities. They are probably 12, 14 or 15 times higher than that paid by consumers of domestic power in either Toronto or Ottawa. Bill C-13 recently passed through the House of Commons laid on the North a piece of legislation that would average out power costs throughout the Northwest Territories thus enabling residents of smaller communities to receive power at reasonable tariffs. Such has not been the case. Power rates have gone up everywhere and the Minister of Indian Affairs and Northern Development under whose aegis NCPC operates and provides power for the Northwest Territories appears unconcerned, unwilling or unable to offer a solution to our situation.

Really there should be no great problem for our federal ministers to find solutions to the above concerns. Many relating or resulting from the fact that northern Canada, in Mr. Marchand's words, "...providing the unique, environmental and social problems can be overcome, would open up access to resources which increased world prices..." The equalization of our costs with those experienced in southern Canada should be part of the price that the federal government pays for developing and extracting northern resources from these territories. This Assembly should be doing its utmost to ensure that the Government of Canada meets that obligation; but there are other concerns, major concerns, which we must be raising with the Government of Canada.

Minister's Letter Re Nunavut

The Commissioner mentioned an important matter of interest to this Legislative Assembly in his opening remarks, and that is the matter of land claims. I am sure Members recently received, as I did, a letter from the Hon. Judd Buchanan bearing on this matter, specifically on the land claims proposal Nunavut which the Inuit Tapirisat of Canada placed before the Prime Minister and members of his cabinet on February 27 this year. The Minister wrote in part to me and I quote: "As you know, the Inuit Tapirisat of Canada presented its land claim to the Prime Minister on February the 27th. I would appreciate receiving any comments you might wish to make on this proposal, either now or as the discussions and negotiations progress. I might mention that during the forthcoming review of the proposals I will be seeking the advice and assistance of Commissioner Hodgson who attended the Inuit presentation and who will be participating in the review along with senior territorial government officers and representatives of the federal government. I look forward therefore to receiving valuable assistance from the territorial government as well as the views of Members of the territorial Council."

In response to the Minister's suggestion I travelled to Yellowknife and shortly after I received the letter, met with officers of the Legislative Assembly and suggested that some preparation might be made to assist Members to begin to develop a collective position on land claims this session in response to the Minister's offer. To assist us in our deliberations, an independent objective study has been commissioned, I believe, by a Canadian scholar, which will consider the Nunavut proposal in the total context of Canadian political, economic and constitutional development. I believe that this study will be ready for Members of this Assembly the second week of our session at which time we might debate in committee of the whole some of the ramifications of the Nunavut proposal or of land claims generally.

Recommendation To Minister

By the way, I did not acknowledge the Minister's letter, with a letter or with any comments with regard to the material contained in the Nunavut proposal although I did wire him the following recommendation. "Re your letter April 15. Respectfully suggest imperative early determination of Northwest Territories Council involvement in claims negotiations be made and communicated to Council. I repeat telexed suggestion made earlier this month that auditing privileges, as granted to the Yukon Council in the Yukon claims negotiations, be similarly extended to the Council of the Northwest Territories on the current matter of the Nunavut claim and the anticipated joint claim of the Northwest Territories Indian Brotherhood and the Metis Association. Such recognition of interest of all northern people, should provide a productive dimension to the proceedings. Respectfully."

As I mentioned, I think it is right and fitting that this body should discuss and examine the Nunavut proposal, for in truth this Assembly can not ignore the fact of land claims, no more than we can ignore the very real fact of petroleum development, and the fact of development, economic development of the Mackenzie River Valley, and particularly of the Mackenzie River Delta, and off-shore in the Beaufort Sea, soon is most real and is of utmost significant concern to this Legislative Assembly. While recognizing that the Mackenzie Valley Pipeline Inquiry is still sitting, and recognizing that the final report of Mr. Justice Thomas Berger is not expected before the end of the year, I believe that the major decision to proceed has already been made by the Government of Canada. A harbinger of this attitude was the decision last month to approve Dome Petroleum's application to drill exploratory holes in the floor of the Beaufort Sea this year.

Regulations Re Petroleum Leasing

We are also informed that the two ministers responsible for petroleum development in Canada, the Hon. Judd Buchanan and the Hon. Alastair Gillespie will, this week, be issuing jointly the regulations, the long awaited regulations covering petroleum leasing and royalties in northern Canada. It is expected that these regulations will give increased incentive to the petroleum industry to get on with the job of finding and delineating new petroleum reserves on Canada's northern frontier. I believe we are on the verge of a development explosion, at least an explosion for a land area containing some 20,000 inhabitants, and I am sure that we are not prepared for it. Now, when I say "we" I mean this body, this Legislative Assembly, we do not

have in place one shred of legislation that will be required to protect the lifestyle of northerners, his environment and ensure and enhance northerners' opportunities and rewards, collectively and individually, as full partners in this development. I am convinced that the Government of Canada has finally made its decision on development in the Canadian North and it is going ahead. Fortunately, or unfortunately depending upon how you look at it, the government has not issued policy parameters relating to that development.

Input Into Policy Should Be Ensured

We should be sure that we have a real input into that policy when it is being made, rather than be overlooked and seek to make amendments after the fact. Now is the time to tell the federal government that we want in; we want a reasonable share of the resources southern Canada will extract from this land and a real say in the policies developed to effect such outside resource exploration and development of the North. However, there is another occurrence of alarming proportion if one believes the news media that could affect and alter the lives of northern people. This is best illustrated by referring to two representations made before Judge Berger in Calgary last week. Judge Berger on a number of occasions has quoted F. R. Scott who described the North as "An arena as large as Europe, silent, waiting for the contest." The metaphor is probably apt, and I suggest that we must change that situation, but to Calgary and representations made to Judge Berger there. Calgary's Mayor Rod Sykes, spoke regarding land claims and I quote him in part, and this is Mayor Sykes speaking.

Mayor Sykes Quoted

"I believe that Canada is one nation and that is a nation of immigrants, and I believe that all are equal in all of their rights no matter what the date on their ticket may be. The fact that some claim to have been here longer than others means nothing in our concept of nationhood. The fact that some can not even produce a ticket does not mean that government meant them to be first any more than it means they are illegal immigrants. We are all the same, all one class of Canadians and none with more rights than another. Certainly none with a valid claim to destroy Canada by carving out bits and pieces of territory here and there or even to settle such claims for cash on a blackmail basis. I am amazed that Canadians have tolerated so far and financed the talk about land claims and compensation claims by people who in many cases would rather talk than work. I think, however, many Canadians have had enough of this nonsense and are not prepared to tolerate much more. Let me state again that there can not be special political rights and privileges for some over the interests of all Canadians."

Later on in his presentation Mayor Sykes said: "There can not be special territorial gifts or cash in lieu for some at the expense of all Canadians. Let us get on with the job. Build the line and build it now. We can not afford more waste and more delay. The interests of Canada as a trading nation in a competitive world must be paramount because the interests are related directly to the economic survival of all Canadians."

Position Not Endorsed By House

Now, this house does not and can not endorse this position of Calgary's Mayor. At least the former Council of which three Members remain in this house, yourself, sir, the Hon. Member from Baffin South, Bryan Pearson, and myself who sat on the 7th Council of the Northwest Territories formally indicated on two occasions I recall that we wished, and I quote, an operative motion: "To see an early and equitable settlement by the Government of Canada of the moral and legitimate claims of native residents of the Northwest Territories. However, I fear that Members of this house and leaders of Northwest Territories native organizations should be keenly aware that there are many, many Canadians who would support the position put forward by Mayor Sykes, and that the glowing press release jointly issued by the Metis Association and the Indian Brotherhood of the Northwest Territories following a week of appearance as part of a native land settlements week is highly suspect. For Members who did not see or hear that press release I quote the opening paragraph: The Canadian public is overwhelmingly in support of a just land settlement which will grant self-determination to the Dene (Indian and Metis people) of the Northwest Territories. I seriously question that assertion and I believe that Mayor Sykes speaks for a larger body of Canadian citizens than most of us expect."

Berger Commission Remarkd Upon

However, there was another aspect of Mayor Sykes' remarks with which I could agree, and which I am sure gives Chief Justice Berger cause for personal disquiet with regard to the carrying out of his mandate from the Government of Canada, and again I quote Mayor Sykes. I apologize, sir, for these quotations but I think Mayor Sykes' comments in Calgary are worth repeating in this chamber. Mayor Sykes said:

"The commission has provided a platform for trouble-makers attacking the territorial unity of Canada, threatening the energy resources supplies of all Canadians and putting up claims that some Canadians have more rights than other Canadians. In the name of freedom of speech and the right to be heard, people whose fundamental interest is self-interest rather than national interest have exploited the process and so doing they have discredited it to some extent in the minds of many silent Canadians. This is regrettable but it is by no means my most serious concern. I believe that the process of consultation has been used consciously by some and unconsciously by others to exploit the fears and concern of simple people whose fears derive in the main from their ignorance, to set up an implied threat of violence and acts of sabotage if payment in land or money or both is not made, to all Canadians."

I would skip over a portion here. "Finally, I believe the process will create distrust of the principle consultation itself because the fact is that simple, unsophisticated people believe that consultation means that not only that they will be listened to, but that their views will have some identifiable effect on decisions even if they have little of rational value to say. This is not necessarily so and it should not be so. They are led to believe, too, that sheer emotion, sheer numbers, the head count system can not only substitute for fact and reason but can conquer fact and reason. They deceive themselves but they are nonetheless bitter later on and they can be relied upon to claim that they were deceived. The truth is that an innocent belief in the effectiveness of applied ignorance, backed by emotional propoganda, by threats and even by numbers can not prevail in the real world of national interest and competitive survival. The inevitable result will be shocking disillusionment and great bitterness which will be exploited politically. The commission has shown a truly remarkable degree of patience and has carried out a challenging assignment with thoughtful courtesy. The commissioner's patience and courtesy will make the ultimate disillusionment much the more devastating.

"The imperatives of energy demand in a competitive world in an international market economy in which Canada works and trades to live, dictate that the paramount interests of all Canadians must govern. That its interest is self-evident and I believe the decision has been made for us already as a matter of competitive survival by forces beyond our control."

Expectations Unrealistic

I believe that much of what Mayor Sykes said in that last portion I read is very true. It is a very real possibility. I believe that people, native people especially who appear before the Berger Inquiry share unrealistically heightened expectations and I believe also alas that the disillusionment and the anger that Mayor Sykes describes will occur following the publication of the Berger Inquiry's report.

I suggest we, the people of the territories, will inherit the whirlwind of the federal government's making and we should be planning to do everything possible to diminish that disillusionment and ensure that participation of all northerners in the opportunities that development will bring really occurs. There is a little footnote here. I think that Judge Berger has been given an impossible task. If I occupied the good judge's chair, I am afraid that I would have fears that I had been given a set of horns or was, keeping in the goatherd's idiom, being set up as a lamb for slaughter or being voted scapegoat of 1975 and 1976. Because of the manner in which the judge is conducting his hearing, much material is entered that is questionable and most probably false. In addition, Mr. Berger has generously funded pressure groups whose presence and position has been ably and fully represented at his hearings.

