



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES
DEBATES

59th Session

8th Assembly

Official Report

THURSDAY, MAY 20, 1976

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

LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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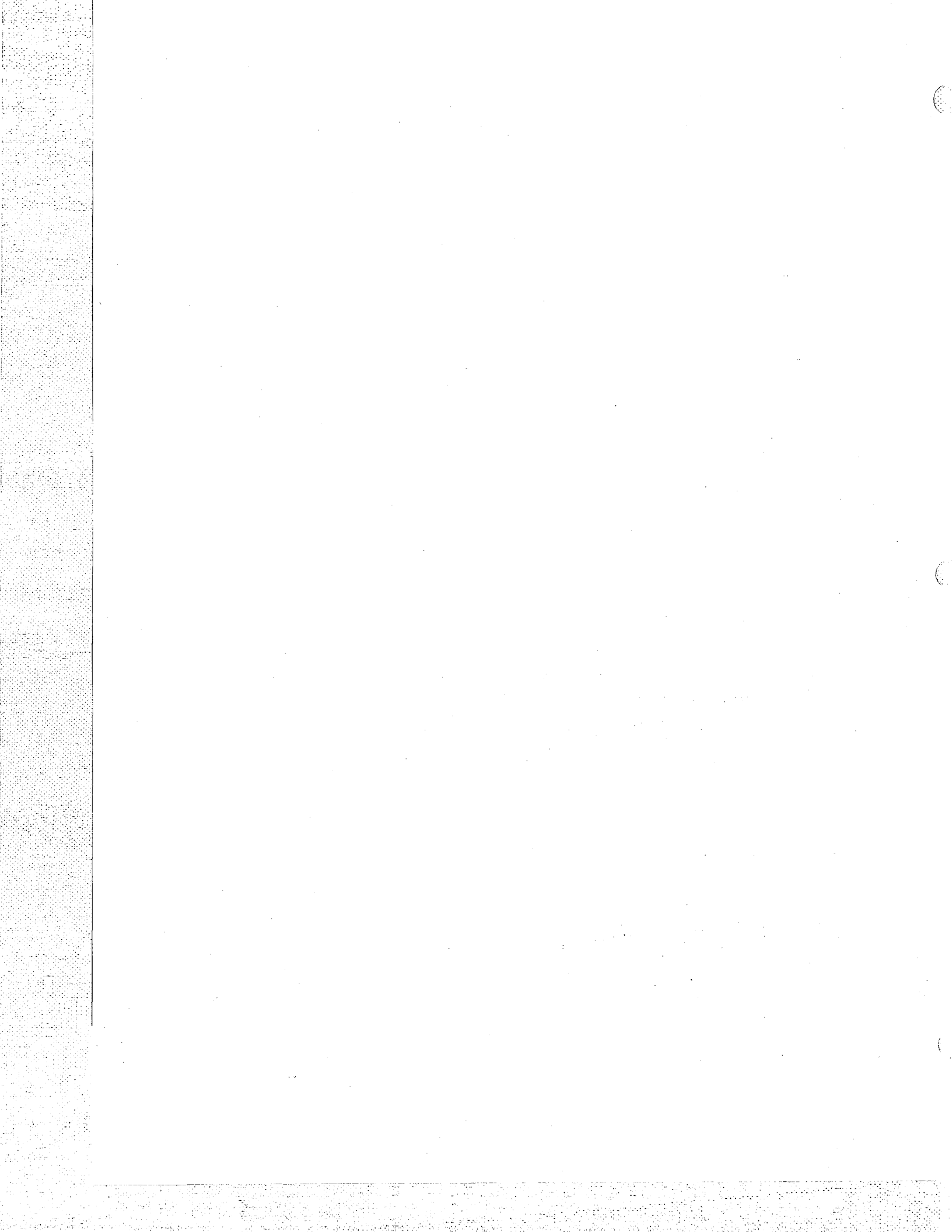
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YELLOWKNIFE, NORTHWEST TERRITORIES

THURSDAY, MAY 20, 1976_

MEMBERS PRESENT

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

ITEM NO. 1: PRAYER

---Prayer

SPEAKER (The Hon. David Searle): Turning to the orders of the day, May 20th, Item 2, continuing replies to Commissioner's Opening Address. This would be I think the last day this would appear on the orders of the day. I stand corrected, tomorrow will be the last day it will appear. Mr. Evaluarjuk.

ITEM NO. 2: CONTINUING REPLIES TO COMMISSIONER'S OPENING ADDRESS

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

MR. EVALUARJUK: Mr. Speaker, I just heard this is the last day to give replies to the Commissioner's Opening Address but at the moment I have not written my comments so I am going to make my comments in reply to the Commissioner's Address now and they will be very short comments. Also those things that happened last year that I mentioned last year, some of them have not come into effect yet concerning my land and also visiting my constituents but at that time I seemed to be ashamed to visit my constituents and I am not going to forget what my constituents want. I am not going to stop helping them. I am just going to try to get it into effect.

Telephones In Repulse Bay

First of all, the ones that I mentioned earlier concerning the telephone, it is very bad in Repulse Bay. It is very hard to talk to Repulse Bay through the telephone, and, as you are aware, the Repulse Bay people are my constituents. The only way I can talk with them is to go right to Repulse Bay. I would like to get support concerning this and also last year after the meeting when I went down to Ottawa I was with the Bell Canada executives down there and I was talking to them in person concerning the people who have no telephones. They said it was very bad. The telephone operators said it was very bad. I was told that they were going to take action as fast as they could concerning the telephone. They said that Repulse Bay has not been looked after yet about the telephone but this is very bad and it is very expensive to make phone calls. Sometimes it is very hard to get exactly what they are saying over the phone. We do not mind that in the first place. After we got used to the telephone some of the communities' telephones are very good and it seems that other communities, some communities are neglected and that is very bad.

Polar Bear Quotas, Hall Beach

Also I have said concerning polar bears, the polar bear quotas in Hall Beach where they wanted more quotas, there has been no action taken concerning that. Only Igloolik had a few more polar bears added to the quota. However, Hall Beach went over their polar bear quota. It might be that it will be a little difficult for them now. They did not do it on purpose when they went over the polar bear quota. I asked last year for Hall Beach to get more quotas. I would

like it very much if the Hall Beach people do not go to court about going over the polar bear quota.

That is all I have to say now at the moment. I have not written any comments. Thank you very much.

---Applause

MR. SPEAKER: Are there any further replies to the Commissioner's Address? Mr. Stewart.

Mr. Stewart's Reply To Commissioner's Opening Address

MR. STEWART: Mr. Speaker, my apologies for the delay. In rising in reply to the Commissioner's Opening Address, I would first like to assure you, sir, and the Members of this Assembly, that I am not about to enter into contention for any oratorical records here. I do not have the tenacity to tackle the two hours and ten minutes it took my former Councillor colleague Duncan Pryde to put the house to sleep. I can do that in ten minutes. As well, I lack the temerity to emulate the eloquence of Mr. Butters, who so effectively addressed this Assembly on Monday.

Future Of The North Important Issue

Although the time I have to talk here could, perhaps, be spent by me in bringing up issues which affect my constituency, I, along with the Commissioner, and in common with Mr. Butters, feel that the most important issue facing all northerners at this time is the future of the North itself. I know that my constituents are not sufficiently selfish to relegate the ultimate destiny of the Northwest Territories to the immediate needs of the town of Hay River.

Mr. Speaker, later on in this session, I will bring up by way of motion a matter which is of utmost importance to the community of Hay River and to all the freshwater fishermen in the Northwest Territories. I will also seek further support on behalf of all the residents of Hay River in opposing the installation of a second port facility at Axe Point to service the needs of the proposed Mackenzie Valley pipeline.

Assembly Recommendations Should Be Heard

In his Opening Address, the Commissioner has suggested that this Assembly should review the discussions and recommendations that led up to the appointment in 1965 of the Carrothers' Commission. He also suggested that this Assembly should review the recommendations, discussions and suggestions made by the territorial Council over years past, in order that this Assembly will be able to draw up a series of recommendations in connection with the future of the Northwest Territories. I agree wholeheartedly. I will go further than that, Mr. Speaker. I will say that had consideration to the deliberations, recommendations and suggestions of this Legislative Assembly, been given at the time they were made, the future horizons of these territories would be far more clearly shown than is the case today. But by all means let us go through the whole exercise again, this time perhaps, with a stronger conviction that the present Minister of Indian Affairs and Northern Development will be willing to listen a second time to advice we have already given to his predecessor once.

Along with other Members, I received a letter from the Minister asking for my reaction to the Nunavut proposal. As I received the Minister's letter shortly before going into the hospital to undergo surgery, I have not yet expressed my views to Mr. Buchanan. Nevertheless, I have studied the Nunavut proposal in detail, and having done so, I am somewhat gratified that I did not at the time reply to the Minister as an individual Legislative Assembly Member.

Replies Must Represent Thinking Of Majority

I say this because I find the proposal to be far more complex and not a little more disagreeable than the publicity and its initial presentation would have us believe. When Inuit Tapirisat of Canada presented its proposal to the Prime Minister and his cabinet some months ago, presspeople obviously gave superficial scrutiny to its well-worded summary and decided on the strength of it that the entire proposal should be acceptable to the people of the North. It is my contention, Mr. Speaker, that this Assembly has to study, and study very carefully, the ramifications of the Nunavut proposal and make plain just what there is about it that is unacceptable to the people of the North. Individual letters to the Minister mean nothing if they are not representative of the thinking of the majority of this Assembly.

