



**LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES**  
**DEBATES**

60th Session

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Official Report

**FRIDAY, OCTOBER 22, 1976**

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

LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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RANKIN INLET, NORTHWEST TERRITORIES

FRIDAY, OCTOBER 22, 1976.

MEMBERS PRESENT

Mr. Steen, Mr. Stewart, Mr. Lafferty, Mr. Lyall, Mr. Butters, Mr. Whitford, Mr. Fraser, 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 (Hon. David Searle): Turning to the order paper, gentlemen, Item 2, replies to the Commissioner's Opening Remarks.

This gentlemen, is the last day for replies. Mr. Kilabuk.

ITEM NO. 2: REPLIES TO COMMISSIONER'S OPENING REMARKS

Mr. Kilabuk's Reply

MR. KILABUK: Mr. Speaker, Mr. Commissioner and Members. I am very thankful that we have good accommodation in Rankin Inlet and we are being made to feel at home, and we are able to eat our own kind of food and we have good food at the hotel. I am very thankful that the Minister of Indian Affairs was here and that he was able to speak to us and also the Government of the Northwest Territories. He was saying he could do a lot for us and I might also add that Commissioner Hodgson said to us that he would try and do as much as he could for the Inuit people and I am most thankful for that.

Mr. Speaker, I want to remind you that the Executive in the Government of the Northwest Territories should try and do more and see more of the Inuit people's ways since they belong to the Northwest Territories as well. We should not try to think only of the government and not look at the Inuit people as being small but try and help them as much as possible. The government has also offered the Inuit people often what they feel or what they are feeling and what they want to say but it seems that we are sort of second hand people since we do not know much about things and the government seems to look down on the people because they have no education.

I do not know why, I can not understand this whole thing. The people in the North seem to be let down so often when it comes to jobs and other things and in the bylaws that appear in the Northwest Territories. As we are Inuit people we can not understand a government which seems to be made up of civil servants and it seems that we are just second hand in their dealings with us.

Now, these government people make a lot of money, in the Executive, but it seems that they are only concerned about their jobs and making more money. They do not seem to be thinking of their descendants and for the people of the Northwest Territories in the future. These things I am saying, I want to remind you of these things again. We do not mind being told things so we can think them out, we do not mind being told and yet the people of the Northwest Territories, the Indian and the Inuit, there are many more than



white people living up here, but they can not live in the white ways. Why do not you guys look at this more and do more for them and think about having them, having them make the ordinances and bylaws so we can say what we feel like since we live in the Northwest Territories? We can then work together in different ways here in the Northwest Territories and we know a lot more of the game in the Northwest Territories, how they are going.

#### Inuit People Should Be Consulted First

The bylaws that are made for the Inuit people have been made so many times, corrected so many times, before they are even known to the white people and that is concerning game, concerning education and in future. They were never asked before they started making bylaws. Therefore, those people who make the bylaws, please remember this seems to be okay for us but the ordinances and bylaws, they will be in use for many years and please contact the people of the Northwest Territories first if they concern the Inuit people and the Inuit people before decisions are made.

So, let us work together with our Inuit people and our Indian people concerning these bylaws and ordinances. Do not rush any of them. Do not rush any of these ordinances. You, the Executive and the government, you would not work so hard so much if you would contact the people before you make any decisions at all. If the bylaws or ordinances were done that way they would be perfectly made and it would help a great deal for the future and our descendants.

#### Interpreters Should Not Be Rushed

The Inuit here and the Indians, you should be able to work well with them. I will also say, Mr. Speaker, these interpreters are doing a hard job and you all know this, except I do not want them to work too hard and make them rush into things all the time so therefore they could do a better job if they were not rushed in their work every day and they would not make any mistakes if they were not rushed at all. If they are rushed too much I have a feeling they might just quit but on these important ordinances and things. I do not want them to be rushed on any of the things that are important that have to be done.

What I am speaking of is very important as some people just want to seem to argue with the government but I am very thankful I was given the chance to speak and for myself I can understand more of what we must do in the future. I am very thankful again that I am able to speak and I want to thank the Commissioner and the Members of the Assembly. Thank you.

---Applause

MR. SPEAKER: Are there any further replies? Mr. Whitford.

Mr. Whitford's Reply

MR. WHITFORD: Mr. Speaker, Mr. Commissioner, fellow Members. It gives me a great deal of pleasure this morning to rise and I would be happy to support Hon. Peter Ernerk in accepting the Opening Remarks from the Commissioner indicating that some of the powers of the administration are going to be passed down to the communities.

Firstly I suppose I should speak in terms of my constituents. I come from the Great Slave Lake riding, consisting of Rae, Edzo, Lac la Martre, Snare Lake, Snowdrift, Resolute and Detah. This has the largest Indian population in the Northwest Territories, mainly Dogrib, Chipewyan and the balance are Cree.

I was quite surprised yesterday, if I may point out, or the day before to hear one of the Members mention the Roman Catholic mission. I firstly should say very strongly that if it was not for them I probably would not be here today to be able to speak to you all to the best of my ability. I was raised within that residential school from the age of nine until I was able to go out into the work force. So, all I can say is I think that they have dedicated a lot of time and energy in trying to understand the best way possible to be able to do this.

Development Difficult To Understand

The things that concern our constituency and it makes it very difficult, is that most recently the Commissioner lifted the moratorium on the land freeze that we had in Rae. There was no development for the last seven years in that particular community. So, consequently, the jobs ran out, things fell apart, the community kind of deteriorated and now I suppose with it being lifted it makes it very difficult for us to understand, hard to understand development, because by this time all our streets are in pieces, the houses are not much better, the unemployment situation is one of the highest in the North in the Rae-Edzo, Lac la Martre area. The economic development, the way the community has to see it is that the people are involved in building the construction of their own community, the building of the roads, the building of the houses, the building of our own airstrips. The development of that community within itself will eventually help the people to proceed ahead to talk about other developments. As you know, our constituency has opposed the Mackenzie Valley Pipeline.

My convictions are my own, I am not here to tell you about my feelings, I am here to tell you about how the constituency feels. This kind of development is a development to them that is only frightening because of the fact that they are not used to economic society, the economic society being that of course of major construction, construction that is beyond the means of the people to bear. Maybe we need some education on it. We have a large work force from the age of 15, out of school, to the age of 30, unemployed, that being up to 300 people. It is sad but the situation is there. We are now starting to proceed towards that small economic development, as it may be called. I just sold my trucking outfit and decided to stay for another three years to be able to be one of the instruments that would help those people to try and redevelop the best we can to compete with society. I do not think that those people oppose people in terms of white, Indian or otherwise, deep within themselves, within their hearts. This is why sometimes it hurts me when I think that we try to work together to co-operate. I have tried to listen to one side and listen to the other side without putting in any reference to race in between.

I think that also if the areas of concern had grown to be part of the Northwest Territories before this, with the development of their communities, it would have been easier to discuss the Mackenzie Valley Pipeline with them and I think they would have been part of it. I think they would have wanted it, I sincerely believe that, but with the push-back to what it is today, it is just about virtually impossible; as a matter of fact I would tend to believe it was impossible.

#### People Need To Be Involved

The other point I would like to bring out is that the community has to be expanded with the involvement of the people in that particular community. It can not be expanded by people coming out of Yellowknife, the government, the bureaucracy to expand it. To give you an example, and it is a sad one, the intention was good but the end result was bad.

We had last spring been told that we would get some new fill for some houses to be put in Rae-Edzo. The government ordered that the gravel be hauled by contractor into the community and dumped into two locations; one was into a sewage lagoon and the dirt was poured in there and poured in there and poured in there, hundreds of thousands of dollars being wasted. Now, the houses can not go there, they must be put between other houses where other people do not want to be, people sitting side by side with a new house going to be built in the middle. They do not want it and there is community opposition, but the houses are supposed to go there.

The involvement of the people at the time, whether it be the town or whether it be the band or whoever is involved in it, the housing association, if they had all been involved we could have worked something out that would have made everybody happy, every party including the people in the community, the government and the people who are trying to deliver the houses. We have just started what we call Dogrib Construction, a privately funded company but I believe it is going to work because there is enthusiasm about jobs, people want to work in the community. In the past, contractors have come from the South or from Yellowknife to build houses, building roads, building streets, but it is not helping those people. Edzo did not help.

So these are the kinds of things that disturb me. Mr. Speaker, sometimes I get out of order, I know. It is difficult for me just starting to be able to try to get my point across. I was grateful the other day when the Commissioner said he was coming to Resolution, that that community was a concern. I suppose I was out of order there, but the point is that you live with the issues, you live with the people. I think one time I remember listening to the radio when Mr. Bryan Pearson happened to be on and he said, "people's land". This is quite true. It is people's land. The people here are the ones who have to live with whatever is being dictated to them from Yellowknife. I only hope that I can learn as fast as I can, or sometimes the Legislative Assembly being sympathetic will see some of the views of those people.

Concern For Future Commissioner.

Not to waste any more time at this point, because I think that I can come along slowly. I know the Commissioner has helped us a lot, and I think somehow we can work this all out. To get to one of my last points, my other concern is especially for the people. It may be referred to right now as a personal view, but the Commissioner has been here now just about nine years, and I wish he would stay on another year or two, but if he does not, are we going to be dictated to again by Ottawa, sent in another Commissioner from somewhere else in Canada? I kind of hope that the Legislative Assembly, this Legislative Assembly, either this time or in January, consider this Commissioner position. It was my view, and I strongly believe that the Commissioner now perhaps should be the present Deputy Commissioner, that Deputy Commissioner John Parker, should be moved to the Commissioner's job.

---Applause

I believe that he would be able to understand. The transition would not be that great and it would help the people. I am glad we have the Commissioner right now because they depend on him so much and it would be an understanding of the involvement of the North as it is today without being sent in somebody who we have to start teaching all over.

Native Deputy Commissioner.

The other point is, the Deputy Commissioner, if I had a choice, I think this time I would try a native, because I think it is time that there would be one available, one who would understand -- to learn to understand how the mechanism of government works. I think whether it be Inuit, Indian, Metis, one of these three would give us some kind of a hope, a desire, that we are part of a growing country.

In closing I want to say that one of the better people who worked in our constituency who represented us prior years ago was Mr. Pete Baker. He was a Councillor who was really aggressive and hard-working and dedicated and brought a lot of things into the community. I can only hope, Mr. Speaker, even though sometimes I get out of order, that you understand that it is these kinds of things that disturb us, that probably put us out of order, and that there will be some kind of co-operation. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Further replies to the Commissioner's Opening Remarks. Mr. Butters.