Minister Should Answer Questions

I believe for balance and in the name of objectivity that the Minister of Indian Affairs and Northern Development, the Hon. Judd Buchanan should appear before Judge Berger and set the

record straight or at least answer many of the unsubstantiated charges and claims and criticisms that have been levelled at government, both federal and territorial, during the term of the hearing. He need not be subjected to questions but the record requires that such an appearance be made and the material communicated and questions answered and the many charges be answered and the questions raised during the Mackenzie Valley pipeline hearing.

Native People Being Pushed

Now, what happens if participation of northern peoples does not occur? What then? Ed Burnstick of Edmonton, Canadian director of the American Indian Movement (AIM) who spoke before Judge Berger last week in Calgary -- are his comments the reality? Is the headline that appeared on the Albertan for Saturday, May 15th "Inquiry told guerrilla war a possibility" -- is that the reality, Mr. Speaker? Members of this house, is guerrilla war a possibility? Nelson Small Legs, leader of AIM's southern Alberta chapter, is reported in the Albertan as saying that his people do not condone violence but are trained in guerrilla warfare. I should read Mr. Burnstick's comments as provided in the Albertan. "If these people are forced to take violent steps, when the American Indian Movement will back them, and we will back them to the fullest extent possible." Here is Mr. Berger's arena, too soon at hand for those of us who live in the territories. The vast majority of native people in the territories to my knowledge abhor violence and anger. We are being pushed and pulled by forces behind our control.

News Media Irresponsible

The news media, irresponsibly pulls our string hoping for a headline on next days sheet. The old lady Canadian Broadcasting Corporation is also culpable. Witness the story appearing the CBC National News in the morning following the opening of Peter Gzowski's new late television show "90 Minutes Live" in which Judge Berger appeared as one of Gzowski's guests. Next morning the CBC saturated the nation's air waves with the following news story. I believe it is worth reading in total because it so clearly demonstrates journalistic irresponsibility and incompetence and even worse incites the violence, the violent thoughts and attitudes spoken of by Burnstick and Small Legs.

This is the newscaster: "There are threats of violence by native people if a pipeline is built before settlement of their native claims in the North. The judge who is head of the Berger Inquiry into the proposed Mackenzie Valley pipeline was interviewed last night during the network debut of the CBC television show '90 Minutes Live.' Mr. Justice Berger responded after the host of the program read a letter in which a native threatened to blow up the proposed pipeline. The judge said the people of the North must be listened to." Then here is the judge's quote.

This is the voice clip that appeared on the CBC National News to justify the statements of violence in the headlines. This is Judge Berger being quoted. "We have to remember that the North is now our last frontier. And once we have crossed that frontier there is no other frontier beyond. It seems to me that we have reached a point where we have to pause, we have to look at where we are going and we have to listen to the people who have been speaking to me, speaking up and speaking out at my Berger Inquiry for the past year. All the peoples of the North, white, Indian, Metis, and Inuit. Can I recite a little bit of poetry? The Canadian poet F.R. Scott described the North as 'An arena, large as Europe, silent, waiting for the contest'. Well, the contest has begun and it is my responsibility and I think the responsibility of all Canadians to see that the North and its peoples are not the losers in that contest."

How about the responsibility of the CBC who lead off with a headline "There are threats of violence by native people..."blowing up pipelines? Did the judge say that, sir? Not at all. The judge did not say that. It was the CBC that said that. No wonder there is talk of violence in this land when we have irresponsible reporting and irresponsible press and that is only one sample that I can show you and bring to this chamber.

Northerners Must Serve Themselves

Northerners are not a violent people. Who serves us? Who is serving themselves? Obviously we must serve ourselves. On February 12th, speaking to my motion calling for the early establishment of land claims negotiations in the Northwest Territories, on that occasion I recalled how some two years back while addressing the Yellowknife Rotary Club I recognized "that native leaders in the Northwest Territories are carrying a very great responsibility and a terrifying burden" and..."that if white northerners did not extend the hand of friendship and encouragement to such leaders then the philosophical vacuum around them would be filled with outsiders with new frontiers to conquer and their own dreams of establishing a new society north of 60. I noted in closing "...the appearance on the northern scene of our own warrior society..." While recognizing that the vast majority of northern peoples abhor violence, I accept there is a small group who would consider violent means to attain their ends. I believe the 550 pounds of dynamite stolen from Cominco is still missing. I wonder where it is?

Minister's Statements

However, after so speaking on the Thursday of the unceremonious overthrow of a native leader in most curious circumstances, the Minister of Indian Affairs and Northern Development on the following day, Friday the 13th, a fitting day for such an announcement, used this chamber and the Members of this house as a living backdrop while he informed the radical remnant of the Brotherhood organization following the removal of their leader that, and I quote from his speech: "...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."

He sat right up there, sir, and made that statement. Here the Minister stated his intention to fund the very dimension of the Northwest Territories Indian Brotherhood that he had so soundly castigated and rejected in his comments on December 10th, 1975. I wish to read that statement again too that he made on December 10th, 1975 and I quote the Minister: "The Dene Declaration contains statements which I as a Minister of the Government of Canada can not accept. It states..."and he quotes the Dene Declaration: "What we the Dene are struggling for is the recognition of the Dene nation by the government and people of the world." The Minister said he rejected this statement, and goes on to say: "The native people of the North are citizens of Canada. They are and will be represented in the world community by the Canadian government." The Dene Declaration also states: "That the Government of Canada is not the government of the Dene, the Government of the Northwest Territories is not the government of the Dene. The native people of the Northwest Territories have shown that they can be and are active participants in both levels of government."

Here he is referring obviously to the House of Commons where Wally Firth sits as a member, a native resident of these territories sits as a member who represents the interests of us all and obviously too he refers to this house in which many native people of the territories represent the interests of their constituents: "These are the governments of the native people of the Northwest Territories and of all residents of the Northwest Territories." He quotes the Dene Declaration again.

Dene Declaration Quoted

"Our plea to the world is to help us in our struggle to find a place in the world community where we can exercise our right to self-determination as a distinct people and as a nation.' The Government of Canada can not accept such a plea even in a burst of rhetorical extravagance. I have looked at the Declaration as a whole and the previous statements of the Indian and Metis leaders that they claim full title, including resources, to 450,000 square miles of the Northwest Territories. This is all the land in which 15,000 Indian and Metis people have been inhabitants.

This leads me to believe that they see the land claim as resulting in total economic, social and political control over the North. I hope that the Dene Declaration does not mean these things. I hope that it is the expression of the legitimate concerns regarding the land claim; a legitimate concern of the pace and nature of resource development; of a desire for a substantial share in the economy of the North; and of a desire to see the existing political institutions serve them better."

The Minister said that on September 10th, 1975, in Yellowknife. My information, and here I am speaking myself, my information suggests that since February 6th of this year the Minister has turned over to the leaderless, and I stress that word leaderless, Northwest Territories Indian Brotherhood organization an amount exceeding \$0.5 million with \$150,000 paid into Brotherhood accounts during his most recent visit to Yellowknife, an agreement turning over an additional \$100,000 each month for the next three months.

Philosophies Are Concern

I am concerned, I am concerned about the leaderless situation of the Brotherhood, I am concerned about philosophies which I have heard espoused by members of that directorless organization and I wish to enter here not just rhetoric or words but material from a document which I believe to be a document of that organization, which capitalizes my concerns and I am sure the concerns of all the Members of this house. I refer specifically to a memorandum of the Indian Brotherhood of the Northwest Territories dated April 17th, 1975 which was circulated to all field workers. I will not concern myself with the body of the memorandum, although there is a jolly note recognizing that "Cambodia has fallen to the people's liberation movement today. Three cheers to the movement." However, what most concerns me is the reading material recommended by the

organizers. I am concerned that the Government of Canada, that the Canadian taxpayers should have purchased such a library of reference material for local native organizations, and what is contained in this group of papers is a reference reading list. I would like to read this into the record, if I may. These are books that have been recommended to members of this organization in the field: "We Are Everywhere" -- Jerry Rubin; "Between Ideals and Realities" -- Svetozar Stojanovic; "The Colonizer and the Colonized" -- Albert Memmi; "Pedagogy of the Oppressed" -- Freire; "Fidel Castro Speaks" -- Kenner and Petras, Editors; "Soul on Ice" -- Eldridge Cleaver; "The New Socialist Revolution" -- Michael P. Lerner; "The History of Quebec" -- Leandre Bergeron; "Revolution for the Hell of It" -- Free; "Reveille for Radicals" -- Saul D. Alinsky; "The Wretched of the Earth" -- Frantz Fanon; "Bury My Heart at Wounded Knee" -- Dee Brown; "The Autobiography of Malcolm X" -- Revolution in the Revolution" -- Regis Debrary; "Soledad Brothers, The Prison Letters of George Jackson; "Mau Mau from Within" -- Barnett and Namja.

There are some interesting pamphlets recommended too and I will read these into the record: "Mozambique Revolution -- Ten Years of People's War". Here is one and I do not know how it got in here, "Economic and Social Indicators" by the Economic Council of Canada" probably for balance. "A Social History of Manitoba Metis"; "Why do we Support the PELP?"; "Principles of Liberation Support Movement's Anti-Imperialist Work"; "Getting Hip to Imperialism: Alcan, Jamaica and Cabora Bassa"; "The Organizer -- Story of Temba Mayo"; "Toward an International Strategy" by Don Barnett; "Notes on a Strategy for North American Revolutionaries"; "There will Come a Day ... Imperialism and the Working Class" by Gotfred Appel; "Tanzania: Party Guidelines"; "Institute of Social & Economic Research Report"; "LSM (Liberation Support Movement) NEWS"; "Posters and Films to Follow".

Philosophical Struggle

The Minister and his advisers are doing a great disservice to northern people, the people he is pledged to serve. In Yellowknife recently he termed the Dene Declaration -- gobbledegook, as a document which could be turned out by a grade ten student in 15 minutes. Nothing could be further from the truth. I doubt if the Minister himself could fashion a document as finely turned and so full of meat as is a goose's egg. Surely he must be aware, or his assistants be aware, of the very real philosophical struggle currently rending the Brotherhood organization of the Northwest Territories. It is nonsense for him to look askance at the struggle and to blame native people for not getting together and working out their differences. He must recognize that his government and department, operating on the principle that the universe will unfold has irresponsibly permitted outside forces to enter the Brotherhood organization and tear it apart with their attempts to create a new social society, a new social order north of 60. The blame lies not with native people, sir, but with Judd Buchanan, the Minister of Indian Affairs and Northern Development. He must not be permitted to escape his responsibility to native people, generally, and to this Assembly particularly. However, enough abuse and arguments. Where do the solutions lie, where do answers lie, where does leadership lie? Here, the people of the North should find it here. We have been elected to provide leadership, direction, guidance, advice, and let us do it. Let us get at it! How then?

Sessions Not Adequate

We must take steps to convene our Legislative Assembly more frequently, or sit for extended periods of time. A three week financial session in January and a two week legislative session in May or June are no longer adequate for the challenges that confront us.

Two, early and broad ranging discussions must be entered into with the Minister of Northern Development and his senior officials dealing with the development of a comprehensive policy for providing extraordinary funding for financing development outside of the annually negotiated federal-territorial financial agreement, so as to alleviate development stresses and growth strains in high impact Mackenzie district communities.