Mr. Butters has expressed some of the concerns with regard to the Nunavut proposal. Mr. Nickerson elucidated in detail on Monday the contents of his reply to the Minister, with regard to the proposal. I do not intend to dwell in detail on the reservations I have with regard to it, other than to point out the fact that it hardly constitutes a claim to land, but rather a political claim to a land in which the Inuit have never practiced politics. While the actual land claim is constructed along the lines of conventional land use and occupancy research, the proposal is mainly concerned with the evolution of a new and strange political entity. It would bring into being an ethnic territorial government comprising two ethnic power structures serving the same ethnic group. That situation may be acceptable to the Canadian news media but I do not think the Canadian constitution could stay in the same country with it.

This is only one of my concerns. There are others. I repeat, this Assembly has to study the Nunavut proposal and study it very carefully. To the Minister it may be more acceptable in that it is less rhetorical than the Dene Declaration, but I contend that if it is accepted, it will prove to be every bit as harmful to this Assembly, to the Northwest Territories and to Canada. This Assembly has to present a majority position with regard to the Nunavut proposal. Once that majority position is arrived at, our case should be presented to the Prime Minister and his cabinet. The Inuit Tapirisat of Canada presented its proposal to the Prime Minister and I do not think that this Assembly, as the duly and constitutionally representative body of the Northwest Territories, should deal with any lesser authority.

Government Would Cease To Exist

One thing is certain, in the unlikely event that the Government of Canada is to accept the political aspirations of the Inuit as propounded by Inuit Tapirisat of Canada, the life of this Assembly and these Northwest Territories, as we know it, is doomed.

Carrying the hypothesis to the ultimate, it is possible to envisage all the land north of the treeline governed by the Nunavut and Inuit Tapirisat of Canada. It is possible to see all but Yellowknife, Hay River and Fort Smith in the Mackenzie become the domain of the Dene. Without a territories to govern, the Government of the Northwest Territories and its public service would cease to exist. Whatever remained would once again be managed by the Department of Indian Affairs and Northern Development in Ottawa, as incidentally, would be Nunavut and the Dene nation. Without its public service, little would remain in Yellowknife but the empty edifices of an empire that the federal government both instituted and destituted in one short decade. If Axe Point is established as a rival port to Hay River, this would spell the demise of the town as surely as the establishment of the port of Hay River and the creation of the territorial capital at Yellowknife sealed the fate of Fort Smith. Then these territories would be back where they started from 20 years ago. Smugly smiling through it all will be the Department of Indian Affairs and Northern Development, with an empire intact.

Conclusions Must Not Be Ignored

I agree, Mr. Speaker, that in addition to its input on land claims, this Assembly has to come to some conclusions as to the future destiny of the Northwest Territories. But it has to do so well aware that it has come to conclusions before and that these conclusions have been ignored unless they happened to fit in with predetermined decisions made in Ottawa. Let us hope that the Commissioner's suggestion to review recommendations and suggestions made by Councils past are not merely part of an exercise that will leave this Assembly contemplating what might have been, had we been listened to, while other minds race on making fresh decisions for us to ponder about later. What we need to know is that our conclusions as to the future of the Northwest Territories will be genuinely taken into consideration and not just fed into a forum that has the grand design of an opera and the eventual inconclusiveness of a charade.

Need To Present Case To Higher Court

In common with Mr. Nickerson, I can not agree that the recommendations and suggestions that came out of this Assembly's review to seek future directions for the North should be put before the Berger Inquiry. While I do not wholly agree that the Berger Inquiry has lost its credibility to do its job, the job it was intended to do because its original terms of reference have been expanded to the point of distortion, I do agree that we should be presenting our case to a much higher court. Something is awfully wrong if this Assembly has to speak to Judge Berger whether or not he agrees with our plans for our future plans.

As well, I am not at all sure that the recommendations of the Berger Inquiry will have any real bearing on the ultimate decisions of the National Energy Board.

In closing, Mr. Speaker, may I say that if this Assembly, if this administration, has failed our native people to the extent that the Government of Canada now considers that the territorial government should not have been created, I hope the death they plan for us is a little more carefully considered than was our conception.

---Applause

MR. SPEAKER: Are there any further replies?

Mr. Kilabuk's Reply To Commissioner's Opening Address.

MR. KILABUK: Mr. Speaker, I am here for the meeting because I am a Member and I feel I have to say something. We have to say what we think and what our constituents want us to say and also we have the power and the Commissioner says that we have to be strong in order to support our constituencies. I think our constituency thinks we are a lot more important and it is very hard not to say what they want us to say. I think they are a lot more important than the people who are administering the North and sometimes the people in the administration do not listen to some problems that are talked about in the North and I think we were elected because we are here to solve the problems and try to live through the problems in a better way.

My wife and I are here because she was also invited here and we should always help each other when we have meetings and try to agree with a lot of things. A lot of times I do not feel I understand things too well so sometimes I do not say anything and sometimes I understand everything clearly. The Commissioner, when the Commissioner was talking I did not understand a lot because I did not hear anything because there was a problem with the earphones and we should always think about what our constituents, what our people tell us to do.

People Should Be Heard.

What I think is that what people think as far as the administration is concerned I do not think is very important to them. I think as far as I am concerned no matter what the race is, people are always supposed to be listened to. Hon. Peter Ernerk is now working in a high position that is very hard to run. I think no matter if it is Indian or Eskimo they could still do the same job and maybe if there is somebody who is an Eskimo or an Indian in the administration, the people will probably trust them and he will probably listen to them more because they know how their life is.

Communities Need Help With Telephone Communication.

I think a lot of communities really need help, not all of the communities, but a lot of them really do need help right now. They should have different help from different organizations like from Bell Canada and to have their co-op stores run properly. Those are the most important things that they really need help with. I was invited to be at a meeting in Broughton Island and I found out a lot more things that needed help. The thing that Mr. Evaluarjuk was saying about telephones and better communications was talked about as one of the most important places they have problems there.

There are some places which can only talk to communities right close to them because they do not have operators. I think after they put another satellite up communications will be better. Some of the communities do not even have telephones yet, Broughton Island, Lake Harbour and Clyde River mostly. What I think is that if they were going to put telephones in, it is going to cost too much. I talked about that also because the people in my constituency want telephones, but we have never received an answer yet. Clyde River and Broughton Island and Pangnirtung wanted a bigger polar bear quota but they have not had any answer yet. They said after the hunters' and trappers' association meeting they were going to give me an answer so I will just be waiting because I know they just had a meeting recently.

The people from Broughton Island want a recreation hall and I forgot the rest, but also they wanted more grants. I talked about that to the Commissioner. The Commissioner said that he would answer that himself. I knew the Commissioner was in the hospital and that he could not make it to our constituency, but I would like to get an answer.

Parents Of Students Should Be Informed.

I remember when I was here in February when I went to Frobisher Bay my son in the hostel was kicked out when he did something wrong. He was kicked out right away and they did not even have any place for him to stay when they kicked him out of the hostel and I was really mad about it. I went there just when he was kicked out and I took him back

home right away. I did not even talk to the administration or the Minister of Education. I wrote a letter to the Minister of Education and I told him that they should have Eskimo supervisors and that the parents of the students should always be told what was going on with the students. Also, there was another student who was kicked out of the hostel and I asked his father when I went home "Do you know that your son was kicked out of the hostel?" and he said "No." That student had been kicked out of the hostel for the last three months. I do not like the idea of supervisors never letting the parents know what is going on in the hostel.

Eskimo Supervisors Needed In Hostels

What I thought was that they should have an Eskimo who understands the Eskimo students to work in the hostel. Even if he did not know what to do, he could learn after he goes to the school how to administer in the hostel and I have seen for myself that everything is too slow. There are a lot of people who have gone to school and finished their schooling but people who are still going to school and will be finished should have jobs available for them even if they think the jobs are hard, Inuit and Indians both, they could learn. I think both Indians and Eskimos understand a lot more about their own people and would do a lot better job than a lot of other people do.

The communications improvement between the territorial government and the native people; the communications at this point has been improved between the government officials of all the departments. Perhaps the improvement as far as communications go could go as far. Perhaps I could say something in the Assembly here, that officials here in headquarters have never heard before. Up to today I have been told that if there are any regulations and other lines of communication, the native people should be consulted with if any development would be taking place, communications should be established between the Inuit people and the people in Broughton Island. I think this is what should be happening in the Northwest Territories. Today I thought I should bring this up to the government officials and to improve the communications system in the Northwest Territories, particularly in the Northwest Territories.

Improved Communication Between Government And People Needed

I would also like to convey this message to the supervisory Department of Education in the residential schools and I would like to expand my thinking in this field of improving services because I think there is a lot of misunderstanding and there has to be better communications between the parents themselves and the school supervisors. I think if we could improve the communications between the government and the native people, I think this could be the basis for improving the communications. This is what I had to say. Thank you.

---Applause

MR. SPEAKER: Any further replies? If there are no further replies, Item 3, questions and returns. Are there any returns? Mr. Parker.

ITEM NO. 3: QUESTIONS AND RETURNS

Return To Question W3-59: Access By Government To Depositors' Accounts In Credit Unions

DEPUTY COMMISSIONER PARKER: Mr. Speaker, on May 18, 1976, Mr. Nickerson asked Question W3-59 concerning the authority of the government to obtain information on funds deposited in individual accounts in credit unions.