Mr. Butters' Reply

MR. BUTTERS: Thank you, Mr. Speaker. I commend the Honourable Member for Great Slave Lake for an excellent maiden address. It is the first maiden address I have heard in this house in which the Speaker has received applause throughout the remarks being made. I would wish to thank the people of Rankin Inlet for their hospitality to us and special thanks to former Members of this house, Professor Robert Williamson and the mayor of this community, Mr. Willie Adams. In so saying I would also wish to refer as well to, I think, the point well made by Mr. Nickerson, the Honourable Member from Yellowknife North, and his reference to the U.S. Declaration of Independence and the reference to the intentions of George III to ensure, seemingly, that the 13 colonies met in places in which it was difficult to carry out the legislative act and responsibility. I feel that it is very important to travel to all parts of the Northwest Territories, for Members of this house, but I do regret that as part of that travel we are required to discuss and attempt to formulate legislation as important as this Education Ordinance.

It is the most difficult to work out of a suitcase office to deal with this matter. I trust that in the future some other way could be found to assure that Members of the house do visit the communities but are not required at the same time to carry a very, very heavy burden of legislation. I think I am not a member of a flying circus; I am a Member of a Legislature.

#### N.W.T. Act Should Be Changed

I welcomed the Commissioner's Opening Remarks indicating that it is his intent to decentralize responsibility for self-government into the communities and I underline that word "responsibility" because I have learned with more than minor alarm, within the last few days, that the Commissioner's statement "I am the Government" is true. "I am the Government", he says -- not he says -- it is given to him by the Northwest Territories Act. I think that this is a situation that has got to be changed as quickly as possible, and that act be rewritten to ensure that the Commissioner can do more than delegate responsibility, that he can delegate some of the authority that goes with that responsibility. The situation as it now exists is archaic and colonial and tragic and does not recognize the aspirations of northern peoples of whatever background.

The Minister in his opening remarks very boldly, I thought, and with much confidence in the people of the Northwest Territories indicated that he was willing to advise the Commissioner to name to the Executive of the Northwest Territories a third Member. Hithertofore this suggestion that we had only representative government was valid because, although we are wholly elected on this body, only two of our Members on the Executive Committee of five are elected and they form the minority. The Minister's statement the other day gave the elected people a majority on the Executive Committee and yet I wonder if he realized that he gave us nothing in terms of an advancement toward responsible government because, as the Northwest Territories Act says, the Commissioner is the Government of the Northwest Territories.

#### Executive Power Of Commissioner

I, in replying to the Minister's remarks, would hope that he would have a chance to examine that act that has its roots in 1905 and determine what can be done to change that unfortunate situation. Our Legal Advisor -- and I think our new Legal Advisor is providing us with excellent advice and suggestions -- our Legal Advisor, speaking to us yesterday, said sections 3 and 5 of the act give to the Commissioner all of the executive powers and in fact carries it back to the executive power of the Lieutenant-Governor in 1905. The basis of those three sections of the Northwest Territories Act, the opinion is that all of the executive and administrative power has been given to the Commissioner, not to this Assembly. Following from that, any attempt of this Assembly to give something they do not have to one of their Members would be unconstitutional. I wish to warn Members, when listening to that statement, to that last statement about being "unconstitutional". It is not a fence we can not jump. Constitutions and acts are changed because some people have the guts to get up and say, "It is not going to be that way. We will take it to the people of Canada if we have to. If we have legal advice, we will take it to the people of Canada and the Supreme Court of Canada." We can do this, but if we sit like mice, like seals on ice, we will be on ice 50 years from now.

I commend the Honourable Member from Great Slave Lake again for saying what we have never yet said in this house and recognized in this house, that our present Commissioner who has served the people of the North well and ably over the past almost decade, a decade he indicated he would give to the people of the North, a decade which will be up, I think in March of 1977, is coming to a close. We should, if we are responsible, be looking at the individual man or woman who will next fill that seat. I am sure, and I

think the Commissioner has said this too, that should he be asked by the Prime Minister and the cabinet to stay on, he will stay on. I think that should the Mackenzie Valley Pipeline be built, and there is a very great doubt about that now, should the Mackenzie Valley Pipeline be built, his knowledge and experience and expertise in labour matters would be invaluable to us.

Support For Deputy Commissioner.

However, his term is almost over, and I agree with Mr. Whitford, and I support, as I did ten years ago, our current Deputy Commissioner for that post, to succeed Commissioner Stuart Hodgson. I support Deputy Commissioner Parker because of his long residency in the North, his knowledge of the total community of the Northwest Territories, and having served many years ago in 1965 as a member of the Carrothers Commission, the report of which this body and previous Councils have almost considered to be a Bible of evolutionary development. He has served on the municipalities, has served ably as an administrator of this government for many years, so I think the suggestion made by Mr. Whitford is an excellent one.

I call to you that we should be making noises in this direction now because, and I point out to you the situation that recently occurred in the Yukon, and in so doing I take nothing away from Commissioner Pearson. Commissioner Pearson lived and served many years in the territories with the federal government as a biologist studying grizzly bears, I think it was, but I do not know that Commissioner Pearson did have the support of the Assembly of the Yukon or the people of the Northwest Territories. I suggest that the criticism that it was an arbitrary appointment by the Minister is valid and merits serious consideration. We do not wish to see that happen again.

We may have no power, we may be nothing, or second hand citizens, second hand legislators, second hand representatives, as the Honourable Member from Pangnirtung says, but we must have some say in the selection and choice of the man who succeeds our present Commissioner. Thank you.

---Applause

MR. SPEAKER: Are there any further replies to the Commissioner's Opening Remarks? Mr. Pearson.

Mr. Pearson's Reply

MR. PEARSON: Mr. Speaker, and colleagues, I rise this morning for just a very brief time to reiterate the views that have been expressed by my colleague from the Eastern Arctic on this matter of legislation that is put before this Assembly without it first being given due consideration by the people who are to be affected by it. You have all heard me on this subject so many times, but because I seem to have difficulty in making my point I will use this opportunity to try to make the point again. This Legislative Assembly has a responsibility, a great responsibility, probably one of the most important responsibilities of any Legislatures in this country because this Legislative Assembly has the sole responsibility for determining for the people of the Northwest Territories what type of education they will receive. The provinces of this country do not have this kind of responsibility because education in southern Canada is the responsibility of the communities. Education in southern Canada is something which is handed to the communities as their sole responsibility.

In the Northwest Territories, we have a centralized approach to education, a centralized approach which is suitable perhaps in some areas for some people but it is not suitable for all of the people all of the time in all of the areas. It is a policy which is determined, run and managed by mandarins who sit in Yellowknife on the one to sixth floors of an administrative building with all-seeing eyes and all power and all responsibility emanates from that building. It oozes across the Northwest Territories like a dreaded liturgy and it is supposed to ooze over the people out there and solve their needs and provide them with the kinds of things that are good for them, a magic potion. Well, it does not work, it will not work, it has not worked and it is this group, these 15 men strong and true sitting around a table whose sole responsibility it is to put this thing to right.

Native People Not Participating

We talk about people, the native people of this country participating, we talk about the native people having a part to play in the North and Mr. Ipeelee Kilabuk uses the phrase "second hand" and I think he probably meant "second-rate". Anyway, whatever it is, he knows and I know and you know that the native people of the Northwest Territories are not participating, they are not being given the opportunity. Sure the Commissioner goes into the communities and makes a statement that people will have the opportunity to participate, everybody can be a hamlet, everyone can be a village and all you have to do is say the magic word, say the magic word folks and you are part of this system. Some system, some system!

We know, those who live in the North out there in people land, that it is not working, the people are not getting the opportunities that we like to think are being given because they are written in the magic pages of the administration of this country, but the magic potion is already there and all you must do is say the magic word folks and you too can participate. The magic word folks is education, that is the magic word.

MR. BUTTERS: Hear, hear!

MR. PEARSON: Honest education, not synthetic, not something that is written down in a magic book that says "You will go to school and you will be fined ten dollars if you do not and you will behave yourself and sit in the classroom and listen to the white teacher and at four o'clock p.m. you go home and you will do that for ten years and when you are finished you are entitled to any job that is offered" but it is not working. It has not worked.

Look around us, look at the North. For 21 years I have lived in Frobisher Bay, and for 22 years there has been a school there. We have not had one graduate from the high school yet, not one high school graduate from Frobisher Bay. There is something wrong I would say, there is a problem somewhere. We have dropouts by the loads, we have dropouts at the age of ten, we have dropouts at the age of eight. "How come you do not go to school?" "I can not stand the place" is the usual answer or "I do not like the teacher". We have five year old children who are herded off to school, they sit in class, 30 of them and not one of them speaks a word of English and standing in front of them is this very well-meaning, good-intentioned, southern Canadian teacher who can not understand one word they say and they can not understand a word she says. As I said the other day, the native people are welcome in the schools any time they like provided they get hold of a broom or a mop and that is all you see by and large.

#### Ordinance Needs Philosophy

How do we put it to right? How do we solve this dilemma? How do we give the people what we represent, an honest deal? How can we give them an opportunity to participate? We have an ordinance of 105 clauses, it is all there, the magic is there, or at least, supposedly, but it is not based on any philosophy. It is not based on any philosophy as to what should be taught, who should teach it, where it should be taught, how it should be taught. It does not deal with that aspect of education, it does not mention kids in here anywhere. The Commissioner will, the director might, the teacher should, the building will; it does not mention kids, it does not mention people, just big long words that are hard to understand which we love to amend every time we see, we just amend it. What is it doing for the kids in the school? They have had ordinances before and if this were passed tomorrow it would make no difference to the operation of this school right here in Rankin Inlet, no difference. It would make no difference to the quality of the little creatures that come out of the door at four o'clock p.m., the quality of their education.

The people have not been consulted, we do not know what they want, we do not understand the ramifications of one policy for all men, all men the same. The needs of the Western Arctic, the needs of the Central Arctic and the needs of the Eastern Arctic are different, and to the big cities like Yellowknife this applies well but it does not make much sense in Grise Fiord.

#### Views On Pipeline Ascertained

The Government of Canada is very concerned about the views expressed by the native people about a pipeline, a very serious problem that will cause tremendous upheaval in the North for a number of years. So, they have gone to the trouble of finding out what effect people think this will have on them, on the ecology or on the work force or what effect it will have on the labour force, the work force. I got the figure yesterday. It spent four million dollars trying to ascertain the views of the people and the Folies Berger, whatever it is called has gone from community to community, talking to people, listening to them, it has examined the district of the Mackenzie and has even gone across the South of Canada.

That in my opinion is something that affects a fair number of people in the Northwest Territories, but the thing that affects all of the people, the future of the North, the entire future of all the people in the Northwest Territories is education, there is nothing more crucial, nothing more important than education. Surely, in this day and age with the government giveaway programs we know about, with the type of dough they blow in this country, look at the government waste that goes on, we could find some money to establish a team or a commission or whatever you want to call it.