Three, we should be moving right now to develop a body of territorial legislation to meet the anticipated growth pressures, legislation which will ensure and guarantee the rights and opportunities of all territorial residents. If we have in place or in draft form, the legislation package required in a rapid growth frontier situation the strains of change could be markedly diminished.

Four, we must examine the whole matter of land claims in the North, rationally and positively, because the result of the land claims negotiations could irreversibly alter the aspect and evolution of northern institutions and, most certainly, of the Legislative Assembly of the

Northwest Territories. In short, we must begin to govern ourselves, soon, because time presses us. Thank you, sir.

---Applause

MR. SPEAKER: Mr. Lyall?

Mr. Lyall's Reply To The Commissioner's Opening Address

MR. LYALL: Mr. Speaker, I rise to second the motion of appreciation to the Commissioner's Opening Address moved by the Hon. Member for Inuvik, Mr. Butters.

Mr. Speaker, after observing a government in action and after meeting with my constituents I would like to say some things about education, social assistance, local governments and the land claims settlement. First, education. The Department of Education is promoting the integration of Eskimo culture and language into the school system, but I do not think that this work is progressing fast enough. The senior management of young life seems to be giving the process the necessary thrust but I do not believe that the staff at the community level are responding fast enough. There seems to be a reluctance to release school responsibilities to advisory boards.

Integration Of Eskimo Culture And Education

Spence Bay is a fine example of the culture, language and education fully entwined. Coppermine and Gjoa Haven have also been making a sincere effort to integrate classroom curricula. However, in general, the mixing of Eskimo language and culture with the English education system has been moving too slow and I want to know why. Headquarters people at the education office should be promoting integration of school programs at the school level in the settlements. I would like to ask the Department of Education for their specific plans for each community in my constituency for encouraging and enabling people to go to the schools and form curricula based on English culture. I would like these plans to be forwarded to me and to the communities as soon as possible.

Turning next to social assistance, it seems that is an issue that is still a major factor in determining the economic framework in most settlements. When I first became a Councillor people asked me why there was not more social assistance. People do not ask us questions as much as they used to. Perhaps something has happened so that the people are less worried about social assistance, or maybe there are more jobs and maybe the people are not being provided with the necessary opportunity to discuss this matter further.

More Local Control Of Social Assistance

Something should be done to provide the opportunity for more local control in the running of social assistance and control of social assistance. Control in running social development and control of many liquor problems that we have. Perhaps the Legislative Assembly would consider allocating funds to train more Inuit people in this area of responsibility.

The third topic I would like to remark on is local government. It appears that local government has advanced to the point where people are now ready to assume even greater responsibilities. The people in the settlements want to have more local control, the development officers with Northwest Territories Local Government should increase their efforts and be giving more resources to assist the communities to prepare for greater responsibility. Perhaps the councils in my constituency should meet together three or four times a year so that I can gather their views and can make resolutions and give direction to the government in that area. There should be more funds available for the settlements in my district for regional council conferences to bring all the communities together, to discuss common problems of local government on a regular basis. Young people are being included in the government of local communities and this is another reason for development officers to step up their assistance, particularly in the area of training councillors and their staff. I would like a response on this matter from the Commissioner.

The final topic I would like to discuss is a native land claims settlement. I think the Legislative Assembly should support the idea of the settlement of native land claims before more gas, oil and mineral development is permitted and the Assembly should pass a motion to this effect. The Assembly has postponed the political development policy paper until land claims are settled. The sooner the land claims are settled the sooner the Legislative Assembly can

proceed with the development of political policy as well as the economic issues. The federal government seems to be taking its time in responding to Nunavut and bringing about a land claims settlement.

Understanding Of Land Claims Needed

Since land claims is a major issue for all of Canada, and especially in the Northwest Territories for our political and economic future we should ensure there is a thorough discussion and understanding of the land claim. We should be patient with the native organizations and the federal government and make sure we ourselves ensure our constituents know what land claims will mean for future generations. While we would like to see land claims settled as soon as possible, we should do nothing that will delay this from happening and avoid any statements that are going to create bitterness and misunderstanding among the people in the Northwest Territories.

I would like to congratulate the Inuit Tapirisat of Canada on their proposal, but also say to them that they still have much work to do in the communities. I say in the communities because I think they should have more people informed, the people in all the settlements about what the land claim settlements really mean.

This will take time but I am sure ITC is making every effort within this area. We as a Legislative Assembly should not interfere with their responsibilities but we should see our constituents are getting information about the land claims and about resource development that they do need. Thank you very much.

---Applause

MR. SPEAKER: Are there other speakers, gentlemen, who would like to speak now? There is only 15 minutes, so presumably someone who planned to be fairly brief could speak now. If there are no persons who wish to speak now, should we adjourn early for lunch and come back and see who would like to speak after lunch? Agreed?

---Agreed

This Legislature stands recessed until 2:30 o'clock p.m. in the afternoon.

---LUNCHEON ADJOURNMENT

MR. SPEAKER: Gentlemen, the Legislature will come to order. Turning to the orders of the day, Item 5, replies to the Commissioner's Opening Address. Mr. Parker, you have something to say, I believe?

DEPUTY COMMISSIONER PARKER: Thank you, Mr. Speaker. I received a message over the luncheon break from the Commissioner who had travelled to Fort Smith to greet the Governor General and his message was that inadvertently he had missed page five of his address for which he apologizes profusely to Council Members and to the public, I am sure. In fact when the speech was collated page five turned out to be a blank page in his text. Everyone else, when it was distributed later, Mr. Speaker, had page five. If I could, therefore, prevail upon your goodwill and on his behalf, perhaps I could read page five into the record.

MR. SPEAKER: Agreed.

DEPUTY COMMISSIONER PARKER: Thank you.

Addition to Commissioner's Opening Address

"In February the Inuit Tapirisat of Canada presented their Inuit land claim proposal entitled 'Nunavut' to the Prime Minister and his cabinet at a special session in the railway committee room of the House of Commons. The presentation was well done and all those who were present were most impressed. Since that time there have been several clarification meetings held between government and Inuit Tapirisat representatives.

"As you know, the subject of land claims has been with us for a long time and yet there has been very little discussion in this Council on the subject. The territorial administration will join with other members of the Minister's staff in reviewing and making recommendations on Inuit Tapirisat's presentation, for the Minister's consideration. It would seem to me that as this matter is of major concern to the people of the Northwest Territories, Council Members might like to put together an official position for the Government of Canada's consideration. The former minister, The Hon. Jean Chretien, authorized funds for this purpose. Consequently, arrangements have been made for Council to hire their own staff in order to put together Council's views on the proposals."

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Parker. Are there Members who wish to make a reply to the Commissioner's Opening Address? Mr. Nickerson.

Mr. Nickerson's Reply

MR. NICKERSON: Mr. Speaker, before I start on the prepared part of my address I would like to make a comment on one of the points brought out by the Commissioner in his words to us this morning. He suggested that the Legislative Assembly should present a brief to the Berger Inquiry and quite frankly, Mr. Speaker, I am astounded by this proposal. I can see no reason why the Commissioner should suggest this. This is not just because the Berger Inquiry has degenerated into a second rate farce but it is because the Legislative Assembly has no business, no business whatsoever appearing before the Berger Inquiry. As a body we should be above that sort of thing, although, of course, individual Members should be able to do as they feel free. Any recommendation that the Legislative Assembly has should, of necessity, carry far more weight than recommendations of the special interest groups such as private corporations, municipalities, chambers of commerce, native organizations and any recommendations that we have should be communicated directly to the cabinet and not through an intermediary of doubtful competence.

Native Land Claims

Mr. Speaker, Hon. Members, in my reply to the Commissioner's Address I intend to deal with a most important issue facing us in the Northwest Territories today. That is the matter of native land claims. Until these matters are resolved they form an almost insurmountable stumbling block to any form of progress being made in our territories. I myself am optimistic that once the native people recognize that in the past they have been misled, ill-advised, and indeed exploited by those who would use the legitimate concerns of the

native peoples as a vehicle for their own phony ideologies. We can, by working together, engineer an acceptable solution and get down to the business of running this country for the betterment of all. What I intend to do today is to make public the contents of a letter written by myself to the Hon. Judd Buchanan a few weeks ago in reply to a query from his as to my views on the Nunavut proposal put forward by the Inuit Tapirisat of Canada. The letter reads as follows:

"RE: NUNAVUT PROPOSAL AND RELATED ISSUES

Thank you for your letter of 6th April, 1976 giving me the opportunity of commenting directly to yourself on the Inuit Tapirisat land claims. I am pleased to note in your letter that the Commissioner of the Northwest Territories and senior territorial government officials will be participating in the discussions if not the actual negotiations with the Inuit Tapirisat and federal government. I consider it important that although such negotiations are primarily a federal matter the views and representations of all the people to be affected by any settlement will be taken into account.

In preparing this reply to your letter I have consulted a number of people, Eskimo people, non-Eskimo people living both within and without the Nunavut area and people involved with the resource industries operating within what may become Nunavut. Although I have taken their views into account those which follow are my own ideas. Since my reply runs to some length I have taken the liberty of preparing the attached summary which you might find useful.

" I RACE RELATIONS IN THE N.W.T.

I strongly subscribe to the view of which you were forcefully made aware by a number of Members of the territorial Council when you were in Yellowknife last February. That is that all territorial residents should be treated equally under the law -- we are all people. Unlike the federal government the territorial government has always enacted legislation without regard to race except in a few areas such as game where we operate under restraints to the contrary imposed by virtue of the Northwest Territories Act. I would have this state of affairs continue and would have other levels of government do likewise. The creation of separate 'classes' of Canadians divided because of historical considerations as to how and when their ancestors arrived in this country is fundamentally wrong. It is as wrong between natives and non-natives in the Northwest Territories as it is between French and English speaking peoples in the over-all Canadian context.

"In the territories we should be working towards a truly multi-racial and multi-cultural society and I see the Nunavut or similar proposals as a threat to this concept in that it will perpetuate superficial differences between what should be equal Canadians living in the same area. Although we can not say we have met with 100 percent success I think the policies especially in the field of education, of the Government of the Northwest Territories have done much over the last 15 years or so to make the attainment of this goal a real possibility within the foreseeable future. I for one am very optimistic that true co-operation, mutual understanding and respect between the peoples of the Northwest Territories can be realized in short order if only the federal government would cease from its policy of what appears to many people in the territories, to be playing off one segment of the population against the other in order to retain the ultimate power unto itself.

"II IS THERE A REAL NEED FOR A LAND SETTLEMENT?