Section 69 of the Credit Union Ordinance requires the affairs of each credit union to be examined at least once in each year by or under the direction of the supervisor of credit unions. This supervisory examination concerns itself with the general conduct of the credit union's affairs, and in particular, loan documentation, security taken and registered, loss exposure, reserves, liquidity, and verification of accounts where that function has not been performed by the supervisory committee as required by the standard bylaws. In addition to these required supervisory examinations, credit unions with assets in excess of \$200,000 are required to appoint auditors whose principal duty is to prove and certify the accuracy of the information received, recorded and presented to the members.

All such information received by the supervisor is privileged, and is available only to the supervisor and his staff in the conduct of their duties, the appointed auditors of the credit union, and the credit union's board of directors. The system of supervisory examinations and independent audit is designed to ensure that the interest of the members is adequately protected. Reports are presented to the board of directors and membership, which enable corrective action to be taken when necessary.

Council should also be aware that the Northwest Territories Credit Union Ordinance is closely comparable with provincial credit union acts, and supervisory examinations are a universal requirement of credit union legislation.

Return To Question 05-59: Funding News Coverage

Mr. Speaker, on May 18, 1976, Mr. Butters asked Question 05-59 concerning the continued funding of Canadian Broadcasting Corporation coverage of the Berger Inquiry by the CBC northern service for this fiscal year. The following information has been received from Mr. Doug Ward, Director, CBC northern service: "In reply to Mr. Butters' inquiry, continuing CBC coverage of the Berger Inquiry will be funded by a variety of internal means which will not involve the diminution of the regular work of our northern news service. In fact, we plan to create a Frobisher newsroom in the next few months. Please extend my best wishes to Council for a successful meeting."

Further Return To Question W7-59: Oil And Gas Regulations

On Wednesday, May 19, Mr. Nickerson asked that the administration secure and table during this session copies of the proposed new oil and gas regulations.

The proposed new regulations were tabled yesterday, May 19 at 5:00 p.m. in the House of Commons by the Hon. Alastair Gillespie, Minister of Energy, Mines, and Resources. Copies are not yet available but the administration will attempt to table them before Council during this session. We have obtained, however, a statement of policy relating to the new oil and gas regulations as well as press releases highlighting their main elements. These documents will be tabled later today by the Hon. Arnold McCallum.

MR. SPEAKER: Are there any further returns? Are there any questions? Are there any written questions? Mr. Lyall.

Question W8-59: Progress, Radio And Television

MR. LYALL: Mr. Speaker, I would like to ask the administration to tell me what progress has been made to hook Spence Bay and Gjoa Haven to Anik for the purposes of television and radio and I would like the administration to give me an answer as soon as possible because of the fact that every time I see one of these people come through Cambridge Bay, or when I see them in their respective communities, I have been asked that question and I would like to point out that this question was asked by me at the last Legislative Assembly session.

DEPUTY COMMISSIONER PARKER: Mr. Speaker, we will take the question as notice but I would just like to say that this element of communications remains a federal matter and we do not have either any money nor any program in the area. However, having said that we will once again try and get the information that the Member would like to have.

MR. SPEAKER: Any further questions? Mr. Steen.

Question W9-59: Reduction In Funds For Sewage And Garbage Disposal, Fort McPherson

MR. STEEN: Mr. Speaker, I would like to ask the administration why has there been a reduction in funds for the garbage and sewage pick-up in Fort McPherson from twice a week to once a week?

DEPUTY COMMISSIONER PARKER: Mr. Speaker, I will have to seek an answer to that question.

MR. SPEAKER: Any further questions? Item 4, oral questions. Any questions of an emergency nature? Mr. Butters.

ITEM NO. 4: ORAL QUESTIONS

Question 010-59: Mr. Otto Lang's Invitation

MR. BUTTERS: Very briefly, sir, I understand that Mr. Otto Lang has received his invitation to be present with us during this 59th session, and I wonder if the administration has yet been informed that Mr. Lang will be accepting that invitation?

Return To Question 010-59: Mr. Otto Lang's Invitation

DEPUTY COMMISSIONER PARKER: Mr. Speaker, we have received no response beyond an acknowledgement of the invitation.

MR. SPEAKER: Mr. Pearson.

Question 011-59: Proposed Liquor Plebiscite, Frobisher Bay

MR. PEARSON: Mr. Speaker, I have a question of the administration in relation to the proposed plebiscite to be held in Frobisher Bay some time this year on the question of liquor. I would like the administration's interpretation of the ordinance as it now stands, to ascertain whether it is in fact possible to hold a plebiscite this year in light of the fact that there was a plebiscite held two years ago on the same question, even though all questions at that time were lost.

MR. SPEAKER: Excuse me, Mr. Pearson, maybe you could assist the Chair in determining why that question could not be a written question? What is the emergency nature of it that would bring it under oral questions?

MR. PEARSON: Very simply, Mr. Speaker, I just thought of it.

MR. SPEAKER: That is exactly the conclusion that I had come to. I will permit you to ask the Legislative Assembly for unanimous consent to waive the rules to ask that question and failing that, I would ask you to submit it tomorrow as a written question.

MR. PEARSON: I would then ask my colleagues for unanimous consent.

---Agreed

MR. PEARSON: Thank you, my friends.

DEPUTY COMMISSIONER PARKER: Mr. Speaker, I would have to seek the answer to that question.

MR. SPEAKER: I do not know whether I should be instructing you as to how to get around the rules. Are there any further oral questions?

Item 5, petitions.

Item 6, reports of standing and special committees. Mr. Nickerson.

ITEM NO. 6: REPORTS OF STANDING AND SPECIAL COMMITTEES

Report Of Standing Committee On Legislation

MR. NICKERSON: Mr. Speaker, the standing committee on legislation has finished its examination of the Education Ordinance and the Liquor Ordinance amendments and these are now ready for consideration by committee of the whole.

MR. SPEAKER: Thank you, Mr. Nickerson. Are there any further reports of standing and special committees?

Item 7, notices of motions. Hon. Peter Ernerk.

ITEM NO. 7: NOTICES OF MOTIONS

HON. PETER ERNERK: Mr. Speaker, do I have to read the whole motion itself or just the intent of the motion?

MR. SPEAKER: You can give the sense of the motion if you wish.

Notice Of Motion 6-59: Telephone Communications Facilities and Service

HON. PETER ERNERK: Mr. Speaker, this is with respect to again the telephone communication problems in Keewatin district, and the "therefore" clause reads that the president of Bell Canada be asked to appear before this Assembly.

MR. SPEAKER: Any further notices of motions? Mr. Butters.

Notice Of Motion On Hours Of Sitting Ruled Out Of Order

MR. BUTTERS: Mr. Speaker:

WHEREAS the Rules of the Legislature of the Northwest Territories do not indicate that the house recesses for statutory holidays;

AND WHEREAS I believe it has been the custom of this body in the past to observe statutory holidays that fall during the period the house is in session;

AND WHEREAS there are many important items of business on our agenda and the indications are that we may not complete these during the term laid down for a session;

NOW THEREFORE, I move that the house convene on Monday, May 24th, for a full day of sitting.

MR. SPEAKER: Mr. Butters, my intelligence is fairly good and I thought someone might put forward that notice of motion and I took the time to inquire as to whether or not that would be in order, and I regret to advise you that the motion that you propose is out of order. The reason it is out of order is simply this: firstly the Northwest Territories Act in section 13 says "The Commissioner in Council may subject to this act or any other act of the parliament of Canada make ordinances", etc. In other words whatever we do here is subject to this act, the Northwest Territories Act and any other act of parliament of Canada. Then there is an act of the parliament of Canada called the Holidays Act and in that act, section 4 says: "Throughout Canada in each and every year the first Monday immediately preceding the 25th day of May is a legal holiday and shall be kept and observed as such under the name of Victoria Day."

Therefore I am of the view that we must observe Monday as a holiday. However, what you wish to achieve could be achieved it seems to me in another way. We could sit Saturday. In other words if you feel that we should have another day it seems to me Saturday is the day we could sit, and if you would like to consider that and maybe come back with possibly a motion to return to notices of motions later I think we could accommodate your desire in that way, but unfortunately I think we have no choice about the Monday.

MR. BUTTERS: Well, I accept your suggestion, or your assurance that the house may return to this item some time later through the day. I was not aware that we might be contravening federal statutes, but that will be suitable.

MR. SPEAKER: Unfortunately we are in that position of always being subject to them as being paramount. Are there any further notices of motions? Mr. Butters.

Notice Of Motion 8-59: Hours Of Sitting

MR. BUTTERS: I have a notice of motion:

WHEREAS federal legislation apparently exists that prohibits this house from sitting on a statutory holiday, specifically on Monday, May 24;

AND WHEREAS there are many important items remaining on our agenda for discussion in the time left to us next week unless a motion to extend the session is approved;

NOW THEREFORE, I move that this house sit tomorrow, Saturday, May 22, 1976.

MR. SPEAKER: There is no doubt, Mr. Butters, that that motion is in order and of course with notice today you would presumably move it tomorrow, Friday.

MR. BUTTERS: That is correct.

MR. SPEAKER: Are there any further notices of motions?

Item 8, motions for the production of papers.

Item 9, motions. Motions for today are Motions 3-59, 4-59 and 5-59. Motion 3-59, Mr. Steen.

ITEM NO. 9: MOTIONS

Motion 3-59: Sale Of Reindeer Meat

MR. STEEN: Thank you, Mr. Speaker. Motion 3-59, sale of reindeer meat.

WHEREAS reindeer meat is being sold to cities outside the boundaries of the Northwest Territories;

AND WHEREAS the cost of beef or other meats imported into the Northwest Territories is beyond the reach of most consumers;

AND WHEREAS reindeer meat is the cheapest commercial meat in the Northwest Territories;

NOW THEREFORE, I move that no further reindeer meat be sold outside the Northwest Territories until the requirements for meat of all communities in the Northwest Territories have been met or satisfied.