I do not care what you call it, a board of inquiry of four or five people with some northerners on it, some experts on it, to travel the North to every single community and to sit down with those people and ask them about their aspirations, their needs, their hopes for their kids, the future of the North. If we can do that then I think we have achieved something, and then I think we have been honest in our job and I think we have been responsible to the citizens we represent and then I think we can say that we have done our job. Then, when this team returns from their treks across the North they report back to the Legislative Assembly and from that will be a philosophy of education, from that will be a blueprint on which to build an ordinance, on which to build a dream, on which to build the North, something, a foundation for the future of the people of the North. Thank you.

---Applause

ITEM NO. 3: QUESTIONS AND RETURNS.

Appointments Of Mr. Elkin And Of Mr. Gordon As Directors.

DEPUTY COMMISSIONER PARKER: Mr. Speaker, before providing two returns to the house which I have ready this morning, I would like to take this opportunity to make an announcement of interest to Members and that is this: As you have been advised, early in the session, Mr. Ray Creery has been appointed to and accepted other and important duties related to the transfer of responsibilities to regions and to communities. To fill the vacancy that has been created by this move in the Department of Local Government we are pleased to announce that Mr. Larry Elkin has been appointed the director of Local Government.

---Applause

The vacancy created by Mr. Elkin is to be filled by Mr. Alex Gordon and Mr. Gordon will be the director of Planning and Program Evaluation. We are pleased to place these two gentlemen in their new roles; each of them has had extensive experience in administration in the North, having lived in a number of communities, having served with area, community and regional responsibilities of an increasingly senior nature, and I am confident that we will be very well served by having each of these gentlemen in the positions to which they have been appointed.

Return To Question W6-60: Problems Re Lumber Delivery At Slave River.

Mr. Speaker, on Tuesday, October 19, Mr. Nickerson asked Question W6-60, concerning problems experienced by Slave River Sawmills Ltd. in delivery of lumber.

Press release 76-156 was incorrect in referring to delivery problems encountered by Slave River Sawmills Ltd. At no time did Slave River Sawmills Ltd. experience delivery problems in meeting its commitments to Weber Bros. Hay River Prefab Housing Corporation regarding the contract for prefab houses with the Northwest Territories Housing Corporation. Slave River Sawmills Ltd. delivered approximately 600,000 board feet of lumber to Weber Bros. as originally agreed upon and the mill then started to produce lumber to meet requirements of other customers. About two days later a Weber Bros. representative contacted the manager of the mill asking for additional two by six lumber. The manager informed Weber Bros. that this additional requirement could be supplied in about a week or ten days but immediate delivery could not be made because the mill had to complete other orders for which delivery commitments then existed. The additional lumber was ultimately shipped within the specified ten day delivery period. Slave River Sawmills Ltd. was capable of satisfying Weber Bros. requirements for additional lumber provided that they were given an adequate lead time of one to two weeks. However, subsequent orders were not forthcoming because of Weber Bros. decision to purchase elsewhere.

Return To Question W9-60: Commissioner's Lands.

On Wednesday, October 20, Mr. Butters asked Question W9-60 requesting a definition for and description of Commissioner's land in the Northwest Territories.

1. Commissioner's land is federal crown land which by order in council of the privy council on the recommendation of the Minister of Indian and Northern Affairs, pursuant to the Territorial Lands Act, is transferred to the Northwest Territories for administration in order to control development in and around communities. The transfer of such land is subject to the condition that the Northwest Territories undertake to retransfer to the

Minister, from time to time, any unalienated territorial lands under its administration as may be required by the Government of Canada in satisfying native land claims and in discharging obligations under Indian treaties.

2. Below is a list of where in the Northwest Territories there are blocks of Commissioner's land and how much is in each: Yellowknife, 260 square miles; Inuvik, 86 square miles; Rae-Edzo, 105 square miles; Frobisher Bay, 79 square miles; Fort Smith, 23 square miles; Fort Simpson, 132 square miles; Fort Good Hope, 32 square miles; Fort Providence, 75 square miles; Aklavik, 8.2 square miles; Hay River-Enterprise, 175 square miles; Norman Wells, 175 square miles; Fort Franklin, 25 square miles; Fort McPherson, 31 square miles; Nanisivik, 40 lots.

Each block land transfer area is negotiated with the federal government under a prescribed criteria. The criteria outlines that block land transfer areas should be tracts of land encompassing communities comprising a sufficient area to meet projected expansion for a period of ten years. While the intent of this basic concept is in reference to urban expansions beyond the existing townsite layout and to control immediately contiguous lands, consideration of boundaries also cover the following: (a) Identification and protection of the watershed for community water supply; (b) The provision of a "buffer" zone around the perimeter of the projected urban community to control development within, and unorganized development outside, the block land transfer area; (c) Solid waste disposal area; (d) Existing or proposed highways or airstrips providing access to the community; (e) Areas contiguous to the settlement that are actively utilized by the community on a seasonal or continuous basis for recreation or other purposes with property development implications; (f) Other relevant aspects that may arise on a case by case basis and have a bearing on the final positioning of the perimeter boundaries.

MR. SPEAKER: Are there any written questions? Mr. Whitford.

Question W13-60: Land Purchase, Rae-Edzo

MR. WHITFORD: Mr. Speaker, in regard to the lands issue, the Deputy Commissioner just read, I was wondering if the Commissioner would be able to tell me if people from the Edzo area can buy land for their own homes because some of the people in the area wanted to buy their lots and they were trying to get some kind of action on it and were never told on this.

MR. SPEAKER: Mr. Whitford, I think it is safe to say -- is that a written question you have?

MR. WHITFORD: Yes.

MR. SPEAKER: Under this item, questions must be in writing and must be submitted, you can not properly follow up a return that has just been given under written questions unless it raises something that is so urgent a matter you could raise it under item -- where is it, where are oral questions?

MR. WHITFORD: I have it written down. I could submit it as such perhaps tomorrow.

MR. SPEAKER: If you have it written, you can read it and then you submit it, but it appeared to me that you were expanding beyond your original text.

MR. WHITFORD: Oh, I see what you mean, yes.

MR. SPEAKER: Would you like to try and respond to that now, Deputy Commissioner Parker, or take it as notice?

DEPUTY COMMISSIONER PARKER: Mr. Speaker, I will take the question as notice and file a reply.

MR. SPEAKER: Further written questions? Mr. Lyall.

Question W14-60: Airstrip Construction, Spence Bay

MR. LYALL: Mr. Speaker, as this administration very well knows, the equipment for building the airstrip in Spence Bay is there. Does this administration know or have they heard what length of airstrip they will be building in Spence, because we have heard that they are going to build only a 3000 foot airstrip and that is not very practical because thousands and thousands of dollars worth of equipment is there. The big reason for wanting a good airstrip is to get better aircraft service. If we do not get at least a 5000 foot airstrip, we are not going to be gaining too much.

MR. SPEAKER: Do you want to take that as notice, Deputy Commissioner Parker?

DEPUTY COMMISSIONER PARKER: Yes, Mr. Speaker.

MR. SPEAKER: Further written questions? Mr. Pearson.

Question W15-60: Correctional Centre, Management Review

MR. PEARSON: Mr. Speaker, I have a question of the administration: In the light of the unfortunate revelations made some months ago over the management of the Yellowknife Correctional Centre, can the administration assure me that these matters have been resolved and that all racist type manuals, the sort that came to light in the press, have been removed from the files and destroyed and will there now be a review of the facility and the way it is managed?

MR. SPEAKER: Mr. Commissioner.

Return To Question W15-60: Correctional Centre, Management Review

COMMISSIONER (Mr. Hodgson): Mr. Speaker, Members of the Assembly, I can assure the Assembly and Mr. Pearson that the offensive material was removed four and a half years ago. The Executive, like the Council of that time, knew nothing of this document and I doubt very much if it was known outside of the facility. I assure the Assembly, as I did our administration and the public, that we are presently reviewing all of the policies. We know the programs are not discriminatory. We are now reviewing all of the policies to double check to make sure that there are no offensive materials in any of the written policies. It is not, has not been and will not be the intention at any time of this government to discriminate against anyone, regardless of race, nationality or their religion.

There will from time to time, when you decentralize, when you delegate authority, I am sure arise things that people may not agree with or may take exception to, but in the interests perhaps of turning over responsibility that is one of the prices that you have to pay. If these things do occur in the future, they will certainly be corrected but I reiterate that this appears to have been corrected over four years ago and it is very unfortunate that it happened. The one redeeming fact of it is that those who apparently put this all together corrected it themselves and it did not have to come to this Legislature or to this administration to be corrected. They saw the error of their ways, although unfortunately no one has given them any marks for that.

MR. SPEAKER: Further written questions? Mr. Whitford.

Question W16-60: Lumber Stock, Fort Resolution

MR. WHITFORD: Mr. Speaker, can the Commissioner tell me what they are going to do about all the lumber and logs in Fort Resolution that is not being sold and people are being laid off? I believe there are about 1,600,000 board feet of lumber in the Resolution lumber yard.

MR. SPEAKER: Deputy Commissioner Parker.

DEPUTY COMMISSIONER PARKER: Mr. Speaker, we will take the question and file a reply.

MR. SPEAKER: Thank you. Further written questions?

Turning to the orders of the day, Item 4. Item 4 is incorrect. It says "petitions" and repeats it twice. That should be "oral questions". Are there any oral question? Mr. Butters.

Question On Review Of Power Rates, Ruled Out Of Order

MR. BUTTERS: Mr. Speaker, I trust you will consider this of sufficient urgency to allow it to be heard.

Last year or this year Northern Canada Power Commission jacked up rates to domestic consumers of power in the Northwest Territories fantastically, 40 per cent or more, and there was an outcry from the territories. I believe the former Minister gave some indication that his people would be examining and reporting back whether or not those rates should stand. My question is: Has the chairman of the Northwest Territories Utilities Board who is sitting with us heard from the Minister that such a review has been carried out and changes that will be made?

Secondly, if he has not, could we inquire of the Yellowknife office to determine whether that public response will be made by the Minister prior to the termination of this session?

MR. SPEAKER: Mr. Butters, I do not mean to be difficult but I am just as bound by the Rules of course as you are. I would like you to explain to me first the urgency of that question.

MR. BUTTERS: Yes, sir. There is some urgency. Depending on the reply from the Minister, if the Minister has made a reply which is to say that those rates shall stand, then I think we should take very urgent and angry action at this session, sir. If a request is not made to Yellowknife to determine whether that report has been made, we will not know until we go home.

MR. SPEAKER: That may be, but we still have, possibly tomorrow and another week in this session and my question is, why could not that question be a written question under what appears to me to be the appropriate item, Item 3?

MR. BUTTERS: It appears it will be a written question, sir.