In speaking to many native people who are able to speak independently of the various native associations I find their views differ a great deal from the accepted party line which leads me to believe that certain organizations might not necessarily speak on behalf of all those people they claim to. As an aside I would be interested to find out for instance what the membership of the Indian Brotherhood would be if each member had to pay a nominal fee such as ten dollars. I strongly suspect their ranks would be decimated overnight. Most people would seem to want an assured title to the property they live on and occupy but the idea of claiming thousands of square miles of territory is foreign to them. In that it is unlikely large areas of the Northwest Territories will in the foreseeable future be utilized for agriculture, and resource developments such as oil and mining only use extremely small areas of land there is no threat to the traditional use of land for hunting and fishing and no real likelihood that

native people will be dispossessed. It would appear to me that the more vocal critics of loss of hunting grounds etc., are the very people such as the leaders of the native associations and their advisers who never themselves go hunting or trapping and who are using the issue as a device to secure the support of the older people some of whom do have a real concern but are not particularly interested in the unprecedented land grab by which the former are trying to secure for themselves as much power and influence as possible.

"In my opinion a land settlement such as envisaged in the Nunavut proposal will aggravate the situation which it is supposed to rectify and lead eventually to all kinds of inequalities. I think that there is no particular need to enter into this wholesale alienation of crown land at the present time but rather to make a reasonable allotment of land which would be used by the people living thereon. If the millions of dollars of taxpayers' money given to organizations such as the Indian Brotherhood were used for the economic and social betterment of the people they are supposed to represent rather than for the purpose of creating racial dissension, and the policies of the Government of the Northwest Territories were allowed to come into fruition, I would predict that within a generation hence the economic lot of the native people of the territories who are by no means lacking in either intelligence or capability would be on a par with that of the non-natives and any apparent need for a land settlement of the magnitude envisaged would disappear and we would save ourselves from the great potential danger which such a settlement harbours in store.

"However it would appear that the Government of Canada has committed itself in principle to a land settlement somewhat along the lines of the Nunavut proposal so I will now confine my remarks to that particular document.

"III SOME GENERAL COMMENTS

It should be made abundantly clear that any settlement entered into is a final settlement to be made once and for all. I would hate to see these things renegotiated every 25 years. A settlement should lead eventually to a state where no legislative difference exists between people of different races that is to say the idea of a special status should be given up in return for the land granted if not immediately at least over a period of time.

"Although certain provisions of the Nunavut proposal might not appear to be constitutionally acceptable to the Government of Canada at least in general terms it might be workable on account of the small number of present non-Inuit permanent residents of the Arctic. A similar proposal of course would be completely unworkable in the Mackenzie district on account of the large number of permanent and long term non-native residents who would have to be compensated for their, in effect, becoming second class citizens of the area.

"The reception in the press and by certain politicians to the Nunavut proposal was initially very favourable but I rather suspect that was because they have no real comprehension of what 250,000 square miles amounts to and because they had read only the summary of the proposal and not what it says in detail.

"IV DANGER TO THE ORDINARY ESKIMO

Under the Nunavut proposal real power would be vested in the Inuit Tapirisat and the associated Inuit Development Corporation. I perceive a real danger in that control of these organizations could find its way into the hands of a few individuals and over a period of time an elite ruling class could result which might not have the best interests of the ordinary Eskimo at heart. The safeguards built into the Canadian political system do not exist to a sufficient extent in the make up of these other bodies and at worst I can see Nunavut being ruled by a commercially oriented Inuit Development Corporation much the same way that Ruperts Land was once ruled by the Hudson's Bay Company. On paper the local community corporations control the central body but it is not hard to envisage the reverse in fact.

"V THE NUNAVUT TERRITORY CONCEPT

The idea of splitting the territories has been discussed quite frequently and I can see certain attractions. There are considerable geographic and demographic differences between the Mackenzie and the remainder and the Arctic areas are notoriously difficult and expensive to administer. What I would suggest is that with the removal of Nunavut the Yukon and Mackenzie

which have a great many similarities should amalgamate to form a new province. Together we would have the population, the resources and the revenues to create a viable new province thereby strengthening Canada as a whole. Such a move would eliminate the need for two separate territorial administrations and allow much more efficient government of the combined area.

"The proposed Nunavut boundary would undoubtedly create certain administrative difficulties and although in general the nebulous "tree line" concept is reasonable we should not leave narrow strips of land here and there. Also certain traditional Indian hunting areas exist in the barren lands and this matter must be looked into before the boundary is finalized.

"VI ROLE OF THE GOVERNMENT OF NUNAVUT

If the Nunavut proposal was adopted as it stands the Inuit Tapirisat and the related organizations would become the real government of the territory. In addition to owning and administering vast tracts of land the various racially restricted organizations would take on many of the functions of the existing territorial government and indeed the federal government. The territorial government would exist for all practical purposes solely as a dispenser of money for education and social services etc. The actual control of which would be in the hands of other organizations. Also the territorial government would have no real sources of revenue and be dependent wholly on funds from the federal government. Under such circumstances I think it would be wrong to set up a "government" with no power and no money -- it would just be a pretence and its real function could more properly be carried out by a federal agent--maybe somebody from the 'Charity Board' just to sign cheques.

"The proposed tax exempt status for the Inuit Development Corporation has certain long term repercussions in that it has the potential of becoming by far and away the most important commercial operation in northern Canada with very substantial revenues. As such it should be obliged to pay its fair share towards the running of the country.

"VII THE NON-INUIT IN NUNAVUT

The Arctic is an integral part of Canada and as such Canadian citizens should have the same rights there as they do in any other part of the country regardless of their racial origin. Some of the provisions of the Nunavut proposal such as the ten year residency requirement before a person can vote in an election are completely unacceptable and would relegate Canadians not of Eskimo origin to the status of second class citizens in their own country. I am sure the Government of Canada has no wish to see this happen and can be relied on to preserve the basic guaranties which Canadian citizenship confers.

"VIII EXISTING LAND TITLES, ETC.

It is important that present titles to land and subsurface rights be honoured by the Government of Canada or if expropriation does take place that full and adequate compensation be made.

"Although I am not particularly knowledgeable about the oil industry in that I am unable to understand how they endure such punitive levels of taxation and royalty payments imposed on them by governments throughout the world I know that in the case of the mining industry the proposed minimum ten per cent royalty on production from Inuit lands would completely and absolutely dry up any exploration and development in that area much to the detriment of Canada as a whole but more particularly to the Inuit Development Corporation itself. The whole section on mineral royalties and the various constraints on industrial development has obviously been put together by people not conversant with this rather technical subject and unless it is rewritten with a little more regard for the economic facts of life it will prove to be completely unworkable.

"I thank you again for your kind invitation to express my views on this important subject which, until it is settled in one way or another, is putting a stop to any kind of real social or economic progress in the territories. I hope my thoughts prove to be of some value and will in some way enable you to speed up the process of dealing with the Inuit and other land claims."

Thank you very much, Mr. Speaker.

---Applause

MR. SPEAKER: Gentlemen, are there any further replies? Hon. Peter Ernerk.

Hon. Peter Ernerk's Reply

HON. PETER ERNERK: Mr. Speaker, Hon. Members, Mr. Commissioner and ladies and gentlemen. It is my own custom to reply to the Commissioner's Opening Address and speak as both a territorial Councillor for the Keewatin district, and secondly speak as the Minister of the Department of Social Development. Only a month ago I had the opportunity of visiting my own constituents and am obliged to report their needs to you because they wanted me to do so at this particular session. At this time I would like to speak as a Member of the Northwest Territories Legislative Assembly, and later on speak to you as the Minister of the Department of Social Development.

Concerns In Keewatin District

It is like every region across the Northwest Territories, that the people I represent in the Keewatin district need certain items that should be improved in very special ways, and there are responsibilities that need to be met and voices which need to be heard, and because I feel I have those responsibilities I am going to go ahead and do that today. I am going to start off and just mention a few examples that my constituents wanted me to speak about during this Legislative Assembly, some of which have been dealt with by our Executive Committee, however I feel I must bring them to your attention also.

Housing

In the area of housing, the Keewatin district is certainly not in the best position compared with the other regions. The shortage of houses continues to be the number one problem and many people are continuing to live in very crowded accommodations. Many of the older houses are increasingly becoming unacceptable, simply because of two things: they are getting old and they are growing out of date. There are families in Baker Lake and Eskimo Point, the two largest settlements and in my view, the two fastest growing settlements in the Keewatin district, where depression seems to be occurring because in these two communities there are families I know of personally where more than 14 people are living in one three bedroom accommodation.

Chesterfield Inlet Airstrip

The people of Chesterfield Inlet continue to wait for improvement with respect to their airstrip because at present it is only 1000 feet long and the services in terms of mail and freight are not improving at all. We have come a long way since the days when we used to receive one flight a year or two, back in my days in Repulse Bay, but now we are asking for much more, especially since we know for sure that other places, other communities are provided with modern facilities. The people of Chesterfield Inlet are certainly expecting to see some changes in this area since they have been told these promises over and over again.

Telephone Communication

Mr. Speaker, I have chosen a subject called telephone communication in Chesterfield Inlet and Whale Cove, or more precisely it is known as very high frequency radio system, and it is not working in these two communities. I recall when the Roman Catholic priests used to talk to their fellow priests in other communities through their own radio systems. I felt that this was fantastic, and it gave the local people a chance to talk to their relatives and friends on a free-of-charge basis. I recall talking to my parents from Chesterfield Inlet, this is when I was going to school there in 1957, through the Roman Catholic mission radio telephone. I could hear them loud and clear then and, in some ways I can still hear them, I can still hear their voices saying to me, "Peter, try your best to be good to your superiors, etc., etc., etc." I tried very hard to be a good boy since then, but I feel I have turned a bad boy for a number of reasons, especially when it comes to poor telephone communications in the settlements of Chesterfield Inlet and Whale Cove.

For example, the last time I was in Chesterfield Inlet and made an attempt to call Yellowknife it went something like this: dial zero and it rings with static and the sound of the wind. Finally after trying for about an hour to get a hold of the radio operator in Frobisher Bay,

the Bell Canada operator answers, "Operator -- can I help you?" And I say, "Yes, operator, you may please. I would like to call Yellowknife. The number is 873-5363, area code 403." "Right," she answers, "Do you mind waiting for a little while because there are other callers on the line?" "Well, operator, I have been trying to get a hold of you for the past hour." "Yes, sir, but you will have to wait a little while longer." So, I tried again a little later on and finally got a hold of Yellowknife. I said, "Roger, Yellowknife Chesterfield Inlet, Yellowknife Chesterfield Inlet." This is me calling from Chesterfield Inlet. "Do you copy? Over." And the voice at the other end came out and said, "Roger, Roger, mumble, mumble, scramble and grumble tomorrow morning -- over." I said, "Roger, Roger, can not hear you. Is that affirmative?" And the voice at the other end of the line said, "Roger, Roger and more mumble, mumble some more and scramble and grumble some more -- over." So, I finally said to the operator with madness and anger in my heart and in my head, "Did you hear what was being said?" She replied, "I could not make it out either but if you want to try again later on perhaps the lines will improve then." I said, "Thank you very much," and never did try again because I knew I was going to have to pay for the call which I could not hear.