MR. SPEAKER: Moved by Mr. Steen, is there a seconder? Mr. Lyall. Mr. Steen, would you like to speak to the motion?

MR. STEEN: Yes, Mr. Speaker. This spring there were 500 reindeer sold, I believe 300 were sold to Vancouver and 200 were sold to Calgary. There are a number of communities in the territories that are unable to get cheap meat. The cost of reindeer meat to the people in the territories I believe, especially in the Mackenzie Delta, is only about 85 cents a pound and that is quite a difference when you consider the cost of beef ranging from \$1.50 to \$5 a pound. Most native people like caribou meat a little bit better than beef, so it would be better for the people in the North, cheaper, if this meat was made available to them before it was sold outside of the Northwest Territories.

Heads And Necks Used By Native People

When they sold these 500 reindeer to the two cities in the South they discarded the necks and the heads and took the other parts which are considered by the white people to be the best meat and left the heads and the necks behind. I would think that would be a waste of meat. The native people consider the heads one of the best parts of the reindeer or the caribou.

Another point I would like to make is that there are times in the territories when people in the communities hunt caribou, that the meat is so lean that the reindeer meat would be most helpful because it is always fat so they could mix it. I also think that in numbers of places where you have dwindling caribou herds that the sale of reindeer meat would help prevent the herds from being over-slaughtered, the caribou herds. So, I think that is all. Maybe someone might like to add to the motion that other foods be done in the same way. Thank you, Mr. Speaker.

MR. SPEAKER: Further discussion? Mr. Lyall.

MR. LYALL: Mr. Speaker, I seconded the motion because of the fact that I heard about this before and it is very simple, what Mr. Steen has said, that there was a lot of wasted food. I fully support the motion. I would much rather pay 85 cents a pound for meat than to pay \$4.25 to \$5.50 a pound for beef. Thank you, sir.

MR. SPEAKER: Further discussion? Mr. Butters.

MR. BUTTERS: Mr. Speaker, I am afraid with the way the motion is now worded that it is too restrictive for me to give it support. I can support the concept, but I suggest that it should be amended. I am very concerned with the phrase which says, "...until the requirements for meat of all communities in the Northwest Territories have been met or satisfied". I suggest that if that is put into effect reindeer meat would never be sold outside the boundaries of the Northwest Territories. Therefore, I would suggest that if the wording were amended so that it would read, "...until all reasonable requirements for meat of all communities..." and this would indicate the person would examine the cost of supplying reindeer to Pangnirtung for example so that the reasonable requirements of communities of the Northwest Territories would be met first.

MR. SPEAKER: Are you moving an amendment, Mr. Butters?

Motion To Amend Motion 3-59

MR. BUTTERS: Yes, I would so move that there be an amendment made at that point. Maybe I should draft it and circulate it.

MR. SPEAKER: The difficulty you have in formal session, of course, is that if I let anyone else speak you will have lost -- you will not be able to get back on to move that amendment because you can not speak twice. Is it not this simple, Mr. Butters, that you just want to add the words "all reasonable" in lieu of the word "the" preceding the word "requirements"?

MR. BUTTERS: Yes, I think that would serve the purpose. I have a seconder.

MR. SPEAKER: That is your motion, that you add the words "all reasonable" before the word "requirements" and delete the word "the". Is there a seconder? Mr. Nickerson. To debate, do you want to debate the amendment further than what you said? No?

MR. BUTTERS: No.

MR. SPEAKER: Any further debate on the amendment? Mr. Evaluarjuk.

MR. EVALUARJUK: Mr. Speaker, I would just like to say a few words because I felt very strongly in my heart when Mr. Steen was talking. I want to support his motion because the animals in our land are ours. They are not the government's. They are the native people's. If the native people exchange certain meat and some settlements do not have enough fish, some do not have whales, some have more whales and if the communities could exchange the native foods, if it is possible, it would be better to do this.

Exchange Of Native Foods Between Settlements

I remember two years ago we sent some caribou to Frobisher Bay when they asked for some but according to the law, because of the law that was filed with us the co-op lost all the money even when they sent caribou to the co-op in Frobisher Bay. When the people from the wildlife service found out, they took hold of the meat and we did not know what happened to it and we do not know what happened to that money that had to be paid to our co-op. I think I would support his motion because it would be very good if the people could exchange their native foods if one settlement is lacking this kind of native food and it would be very good to exchange it between the different settlements.

MR. SPEAKER: Further debate on the amendment? Mr. Pearson.

MR. PEARSON: On the amendment, Mr. Speaker, my concern with the motion is the reasonability of providing for meat requirements in all communities throughout the Northwest Territories and I would like to inquire of the administration what this program is, what it entails. When you use the word "reindeer" I gather that means reindeer and not caribou and there are two very distinct differences between them. To my knowledge there are no reindeer in the Eastern Arctic at all and I find I therefore feel that it would be probably more expensive to ship meat from the reindeer areas of Reindeer Station to the Eastern Arctic than it would be from Montreal to the Eastern Arctic. I would like to inquire that of the administration but I would also like to continue discussing the matter. I do not want to be cut off, Mr. Speaker. If the administration...

MR. SPEAKER: Mr. Pearson, if you sit down, you have had your chance on the amendment.

MR. PEARSON: But I can come back to the motion later, Mr. Speaker, please?

MR. SPEAKER: Yes, you can speak to the motion after we have dealt with the amendment. On the amendment. Hon. Arnold McCallum.

Viable Country Food Outlet

HON. ARNOLD McCALLUM: Mr. Speaker, just possibly in reply to Mr. Pearson's question and in terms of that sale of reindeer meat, the Canadian Reindeer Company in Inuvik supplies or is a concern that is there that supplies reindeer meat and provides a market, if you like, for reindeer meat that is in excess of the local needs by which this reindeer meat is distributed. I think it is Allen's Country Food Outlet and the Canadian Reindeer Company, with the assistance of the Department of Economic Development, has been able to obtain a ready market for the reindeer meat for southern Canadian people. It is a privately owned enterprise and obviously has to, in order to remain a viable enterprise, operate in an economical and efficient manner. We would anticipate that the Allen's Country Food Outlet will have a sufficient supply of reindeer meat to satisfactorily meet anticipated local demand. The Allen's Country Food Outlet service customer orders received from residents of other settlements in addition to making it available in and around the Inuvik area. If we consider restricting these marketing activities it will, of course, have a very direct adverse effect on the viability of the Canadian Reindeer Company and then we would, the government would be forced to see if we could not do something about a request to provide financial assistance to offset that loss.

Local Enterprise Should Be Encouraged

It is quite possible that the company will be unable to dispose of its total production in the Northwest Territories and at a reasonable price so that the company then would suffer or, as an alternative, government through the Department of Economic Development would have to subsidize it. I think it would be the administration's point of view that it would be preferable to encourage the growth and development of this local enterprise rather than to hinder or restrict the development or its development by the imposition of market restrictions or constraints.

MR. SPEAKER: Further discussion on the amendment? Mr. Stewart.

MR. STEWART: Mr. Speaker, although I certainly sympathize with the intent ...

MR. SPEAKER: Are you going to speak about the amendment or the motion, Mr. Stewart?

MR. STEWART: The amendment and the motion are so closely related but if we want to go into nitpicking I will wait until the motion.

MR. SPEAKER: I am sorry, but I was smarting after the Hon. Arnold McCallum spoke because he was speaking to the motion essentially and I wondered if you were going to do the same thing.

MR. STEWART: Quite probably.

MR. SPEAKER: Let us deal with the question then on the amendment as to whether or not you add the words that Mr. Butters put forward, "all reasonable". Let me just go over it so that we all understand. Mr. Butters' amendment would make the motion read: "Now therefore, I move that no further reindeer meat be sold outside the Northwest Territories until ..." and here are the words, "all reasonable requirements for meat of all communities in the Northwest Territories have been met or satisfied." Is that clear, he has inserted the words "all reasonable" instead of the word "the"? Are you ready for the question on the amendment? Mr. Butters.

MR. BUTTERS: Sir, may I take advantage of my privilege to speak as last speaker to the amendment. I just wish to ensure the Hon. Member from Foxe Basin, that he understood we were discussing reindeer.

MR. SPEAKER: Excuse me, Mr. Butters, I do not think you have a right of reply as an amender of a motion, only the mover. I can give you the rule if you want, I just read it the other day.

MR. BUTTERS: I approve of the new leaf, sir.

Amendment To Motion 3-59, Carried

MR. SPEAKER: Dealing with -- you chaps are giving me a tough day today. Dealing with the amendment. The question. All in favour of the amendment? Seven. Contrary? Two. The amendment is carried.

---Carried

Now, on the motion as amended, any further debate? Mr. Stewart.

Restriction Of Private Enterprise.

MR. STEWART: Thank you, Mr. Speaker. Although I sympathize with the intent of this motion I am concerned that this Legislature is getting involved in matters of trade and putting stipulations that would restrict private enterprise. If this were a government operated business, or if the territorial government were operating this, then I would certainly be in a position to go along with it. However, this is private enterprise and we have never in the past put ourselves in a position of disallowing private enterprise to buy or sell a product of any kind. I think we may possibly be setting a precedent here that would not necessarily be desirable. I was wondering whether or not we could not achieve the same end by asking the company involved, if they can indeed realize the sale price for the sale of meat in the Northwest Territories. I do not see why as business people they would not do this, but there is another thing which gets to be rather technical. In the case of slaughter I am quite sure that a company such as this would have obtained preordering, that is they would have a definite order to fill before they started the slaughter, and this would undoubtedly be in quantity to packing plants or for sale outside of the Northwest Territories. Now when they have received or taken an order, is this then a matter of sale, have they sold before they have gone to the local market?