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

THE COMMISSIONER: Mr. Speaker, may I have your indulgence to make this sort of an announcement? I want to announce that acting on the advice of this Assembly --

MR. SPEAKER: Excuse me, Mr. Commissioner. Is this with respect to the Executive Committee appointments?

THE COMMISSIONER: Yes.

MR. SPEAKER: Do we have the unanimous consent of this Assembly to depart from the orders of the day to allow the Commissioner to make an announcement with respect to the Executive Committee?

---Agreed

Announcement With Respect To Executive Committee

THE COMMISSIONER: I was not sure whether it was an emergency nature or where I should fit it in but I am sure it is of some interest to the Assembly and certainly to the people of the territories.

Yesterday the Assembly in response to a decision of the Minister elected one of their Members, Mr. Nickerson, to the Executive Committee. I am very pleased to officially announce to Council that I concur with their choice. I welcome Mr. Nickerson to the Executive Committee of the Government of the Northwest Territories and I wish to announce that Mr. Nickerson will take over as of December 1, the portfolio of Minister of Social Development. This, of course, means that Mr. Ernerk will be -- I have offered him a new portfolio which he has accepted and at that time he will take over the portfolio as Minister of Economic Development.

I should say at this time in some time to come we are hoping to persuade the Department of Health and Welfare to turn over the responsibilities for health and welfare to this administration. Once that has been worked out and becomes a reality I propose to divide the Department of Social Development and will create a new department. That department will deal specifically with health matters. The reason is I think quite in keeping with what would be the wishes of this Council. Social development is a very important and complex responsibility. It does have a big budget and it is primarily concerned with the social services that we offer the people of the territories.

At the same time the health, medical, hospitalization responsibilities are of like importance and I would not want to see one suffer at the expense of the other. So it seems to me that it would make some sense to divide these but that does not mean that the responsibilities would not remain under the Minister who at the present time is assigned to Social Development, so it is quite possible that we may have a situation or may see a situation develop where one Minister elected from this Assembly would be responsible for two departments.

MR. SPEAKER: Thank you, Mr. Commissioner. Are there any further oral questions?

Item 5, petitions. Oral questions, Mr. Kilabuk?

Question Ruled Out Of Order

MR. KILABUK: I just want to ask, Mr. Speaker, in 1967 in Pangnirtung we were told that we would be getting a fire truck in 1977 and I wonder if someone will tell us when we will be getting that truck?

MR. SPEAKER: Mr. Kilabuk, I can not treat you any different than I treated Mr. Butters. That question should properly be a written question unless there is some extreme urgency involved. In other words, there has to be something happening right now that is of such an emergency nature that you ask an oral question so that you could not possibly put it in written form. However, you may wish to seek the indulgence of the Assembly and ask if they would give you unanimous consent to put the question in that form if you wish. Agreed?

---Agreed

MR. LYALL: Mr. Speaker, on a point of privilege, I think that a fire truck is of an emergency nature. I think Mr. Kilabuk is very right that a fire truck is a matter of an emergency nature and that is why he wanted to ask it.

MR. SPEAKER: I am not concerned with the nature of the vehicle; I am concerned with the nature of the question. I have held it not to be a proper oral question. However, he can seek the indulgence of the house so he can put it in that form by way of unanimous consent. Is unanimous consent agreed?

MR. NICKERSON: Mr. Speaker, I think, sir, that it is incumbent upon me to, in this particular case, deny the requested unanimous consent. I think you were quite right in your ruling and it must be seen by all Members that the Rules of this house shall apply equally to every Member of the house. I can see being a little bit lenient in cases of people who have only been here for two or three days, but people who have been here for a considerable number of months and who have had the opportunity to study the Rules and procedures must be prepared to accept them or alternatively to go about changing them in the proper manner. Therefore, Mr. Speaker, I am afraid that in support of yourself and your ruling, I will have to deny the consent requested.

MR. SPEAKER: Mr. Nickerson, I hoped you would not say it was in support of myself because I simply indicated what the Rules are and how one can get around them if one has the unanimous consent of everybody. If that is denied, then I would rather hope you would not bring the Chair into it. However, I am sure that Mr. Kilabuk does not mind producing that question tomorrow in written form. I think that ends it, Mr. Pearson. I do not want to continue this discussion any further.

MR. PEARSON: A point of order.

MR. SPEAKER: What is your point of order?

MR. PEARSON: I have reason to believe that the Rules of this house are not translated fully into Inuktitut and therefore Mr. Kilabuk would not have the opportunity to read the Rules.

MR. SPEAKER: Mr. Pearson, the Rules of this house are patiently explained by me as we proceed, and with respect to oral questions I have made a point on every occasion that that item comes up to patiently explain that they are of an emergency nature.

Item 5, petitions.

Item 6, reports of standing and special committees.

Item 7, notices of motions. Mr. Whitford.

MR. WHITFORD: Mr. Speaker, I believe there is the motion we submitted yesterday.

MR. SPEAKER: That comes under Item 9, when we get to motions, Mr. Whitford, I am sorry. Are there any notices of motions? Mr. Butters.



ITEM NO. 7: NOTICES OF MOTIONS.

Notice Of Motion 13-60: Codification Of Northern Entrepreneur.

MR. BUTTERS: Mr. Speaker, I wish to give notice that on the next sitting day I will move the following motion:

WHEREAS the economic base of the Northwest Territories is demonstrably inadequate;

AND WHEREAS the Hon. Judd Buchanan, the former minister of Indian Affairs and Northern Development, saw fit to establish and fund a northern preference business task force as a step towards rectifying that situation;

AND WHEREAS that task force comprised of residents of the Yukon and the Northwest Territories, did hold meetings in many northern communities;

AND WHEREAS one of the major considerations of that task force was to define the words "northern entrepreneur" and recommended that a northern bid differential be established and followed by the territorial administration when calling for and receiving tenders for goods or services required in the administration of the Northwest Territories;

NOW THEREFORE, I move that this house direct the Executive to codify and include the intent of and criteria for the definition of "northern entrepreneur" as developed by the northern business preference task force in all existing territorial legislation and, as and where applicable, regulations.

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

Item 8, motions for the production of papers. I believe, Mr. Butters, you have one. Mr. Butters, I think that motion is found as Motion 10-60, and it is your motion, Motion 10-60, production of Advisory Committee on Northern Development documents. From my knowledge, this is the first occasion that anyone has ever used that particular item and because it is, I would like to take the opportunity, in that the Rules are not translated, to refer to the relevant Rule. The relevant Rule is Rule 44(a). Now, that Rule says: "Upon the order of business, motions for the production of papers being called, such motions shall be disposed of without debate, but if on any such motion a debate is desired by the Member proposing it, or by any other Member, the motion shall be transferred to the order of business, motions."

So, I think it appropriate for me to ask you first, Mr. Butters, and all other Members, whether or not there is any desire to debate your motion, Motion 10-60, because if there is then it would be appropriate for us to now transfer it from Item 8 to Item 9; in other words, you would move it under motions instead of motions for the production of papers. Mr. Butters.

MR. BUTTERS: Just a comment, sir. I am also unsure as to how to proceed, but on thinking about this I felt that if I were to have the support of the Members of this house in seeking to obtain this legislation they should know what the document is and some indication of my reasons for desiring it, and those were what I intended to give, and perhaps I could give those under motions.

MR. SPEAKER: If that is what you want to do, and I thought that is what you wanted to do, then we had better transfer it to Item 9. So, Motion 10-60 will be transferred from Item 8 to Item 9 and will be taken then in the order that they come up.

Returning then to the orders of the day, Item 9, motions. The first motion would be Motion 8-60, Mr. Butters.

ITEM NO. 9: MOTIONS

Motion 8-60: Extension Of Sitting Hours Of The House

MR. BUTTERS: Mr. Speaker:

WHEREAS the sixtieth session of this Assembly has been sitting for almost a week;

AND WHEREAS much business must still be dealt with;

NOW THEREFORE, I move that the Speaker be empowered to adjust or extend the hours of sitting as Members deem advisable to conclude the business of the house as expeditiously as possible.

MR. SPEAKER: Moved by Mr. Butters, and is there a seconder? Mr. Lyall. Any discussion?

SOME HON. MEMBERS: The question.

Motion 8-60, Carried.

MR. SPEAKER: No discussion, the question being called. All in favour? Contrary? The motion is carried.

---Carried

Motion 9-60, Mr. Butters.

Motion 9-60, Deferred

MR. BUTTERS: I wonder, Mr. Speaker, if I might have the permission of the house to defer this motion until I find the particular document which I will use as the basis for my request. It is somewhere in a welter of paper and I have lost it at the moment.

MR. SPEAKER: There is no problem with deferring motions, as I understand it.

Motion 10-60, and I am afraid that is yours again. Motion 10-60 is the one we deferred from Item 8.

Motion 10-60, Deferred

MR. BUTTERS: I will defer that also until I can get my documentation.

MR. SPEAKER: Motion 11-60, Mr. Pearson.

Motion 11-60: Summit Meeting

MR. PEARSON: Mr. Speaker, I wish to move the following motion:

WHEREAS a greater gap is widening between this Legislative Assembly as the rightfully elected representative body of the Northwest Territories and the federally funded native organizations;

AND WHEREAS I believe it is essential that an understanding between all the representative groups be attempted;

NOW THEREFORE, I move that a summit meeting be held during the sitting of the next session in Yellowknife of all the groups involved; it should include Committee For Original Peoples Entitlement, the Indian Brotherhood, the Inuit Tapirisat, the Metis Association and this Legislative Assembly, the Commissioner of the Northwest Territories, the Minister of Indian and Northern Affairs and the Prime Minister.

MR. SPEAKER: Is there a seconder?

MR. NICKERSON: A point of order, Mr. Speaker.

MR. SPEAKER: Mr. Nickerson.

MR. NICKERSON: It occurs to me, sir, that this motion might just be out of order. It commands, so to speak, that a summit meeting be held, a meeting of all the groups involved, and it would seem to me that the second part of the "resolved" clause there, although it includes the word "should" what it in fact is doing is saying, it is defining the groups involved, which would then make the motion a necessity to attend this meeting, and it would seem to me that this Assembly has no call over the Prime Minister to tell him what to do at all.

Rules Discussed

MR. SPEAKER: Members are not prohibited from making motions that may not meet with what another Member would regard as common sense. In other words, you may think that Mr. Pearson's motion is entirely impractical, but that is your view, but still surely he is entitled to move it. What you have to show me before I can rule it out of order is that it offends the Rules; not the rules of common sense, the Rules of this house. Do you not?

MR. NICKERSON: Certainly. Obviously it would offend the first, and it is my contention that it offends the second, by saying that this summit meeting of the groups involved has to be held and it is quite clear that the second part of the "resolved" clause outlines what Mr. Pearson would describe as the groups involved.