Chesterfield Inlet and Whale Cove are no longer satisfied with the kind of services they are provided with by Bell Canada. In fact, the settlement people told me a month ago that they do not even try calling other places any more since Bell Canada changed their routing system from Churchill to Frobisher Bay. Just about a year ago when I inquired about the unacceptable situations in Repulse Bay, Hall Beach, Chesterfield Inlet and Whale Cove, the vice-president of Bell Canada told me in a letter as follows -- "We presently have 17 operators in that community operating 24 hours a day, seven days a week. We try to have the number required to meet the traffic offered at the various hours of the day. We have up to seven working simultaneously during the peak hours, 9:00 p.m. and 12 a.m. It is possible in the case mentioned that the operators were overly busy due to an unusual number of simultaneous calls. However, in spite of the fact that we have three to five frequencies to each radio station the weather conditions could have been a factor that did not permit us to put the call through."

It seems that Bell Canada's weather conditions have been foggy and cloudy for the past year and there is no sign of any change. The people in these two settlements have been requesting over and over that some action be taken by Bell Canada to have some changes made. However, nothing has been done to date.

Bell Canada Plans

How wonderful it would be for the people of Chesterfield Inlet and Whale Cove to be able to talk to their friends and relatives who are receiving health care in the Churchill, Manitoba hospital. How wonderful it would be for the nurses and doctors to be able to call the airlines for emergency purposes when they suddenly occur. I tell you they are getting annoyed, cranky and angry because of the poor weather conditions that are not improving at all. These two communities must be brought into the 20th century society because only 70 miles away Rankin Inlet has been placed into the so-called civilized society and they are even receiving television service through Anik. Bell Canada last week announced its plans to establish with the least possible delay eight new telephone exchanges in the far North. Great! Tremendous! But they forgot all about Chesterfield Inlet and Whale Cove when they looked at the map.

Mr. Speaker, please allow me to make a few suggestions to Bell Canada publicly. I suggest that the top officials of Bell Canada come to Chesterfield Inlet or Whale Cove and hold a conference for a period of one month and find out for themselves how it feels to be neglected and unwanted by the rest of the world and also find out that the Roman Catholic mission radio telephones are still working well and much better than theirs.

I am not going to sit in the corner and watch the people of Chesterfield Inlet and Whale Cove ridiculed any longer. However, I will keep quiet when I finally see results that are acceptable to me and most of all acceptable to the people of Chesterfield Inlet and Whale Cove and when I am able to dial "0" and talk to Tom or Joe without having to say, "Roger, Roger, over and out." Then I might say "Hurray for Bell Canada. You did it! How come it took so long?" They would probably say, "Look, Peter, Rome was not built in one day." That is when I say to them, "Yes, but look, the CN tower in Toronto was practically built in half a day."

Department Of Social Development.

Mr. Speaker, I would now like to bring Members of the Legislative Assembly up-to-date on some of the developments which have taken place within my department in the last few months and report the progress which has been made in relation to the departmental plans which I announced in my address to the 58th session.

Transfer Of Responsibilities For Health

Since receiving the strong support of the Legislative Assembly in January, I and senior officials of the department have taken an aggressive stance towards the transfer of responsibilities from Health and Welfare Canada to the Government of the Northwest Territories. Immediately following the Legislative Assembly letters were sent to the Department of Indian and Northern Affairs and Health and Welfare Canada indicating the Legislative Assembly's wishes that an early transfer of responsibilities take place. Mr. McDermit and I later attended the regional conference of Health and Welfare Canada in Banff on April 6th to 8th and I was privileged to address the delegates at that time. Among other concerns I expressed the feelings conveyed to me by the Legislative Assembly respecting the transfer of responsibilities. I am pleased to report that our initiatives have been favourably received and an attitude of co-operation and goodwill have developed among the parties concerned.

The Legislative Assembly will be interested to know that Health and Welfare Canada have recently appointed a senior consultant to head up the studies in relation to bringing health authorities and responsibilities to the territorial administration. The Executive and members of my department met with this individual and the regional director for medical services in Yellowknife, May 11th. The consultant has been requested by the Minister of Health and Welfare Canada to have a preliminary report ready for the minister's consideration by mid-July. This report should provide a basis for the minister to consider a target date for the transfer of responsibilities. At this time I am pleased to say that the federal consultant agrees with our plan of action which is to develop a broad outline of the Government of the Northwest Territories health program and services.

Survey Of Handicapped Persons

Also in the health area my department has initiated a survey of handicapped persons in the Northwest Territories. This survey, when completed, will enable us to identify the needs of this often overlooked group of people and show us how to use the service resources available for them on a more effective basis and the location and types of conditional resources which may be required. The methodology of the study is completed and we are well into collecting the data we require.

Nutrition Program

I am also pleased to advise you that my health care plan people in conjunction with the Department of Education and Health and Welfare Canada are planning to intensify their efforts in the nutrition area in the near future. A proposal will be prepared shortly in relation to developing, co-ordinating and educational roles for nutritional programs offered by the Government of the Northwest Territories. Our objective is to design a first rate nutrition consulting service and an educational program for the institutions and residents of the Northwest Territories.

Health Needs And Resources, Central And Eastern Arctic

I announced in January that we plan to systematically investigate the health needs and resources required in the Central and Eastern Arctic. I am now able to announce that a position has been freed and recruitment will commence immediately for a senior person to begin this work. Such a study is essential to our developing a comprehensive and co-ordinated health system in these areas of the Northwest Territories.

Training And Recruitment

In January I announced to the Legislative Assembly our intention to redouble our efforts in the training and recruitment of northerners into the territorial public service. At the present time we are well along the road to devising a strategy to draw more northerners into higher level positions. The skills required in various health and social jobs are being analyzed and training priorities are being established. Mr. Bob Adams, an occupational specialist, has recently conducted a workshop to identify social work skills with representatives of our staff from across the Northwest Territories. We are working toward the development of a core curriculum and we will ultimately have resource materials and persons to enable us to have in training to acquire the skills they need relevant to their home communities. Officials from the Department of Education, Health and Welfare Canada, Manpower and Immigration and our own health and social work personnel are collaborating to accomplish this.

Social Assistance Program

My department has been mindful of the considerable debates devoted to the social assistance program in the 58th session. As a consequence we will implement on the first of June a series of changes designed to encourage employable recipients to become more self-reliant and to discourage dependency. Incentives will be provided to ensure that recipients make use of all the opportunities available to them, whether they be hunting, casual labour, or what-have-you. My staff have been directed to take a stronger stance in dealing with welfare abuse and with persons who appear to avoid work. Copies of the revised regulations will be made available to each of you.

For many years our social welfare officers have been in the difficult position of being the prosecutor, advocate and sole judge of social assistance cases. This has been an extremely difficult role and I believe that mistakes in issuing social assistance have occurred as a consequence. To overcome this we will give the communities the opportunity to appoint social assistance appeal committees.

Social Assistance Appeal Committees

This week a letter was forwarded to every community council in the Northwest Territories, inviting them to nominate three persons to be appointed to the local social assistance appeal committee. When these committees are established, it will be possible for our workers to apply the regulations literally without fear that the recipients' rights are being broached. The appeal committees will decide the contentious cases. The final level of appeal will be the Northwest Territories Social Assistance Appeal Board. It is appropriate that this important body have the direct involvement and participation of this Legislative Assembly I announced this morning that Councillor Tom Butters will be the first chairman of this board, and he has been so appointed by the Commissioner, pursuant to the Social Assistance Ordinance. Mr. Butters, as you know, has a strong interest in matters of this kind and we know that he will be of great assistance not only in handling appeals with dispatch but also in ensuring that the views of Legislative Assembly and the Appeal Board are heard in our policy-making process. A list of potential candidates for the other places on the board are presently being assembled and the Commissioner will decide on appointments shortly.

Old Age Security

In the last session of the Legislative Assembly Mr. Butters moved that my department investigate the possibility of providing additional funds to old age pensioners in the Northwest Territories. A letter was immediately dispatched to the federal Minister of Health and Welfare Canada, who is responsible for old age security. The letter recommended that increases be made, given the additional costs of living in the North. Monsieur Lalonde's reply was received only a few days ago and, unfortunately, the federal government's decision is that old age security and the guaranteed income supplement will not be for the territorial pensioners. I will table a copy of Monsieur Lalonde's reply for the information of the Legislative Assembly. In order that the financial needs of the elderly are met my department will submit the proposal for the consideration of the Executive Committee to further recommend that a change to the social assistance -- pardon me -- consideration of the Executive to further assist old age pensioners in need. Specifically we will recommend that changed social assistance regulations be adopted so that those persons in receipt of old age security and the guaranteed income supplement will be entitled to a supplementary allowance of \$60 per month in determining their eligibility for assistance. This measure will provide significant additional funds to pensioners whose old age assistance and guaranteed income supplement cheques are inadequate to meet the financial needs of pensioners and their families.

Day Care

In consequence of receiving an increased appropriation for the provision of day care, my department has recently finalized guidelines for the subsidization of programs, or of such programs in the Northwest Territories. These guidelines closely follow the direction provided us by the previous Legislative Assembly, which approved a paper, submitted on the topic. Day care fees will be assessed on the parent's ability to pay and are adjusted according to the cost of living in the various communities. Day care groups and operators were fully involved and consulted in reaching this policy. Our policy will come into effect on the first of July. We anticipate being able to respond to requests for the development of new day care projects in a number of both small and large communities in the Northwest Territories. Departmental field staff will assist communities in organizing day care projects and in order to provide funding materials.

Special Needs Of Children

Our department is undertaking a total review of the special needs of the children under the care and custody of the superintendent of child welfare to determine what changes we need to make in the range of services we now offer. In conjunction with this review we will be endeavouring to identify the needs of children and families who are experiencing problems and will be looking particularly at ways that community services can be developed that can strengthen the family and negate the need for the child to come into the care of the department. As you are aware, the Department of the Solicitor General, has put together a proposal to replace the Juvenile Delinquents Act, and although we agree that the Juvenile Delinquents Act requires updating, we do not believe that the proposed new act is pertinent to our northern situation. We feel that this new legislation requires a great deal of administration and would be extremely expensive to implement in the Northwest Territories. In our opinion the funds could be put to much better use in alleviating the problems which cause young people to be in conflict with the law rather than building up services for them after the offence has occurred. From the

feedback we have received from interested groups and individuals this territorial position is supported in the communities and we will be continuing to try to impress upon the federal representatives that any new legislation must be flexible enough to meet the special situation in the North.

Probation Services

In the last session of the Legislative Assembly concerns were expressed about the probation program. It was agreed to refer this to the justice and corrections advisory committee for study. The matter has been since presented to the committee who will examine the difficulties and identify solutions and alternatives. Due to the busy schedules of some of the members of the committee the analysis has not yet been completed but the committee hopes to be in a position to table a report at the next session. In the meantime my department plans several measures to remedy any shortfalls. The corrections' workloads are being reviewed in each of our offices and work assignments will be such that our probation officers will have adequate time to handle their caseloads. In certain larger offices this may mean that some staff will devote full time attention to probation and corrections' work. Our designated probation officers will have their roles and responsibilities clarified. Training programs will be conducted where necessary. The courts and the Royal Canadian Mounted Police will be provided up-to-date information on the lists of designated probation officers. A headquarters resource person will monitor the quality of adult probation, parole and after-care services.