If they have done so then you are placing the private entrepreneur in a very difficult situation because the success of this business must depend upon him being able to move sufficient quantity of this meat to make the operation viable. I can not see, sir, if the Northwest Territories people are paying the same amount of money, why these local companies would not supply that market. However, I am afraid if you start going into things of this nature you are getting outside the realm that this Legislature really should be looking at, and you are in effect entering and putting a prohibitive clause against private enterprise. On this basis I can not support this motion.

MR. SPEAKER: Is there any further debate on the motion? Mr. Pearson.

Numbers Of Reindeer Available

MR. PEARSON: On the motion, Mr. Speaker, as amended, I am very concerned with the motion and I feel that Mr. Stewart has made some worthwhile comments on this Legislature dictating to private enterprise as to how it should and should not operate. I am also concerned with another aspect, a view I have held for a long time, that it is likely, or conceivable, that there is enough food hopping around on four legs in the Northwest Territories to provide fresh food to practically every community there is. I would like to know a little bit more about reindeer, the numbers of reindeer that are available. I would like to know a little bit more about caribou and Mr. Evaluarjuk spoke of caribou in the Eastern Arctic and I do not think he is distinguishing between caribou and reindeer and I think it should be made very clear to Members in this debate that there is a big difference.

Recently the game department in the Eastern Arctic decided to take upon itself the matter of rationing the number of caribou that non-native people may take with their hunting licences, a thing which caused great consternation. The game department in the Eastern Arctic at the same time admits that they do not know how many caribou there are in the Eastern Arctic, they have never been counted. A study has never been taken of the resources in that area to be able to establish whether it is feasible to be able to provide all of the communities with a steady supply of fresh meat. I urge the administration to get cracking on this, spend some money on aircraft, or whatever is necessary to ascertain the numbers.

I do not know that it is possible, economically possible, or feasible, to provide reindeer meat to all of the communities in the Northwest Territories who could use it. I would have thought that a large advertising campaign could be launched within the Mackenzie area which seems to me to be reasonable in terms of cost for providing meat for the Arctic coast down to the communities as far away as Fort Smith, but to say that no further reindeer meat may be sold outside the Northwest Territories until reasonable requirements are met I think is just a little too dictatorial and I am afraid that I would, because of my lack of knowledge on the matter, I would have to vote against the motion.

MR. SPEAKER: Mr. Lafferty.

Information On Reindeer Needed

MR. LAFFERTY: Mr. Speaker, fellow colleagues, speaking to the motion, it disturbs me a great deal since I am not familiar with the reindeer situation in the North, how it developed, how the companies developed, or company, and here we are as Mr. Stewart pointed out interfering with free enterprise. Considering my lack of knowledge on reindeer, I am more inclined to think we should set aside this motion and have the administration provide us with the necessary information before we start voting on this very important matter.

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Gentlemen, if anyone who has not spoken is of that view, you may move that it be referred to committee of the whole at which time that sort of a discussion and advice could be undertaken under Rule of Council 47. Mr. Nickerson.

MR. NICKERSON: I am under some misapprehension or possibly some misassumption. Have we been given to understand that Mr. Lafferty has moved a motion that this be referred to committee?

MR. SPEAKER: He has not. I was just saying that since I heard a bunch of "good ideas" and "yes", etc., from various Members, that if Members thought that was a good idea then I simply indicated the Rule of Council 47, which says that a motion to refer a bill, resolution or any question, to the committee of the whole shall preclude all amendment of the main question. In other words, anyone who has not spoken, or if Mr. Lafferty had not finished speaking he could move that this motion be referred to committee of the whole.

MR. NICKERSON: I do not think Mr. Lafferty had finished speaking, sir.

MR. SPEAKER: That is for him to indicate, Mr. Nickerson.

MR. LAFFERTY: I was actually, I thought I had finished, but I will take advantage of the situation.

MR. SPEAKER: I thought you had too, Mr. Lafferty.

MR. LAFFERTY: That is a politician for you, it could be compared to contraceptives, as I have also often said as an editor, they give you a sense of security while they are screwing you.

MR. SPEAKER: I only have one question, Mr. Lafferty, if you have finished speaking, then what are you doing?

Motion To Refer Motion 3-59 To Committee Of The Whole

MR. LAFFERTY: No, I am not really. I think that I should make a motion, and I do so move that we study this matter in committee of the whole, simply because it affects a lot of native people and a lot of areas in the private sector.

MR. SPEAKER: Moved by Mr. Lafferty that this motion be referred to committee of the whole. Is there a seconder? Mr. Stewart. Is there any debate? Yes, there is debate on that motion. Is there any discussion? Mr. Nickerson.

MR. NICKERSON: Very briefly, Mr. Speaker, I would like to speak to this motion. I also am in the same position as Mr. Pearson, Mr. Lafferty, and a number of other Members, I am sure. I do not fully understand what the reindeer industry is all about and I think that before we could vote sensibly on this motion it would be necessary for everybody to be aware of the nature of the operation.

MR. SPEAKER: Mr. Pudluk.

MR. PUDLUK: Mr. Speaker, I would like to say my view about knowing about the reindeer. Now, last Monday we came here and had supper with the Governor General and so we should all know what reindeer meat tastes like now.

MR. SPEAKER: On the motion. Is there anyone else who has a comment on the motion?

SOME HON. MEMBERS: The question.

MR. SPEAKER: The question. The question is that this motion be referred to committee of the whole. Is everyone clear on that? The question being called. All in favour? Contrary? Is it carried.

---Carried

Mr. Clerk, see that that appears on the order paper for committee of the whole discussion. I have a message here, as well from Mr. Evaluarjuk that we should have coffee. The Legislative Assembly stands recessed for coffee.

---SHORT RECESS

MR. SPEAKER: Gentlemen, the Legislature will come to order. On the orders of the day we are still on Item 9, motions. Motion 4-59, Mr. Nickerson.

Motion 4-59: Deferral Of Consideration Of Any New Game Ordinance.

MR. NICKERSON: Mr. Speaker,

WHEREAS it would appear that the majority of the people of the Northwest Territories do not desire a new Game Ordinance at the present time and indeed are suspicious that any new ordinance might attempt to curtail their traditional rights;

AND WHEREAS hunting and trapping rights are a legitimate area of concern to the indigenous people of the Northwest Territories in their land claim negotiations with the federal government;

NOW THEREFORE, I move that no new Game Ordinance or major amendments to the existing one be introduced to this house until native land claims in the Northwest Territories have been settled, or until the January, 1979, session of the Legislative Assembly, whichever is the earlier.

MR. SPEAKER: Moved by Mr. Nickerson. Is there a seconder? Mr. Lyall. Discussion? Mr. Nickerson.

MR. NICKERSON: Mr. Speaker, I will speak very briefly to this motion. I have consulted a great many people and I have determined that people just do not want a new ordinance at the present time. Although there are difficulties in certain areas with the ones that exist at present, I think that the people are frightened that they will lose more than they will likely gain. They are scared that they will lose the rights that they still retain.

I find that among many of my constituents there is a degree of distrust about the game department. What I am saying now is not directed necessarily to the people in the field. I think that the department very often has very good people in the field. I know in Yellowknife over the years we have had the services of Mr. Art Look and Mr. Archie Mandeville who retired recently and these gentlemen are to be complimented on the way they handled the affairs of the game department over a considerable number of years. I think the feeling of distrust is directed more to the senior levels within the department, the policy making side of things.

The second "whereas" clause in this motion would seem to be self-explanatory. I agree with the views of organizations such as the Metis Association of the Northwest Territories that this is a legitimate area of concern to them and I think the government would be doing wrong in not taking notice of the considerations and the suggestions that they have made.

The wording in the resolve part of the motion is taken from the motion to defer the Paper on Political Development and I think that if this house can defer that important matter, we should be able to defer this one which is of somewhat lesser importance.

Another thing I am trying to do at the same time is to determine the wish of the Legislative Assembly in this matter so that the government will not have to go to a great deal of time, expense and trouble in preparing a new draft ordinance and submitting it to this body when there is a great likelihood that any such bill would not be passed when the time arose. Thank you, Mr. Speaker.

MR. SPEAKER: Further discussion? Hon. Arnold McCallum.

HON. ARNOLD McCALLUM: Mr. Speaker, I am not sure whether Mr. Nickerson's comments were that -- maybe you could correct me on this but just as a point of information first, he is suggesting that we go into committee of the whole on deferring this particular motion as we did with the previous motion. No?

MR. NICKERSON: No.

MR. SPEAKER: Further discussion? Mr. Lyall.

MR. LYALL: Yes?

MR. SPEAKER: I thought you indicated that you wished to speak?

MR. LYALL: No.

MR. SPEAKER: Oh, I see. Further discussion? Hon. Peter Ernerk.

HON. PETER ERNERK: Mr. Speaker, I am just a little bit confused. Are we on Motion 4-59 or are we on Motion 5-59?

MR. SPEAKER: Motion 4-59.

HON. PETER ERNERK: Thank you.

MR. SPEAKER: Further discussion on Motion 4-59? Mr. Lafferty.