MR. SPEAKER: Mr. Nickerson, I am afraid I have to persist and suggest that before I can sustain your point of order I would suggest that you direct me to a Rule, the interpretation of which, by that which you suggest I can support your position. I know I can properly hold a motion out of order if it purports to spend money, but I think that unless you can do that I am bound to let Mr. Pearson move his motion and then you are free to argue the common sense of it, or the merits, in other words, in debate, but I do not think that I can rule it out of order otherwise.

MR. NICKERSON: It will obviously take me a few minutes to flip through the Rule book to find the particular Rule, but the point I am probably trying to make here is that certain Members should take a little more care and attention when they come to drafting motions. So, perhaps at this moment I should withdraw my objection after having made that point.

MR. SPEAKER: I suppose it saves me the task of having to rule against you. Mr. Pearson, would you please kindly move your motion.

MR. PEARSON: Would you like me to remove it?

MR. SPEAKER: You have moved it.

MR. PEARSON: And it has been seconded.

MR. SPEAKER: Moved, and seconded by Hon. Peter Ernerk. So would you now like to debate the sense of it?

MR. PEARSON: In light of my learned colleague, my word, the expert in semantics from some great university on the shores of mighty blighty, common sense, I thought the key word in the motion, Mr. Speaker, is the word "should" and it appears in the "now therefore" clause.

The intent of the motion is to have this Legislative Assembly try to develop a better understanding of the organizations that have the responsibility of speaking on behalf of certain groups in this country, organizations which are being funded by the federal government, organizations which do in fact represent the views of a lot of people. I think it would be in the best interest of those people and the people we represent across the Northwest Territories, together at a private meeting, to sit down and discuss the differences and the views and objectives and the aims of all parties concerned and I think that in doing so we could bring about a better understanding of each other, a better understanding of the aims of all of these groups. I think if we were to take this initiative, this Legislative Assembly, we would be performing our duty as I see it and as far as I am concerned the motion is self-explanatory. I think Members realize the matters of which I speak

and I trust they will be prepared to support this motion.

MR. SPEAKER: Mr. Butters.

Meeting Should Not Be Private

MR. BUTTERS: Mr. Chairman, I think there is a great deal of merit in what the Honourable Member has suggested, as people get down and talk out not only their differences but talk out and identify those points on which they have agreement. I have a number of reservations if such a meeting were to be held. I think that it should be of all of the groups named here and if there is any group which refuses to appear, such refusal I think reduces the effectiveness of any such meeting. However, while saying I think the intent is very good, Mr. Pearson lost my support in his oral presentation when he said "private". This meeting should not be held in private; it should be in public where the various positions of the organizations can be presented for examination by the press because the press represent people too. The press represent all the people and I say in public where a debate can take place, presentations can take place, positions can be outlined and we all benefit by the greater understanding we have of each others' positions, thanks to the press. So if I understand Mr. Pearson is withdrawing that reference to "private," then I will again support it.

MR. SPEAKER: Mr. Evaluarjuk.

Support For Meeting

MR. EVALUARJUK: Mr. Speaker, I want to support Mr. Bryan Pearson's motion. It would be a lot better -- sometimes I get confused about the Inuit Tapirisat and the Metis Association and all and if we are working toward Metis and Indians and we do not know much about anything, if we were to have meetings like this at this Legislative Assembly it would be very good, very helpful and if we worked together, we could work together. What we are trying to do in the Legislative Assembly, we could tell the associations of the things that we think. If we work together with them, we will get a lot stronger. If they could tell us anytime, even if you are not meeting, even now we are trying to help the associations and I really support Mr. Pearson's comments. It seems that we are rushing towards this Legislative Assembly and we are going to have a session again in January and if we could meet before that, a public meeting, I would really appreciate it.

MR. SPEAKER: Further discussion? Hon. Peter Ernerk.

HON. PETER ERNERK: Mr. Speaker, I seconded this motion to support it. I think it is a very good motion. There have been times when I felt the two organizations or the number of organizations and the Assembly or this Legislature wondered who was representing the Northwest Territories' residents, so I would just like to say that I would be in favour also of meeting with the organizations mentioned in Mr. Pearson's motion and that, of course, includes Committee for Original Peoples Entitlement, the Indian Brotherhood, the Inuit Tapirisat of Canada, the Metis Association, during our January session in 1977. Thank you.

MR. SPEAKER: Thank you, Hon. Peter Ernerk. Is there any other Member who wishes to speak? Mr. Whitford.

MR. WHITFORD: Mr. Speaker, I think it is a good idea meeting with the ITC, Metis Association, COPE, Indian Brotherhood, but I also would believe it would be just a meeting for the purpose of discussing just exactly what we are all doing. It would not be a meeting, I do not think, and I will not speak on behalf of the Metis Association, but, rather, it would not be a meeting to be one of heavy work, but rather, just to discuss I would believe for discussion purposes only, right? Right. The only other thing is that I know they are working on land claims pretty heavily and it is going to take some time so they would have to co-ordinate timing with them.

MR. SPEAKER: Mr. Nickerson.

Situation In Western Part Of N.W.T.

MR. NICKERSON: Mr. Speaker, the only thing that really bothers me about this motion is it would appear to me that the mover is not particularly aware of those things which are taking place in the western side of the Northwest Territories. How he ever hopes that the Indian Brotherhood and Metis Association are going to sit down together, I just do not know.

MR. SPEAKER: Are there further -- Mr. Lyall.

MR. LYALL: Mr. Speaker, I will not support this motion because of the fact that I was elected by the people of the Central Arctic to represent them in the government and as far as I know the people who are members of ITC, all of the board members, all of them who hold office were not elected by the people. They were elected by 65 people who were at one meeting and I believe that I know who is supposed to be the leader of the people of the Central Arctic.

MR. SPEAKER: Mr. Lafferty.

MR. LAFFERTY: Mr. Speaker, my honourable colleagues, it is difficult for me to decide just exactly which way I would go because I see the pros and cons of the motion. I could see and appreciate the good intentions and the well-meaning of the Honourable Member from Frobisher and Mr. Evaluarjuk, but I am of a similar opinion to Mr. Lyall. We are publicly elected representatives of the general public of the Northwest Territories. Maybe I see a danger in having a summit meeting where we are treating organizational executives on equal terms with this house, the authority of the Legislature.

Meeting Premature

I could see, speaking for the best interests of unity or understanding, a hearing held by the territorial Legislative Assembly of these people, but I can't for the life of me see the territorial Legislative Assembly under whose authority these people are operating or under the society's ordinances

and every one of us here should be well aware that there is a definite split among native peoples, at least, in the Mackenzie corridor anyway. There is a definite split. Asking these people to sit down and have a meeting with them, I think it is rather premature. I do not think that I would with all consideration knowing the people, I think that I would not support this unless it is delayed. I am concerned and I wish to see all people sit down together in a meeting but I do think this is premature. We should give it some serious thought first.

MR. SPEAKER: Mr. Fraser.

MR. FRASER: Mr. Speaker, I am going to speak definitely in favour of this motion. I think it is about time that the territorial government has been involved with these different groups and organizations for some time now. Every time there is a meeting all this comes up, something comes up with these groups and we should invite the executive members of these groups, whether they appear or they do not appear, and the ones who do appear we will have an interest to see what we have to say and it will also be educational for us to see what they have to say, whether we support them or we do not. Thank you.

MR. SPEAKER: Further discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Mr. Pearson has the right, of course, to wind up the debate. Mr. Pearson, do you wish to do so? Before you do, you understand that if he speaks no one else can speak. There are some Members who have not spoken and I am not encouraging them to speak but I want them to understand that if they do not speak now and Mr. Pearson does then they can not. Mr. Steen.

Purpose Will Not Be Served

MR. STEEN: Mr. Speaker, I understand the intent of the motion. The motion is intended to try and pull people together or try to see how we could pull the people together, but I myself do not think that it is going to do that. Everyone in the territories is after power. Everyone is on a power trip and they will be damned if they will want to get together. Like I said the other day, find out who is the boss. I understand the intent of the motion and I do not think it is going to serve its purpose, so I see it just as a waste of time.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Are there any further Members wishing to speak? Mr. Pearson.

MR. PEARSON: Thank you, Mr. Speaker. Just very briefly I think Mr. Butters' point is certainly well taken and on reflection I think that a public meeting would certainly be very interesting and certainly put the thing out in the open. In reply to some comments from Members; Mr. Lafferty, I think that anyone can question the validity of this Assembly, but I do not think that anyone can question the validity of native organizations. Whether they were elected by two or 52, that does not matter, the fact of the matter is that the federal government is funding them and has said to them "You prepare the land claims, you prepare the claims, you are the people we are dealing with."

I think that is the only thing we need to concern ourselves with, they are the people who have been given -- the interests of their people to represent them at Ottawa -- the Ottawa level to, if you like, bypass the territorial level. This is an invitation, it is not a demand, it is an invitation

for the men, for the leaders of the North to get together on an equal footing, not for someone to appear before the almighty Legislative Assembly of the Northwest Territories, but just for these people to get together and try and air their differences and see where they want to go. If they do not wish to attend it is entirely their prerogative but I believe, firmly, that this Assembly must take the initiative in this matter and try to resolve some of the differences that obviously exist as the differences seem to be becoming even greater. So, there you are, it is simply an invitation and for my colleagues who are going to support it I thank them most wholeheartedly.

SOME HON. MEMBERS: The question.

Motion 11-60, Carried

MR. SPEAKER: The debate is closed. The question is being called. I would ask Members to hold up their hands and keep them there until I count them because from the debate it may be a close vote and I would not want to be in error in numbers. All right, the question being called. All in favour? Eight. Contrary? Four. The motion is carried.

---Carried

Returning to the orders of the day, Item 10, tabling of documents. Mr. Butters.

MR. BUTTERS: I found my documents. If we may continue with motions relative to producing the documents.

MR. SPEAKER: That being the case then I suggest we adjourn for coffee.

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Then we will recess for coffee.

---SHORT RECESS



MR. SPEAKER: Gentlemen, if the Assembly will come to order. The two motions that Mr. Butters deferred, Motions 9-60 and 10-60, he is now prepared to proceed with. However, we do have a delegation from Bell Canada here who have certain travel commitments which we might accommodate and Mr. Butters has agreed that if we stand down the item, motions, temporarily leaving them for later that we might therefore go on to Items 10 and 11.

Item 10, tabling of documents.

Item 11, consideration in committee of the whole of bills, recommendations, other matters and information items, in particular the matter relating to the operations of Bell Canada Limited in the Northwest Territories.

ITEM NO. 11: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS, RECOMMENDATIONS, OTHER MATTERS AND INFORMATION ITEMS

This house will resolve into committee of the whole for consideration of matters relating to the operations of Bell Canada Limited in the Northwest Territories with Mr. Butters in the chair.