Correctional Centre Program

As you know, our community correctional centre program has captured the attention of penologists, nationally and internationally. While we are satisfied that these programs have achieved their objectives in the initial stages of their operation, we are anxious to know how successful they are in rehabilitating prisoners relative to traditional forms of incarceration. The department plans to initiate an independent evaluation of these programs in the near future. While the Legislative Assembly should not expect the results of this study until well into the coming fiscal year, you may be assured that we will table the final report and incorporate any recommendations into the programs of these centres.

Handling Of Alcohol

Mr. Speaker, I would like to devote my closing remarks to the problems of alcohol and some of the measures as I see by way of solution. First I would like to congratulate the community of Frobisher Bay for its courageous and forthright actions in seeking the closure of the Frobisher Bay liquor store. I know that this will be to the great delight of the Member for South Baffin who, as you know, has recently added to his responsibilities that of chairman of the Frobisher Bay village council.

---Applause

I am pleased to say that I was able to play a role in support of the decision of this government to close that outlet. In my view we have soft-peddled solutions to the problem of alcohol misuse for entirely too long and it is time that we began once again as Frobisher Bay has done to consider prevention. The best form of prevention in my opinion is the systematic application of restraints, controls and individual disincentives to the over-consumption of alcohol, and this should be done by way of legislation. The problems my department is required to address will be substantially reduced only when this Legislative Assembly, the government and the people of the Northwest Territories are resolved to refuse the availability of alcohol. My alcohol and drug people estimate that the cost to this government which accrue as a direct consequence of the over-availability of alcohol exceed alcohol revenues very substantially. Several amendments will be introduced to the Liquor Ordinance by way of increasing penalties and improving the local option provisions of the ordinance. I believe that while these are useful measures, much stronger action must be taken by this Legislative Assembly if we are to successfully wrestle this problem to the ground, specifically I would hope that you might consider some of the following points:

One, consideration must be given to Councillor Wah-Shee's concept of increasing the residency period of voting eligibility in matters of this kind. Only too frequently is the balance upset in a community plebiscite by short term residents of the Northwest Territories who have no stake in the community other than their short term comfort and convenience. A longer residency period would enable communities to exercise their local options respecting alcohol distribution in a matter which reflects the aspirations of the people who have made their permanent homes in the Northwest Territories.

Two, substantial penalties should be introduced into the ordinance, particularly for offences such as bootlegging. No system of restraints which a community decides to adopt can succeed in the face of persons who bootleg with impunity. Minimum penalties should be introduced and increased to a level which will ensure that liquor offenders experience the right and proper wrath of the community when violations occur. We must convince the courts and the police of our seriousness in these matters.

Three, a simple majority should be all that is required to carry a local plebiscite. Requiring 60 per cent of the ballots cast in favour of a measure of restraint defeats most plebiscites before the polls open. How often does a politician receive a 60 per cent majority? A 60 per cent requirement means that almost two votes are required to defeat one. This must be changed to a 51 per cent majority if communities are to bring this problem under control.

MR. PEARSON: Hear, hear!

HON. PETER ERNERK: This Legislative Assembly would perform the greatest service to me as the Minister responsible for the products of alcohol abuse if you debate these suggestions in the context with the amendments which have been introduced.

Mr. Speaker, thank you very much for your attention.

---Applause

MR. SPEAKER: Are there further replies? Turning then to the orders of the day, Item 6, questions and returns. There obviously will not be any returns but are there any questions?

ITEM NO. 6: QUESTIONS AND RETURNS

Mr. Butters.

Question 01-59: Pension Supplementary Allowance

MR. BUTTERS: Mr. Speaker, I wonder if there have been complaints from Members or other individuals in the territories relative to the non-arrival at the end of April of the pension supplement? I understand there has been a foul-up in the federal government and the pension supplementary allowance did not get out and I wondered how many people in the territories had been affected and whether the Department of Social Welfare has examined the matter to ensure that these moneys that are coming to the elderly people are coming to them or will be coming to them?

MR. SPEAKER: Hon. Peter Ernerk.

HON. PETER ERNERK: Mr. Speaker, we are not aware of any complaints with respect to this particular matter, but we will certainly check into this situation and perhaps reply to Mr. Butters before the end of this particular session. Would that be acceptable to Mr. Butters?

MR. BUTTERS: Mr. Speaker, I noted that Mr. Lalonde was asked a similar question in the house. He admitted that there were shortcomings and that his department on being informed would get after it immediately and I would hope that our Minister would act in the same manner, get at it immediately, sir.

MR. SPEAKER: I understand that to be the nature of his response, that he would look into it. Further questions? Mr. Butters?

Question 02-59: Meeting With Minister Of Transport

MR. BUTTERS: Mr. Speaker, I wonder if the administration has heard from Mr. Otto Lang, the Hon. Minister of Transport, whether he will be able to meet with us or visit Yellowknife in the next two weeks and discuss with us some of the problems that are presently being experienced in the territories relative to the cost of travelling over the various systems serving these territories?

DEPUTY COMMISSIONER PARKER: Mr. Speaker, I am advised that our communication to the Hon. Otto Lang has been acknowledged and we are expecting a reply shortly.

MR. SPEAKER: Further written questions?

Item 7, oral questions.

Item 8, petitions.

Item 9, reports of standing and special committees.

Item 10, notices of motions.

ITEM 10: NOTICES OF MOTIONS

Mr. Butters.

Notice Of Motion 1-59: Consideration In Committee Of The Whole, Nunavut Proposal

MR. BUTTERS: Mr. Speaker, I would like to give notice that tomorrow, May the 18th, I will move the following motion. I will just read the resolve I think. This will be in your books:

NOW THEREFORE, I move that this Assembly resolve into committee of the whole on an appropriate day during the second week of this session to consider the Nunavut proposal and Dr. Ward's analysis of it.

This will be in the Members' books.

MR. SPEAKER: Further notices of motions?

Mr. Nickerson.

Notice Of Motion 2-59: Patriation Of The Canadian Constitution

MR. NICKERSON: Mr. Speaker, I give notice that on Tuesday, May the 18th, I will move a motion dealing with the patriation of the Canadian constitution. It is a very short motion so maybe I should read it out.

WHEREAS it has been made known that the Government of Canada is considering the patriation of the Canadian constitution;

NOW THEREFORE, I move that:

I. this house believes the consent of the provinces to be a necessary prerequisite to the patriation of the British North America Act and to any formula for its amendment; and

II. the Legislature of the Northwest Territories should be represented at any conference called by the Government of Canada and to which the provinces are invited to discuss the patriation of the Canadian constitution.

MR. BUTTERS: Hear, hear!

MR. SPEAKER: Further notices of motions?

Item 11, motions for the production of papers. Mr. Butters.

MR. BUTTERS: On a point of order, sir. This is a new item on our agenda and I wonder if you could explain again how it works. Does it require a seconder or a notice of motion or what?

MR. SPEAKER: I am not sure how it works. I will have to look it up and let you know. Okay? Motions? There should not be any, but if there are? Motions?

Item 13, first reading of bills. Gentlemen, in order to give first reading of bills the house would have to give unanimous consent to do first reading because, of course, we had notice given only this morning. Is there anyone who objects to going into first reading of bills? Does the Chair therefore have unanimous consent to move under first reading of bills?

---Agreed

ITEM NO. 13: FIRST READING OF BILLS

Bill 1-59, Hon. Peter Ernerk.

First Reading Of Bill 1-59: Territorial Hospital Insurance Services Ordinance

HON. PETER ERNERK: Mr. Speaker, I move that Bill 1-59, An Ordinance to Amend the Territorial Hospital Insurance Services Ordinance, be read for the first time.

MR. SPEAKER: Is there a seconder? Hon. Arnold McCallum. Question? All in favour? Contrary? Carried.

---Carried

Bill 2-59, Hon. Arnold McCallum.

First Reading of Bill 2-59; Labour Standards Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I move that Bill 2-59, An Ordinance to Amend the Labour Standards Ordinance, be read for the first time.

MR. SPEAKER: Is there a seconder? Mr. Pudluk. Questions? All in favour? Contrary?

---Carried

Bill 3-59, Hon. Arnold McCallum.

First Reading of Bill 3-59: Wages Recovery Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I move that Bill 3-59, An Ordinance to Amend the Wages Recovery Ordinance, be read for the first time.

MR. SPEAKER: Is there a seconder? Mr. Lyaal. Questions? All in favour? Contrary?

---Carried

Bill 4-59, Hon. Peter Ernerk.

First Reading Of Bill 4-59: Interprovincial Subpoenas Ordinance

HON. PETER ERNERK: Mr. Speaker, I move that Bill 4-59, An Ordinance Respecting the Reciprocal Enforcement of Subpoenas, be read for the first time.

MR. SPEAKER: Is there a seconder? Hon. Arnold McCallum. Question? All in favour? Contrary?
---Carried

Bill 5-59, Hon. Peter Ernerk.

First Reading Of Bill 5-59: Criminal Injuries Compensation Ordinance

HON. PETER ERNERK: Mr. Speaker, I move that Bill 5-59, An Ordinance to Amend the Criminal Injuries Compensation Ordinance, be read for the first time.

MR. SPEAKER: Seconder? Mr. Lyall. Question? All in favour? Contrary?
---Carried

Bill 6-59, Hon. Arnold McCallum.

First Reading Of Bill 6-59: Teachers' Association Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I move that Bill 6-59, An Ordinance Respecting the Northwest Territories Teachers' Association, be read for the first time.

MR. SPEAKER: Seconder? Mr. Pearson. Question? All in favour? Contrary?
---Carried

Bill 7-59, Hon. Arnold McCallum.

First Reading Of Bill 7-59: Education Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I move that Bill 7-59, An Ordinance Respecting Education in the Northwest Territories, be read for the first time.

MR. SPEAKER: Seconder? Mr. Evaluarjuk. Question? It has been moved and seconded.

MR. BUTTERS: I wish to speak to it.

MR. SPEAKER: You can not on first reading. There is no debate on first reading.

MR. BUTTERS: I wanted to speak to the principle.

MR. SPEAKER: On second reading you speak to the principle. Shall I refer you to the rule?

MR. BUTTERS: No, I accept your ruling.

MR. SPEAKER: Question. All in favour? Contrary?

---Carried

Bill 9-59, Hon. Peter Ernerk -- I am sorry, Bill 8-59, Hon. Peter Ernerk.

First Reading Of Bill 8-59: Municipal Ordinance

HON. PETER ERNERK: Mr. Speaker, I move that Bill 8-59, An Ordinance to Amend the Municipal Ordinance, be read for the first time.

MR. SPEAKER: Seconder? Mr. Lyall. Question? All in favour? Contrary?
---Carried

Bill 9-59, Hon. Peter Ernerk.

First Reading Of Bill 9-59: Liquor Ordinance

HON. PETER ERNERK: Mr. Speaker, I move that Bill 9-59, An Ordinance to Amend the Liquor Ordinance, be read for the first time.

MR. SPEAKER: Secunder? Hon. Arnold McCallum. Question? All in favour? Contrary?

---Carried

I assume there is some reason why there is not a Bill 10-59 on there, but Bill 11-59, Hon. Arnold McCallum.

First Reading Of Bill 11-59: Rent Control Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I move that Bill 11-59, An Ordinance for the Temporary Control of Rents in the Northwest Territories, be read for the first time.

MR. SPEAKER: Secunder? Mr. Ernerk. Question? All in favour? Contrary?