In Support Of The Motion

MR. LAFFERTY: Mr. Speaker, I am in favour of this motion and fully support my colleague Mr. Nickerson for the simple reason that I too am aware of the majority of people in my riding or in my constituency who do not wish to make any changes to the Game Ordinance presently.

Secondly, I am a member of the trappers' and hunters' association and a holder of a general hunting licence and I have found that making amendments to any new Game Ordinances or making any new Game Ordinances without a consensus of the people who are directly affected may result in greater confusion than what now exists in the community of hunters and trappers. In that regard I support this motion wholeheartedly.

MR. SPEAKER: Thank you, Mr. Lafferty. Mr. Evaluarjuk.

MR. EVALUARJUK: Mr. Speaker, I am in favour of what the two Members said about doing the ordinance after the Nunavut is settled. The proposal, if it is put back, it is going to be a long time before it is settled. Are the ordinances still going to be the same? Also, as a Member I would think that as Members we should look after the Game Ordinance and I would not mind if my animals at home had any kind of ordinance and they do not have reindeer. I do not really mind if they do not really do anything about it in my constituency. If somebody asked me how many caribou you have to sell in my territory I would not know. I also would not know how many pounds of fish we had to sell. I would also not know how many walrus we are supposed to get without being told by the government how much we are supposed to get because I do not like the idea that the government tells the people how many animals they are supposed to get. I think what they should do is ask the people themselves because they know how many animals are in their land.

MR. SPEAKER: Further discussion? If there is no further discussion, I will let -- Mr. Butters.

Motion To Discuss Motion 4-59 In Committee Of The Whole

MR. BUTTERS: Mr. Speaker, I purposely waited because I think this matter is important enough to refer to committee of the whole for detailed consideration.

MR. SPEAKER: Are you making that motion?

MR. BUTTERS: I am, sir.

MR. SPEAKER: Moved by Mr. Butters that this motion be referred to committee of the whole. Is there a seconder? Mr. Pearson. Is there any discussion on the motion made by Mr. Butters to refer it to committee of the whole? Ready for the question?

SOME HON. MEMBERS: Question, question.

MR. SPEAKER: Question on the motion to refer to committee of the whole, all in favour? Nine. Down. Contrary? None. The motion to refer it to committee of the whole is carried. Similar treatment, Mr. Clerk, as with the previous motion.

---Carried

Motion 5-59, Mr. Nickerson.

Motion 5-59: Amendment To Commissioner's Order 17-76

MR. NICKERSON: Mr. Speaker, before I present this motion I would like to point out that there is a good deal of concern to a number of my constituents and I would prefer that it not be referred to committee of the whole. Motion 5-59:

WHEREAS a provision of Commissioner's Order 17-76 has aroused a good deal of consternation and complaint and does not appear to have been ordered for any good and valid reason;

NOW THEREFORE, I move that this house recommend that provision 3(1) of Commissioner's Order 17-76 be amended by adding after the word "residents" the following words... "five barren ground caribou, non-residents, two barren ground caribou"... in order that the provisions of former paragraph 8(c) of the game regulations not be altered in respect to residents of the Northwest Territories.

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

MR. BUTTERS: No, sir.

MR. SPEAKER: No? A seconder. Mr. Pudluk.

MR. BUTTERS: On a point of order, sir.

MR. SPEAKER: Mr. Butters.

MR. BUTTERS: I wonder if it might be possible to have circulated the Commissioner's Order 17-76 so that we can see it in its entirety.

MR. SPEAKER: Mr. Clerk, do you think you could do that? Do you have it at hand Mr. Nickerson, the order?

MR. NICKERSON: Mr. Speaker, it appears to be about 25 or 30 pages long.

MR. SPEAKER: Is there a particular section in there? We are concerned with section 3(1) of Commissioner's Order 17-76 and would it be appropriate to have only that part reproduced and circulated?

MR. BUTTERS: For the other Members possibly but I would like to see the whole thing for my own interest.

MR. SPEAKER: Are you rising on a point of order, Mr. Pearson?

Motion To Discuss Motion 5-59 In Committee Of The Whole

MR. PEARSON: I would like to make a motion, an amendment to this motion that this motion also go to committee of the whole for discussion in light of the other matter.

MR. SPEAKER: Moved by Mr. Pearson that this motion similarly go to committee of the whole. Is it seconded? Mr. Butters. Is there any discussion on that? The question being called that this motion be referred to committee of the whole. All in favour? Seven. Contrary?

---Carried

MR. SPEAKER: I was going to say that completes motions. Item 10, tabling of documents. Hon. Arnold McCallum.

ITEM NO. 10: TABLING OF DOCUMENTS

HON. ARNOLD McCALLUM: Mr. Speaker, I wish to table the following Tabled Document 11-59, Statement of Policy, Proposed Petroleum and Natural Gas Act and Canada Oil and Gas Land Regulations and also the press releases relating to the same.

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

MR. NICKERSON: Mr. Speaker, I would like to table Tabled Document 12-59 the Report of the Standing Committee on Legislation to the 59th Session dealing with bills brought for consideration during this session of the Legislative Assembly and I hope sir that that will not be referred to committee of the whole.

MR. SPEAKER: Any further documents to be tabled? Item 11.

MR. BUTTERS: Mr. Speaker, might I have unanimous consent of the Assembly to return to Item 7, notices of motions?

MR. SPEAKER: Unanimous consent requested to return to Item 7.

MR. NICKERSON: Unanimous consent denied.

MR. SPEAKER: Unanimous consent is denied, Mr. Butters.

ITEM NO. 11: CONTINUING CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND RECOMMENDATIONS TO COUNCIL

MR. SPEAKER: Item 11, continuing consideration in committee of the whole of bills and recommendations to council. I notice that Bill 9-59, the Liquor Ordinance is indicated first on the order paper. Would you like to go into that or the Education Ordinance? The Education Ordinance.

---Agreed

Legislative Assembly will resolve into committee of the whole for continued consideration of the Education Ordinance, which is Bill 7-59 with Mr. Stewart in the chair.

---Legislative Assembly resolved into Committee of the Whole for consideration of Bill 7-59, Education Ordinance, with Mr. Stewart in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 7-59, EDUCATION ORDINANCE

THE CHAIRMAN (Mr. Stewart): The committee will come to order to study Bill 7-59, An Ordinance Respecting Education in the Northwest Territories. We left this bill yesterday and we were still dealing with comments of a general nature. So can we continue? Mr. Evaluarjuk.

Higher Grades In Settlements

MR. EVALUARJUK: I wish to ask what regulations, or how the regulations were established and when the regulations were established as far as when and how old children are when they are supposed to go to school and most of the communities, at least some of the communities in the Eastern Arctic, some of the settlements, want higher grades in their schools in order to avoid their children going to school at Frobisher Bay, for example, and could this possibly be done?

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

HON. ARNOLD McCALLUM: Mr. Chairman, I do not think Mr. Evaluarjuk is talking about the regulations as such, as we do not have those here. If he is asking the question as to who determines what grades are in a particular community, it would be the Department of Education who would determine that on the advice of the community and within the available funds for either building or placing more classrooms in that community and, of course, hiring teachers for the community. It is the department's policy and it will be and we answered the Baffin Region Inuit Association's telex on this, that we would hope to be able, as soon as possible, as they suggested and requested, that we extend the grade levels in each of the communities into at least grade 10. I would hope that that is the question he is asking.

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

MR. EVALUARJUK: Mr. Chairman, you have answered my question. However, there was an additional question that I put which was not answered. I would like to know if there are regulations as to how old a child is supposed to be when he or she attends school. I was asking this question because I was asked this question in various communities throughout Baffin Island. I would like to, if I may, get an answer to this question and the people in my constituency have asked me to convey this question to the Members of the Assembly, to the Minister of Education in particular.

Now I do not like to see the Department of Education telling the relatives or parents how old you are supposed to be when you are supposed to attend school. I would like to see the communities themselves establish or make up their minds when their children should go to school.

HON. ARNOLD McCALLUM: Mr. Chairman...

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

Definition Of A Child

HON. ARNOLD McCALLUM: Mr. Chairman, on page 64 of the proposed ordinance, Part VI, dealing with students, section 97, subsection (1) reads that a child: "In this section 'child' means a person who on the 31st day of December of an academic year, is between the ages of 6 and 15 years inclusive."

Now, in addition to that, Mr. Chairman, there is a section dealing with kindergarten that indicates the education system of the territories shall include a kindergarten and students who attend these classes are usually five years of age, or just before the age of entering into what we would normally call our first year of schooling. So a child in school in the school program, if there is a kindergarten program in that community, would be five years of age to attend kindergarten classes and by this proposed ordinance a student in the school system would attend school between the ages of six and 15 years inclusive.

MR. PEARSON: That is compulsory education.

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

Compulsory Education

MR. PEARSON: Mr. Chairman, I asked a question yesterday, if this would in fact be a compulsory education system, and that is the indication I get, that it would be in fact a compulsory education system between the ages of six, I think, and 15. This Assembly discussed -- or the previous Assembly discussed it at great length, the principle of non-compulsory education at its Assembly session at Inuvik in 1973 or thereabouts and in fact I think it went to a motion and the motion was defeated, unfortunately.

Now what I find difficult to understand in this legislation is that on one hand it talks about decentralization and giving the responsibility for education to the communities and on the other hand this legislation dictates to the communities what age the kids must go to school at, when they go home, when they may blow their noses and every other damned thing. I can not see how there can be a decentralization if Yellowknife, in all its wisdom, is going to dictate to the needs of the people in Grise Fiord or Lake Harbour or Rae. I mean, what is the point in having the decentralized system if "big daddy" wants to run the show from Yellowknife? Personally I am of the opinion that non-compulsory education would be desirable, is desirable, would be a breakthrough in this country and perhaps even we might have the hope of developing a worth-while education system where the parents of the children decide whether their kids will be educated in the so-called system or not.