---Legislative Assembly resolved into Committee of the Whole for consideration of matters relating to the operations of Bell Canada Limited in the Northwest Territories with Mr. Butters in the chair.

PROCEEDING IN COMMITTEE OF THE WHOLE TO CONSIDER MATTERS RELATING TO THE OPERATIONS OF BELL CANADA LIMITED IN THE NORTHWEST TERRITORIES

THE CHAIRMAN (Mr. Butters): The committee will come to order to discuss matters relative to the services provided by Bell Canada in the Northwest Territories. I believe there are with us at this time two gentlemen from Bell Canada, Monsieur Claude Maillet and Monsieur Claude St. Onge. Is it the wish of the committee that they join us at this time to assist us?

---Agreed

Would the two gentlemen who have travelled to Rankin please join us at the witness table? Please be seated, gentlemen. We thank you very much for coming to Rankin to attend the session and to assist us in this discussion. I would advise you that the usual procedure is that you would make an opening statement and there may be questions or other oral presentations from us.

I would also advise you there are Members of the Assembly receiving translations in Inuktitut and so I would ask you to speak as slowly as possible so our translators in the booth can provide the Members with a complete and adequate translation of your remarks. With that sirs -- I think I should also say do not be alarmed by that harpoon in front of you, that is no indication that that will be your fate before you leave. You have the floor, sir.

MR. ST. ONGE: Thank you. Well, it gives us great pleasure to be with you today to review with you the accomplishments of Bell Canada in the Northwest Territories as of today, and also to let you know what we intend to do in the future.

Statistics Of Service

It will also give us the opportunity to as well discuss telecommunication problems as they relate to the North. Not so long ago the only available means of telecommunications was the high frequency radio which I believe

everyone knows about now. I might also say that some improvements have been made in the HF radio family but the fact remains that this type of equipment depends upon certain conditions. Since then we have embarked on a program with the federal government to provide Anik satellite service to many communities. We also have provided local telephone service to an even greater number of communities. Let me give you some general statistics pertaining to the Northwest Territories. The population served by Bell Canada is 11,000 and the communities served by year end 1976 were 22, of which 13 are served by Anik satellite service but the remaining nine still have HF radio. We have in service 3000 telephones. The total investment as of year end 1976 amounts to \$5,235,000, which represents an average investment of approximately \$17,000 per telephone installed.

Our over-all expenses are \$7,500,000 and by year end 1976, they are approximately two million dollars which leaves us with a deficit of \$3,760,000. Now, let us talk about our future plans. Between now and the end of this year every community in the Northwest Territories will be provided with local exchange service. The cost of this project will amount to \$600,000. An additional \$500,000 will be invested in local exchange within the next three years. As you know, after many representations Chesterfield Inlet will be provided with Anik satellite service by December, 1976.

HON. PETER ERNERK: Hear, hear!

#### Negotiations For Satellite Service

MR. ST. ONGE: In a recent speech the federal Minister of Communications, Madame Jean Sauvé put as one of her top priorities, communications in the North and as a result, intense negotiations have taken place between the federal government and Bell Canada to provide Anik satellite service in the remaining eight settlements. We are very hopeful that these negotiations will bear fruit and that a positive answer will be received shortly. You will no doubt be hearing more about this in the very near future. We will also be opening a commercial office in Frobisher Bay with which local people will be able to communicate in their own language. So, just to add up what I have to say here, we have working in Nouveau, Quebec and the Northwest Territories 124 people of which 59 of them live in the North and at the last count we had 17 Inuit people working for us.

Now, I would like to say that there could be quite a few questions from the floor coming to us and we thought we might not have all the answers but if we do not have the answers then we will take a note of them and look after them when we go back home. Thank you.

THE CHAIRMAN (Mr. Butters): Thank you. I congratulate you on a very concise and informative presentation. Mr. Nickerson.

MR. NICKERSON: Mr. Chairman, as an engineer I can appreciate the great difficulty in serving such a vast area with such a small population. I think that Bell Canada ought to be congratulated for what they have done already and what they intend to do in the future. It just boggles me, how do you try to go about serving a small isolated community with maybe 100 or 200 population, it must be one hell of a job? I notice that you have an investment of approximately \$17,000 per telephone, and I wonder if you could tell us how that would compare with other areas, with metropolitan type areas and secondly, Mr. Chairman, my second question is I notice that there is a very substantial deficit, we have been told, amounting to some \$3,300,000 annually. I wonder if we could be told how this deficit is covered? Does it come out of Bell's earnings elsewhere or do they receive some kind of assistance from, for instance, the federal government to cover part of this deficit?

#### Deficit Covered By South

MR. ST. ONGE: To answer your first question, our investment per telephone in the South, in the metropolitan areas amounts to about \$1200 per telephone. In the rural areas our investment amounts to about \$2000 to \$2500 per telephone. With regard to your second question pertaining to who is covering the deficit of the North, well I can answer that the South is covering the deficit.

THE CHAIRMAN (Mr. Butters): Thank you very much. Possibly Mr. Minister, you would like to speak at this point. I should have recognized you first seeing that I think the appearance of these gentlemen in Rankin Inlet is in large measure as a result of representations you have made to the Assembly.

HON. PETER ERNERK: Thank you, Mr. Chairman. If I could just take my jacket off.

MR. ST. ONGE: That really scares us!

HON. PETER ERNERK: I am getting kind of hot, and I am not trying to make it known that I am trying to attack you or anything like that, but basically I would first of all like to say that I am very, very pleased that you came to Rankin Inlet because it was I who made the motion during the January session of this Assembly in Yellowknife that you should be invited and you were. Bienvenue à Rankin Inlet.

#### Importance Of Telephone Communications

The telephone communications are very, very important to the people in this part of the country and I know that I have seen some improvements with respect to telephone services in my own riding in Baker Lake, Eskimo Point and Rankin Inlet, as well as Sanikiluaq, although at times some difficulties do occur because of a shortage of lines or circuits. Telephone communications mean that you could talk to your relatives and friends in the Northwest Territories or to the people who are up here from southern Canada to their friends in southern Canada, telephone communications mean talking to medical services from Rankin Inlet, from Baker Lake, from Eskimo Point, from Sanikiluaq through Churchill, Manitoba and with great difficulty, as it stands at the moment, from Chesterfield Inlet, Whale Cove through Churchill, Manitoba.

I was very, very pleased when I received the letter from the deputy minister of Communications about a month and a half ago, I believe, indicating to me that Chesterfield Inlet would receive Anik satellite service before the end of 1976 and confirmed it by saying in December of 1976. I congratulate you for that and I am sure you will continue to make some improvements as time goes by. The people of the two communities I mentioned including Chesterfield Inlet and Whale Cove often found it difficult to operate under the present

conditions simply because it is often difficult to get in touch with different organizations, authorities or friends from other communities, whether they may live in the High Arctic or the western part of the territories or in this particular region. I was in Chesterfield Inlet about six months ago -- pardon me, about four months ago or so and I tried calling out of Chesterfield Inlet over to Yellowknife for an important matter that I had to get done immediately. I had a lot of difficulties simply because I could not get out of Chesterfield Inlet.

I have received some correspondence from various people. I would like to read, if I may, Mr. Chairman, the intent of these letters with respect to the services provided by your company, sir, to the Keewatin district and to the area which your company is responsible for. One is a letter from Inuit Tapirisat of Canada to me and the other is a local issue which is from Baker Lake. If I may take a few more minutes to read the recommendations which I received.

THE CHAIRMAN (Mr. Butters): We have two weeks, sir.

HON. PETER ERNERK: Two days, did you say? Anyway, I have written one or two letters to you concerning these matters.

MR. ST. ONGE: Yes.

Letters Read By Hon. Peter Ernerk

HON. PETER ERNERK: Because I see them as very important items, I would like to read them out to you, sir. It says here: "Dear Peter, as you are aware the Baker Lake telephone exchange is connected through the Anik satellite system. This has helped to improve some communication problems to the community, but there still remain problems which could be corrected if some effort is taken on the part of Bell Canada. We support ITC's letter to Bell Canada on May 20, 1976. Their letter explains some of the communication problems northerners in the communities face every day. There were three points in the letter which the council took particular interest in. Firstly, the need for local maintenance men. In the past minor repairs and installations were handled by a local man which made the service more efficient. Now for minor repairs and installation we are faced with the problem of waiting three to four months, depending on the number of complaints, before a serviceman arrives.

"Secondly, the need for paying bills locally. This problem is faced by everyone, especially our non-English speaking people. Errors are paid uncorrected by many people from not knowing the procedures of correcting bills or not understanding the billing system. This is an injustice on the part of Bell Canada and should be corrected immediately.

"Thirdly, the problem of phoning Quebec City for Inuit who can not speak English or French. When an Inuk" -- that is an Eskimo -- "requires installations or repairs it is impossible for them to phone Quebec City and pass the necessary information, so we have Inuit who are dissatisfied because of this inadequate service. We wrote Bell Canada about these problems but their solutions did not satisfy our council. They placed a man in Rankin Inlet to cover the Keewatin district. He solved the first problem mentioned in this letter, but we feel we are just as far back as we were before. We will continue to wait months before repairs and installations are acted upon.

"Our second and third points concerning payments of bills and language problems are in Bell Canada's opinion to be solved by opening up an office in Frobisher Bay. We still have the problem of distance. The idea may be good, to have an office in the North with Inuit personnel, but we have to look at the problem from the local level. We still feel many Inuit will continue to pay errors in their bills. This is a great disservice to our Inuit who must pay the same rates for poorer service as the southerners who have an efficient service.

"The Baker Lake council proposes that Bell Canada place a man in Baker Lake or train a local person to do minor repairs and installations on phones. Even if this position is to work on a part time basis, the same person could handle bills and complaints locally at the same time. The Baker Lake settlement council is very serious about this proposal."

I understand, Mr. Chairman, that the company has placed a man in Baker Lake, but perhaps one of the two gentlemen could explain it to me later on. Mr. Chairman, if I might go further, I have another matter from The Inuit Tapirisat of Canada which I would like to read, their recommendations or their position with respect to communications in northern Canada for which Bell Canada is responsible.

Recommendations From ITC

"One, every permanent community should have a local exchange. Two, every community should have high quality reliable telephone service available on a 24-hour basis. There should be enough circuits available to serve the

community adequately without long waiting periods. Three, every community should have a local telephone maintenance man in the employ of the telephone company and a local means of paying telephone bills and adjusting billing errors. Four, people should be given all the information that they need in order to understand the most efficient and economical use of the telephone. That information should be given to them in the language they understand. Five, there should be enough Inuit operators employed by Canadian National Telecommunications and Bell Canada that a person who does not speak English can still make a long distance call. Six, telex should be available to every community at costs that are no higher than the rest of Canada and which take into account the importance of communications to the North. Seven, data and computer links should be available to every community at costs that are no higher than the rest of Canada and which take into account the importance of communications to the North."