---Carried

Bill 12-59, Hon. Peter Ernerk.

First Reading Of Bill 12-59: Legal Profession Ordinance

HON. PETER ERNERK: Mr. Speaker, I move that Bill 12-59, An Ordinance Respecting the Legal Profession, be read for the first time.

MR. SPEAKER: Secunder? Mr. Pudluk. Question? All in favour? Contrary?

---Carried

First reading of bills having been completed, Item 14, second reading of bills.

ITEM NO. 14: SECOND READING OF BILLS

Bill 4-59, Hon. Peter Ernerk.

Second Reading Of Bill 4-59: Interprovincial Subpoenas Ordinance

HON. PETER ERNERK: Mr. Speaker, I move that Bill 4-59, An Ordinance Respecting the Reciprocal Enforcement of Subpoenas, be read for the second time. Mr. Speaker, do I read the purpose of this bill?

MR. SPEAKER: Yes.

HON. PETER ERNERK: The purpose of this bill, Mr. Speaker, is to enact legislation which would provide for reciprocal arrangements with other jurisdictions for the enforcement of subpoenas.

MR. SPEAKER: Second reading is moved. Is there a seconder? Hon. Arnold McCallum. You can discuss the principle of the bill in second reading if you want, so I will call for a discussion and then the question. Any discussion? Question. All in favour? Contrary?

---Carried

I saw one finger go up. We will have to try and participate a little better than that, shall we, chaps? Bill 5-59, Hon. Peter Ernerk.

Second Reading Of Bill 5-59: Criminal Injuries Compensation Ordinance

HON. PETER ERNERK: Mr. Speaker, I move that Bill 5-59, An Ordinance to Amend the Criminal Injuries Compensation Ordinance, be read for the second time. The purpose of this bill, Mr. Speaker, is to amend the Criminal Injuries Compensation Ordinance to bring it into conformity with the federal-territorial cost sharing agreement whereby 75 per cent of the costs of the program are absorbed by the federal government.

MR. SPEAKER: Seconder? Hon. Arnold McCallum. Discussion? Mr. Nickerson.

Legislation Committee Recommendations

MR. NICKERSON: Mr. Speaker, the legislation committee sitting a few weeks ago had very serious recommendations with regard to one or two of the bills before you. One of our recommendations was that the Criminal Injuries Compensation Ordinance, as it says here, should not be proceeded with and I am quite, quite surprised to hear the Hon. Minister of Social Development get up in the house today and proceed with this as indeed I expect him to do with the Rent Control Ordinance after the recommendation of the committee, of which he is a Member, turned it down and said, "We do not want anything to do with it at this time."

Now, I will tell you what the idea behind this bill is. It is to limit the amount of money which the victims of crime can collect. Apparently, Mr. Speaker, there is a system worked out whereby the federal government will pay 75 per cent of the costs of operating this program, but only up to a certain maximum for each individual victim and it was the idea of our committee at that time that the very people who should be helped by the Criminal Injuries Compensation Ordinance would be very seriously affected by this amendment. In fact, the very people who need the help would be the people who would not be able to get the help and, as an example of this I will give you an instance: Say someone was completely paralyzed and unable to work, unable to do anything for the rest of their life, obviously this is the type of person who should receive the most money, but if this bill goes through the people in that position will only be able to collect a certain amount of money for a period of three or four years and then they will reach the maximum specified by the federal government and they will be cut off completely.

We thought that if the federal government is not prepared to pay for the cost of people who are in desperate need and who should be entitled to compensation, if the federal government is not willing to pay for that, then it should be something that we ourselves are prepared to pay for. We took advice on this subject and found that the number of people so affected would be very, very small. In fact, the amount of money that we would have to pay for cases where we were not eligible for refunds from the federal government would, to all intents and purposes, be negligible. Therefore, I think it is only right and proper that at this time we vote against the second reading of this bill.

Principle Discussed On Second Reading Of Bills

MR. SPEAKER: I should just say that it is very difficult I know in discussing certain bills not to debate the details of the bill, but on second reading the principle is what has to be discussed, not the detail, and I appreciate that it is a fine line as to when you cross over into the detail. It is very difficult in some bills not to get into some of the details if you plan to discuss it at all, but I just point it out because that is the way the Rule reads. Is there further discussion of the principle? Mr. Butters.

MR. BUTTERS: Mr. Speaker, I found the remarks of the Hon. Member for Yellowknife North most interesting and having served as a Member of the legislation committee I am aware of the frustration that one sometimes feels when recommendations are not listened to by the administration. However, before considering, I wondered if it was the intention of the administration to provide us with the rationale which motivates them in bringing forward this bill at this time, or is this possible?

MR. SPEAKER: I would have assumed that the administration at some point in the debate would like to do that. Certainly they have the right to wind up debate as you do in any motion. However, they can -- Mr. Parker, did you wish to speak, as I noticed you rising there? You do not have to but you may if you wish.

Administration's Views

DEPUTY COMMISSIONER PARKER: Mr. Speaker, I would not presume to make any move to close debate. However, from the standpoint of the Executive and on the Commissioner's behalf we meant no disrespect to the standing committee on legislation when we brought forward this bill before the Assembly. It was our wish that it could go into committee of the whole and at that time we would be in a position and better able to explain the bill to all Members of the Assembly. I appreciate that explanations were made to the standing committee but obviously those explanations did not serve to convince the Members. I suppose we are asking for a second opportunity to discuss this, to discuss this matter before this Assembly. The standing committee on legislation did not enjoy a high level of attendance and I think for that reason we would welcome very much the opportunity to bring this forward at second reading in committee of the whole and should Members at that time not support the administration's stand on this bill, of course we would accept the result of that debate.

MR. SPEAKER: Any further discussion? The question.

SOME HON. MEMBERS: The question.

MR. SPEAKER: The question being called. All in favour of second reading? Six. Contrary? No contrary.

---Carried

Bill 8-59, Hon. Peter Ernerk.

Second Reading Of Bill 8-59: Municipal Ordinance

HON. PETER ERNERK: Mr. Speaker, I move that Bill 8-59, An Ordinance to Amend the Municipal Ordinance, be read for the second time.

The purpose of this bill, Mr. Speaker, is to make minor amendments to the Municipal Ordinance in response to requests from the Northwest Territories Association of Municipalities.

MR. SPEAKER: Is there a seconder? Hon. Arnold McCallum. Discussion? The question. All in favour? Contrary? Carried.

---Carried

Bill 9-59, Hon. Peter Ernerk.

Second Reading Of Bill 9-59: Liquor Ordinance

HON. PETER ERNERK: Mr. Speaker, I move that Bill 9-59, An Ordinance to Amend the Liquor Ordinance, be read for the second time.

The purpose of this bill, Mr. Speaker, is to amend the Liquor Ordinance (a) to ensure that local liquor restriction plebiscites and regulations are valid and enforceable, (b) to provide for local option prohibition in addition to restriction, and (c) to provide for compulsory jail terms for bootleggers for second and subsequent convictions.

MR. SPEAKER: We need a seconder. Mr. Lyall. Any discussion? The question. All in favour? Contrary? Carried.

---Carried

Bill 7-59, Hon. Arnold McCallum.

Second Reading Of Bill 7-59: Education Ordinance

HON. ARNOLD MCCALLUM: Mr. Speaker, I move that Bill 7-59, An Ordinance Respecting Education in the Northwest Territories, be read for the second time.

The purpose of this bill, Mr. Speaker, is to update and revise the present School Ordinance so that it reflects the current philosophy of education and is in keeping with progressive educational trends.

MR. SPEAKER: Is there a seconder? Mr. Kilabuk. Any discussion? Mr. Butters.

MR. BUTTERS: Mr. Speaker, I do not think I will create any problems relative to the specifics of the bill, but I may be too general. I feel that Members of this Assembly have always been most unhappy with the manner in which legislation is presented to this house. You arrive in Yellowknife and we see the legislation for the first time as it is tabled. I realize that this is the stricture that the Minister has put on us but I think that this is an extremely poor way to ensure that the laws that are to be enforced or implemented in this country are examined. I feel that this is a most important bill and I regret that the text, the draft of the bill has not really been examined by the people of the North and I doubt that the very large percentage of the people of the North who will be affected by this ordinance will know what we are doing or what we are discussing here. As I said in my opening remarks I trust I will have an opportunity and support in debate in committee of the whole to have this bill deferred after we have given it full study.

MR. SPEAKER: Any further discussion? The question. All in favour? Contrary? Carried.

---Carried

That completes second reading of bills. I would like to suggest that as it is coffee time now that we go into committee of the whole to consider Bill 4-59 put Mr. Stewart in the chair and then he can adjourn for coffee immediately. Is it agreed?

---Agreed

So, Item 15, a motion to resolve into committee of the whole to consider Bill 4-59. So moved, Mr. Nickerson?

MR. NICKERSON: Yes, Mr. Speaker.

MR. SPEAKER: A seconder. Mr. Pearson. The question. All in favour? Contrary? Carried.

---Carried

ITEM NO. 15: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND RECOMMENDATIONS TO COUNCIL

This legislature will resolve into committee of the whole to consider Bill 4-59 with Mr. Stewart in the chair.

---Legislative Assembly resolved into Committee of the Whole for consideration of Bill 4-59, Interprovincial Subpoenas Ordinance with Mr. Stewart in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 4-59, INTERPROVINCIAL SUBPOENAS ORDINANCE

THE CHAIRMAN (Mr. Stewart): The committee will come to order. The hour is now 4:00 o'clock and we will stand adjourned for 15 minutes.

---SHORT RECESS

THE CHAIRMAN (Mr. Stewart): I call the committee to order. Bill 4-59, Councillor Nickerson, your committee has studied this bill. Are they ready to report to the committee?

Legislation Committee Recommendations

MR. NICKERSON: Yes, Mr. Chairman. We are very pleased that the administration has seen fit to present such legislation before the Legislative Assembly. The Northwest Territories Legislature, by adopting legislation such as this, will be creating a precedent that will probably be followed by all the provincial legislatures in Canada. Our representatives at the conference of commissioners on the uniformity of legislation in Canada have pressed for this type of legislation and we have been fortunate in that our views have prevailed and we will be taking the first step with this particular bill. What it will do in fact is to alleviate the situation that has occurred, for instance, recently with the Panarctic crash where witnesses were unable to be summoned into the territories to appear before a coroner's court and we have had similar troubles with other judicial type bodies.

The standing committee on legislation dealt with the bill as originally put forward by the administration and we are very pleased to report that they have adopted all the suggestions that we made and I think I got a kind of little bit mad with them on Bill 5-59 so I should make up for it by complimenting them on Bill 4-59.

THE CHAIRMAN (Mr. Stewart): Thanks, Councillor Nickerson.

HON. ARNOLD McCALLUM: Mr. Chairman, I think that we may have a little difficulty in this ordinance if we do not change the spelling. I think on behalf of the administration that that should be "coroner" and not "corner". That is in section 2(iv).

THE CHAIRMAN (Mr. Stewart): With the number of squares around here, I think that is sufficient. Are there any remarks of a general nature on Bill 4-59? Councillor Butters?