To quote one of the few quotations I know of Mark Twain, as he said, he never let school interfere with his education and there are many people in the North today who feel that school is an important part of education but not necessarily the be-all and end-all. I would have hoped that this legislation would have taken into account and into consideration many of these aspects of the views that are held by native people and the tremendous differences that seem to exist between the many different peoples living in the Northwest Territories. But of course it all still boils down to one central authority in Yellowknife, and I can not see that that has any bearing on the word "decentralization".

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

HON. ARNOLD McCALLUM: Mr. Chairman, I would have three comments to make on Mr. Pearson's remarks. The first would be that in subsection 97.(3)(a) it says that a child is not required to attend school where, in the opinion of the superintendent for the education district the child is under sufficient instruction elsewhere. This can be and may be construed to mean outside of the school and with parents. Where it says, "superintendent for the district" that would mean of course that that superintendent would of course be dealing with the local school authority.

The second comment I would like to make is that if this Assembly feels that this particular section on compulsory education is debatable I would be open to hear it from everybody else. The third comment would be that the chairman of the legislation committee could comment on the material that was supplied to him by other groups, and I think that has been made available to everybody and passed around. I do not know of the past Assembly's recommendations and the number that were in fact incorporated and as Mr. Pearson says of course that motion was defeated in the last Assembly.

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

Non-Compulsory Education

MR. NICKERSON: Mr. Chairman, I would be pleased to do as the Hon. Minister suggests. In all the submissions we have received we have had no submission requesting or even entertaining the idea of non-compulsory education.

THE CHAIRMAN (Mr. Stewart): I presume that as Mr. Pearson indicated you now have one. Mr. Pearson.

MR. PEARSON: Mr. Chairman, with all due respect to the chairman of the legislation committee that could very well be but that certainly does not rule out discussion by this Assembly on the matter of compulsory or non-compulsory education. I am surprised or very surprised that there was not a strong effort made by some group and I do hope the committee has read all the pertinent documents thoroughly, that they did not skip through it somewhere. However, the purpose of discussing this whole bill I should point out for the Hon. Arnold McCallum is to discuss this in every possible detail.

HON. ARNOLD McCALLUM: I am well aware of that.

MR. PEARSON: You go along with that.

HON. ARNOLD McCALLUM: I am well aware of that.

MR. PEARSON: I put it to my colleagues that there is an alternative to compulsory education and that is non-compulsory education in which many educators, both in the Northwest Territories and in southern Canada have advocated throughout the world, have advocated for some time that compulsory, non-compulsory education is a feasible, viable way of doing it. It is a hell of a lot different for a school authority to have in its schools children who are there not because they have to be, by law, but because they want to be by desire.

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

MR. BUTTERS: With respect, Mr. Chairman, I believe we are getting into the detail of the bill and off the matter of general comment. As we are doing that I will read from the 50th session: "Question. The motion that school attendance not be compulsory, all in favour raise your hands. One, two, three, four. Down. Contrary. One, two, three, four, five, six, seven, eight, nine." So nine supported compulsory education against four.

MR. PEARSON: That is a remarkable document.

THE CHAIRMAN (Mr. Stewart): Thank you for the resumé. Mr. Lafferty.

MR. LAFFERTY: Mr. Chairman, as you are all aware, I was absent yesterday because of another commitment that I had to attend to. I do not know in what detail you have discussed the education matter. Did you discuss it, Mr. Chairman, yesterday?

THE CHAIRMAN (Mr. Stewart): Only on a general basis. That is all. We have not gone into any detail in the bill at all, just general discussion.

MR. LAFFERTY: My general remarks or my views toward education are, quite reasonably, reflecting the viewpoints of a lot of people in my constituency although they are I expect in a letter to the Legislative Assembly from a segment of the community in Fort Simpson which opposes the Education Ordinance simply because of its compulsory nature. I think that education in the North...

MR. PEARSON: On a point of order. I wonder if Mr. Lafferty would like to repeat what he just said. I did not quite hear it clearly.

THE CHAIRMAN (Mr. Stewart): That microphone of yours is not very good.

MR. LAFFERTY: Can you hear that?

MR. PEARSON: Yes, loud and clear.

Fair Treatment For All

MR. LAFFERTY: The only comments I will be presenting here are of a general nature reflecting the general viewpoint in my constituency. Greater numbers of people that I have talked to over the last couple of months are in favour of compulsory education but there are, of course, segments in these communities which oppose compulsory education. I personally think, since there are two viewpoints as to the type of education we should be providing our future citizens, I feel that we have to recognize the two sides. That means we should decide and give fair treatment to all families.

As you know, in the last year I have continuously pushed for higher learning, higher standards of education as I have in my previous reply to the Commissioner's Address stated that I have a dream to see the native people in the Northwest Territories becoming engineers, pilots, bank managers, etc., etc. The only way that I could see of achieving this goal is to have compulsory education in the Northwest Territories that is equally applied without exception to anybody. Perhaps decentralization by regional differences is a way of doing it. I am not certain, simply taking into account the cultural and social differences of the people.

As many of you very well know, the northern people are emerging people. I do not think that we are giving any consideration as to the type of people of the future that we are dealing with here in educational matters. I think also that respecting our own communities, our own constituencies, the administration's response should have been that we should have been provided with this document in sufficient time to bring it into our communities for reviewing which we did not have. At least for myself I was slapped with this massive document a couple of weeks before I arrived here and did not even have an extra copy to make available to the school advisory board.

There are many things in here and in fact I agree with the policy in principle. However, I feel that the communities which are larger should have a certain amount of autonomy. As we get into the detail I will be discussing some of the matters I am concerned about. For instance, the powers of the superintendent and the Commissioner. We could have a very strong central policy equally applied and still controlled at the local level. In this sense I would say let us not just arrive at an educational policy which is good for Yellowknife or Hay River or Fort Smith, but let us develop an over-all policy which will determine the standards that would be required of our future population.

We Must Determine Our Own Future

We are dealing here with people who are going to be our leaders in just the next few years and we are told continuously by people in the North that we must determine our own future and the only hope for this happening in the future is through education. I do not want to see a Rae group, for instance, being treated as something out of this world and something different from being human. They are just as capable of learning as anyone else. For that matter I can not see a native person from Inuvik being treated differently from anyone else from any part of the world. He is just as capable as anybody of learning.

If we had a set of high enough standards and even if we only graduated ten people in the first five years it would be a beginning. At least we would have someone out in front instead of following someone else all the time. I feel the education control should be with this Legislative Assembly and we should take a very rigid stand not have the administration tell us how we should run our country, our people, to determine how our people will live in the future. That is our job to decide. If we ask for time on such important matters as legislation dealing with education, we should have that time.

Mr. Chairman, this is my general viewpoint on education and I will reserve my specific comments or details for later on.

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

Learning The Traditional Way Of Life

MR. LYALL: Mr. Speaker, I just have a general comment that I personally think that higher education is very good for every person who is going to be making a living in the future. I know compulsory education is being practised in all the settlements in my constituency and I think also that the school advisory boards or education advisory boards in the settlements have long ago decided that if parents would like to take their child out on the land to learn the ways of their people, they have long ago started that. I think that this has been a big issue all the time, that the kids are not learning the way of life. In the Central Arctic they have been learning the way of life and also receiving damned good academic education. I again would say that personally I congratulate all the people in the field for deciding this a long time ago, to let the people in the communities decide how and when and where their children are going to go to school. I think that in every community, although they do not like their kids to get away from home, that if that is the only place they are going to get the higher education, then they have to be sent out.

MR. BUTTERS: Hear, hear!

MR. LYALL: Also if the parent wishes the child to learn the ways of the culture, their land, they are also doing that. I have lots of proof. If anybody in this Legislative Assembly chamber would like to come out into any one of the communities with me, I will show you. I think without argument these people decide for themselves what they are going to do with their children. The only place where you can get this conflict all the time between people is because of the fact that you do not get together and I think in my constituency anyway the people are getting together, not only the Eskimo kids are going out on the land. The children of the white population also go out on the land. The teachers go out on the land. If this is what the people want, this is what you get if you just only consult with the education system that is in your settlement. I think that through this ordinance and we have covered this -- I do not know -- three times already with the committee and we make changes and changes and changes and I know we are going to make more changes in it before this Legislative Assembly session is over. I do not think we will ever get a system that everybody is going to agree with but the thing is we have to try and decide and give the people in the field more control so that they would listen to the people who are living right in the settlements to see how they want their children educated. Thank you.

---Applause

THE CHAIRMAN (Mr. Stewart): Thank you. Mr. Pearson, I believe you were waving at me a short while ago.

MR. PEARSON: No, it was just a comment of Mr. Lafferty's, Mr. Chairman. Mr. Lafferty suggested that we need a new system, a new approach to education, that compulsory education would be the answer to this. I point out to him that we already have a system of compulsory education and look where it has got us.

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

Against Compulsory Education

MR. STEEN: Mr. Chairman, I would just like to add a few things for the Member from the Western Arctic and also the Member from Frobisher. I myself do not feel that compulsory education is going to work in the Northwest Territories. Now, one reason is that compulsory education means that children will have to go to school and what we are dealing here with is people who are not used to education, and I am here referring to the older people, the parents. They were not forced to go to school when they were going to school themselves, and they do not feel that their children should be forced to go to school.