This letter was sent to me from ITC and the other letter was sent to me from the settlement council of Baker Lake. I do not need to go any further, Mr. Chairman, just at this time. I am sure there will be some other points which I might like to raise and, as you suggest, we have two weeks to go, so I will shut up for a little while.

THE CHAIRMAN (Mr. Butters): I thought you were going to say some points you missed, and I do not think you missed any points. Do other Members wish to question or comment? Mr. Pearson.

MR. PEARSON: Mr. Chairman, I would like to make a couple of points. Bell certainly have an impressive record and I for one appreciate the service that exists, particularly in Frobisher. I think that Bell Canada provides an excellent service, and I think that we in the East are possibly a little more fortunate in having slightly better service than is provided in the West.

#### Progress By Bell Canada Praised

Considering the developments of the last few years, the progress has just been astounding. It is true that there are communities such as Lake Harbour and smaller communities that still have pretty inadequate service, but those communities that have now been serviced I do not think have a great deal to complain about. I mean, it is possible for me, and I plan to do it this afternoon, to go to my room here in Rankin Inlet and call California just by dialing the right number or at least having the operator assist and I think that is a remarkable achievement, considering what you could have done here five years ago.

There is still room for improvement. I, like many colleagues, feel Bell's record in employment of native people, of local people, is not as good as it should be, but I do not think that Bell do this willingly. I think if people were available for Bell to use, people with some background, that Bell would be very willing to use as many local people as they could. I do not think this government, this territorial government, has provided the kind of necessary back up for companies like Bell Telephone to provide them with people who are prepared and willing and capable and able to take on those kinds of responsibilities.

#### Training Needed For Repair Work

The educational system of the Northwest Territories is not geared to that. We have a high school in Frobisher Bay that still does not provide training for local people to be able to fix typewriters, to be able to fix irons, toasters, radios, television sets. We still import people to come in and fix those things. If there was a worthwhile training program in the schools that would enable young native people to learn some technical skills, I am sure that Bell would be one of the first to use those people, but we

can not expect Bell to do everything. The Royal Bank in Frobisher Bay has been there for 22 years, to my knowledge, and they have only ever employed one native person, and that native person no longer works there. There is a very simple reason. They do not have the necessary training and background, education background, to be able to take on those responsibilities. So, on the one hand it is easy to criticize Bell for not providing the service, or not providing jobs for people, but they really do not have much to choose from. I think the responsibility is not Bell's but our glorious Department of Education.

#### Excessive Mileage Charges For Apex

Now, I have not finished, Mr. Chairman. One remark I would like to make in criticism of Bell is the matter of mileage charges for the people of Apex, in the community of Frobisher Bay. The people who live in Apex and use the Bell service have telephones, but they have to pay a mileage charge from -- a much higher rate, in other words -- I think it is five dollars a month or four and a half dollars a month for a telephone in Apex which is just three miles away from the community of Frobisher, and I am the first to realize and appreciate the tremendous task of providing service in these communities at, I think, \$17,000 per unit as opposed to \$1200 per unit in southern Canada, but I do not see that charging those poor blighters in Apex an additional four dollars per month will alleviate the great strain on Bell's budget. I think that is a little unreasonable. The council of Frobisher Bay have complained to Bell about it and have received no satisfaction, and I think that perhaps Mr. St. Onge could examine that again and perhaps reduce this discriminatory charge against the people who wish to live in Apex. Thank you.

THE CHAIRMAN (Mr. Butters): Thank you, the Honourable Member from Baffin. Mr. Evaluarjuk, the Honourable Member from Foxe Basin.

MR. EVALUARJUK: Mr. Chairman, I am really happy that these gentlemen from Bell Canada are here...

THE CHAIRMAN (Mr. Butters): I do not think the gentlemen have their translation devices ready, so I wonder if the Honourable Member would pause and repeat his statement because I am sure they would like to hear everything he has to say.

MR. ST. ONGE: Thank you.

#### Problems Of Repairs

MR. EVALUARJUK: I am happy that the two gentlemen are here in Rankin to answer our questions because we have had a lot of times when there has been no one here. So first of all I want to thank you because a lot of settlements have been able to communicate because of Bell Canada even though sometimes they have problems with their telephones and there is quite a while when the phones do not work, but they still must pay the bill. Now, the repairmen usually come in by plane and they do not have, of course, people working for them in the local settlements, and I think that is a big problem that you would have to look at because when the Bell Canada repairman comes in to fix something, they usually leave within a day and the next day there may be another problem. Now, possibly Bell may have a lot of money to spare, or maybe they do not, but they never seem to stay in one place very long. Perhaps if they could train some natives it would cost them a lot less. Now, from Frobisher they usually go to Pond Inlet or another settlement, and that is one problem, and possibly someone could give me an answer on that later on.

Also there are a lot of things I want to say about places that have phones but when they try and call long distance they have to say it over and over, and this seems to be a waste of money, and I really do not know the problem, but it certainly does cost a lot to use radiotelephones. Now, the place I am really talking about is Repulse Bay as they have been told many times that they would get phones. They have been told every year, but year after year they do not get their phones put in. Perhaps if someone could look into that problem as soon as possible because they have been trying to get telephones for a long time and sometimes I have tried to call there but it has been impossible, and that is a problem that I do not like at all. Now, the other one, or at least another place that is in my constituency where they do not have phones, it is close to Pond Inlet, and they were told they would get phones in this summer, and the summer came and they never got their phones either. Those are the problems that I would really like you to look into.

#### Unsuccessful Visit To Ottawa

There is another thing, and that is when we held a meeting at Yellowknife and I went on to Ottawa I was to go with Hon. Peter Ernerk but it ended up that he had too much to do so I went to Ottawa all by myself and I talked to this guy in Ottawa and he said they would look into it this summer, would look into the problem this spring, but he never showed up. Thank you very much, for listening to me.

THE CHAIRMAN (Mr. Butters): Thank you. Are there other Members who wish to speak or question the gentlemen from Bell Canada? Mr. Kilabuk.



Problems With Radiotelephones

MR. KILABUK: Mr. Speaker, I would like to ask a few questions to the two gentlemen who are our guests, but first I would like to say they are very helpful because we realize they have so much to do, and I am sure they also know about the disturbances, for instance these things we just talked about, but for myself I will speak for myself. What Mr. Evaluarjuk said was very true and these radios that we use are not very useful. If they cost the same as the ordinary telephones without having to say "over". I am sure it would be a lot better to use them. Now, in one part of my constituency they have a radiotelephone, Broughton Island, and I do wish to speak to those people and talk by the radiotelephone, but you always have to repeat what you say on the radiotelephone and sometimes we just can not understand anything and we have to pay for our calls through the radiotelephones as well. I disagree with that.

Another thing too is that in our settlement these telephones are a lot better, they have improved since they were organized, and also what Hon. Peter Ernerk said, some people have had to pay for phone calls when they should not, only because they are being honest people. In our settlement we have nowhere for payments and I heard that the hamlet council is looking after the money business within our settlement for the phone calls and also while they were meeting in Pangnirtung the hamlet council were talking about payments, payment of the telephone bills, but the hamlet council will now be paid \$25, but I did not like what I heard at that time, what I heard at the meeting. One person was saying they should pay \$50 or over and hamlet council should be paid \$50 but I did not like the idea of it. I would prefer myself that people who get paid \$50 or rather pay \$50, if they could pay someone else and not the hamlet council, and I did not like the idea of that whole thing while they were at the meeting.

Phone Service In Broughton Island

Also, all over my constituency, but mainly in Broughton Island, I have to go and see them and hear from them, and this is very difficult without proper phone service as the air fares are very expensive and they are expecting also things, like Mr. Evaluarjuk was saying, and they would like proper equipment like any other settlement, you know, they should be able to get information as quickly as possible, and if they could possibly on Anik satellite that would be very useful.

Now, as well, I know that if they should get that we could work a lot better together with proper communications. It is pretty hard sometimes when you speak over the radiotelephone and have to repeat over and over again and they must lose a lot of money just through that. This is what I have. That was my main concern. Thank you very much.

THE CHAIRMAN (Mr. Butters): Thank you very much, Mr. Kilabuk. The next speaker is Mr. Pudluk.

MR. PUDLUK: Thank you. I have a couple of questions here, and I had a great number more questions before Mr. Evaluarjuk and Mr. Kilabuk started speaking. However, there is one thing I would like to tell Bell Canada here concerning the Arctic Bay telephones. When I went there about a month ago I was advised by the settlement council that every time they called long distance, the shortwave radio, they could hear them on the radio and it seemed rather ridiculous because the calls were supposed to be confidential, but they can hear them on the shortwave radio. Now, that problem has not been resolved yet, and I would like to ask Bell Canada to fix it immediately.

#### Problems Understanding Bills

Secondly, I have seen problems in the Eskimo settlements because some of the people speak little English or none at all. As well, some people are having problems with payment, especially when their phone is out of order. We do not know how to report it to Bell Canada. Also sometimes when someone else calls, they bill it to the telephone and sometimes they are quite surprised when the bill gets so high because some other people have been using it and they do not know how to complain to Bell Canada.

#### Motion That Bell Canada Have Agents In Each Settlement

I think I would like to move a motion so that Bell Canada would have agents in each of the settlements so they could report problems and the agents could then report to Bell Canada. Thank you.

THE CHAIRMAN (Mr. Butters): Thank you very much, Mr. Pudluk. I take it you have made a motion at the conclusion of your remarks, and I wonder if possibly I could get a copy or something and possibly I could have someone come around to help you. So, while that motion is being written out, we might ask other speakers to speak. If there are no other speakers to speak, I am sure the gentlemen from Bell may wish to comment on what they have heard for the last hour, and maybe suggest things that are presently going ahead to correct some of the problems that have been raised here. Do you wish to speak again, sir?

MR. MAILLET: Yes, I would, thank you. I would like to address myself to some of the questions that were raised. We certainly do not pretend to have all the answers, but we will certainly, like Mr. St. Onge said, investigate the complaints and try, as we have done in the past, to improve the service in the North. In answer to Mr. Ernerk's point on Baker Lake, as you probably know, we have hired local people, or hired one about three weeks ago who is now being trained in Rankin by Mr. Cantin, and I think that this is a first step in solving what I believe is a major problem in trying to have local people in as many communities as we can.