MR. BUTTERS: Mr. Chairman, I notice that the description is a reciprocal enforcement. If we are the only ones that have developed this legislation, how can it be a reciprocal arrangement if the other jurisdictions do not carry similar legislation on their books?

Provinces Adopting Similar Legislation

MR. NICKERSON: The conference of commissioners on uniform legislation have been given to understand that a number of provinces will adopt very similar legislation in the very near future. I do not quite know the exact number who have promised that they will do or will bring this before the provincial houses but it is a substantial number of the ten provinces in Canada. Somebody has got to go first and seeing that a lot of the initial impetus for this type of thing came for the Northwest Territories, I think that we should take the bull by the horns and go with this first on that understanding, that others will follow suit very shortly.

THE CHAIRMAN (Mr. Stewart): Mr. Legal Advisor, have you any comments?

LEGAL ADVISOR (Mr. Slaven): No.

THE CHAIRMAN (Mr. Stewart): Comments of a general nature? Are you ready to go clause by clause?

---Agreed

Clause 2, interpretation, with the correction in the spelling of "coroner". Councillor Butters.

MR. BUTTERS: Mr. Chairman, subparagraph 2(i) says: "any court in the territories..." and that means court and I understand justices of the peace court is a court and it would appear to fall within that definition and yet 2(i) refers to individuals sitting on the bench in those courts, it does not say justices of the peace. Is the justice of the peace included in the powers that are evolved as a result of going through this legislation?

THE CHAIRMAN (Mr. Stewart): Mr. Legal Advisor?

LEGAL ADVISOR (Mr. Slaven): Mr. Chairman, "court" means only Supreme Court. Magistrates are covered in the next subclause, so it would not apply to justices of the peace who I believe have no jurisdiction in civil matters and this does not apply to criminal matters or summary conviction matters, since criminal matters are outside the jurisdiction of this Legislature.

THE CHAIRMAN (Mr. Stewart): Councillor Butters?

Position Of Social Assistance Appeal Board

MR. BUTTERS: Mr. Chairman, would this ordinance apply to the Social Assistance Appeal Board?

THE CHAIRMAN (Mr. Stewart): I am afraid I will have to ask that we call on another Member. We do not at this time have a quorum. I wonder if Councillor Pearson would mind joining us. We do not have a quorum.

MR. PEARSON: Just for a few minutes.

THE CHAIRMAN (Mr. Stewart): Councillor Butters, would you restate your question?

MR. BUTTERS: Sir, I wondered if in the interpretation, subparagraph 2(iii) which says "any board", it would include the Social Assistance Appeal Board?

LEGAL ADVISOR (Mr. Slaven): If that board has the power to issue subpoenas it would apply to the Social Assistance Appeal Board. I am not familiar enough with it to say off the top of my head whether or not it does. I presume the chairman of that board would know.

---Laughter

THE CHAIRMAN (Mr. Stewart): Your day will come, Mr. Butters. Clause 2, agreed?

---Agreed

Clause 3, reciprocal enforcement of subpoenas.

MR. BUTTERS: Just before you move on, the Legal Advisor mentioned "court" refers to Supreme Court in section 2(a) (i) and 2 (c) refers to "Supreme Court" too. Is there a redundancy there in definitions?

LEGAL ADVISOR (Mr. Slaven): That is essential because we have to differentiate between the Supreme Court of the territories in the territories and all the other courts in Canada that are referred to herein.

THE CHAIRMAN (Mr. Stewart): That is why you need lawyers to make these things so difficult so no one else will understand them.

Clause 3. Agreed?

---Agreed

Clause 4, immunity from proceedings while in attendance. Agreed? Councillor Pearson.

MR. PEARSON: Are there any provinces in the country that do not have provisions similar to section 7 providing absolute immunity?

Uniformity of Legislation

LEGAL ADVISOR (Mr. Slaven): This is what is called a Uniform Act drafted by the conference of commissioners on uniformity of legislation in Canada which has been drafting Uniform Acts since 1918 and they always recommend that the uniform acts be adopted by each provincial and territorial jurisdiction exactly as they are printed, with any essential and necessary changes made. The only one that as of last summer had passed this act was Manitoba and their legislation is identical to this, except that they have not written their definition of "court" wide enough to cover boards and particularly coroner's inquests. We are hopeful that now that we have passed it and this conference is holding its annual meeting in Yellowknife this coming August, that we would be able to prevail upon other provinces to pass this legislation exactly as it is here and particularly including coroner's subpoenas and that Manitoba will amend its legislation.

MR. PEARSON: Mr. Chairman, in the case of a witness being subpoenaed from another country what comes into force there?

LEGAL ADVISOR (Mr. Slaven): Mr. Chairman, this would only apply within Canada. We could not affect a witness in another country. I believe there are provisions in the rules of court for evidence to be taken in other countries by commission but would -- it is not within our power or within the power of any province to enforce attendance by a person who is in another country.

THE CHAIRMAN (Mr. Stewart): Councillor Butters?

MR. BUTTERS: Are you on clause 5?

THE CHAIRMAN (Mr. Stewart): Clause 4. Are we agreed to clause 4?

---Agreed

Clause 5, failure to comply with subpoena. Councillor Butters?

Serving Of Subpoenas

MR. BUTTERS: Am I to understand that the subpoena here would be served, that is physically served on the potential or prospective witness? Section 3 does not indicate whether that subpoena would be given to the potential witness through the mail or would it be served or what? Would all subpoenas be served personally? And by whom?

LEGAL ADVISOR (Mr. Slaven): Mr. Chairman, they would be served in the regular manner that any subpoena of our Supreme Court is. I do not have the rules of the court here. Maybe the Hon. Speaker can help me. In what situation something other than personal service is permitted?

THE CHAIRMAN (Mr. Stewart): Councillor Searle, did you want to make any comment on the question at hand?

MR. SEARLE: I regret to say that I was not listening to the discussion.

THE CHAIRMAN (Mr. Stewart): I was fully aware you were not listening, Mr. Searle. Councillor Butters?

MR. BUTTERS: I am afraid I was not fully listening to the Legal Advisor's answer. Did I understand him to say that he was not sure how the subpoena would be served, that it would be in the regulations? Why I ask is it appears to me if a fellow is going to be in contempt of court you are subject to such penalties as the Supreme Court may impose and one would have to ensure that the subpoena were served in a manner to ensure that it gets to the person who is to receive it.

LEGAL ADVISOR (Mr. Slaven): Mr. Chairman, as I said, what applies here is that it is served according to the rules of the Supreme Court and I apologize that I do not have them here with me and not being in practice I am not that familiar with them. It would be treated exactly

the same as subpoenas that are issued every day in the territories and if you wish, I can find out and report back to the Legislative Assembly on the rules but I thought maybe the Hon. Speaker, being in practice, might be able to give an indication where something other than personal service is permitted.

THE CHAIRMAN (Mr. Stewart): Councillor Searle?

Substitutional Service

MR. SEARLE: Well, when it comes to something like subpoenas, personal service is almost invariably the method used, but the rules of courts do permit a court to authorize for instance, substitutional service, and that is used often where, say, you can not find-- take Mr. Butters, for instance, say you can not find him, but you know where his wife is. You knew he saw his wife from time to time then the court might permit service on his wife to be deemed to be service upon him. That is the sort of thing that is permitted as well. Then you can get service by double registered mail and things like that, but essentially those are the other forms that are permitted.

THE CHAIRMAN (Mr. Stewart): Clause 5? Is it agreed?

---Agreed

Clause 6, proceedings in the territories. It is agreed?

---Agreed

Clause 7, witness not subject to jurisdiction of courts. Councillor Butters.

MR. BUTTERS: While we were on clause 6 this would be the clause applicable in a situation such as occurred in the coroner's inquest of the Panarctic crash, is that not so, could Mr. Nickerson confirm that this is the section that would apply here?

MR. NICKERSON: I am sorry, Mr. Chairman, I could not hear Mr. Butters very well.

MR. BUTTERS: I saw the Legal Advisor nod his head so that is sufficient.

THE CHAIRMAN (Mr. Stewart): Clause 7, is it agreed?

---Agreed

Clause 8, additional witness fees and expenses.

LEGAL ADVISOR (Mr. Slaven): Excuse me, Mr. Chairman, I received a telex from my betters in a national capital who will remain unnamed, and they advise me that in the fourth last line in clause 7 the words "Commissioner in" should be inserted before the words "Council" and I agree with them. Mr. Chairman, that is almost as important as the correction Mr. McCallum made in clause 2.

THE CHAIRMAN (Mr. Stewart): Going back to clause 7 are we agreed to clause 7 as amended with those words being included in the fourth line from the last, reading "...jurisdiction of the Commissioner in Council..."? Is it agreed?

---Agreed

Clause 8, additional witness fees and expenses. Is it agreed?

---Agreed

Clause 9, non-application of ordinance. Is it agreed?

---Agreed

Clause 10, regulations. Is it agreed?

---Agreed

Schedule A. Is it agreed?

---Agreed

The short title. Is it agreed?

MR. NICKERSON: What happened to Schedule B? We did not agree to Schedule B yet.

THE CHAIRMAN (Mr. Stewart): Schedule B, I am sorry. Schedule A, Schedule B, I am sorry. Is it agreed?

---Agreed

The short title. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Before I report back, the hour is almost 5:00 o'clock p.m. It has been suggested that we might adjourn at 5:00 o'clock if the committee so wishes to get ready for this evening. Shall I report the bill ready for the third reading?

---Agreed

MR. SPEAKER: Mr. Stewart.

Report of the Committee of the Whole of Bill 4-59, Interprovincial Subpoenas Ordinance

MR. STEWART: Mr. Speaker, your committee has been considering Bill 4-59 and we wish to report this bill now ready for third reading.

MR. SPEAKER: Thank you. Are there any announcements? Mr. Nickerson.

MR. NICKERSON: Mr. Speaker, there will be a meeting of the standing committee on legislation at 9:00 o'clock a.m. tomorrow morning in the executive boardroom of the Laing Building to receive a certain delegation from people interested in the Education Ordinance and to continue our discussions on that ordinance.

MR. SPEAKER: Are there any further announcements? Item 16, orders of the day.

ITEM NO. 16: ORDERS OF THE DAY

CLERK OF THE HOUSE: Orders of the Day, May 18, 1976, 2:30 o'clock p.m., at the Explorer Hotel.

1. Prayer
2. Continuing Replies to Commissioner's Opening Address
3. Questions and Returns
4. Oral Questions
5. Petitions
6. Reports of Standing and Special Committees
7. Notices of Motions
8. Motion for the Production of Papers
9. Motions
10. Tabling of Documents
11. Second Reading of Bills: Bill 6-59, Bill 12-59, Bill 1-59, Bill 2-59, Bill 3-59, Bill 11-59
12. Continuing Consideration in Committee of the Whole of Bills and Recommendations to Council: Bill 5-59, Bill 8-59, Bill 9-59, Bill 7-59, Bill 6-59. Recommendation to Council 1-59 and Recommendation to Council 2-59
13. Orders of the Day

MR. SPEAKER: Council stands adjourned until 2:30 o'clock p.m. the 18th of May at the Explorer Hotel.

---ADJOURNMENT

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