Another reason is that there are so many social problems in the communities because of liquor and so on. We have to clear some of these things up, such as too much liquor in the communities where the parents are drinking and the children can not go to school. Another reason is that compulsory education, after a child has had his education in the community, under that he would be forced to leave his community and go to another community to get his higher grades. Now, some parents really do not want to be separated from their children, and this would force people, would force families with children to break up. Another point which would work against compulsory education is that in the communities you have cafes staying open late at night and they do not chase the children home to go to school, so they can make it to school the next day. These things should be looked at before we impose compulsory education.

Regardless of the kids today, regardless of the education they get in school, when they have had their high school grades, they are not guaranteed jobs after they have spent all those years in school, they are put back on the labour force, and receive a labourer's wage and are not really given a chance into the higher wage group. So I do not think that compulsory education would work at this time.

THE CHAIRMAN (Mr. Stewart): Thank you, Mr. Steen. I wonder if the Chair could ask one question. Mr. Minister, could you tell us how many prosecutions have been laid under the compulsory section of the act against parents whose children were not sent to school say in the last two years?

HON. ARNOLD McCALLUM: No, I could not, Mr. Chairman, right off-hand. I could perhaps try and find the answer to that and try and come back to you, but right now I can think of one this year, the only one that comes to mind but that may be totally erroneous. However, there is one that comes to mind this year. If I may be allowed a comment, Mr. Chairman, we are talking about compulsory education for students between the ages of six and 15 which, in reality, is to grade 9 or grade 10, we are not talking about compulsory education for students at higher grades. I appreciate as well that not all communities have grades 7, 8, 9 or 10, but there are very few schools in the territories who do not have grades 1 to 6 in that particular community unless they are very small communities. Some of them undoubtedly where the school population would be 30 or 40 students, or 50 or 60.

THE CHAIRMAN (Mr. Stewart): Hon. David Searle.

Submissions From Native Organizations

HON. DAVID SEARLE: Mr. Chairman, I have just had the opportunity to read the submissions made by the Metis Association and the Indian Brotherhood, and the other submissions by the Inuit Tapirisat of Canada on the Education Ordinance to the standing committee on legislation. I think I can see, after reading those two submissions where the difference lies, and even at the risk of over-simplifying the positions I would just like to spend a couple of minutes putting forward what I get from those papers because if what I get from them is true this Legislative Assembly has to make a very, very profound decision, a very far-reaching decision

as to the direction of education which will affect thousands of children probably for all time to come in this territory.

Now what these organizations say, of the ordinance as it exists is that it is a centralized system, it is a system of education which imposes control from the top essentially. There is an attempt to give some input at the local level by advisory and other education committees, with real power or control over hiring and firing being only at the school board level, or where you have hamlets, towns, cities with a tax base. But in the vast majority of areas you would have simply advisory groups who had no real power over the teachers and staff. If you have no real power over the teachers and staff, and if you have no real power over the curriculum but may give 30 minutes a week of cultural inclusion, of native language instruction, then are you really not paying lip service, are you really not tagging the culture thing on the end of a transplanted white southern society?

MR. PEARSON: Hear, hear!

HON. DAVID SEARLE: Now that is what the native organizations are saying, and I am just stating their case and I am not arguing in favour of it or against it at this point, but I think that is what these briefs have said to me as I have sat here and read them in the last 45 minutes in summary. They say, and I find, and I mean no disrespect to the Indian Brotherhood or to the Metis Association, but I find the Inuit Tapirisat of Canada brief more helpful, or more articulate in outlining these things. I will just quote part of it, reference is made to section 70(1) and 70(2) which say: "...the Director to ensure 'that education programs undertaken by students in the territories are at all times of a standard that will enable students to transfer to other parts of Canada without serious loss of academic or technical standing.'" Down a little further the brief says the ordinance "...fails in any respect to meet the needs of the Inuit who live in the North and will continue to live in the North."

I emphasize those words, "and will continue to live in the North". The proposal then goes on to say "The Northwest Territories Council" -- it says "government" but we are talking about the Council, "...must be prepared to vest local education authorities with the power and the funding to hire and fire teachers and principals, determine large segments of the curriculum,..." and I emphasize "large segments of the curriculum", "...contract for their own delivery of special educational and training programs, assist in formulating standards and determine adult and special education programs within the community."

A Unique Education System

Now, I think after quoting those things you can see the conflict. Surely it is becoming clear, on the one hand we have the demand for a totally local, localized system that would virtually put in the hands of each and every community all of the power, the funds, and all of the ability to draft a settlement by settlement educational system which could presumably have settlement by settlement its own completely unique education system.

MR. PEARSON: Right. Hear, hear!

HON. DAVID SEARLE: Its own completely unique curriculum.

MR. PEARSON: That is right.

HON. DAVID SEARLE: Now, do we want that? That is the question. Do we want that? If you opt yes, have no doubt as to the consequences, no doubt. You are assuming, and I go back to the words "and will continue to live in the North," is a correct assessment. You are assuming, I think, that you have the right to decide that these native people will continue to live in the North and indeed may not be able, if the system is so uniquely local, may not be able to be gainfully employed elsewhere.

Now on the other hand, and that is the one hand, but on the other hand you have a system being imposed we are told that is so highly centralized, so based on reading, writing and arithmetic of southern Canadians, emphasizing English and the southern Canadian way of life that it does no more, it does very little like the old days when we used to have religious instruction in the schools. Every Friday afternoon when we were all worn out and tired we would get 40 minutes of it and it was usually just after basketball. So it did not do anything for me, no, unfortunately. However, essentially this is what we are being told on the system at present and what is being proposed under this ordinance, a system which undoubtedly, if the native people learn it and succeed in it, would enable them to transfer from the North to other places in southern Canada, giving them the freedom to decide indeed where they wanted to live, and if they wanted to live here or elsewhere, indeed any place else in the world.

So there you have the conflict, gentlemen. The issue is, and it is an issue, what is this Assembly to decide in philosophy, great philosophers, we lot? Do you go for the totally local system obviously favoured by the Inuit Tapirisat of Canada, the Indian Brotherhood and the Metis Association, do you go for the other centralized system which they say is embodied here. I am somewhat tempted to agree with the assessment that they made in fact that is what is here and that is what we will enact if we enact this, or, for pity's sake, is there not a middle point somewhere? I do not know exactly where that is. I have my doubts as to whether it is here and I certainly have my own doubts about going as far locally as is suggested here. I suppose personally I should have no fear in Yellowknife and I certainly do not about my kids here.

I am not going to say any more than that because I do not really know where I stand. After reading these two documents I thought that I would like to try and point out the conflict and the pros and the cons of one as opposed to the other and suggest that if we really want to think about education over the weekend the decision you have to make is, do we localize it to this level as suggested by the Inuit Tapirisat of Canada and Indian Brotherhood? Do we go exactly the opposite way and centralize it at some midpoint where there is a high degree of cultural investment yet no sacrificing or no substantial sacrificing or options at least so you do not have to sacrifice a high academic standard that gives you the options to go elsewhere in Canada if you wish? If we could come up with that midpoint somehow, it would be great. I am sorry for going overtime, Mr. Chairman, but I thought since I finally did see the differences it might be a good idea to emphasize them.

MR. PEARSON: Hear, hear!

THE CHAIRMAN (Mr. Stewart): Thank you, Hon. David Searle. The hour is adjournment time. Mr. Wah-Shee has indicated he wishes to speak. If you are going to be brief, Mr. Wah-Shee, you may have the floor. If you have an extended statement to make, I would prefer you wait until we go back into committee.

MR. WAH-SHEE: Mr. Chairman, I could wait until tomorrow.

THE CHAIRMAN (Mr. Stewart): Thank you very kindly. If that is the case, in view of the hour, would you like to report progress? Mr. Minister?

Concerning Prosecutions

HON. ARNOLD McCALLUM: I would just like to come back to the question that you posed re convictions and prosecutions, if you like, under the present ordinance in compulsory education. The information that I have is that we know of no convictions but we have had approximately four or five prosecutions, if you like, if that is the terminology. In other words, we have taken parents to court four or five times I think last year and this year. That was I think in terms of last year and this year I think in Fort Simpson we did win. I hesitate to use that terminology or phrase, but we did get two prosecutions in Fort Simpson this year.

THE CHAIRMAN (Mr. Stewart): Thank you. I was going to get to the bottom of really how wide spread the use of this compulsory system is or how many people were really affected. Thank you very much. Have I your permission to report progress?

---Agreed

MR. SPEAKER: Mr. Stewart.

Report of the Committee of the Whole of Bill 7-59, Education Ordinance

MR. STEWART: Mr. Speaker, your committee has been studying the Education Ordinance and at this time wishes to report progress.

MR. SPEAKER: Thank you. Are there any announcements for this evening or tomorrow morning? In that case, Mr. Clerk, orders of the day.

ITEM NO. 12: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Remnant): Orders of the day, May 21st, 1976, 9:00 o'clock a.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. Motions for the Production of Papers
9. Motions
10. Tabling of Documents
11. Continuing consideration in Committee of the Whole of Bills, Recommendations to Council and Other Matters: Bill 9-59, Bill 7-59, Bill 6-59, Bill 12-59, Bill 1-59, Bill 2-59, Bill 11-59, Recommendation to Council 1-59, Recommendation to Council 2-59 and Motion 3-59, Motion 4-59 and Motion 5-59
12. Orders of the Day

MR. SPEAKER: Legislative Assembly stands adjourned until 9:00 o'clock a.m., May 21st, 1976, at the Explorer Hotel.

---ADJOURNMENT

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