#### Trying To Find Local Agents

Like Mr. Pearson said, though, it is not always easy to find candidates for this job, and we would appreciate any help we can get. As you know, we also have one in Eskimo Point, and we have a program to establish more locations trying to get people on a local basis. We are presently trying also, through the community councils, to find local agents to educate the people on their bills, trying to explain in their own language what the bill is all about. We have now obtained some answers from some of these councils, and I believe one gentleman raised a point that \$25 per person was not enough. I would like to point out here that \$25 is to collect the first 50 bills, which amounts to 50 cents per bill, which is exactly twice the amount that we pay anybody else in the South for the same service. However, if people feel that \$25 for the first 50 bills is not enough, then we certainly are open to negotiation and this we will follow up when we get back if we can get answers from all the community councils that we have contacted.

The opening of an office in Frobisher Bay I think will go a long way toward answering some of the problems that you have in that the people there will be able to speak in the language of the native people and they will be able to explain some of the problems. We will try to, instead of going to Quebec, I believe Mr. Ernerk brought up that point, we will try to divert all the calls to Frobisher Bay to that office and I believe this is a great step forward in trying to improve the service.

#### Negotiations For Anik Service

As far as the quality of very high frequency radios are concerned, as you know at one time the only technical equipment that we had, the only technology that we had was VHF radio. As time went along we improved VHF itself but it was never a 100 per cent reliable piece of equipment. We are now I believe in all localities up to the third generation of VHF radio and, like we said, we are negotiating now with the federal government to provide Anik satellite service in all remaining eight localities in the North. This should also go a long way toward improving the service in itself instead of saying "over" and "over" again. This will help to pay for bills when the conversations were not good and they lasted too long. I believe that the Frobisher Bay office will also help in the meantime.

As far as data and telex services are concerned, I believe the advent of Anik satellite service will also go a long way to provide this type of service. Somebody mentioned, and I believe it was Mr. Ernerk as well, the number of circuits that are not sufficient. I think he is right in some localities we do not have enough. We will be installing additional circuits. We have installed two right here in Rankin Inlet and I think we have a little technical problem with the sixth circuit. We are constantly monitoring the number of calls that are being made. We will be adding some more in 1977 and again in 1978 as demand is there.

We will be looking and maybe Mr. St. Onge wants to address himself to that question, at the mileage charges in Apex. The point was made as well for telephone service in Repulse Bay and I believe that this is one of the locations where local service will be available before the end of the year. Pond Inlet has local service. We are not aware of any demand at the present time for additional telephones over there, but if there are, we will certainly look into those when we get back as well.

#### Confidentiality Of Radiotelephone

A very important point was made as well on the confidentiality of VHF service. Unfortunately, as I said, VHF is the technical means that we have in nine localities at the present time. There will be eight after Chesterfield is converted in December. This problem exists with VHF radio and it is the only way we can really monitor the communication but that problem will also be taken care of once we have an Anik satellite in all localities. This, I believe, concludes my comments. I am sure Mr. St. Onge would probably like to add a few things.

MR. ST. ONGE: Mr. Chairman. You mentioned Apex, the situation in Apex and we are going to look into it. As to Repulse Bay, not to contradict my confrere the chief engineer here, we have already what we call an NG 92 and the capacity of the NG 92 is 70 telephones and at the present time we have 60 working. I am very surprised that we can not provide additional telephones to whoever wants it there with the equipment which is already there. Maybe our figures in here are not up to date. I doubt it very much, but we will look into it.

Request For Transcript Of Questions.

As a final word, may I ask if it would be possible -- there was so many questions raised by Mr. Ernerk, Mr. Pearson and the rest of the Assembly -- would it be possible to have a transcript of all these things so that we could play it back and ask the appropriate questions to the people who are looking into the service in the North?

Gentlemen, I would like to thank you very much for the welcome that you have given us. It was a great pleasure and you can be assured of one thing: With the welcome we have had we are sure to be back with more good news. Thank you.

THE CHAIRMAN (Mr. Butters): The eternal optimist. Mr. Clerk, could you advise how the request of Mr. St. Onge might be fulfilled and maybe get a transcript either oral or written of their remarks that have been made by Members this afternoon? I am informed that you will be provided with an extract probably by mail of this portion of the debate.

MR. ST. ONGE: Thank you very much.

THE CHAIRMAN (Mr. Butters): Further Members' questions. Mr. Evaluarjuk.

MR. EVALUARJUK: Mr. Chairman, there is a little bit of misunderstanding here. Can you please repeat your answer concerning Repulse Bay?

THE CHAIRMAN (Mr. Butters): Mr. Maillet, did you reply regarding Repulse Bay?

MR. MAILLET: Yes, I said that Repulse Bay would have a local exchange before the end of 1976 and Mr. St. Onge picked me up on it because there is local service in Repulse Bay. There are four locations in the Northwest Territories which will have local service by the end of this year and they are Port Burwell, Lake Harbour, Hall Beach and Clyde River. There is local service in Repulse Bay, so our indications that we have here are that there is sufficient capacity in Repulse to provide service for the people who are asking for it and if there are demands that we can not meet, we would like to know. Unfortunately, we do not have these demands here with us, but we will certainly look into it when we get back.

THE CHAIRMAN (Mr. Butters): Are you finished, sir?

MR. EVALUARJUK: Yes.

THE CHAIRMAN (Mr. Butters): Are there any other speakers on this point or any questions to be raised?

HON. PETER ERNERK: Mr. Chairman, I wonder if I could just ask one question and that is with respect to Whale Cove. I wonder if you could give me an indication as to when Whale Cove might join the Anik satellite service?

MR. ST. ONGE: We would have liked, Mr. Ernerk, to have brought you the news. Last week we met the people from the Department of Communications and unfortunately, we did not get a call before we left on this trip. When I said shortly we should have a positive answer, I mean by this that it should be within a month I hope. I feel very confident that this will come forward.

HON. PETER ERNERK: Thank you.

THE CHAIRMAN (Mr. Butters): Thank you. Any further questions? If not, the motion that was made by Mr. Pudluk has been circulated -- I beg your pardon, Mr. Kilabuk.

MR. KILABUK: Mr. Chairman, I have a small question. I am talking about Clyde River and Broughton Island, when will they be put on the satellite, approximately what time?

THE CHAIRMAN (Mr. Butters): Could you gentlemen give us a forecast?

MR. MAILLET: Clyde River and Broughton Island are a part of the negotiations that we have started with the federal government. We are hoping that within a month the federal government will give us news as to when the service can be provided in the eight localities except Chesterfield which will have it in December of 1976. The eight remaining localities that do not have Anik satellite, at that time we will be able to provide dates for all these localities.

MR. ST. ONGE: I would like to ...

THE CHAIRMAN (Mr. Butters): Proceed, Mr. Kilabuk. No? Did you wish to answer?

MR. ST. ONGE: It might be a good thing here to name the locations where negotiations are taking place with the federal government at the present time; in Broughton Island, Chesterfield Inlet has been settled, Clyde River, Grise Fiord, Hall Beach, Lake Harbour, Port Burwell, Repulse Bay and Whale Cove.

THE CHAIRMAN (Mr. Butters): Thank you, sir. I recognize the Deputy Commissioner who has his hand up.

Administration Wishes To Be Part

DEPUTY COMMISSIONER PARKER: Mr. Chairman, I just want to make the point and it is an appropriate time to make it having heard the list of places yet to be served and under negotiation. The territorial administration feels very strongly that it must be part of the process of setting priorities for places. With all due respect, this has not always happened in the past and service has been extended perhaps without due regard to the proper setting of priorities. Of course we feel that we will reflect most accurately the requirements of the residents of the Northwest Territories and I think in reflecting the views of the Council Members we are the ones who should have, if anything, the prime role in the setting of priorities. I recognize that the numbers of customers available and their ability to pay for the service and the technical problems that may be more easily met earlier in one settlement than another have to be taken into consideration, but we are very anxious that we be part of the priority setting exercise.

THE CHAIRMAN (Mr. Butters): Thank you, Mr. Deputy Commissioner. If there are no further comments or questions, I would then refer back to the motion made by Mr. Pudluk, if Members would agree? Agreed?

---Agreed

Motion To Recommend Bell Canada Have Agents In All Settlements, Carried.

I just have one suggestion that the Honourable Speaker brought to my attention. There should be just a slight amendment to bring into focus just what we can and what we can not do. We can not tell Bell Canada to take certain action as they are an independent organization, but the suggestion was made that -- the Legislative Assembly of the Northwest Territories recommend to Bell Canada that Bell Canada have an agent in every settlement -- and then the amended motion will be voted on.

Is that agreed?

---Agreed

To the motion, any discussion on Mr. Pudluk's motion?

SOME HON. MEMBERS: The question.

THE CHAIRMAN (Mr. Butters): The question being called. Those in favour? Contrary?

---Carried

Gentlemen, you have seen this motion unanimously carried by every Member in the chamber. Gentlemen, if you wish or would agree I would report back to the Speaker of the house and thank the gentlemen who have appeared before us.

---Agreed

Thank you very much gentlemen, and please do come again.

MR. ST. ONGE: Thank you, Mr. Chairman.

MR. SPEAKER: May I assure the Members how pleasant it is to be missed. Might we return to Item 9? Would you report first, Mr. Butters, the Bell Canada matter?

Report of the Committee of the Whole of Matters Relating to Operations of Bell Canada Limited in the Northwest Territories

MR. BUTTERS: Thank you, sir. Your committee wishes to report a successful discussion with the executives of Bell Canada and as a result of that discussion there has been a motion which I am to report back to you to the effect that; "I move that the Legislative Assembly of the Northwest Territories recommend that Bell Canada have an agent in every settlement so that those who are not able to speak Eskimo will be able to report the problem to him, and the agent would report to Bell Canada".

Hours Of Sitting Altered\_

MR. SPEAKER: Thank you very much, Mr. Butters. Members, just before we go back and complete those motions we set aside temporarily there are two things I would like to suggest. In view of the motion that gave the Speaker discretion with respect to times of sitting, may I suggest to you that we consider sitting Saturday afternoon from 2:30 o'clock p.m. until 5:30 o'clock p.m. and may I suggest secondly that we change the hours for Monday and Tuesday morning a caucus morning, because of the attendance of one of our guests and make Tuesday the normal sitting time?

---Agreed

MR. SPEAKER: Is there any comment about either of those suggestions? Is it agreed?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: May we then return to Item 9, motions? Mr. Butters, your two motions.

REVERT TO ITEM NO. 9: MOTIONS

Motion 9-60: Consideration Of T.D. 2-60, An Integrated Housing Policy

MR. BUTTERS: Mr. Speaker:

WHEREAS the provision of adequate housing for all residents of the Northwest Territories remains a top priority of the Assembly;

NOW THEREFORE, I move that at a suitable time determined by the Speaker, this house resolve itself into committee of the whole to consider Tabled Document 2-60, "An Integrated Housing Policy for the Northwest Territories".

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

MR. BUTTERS: The question.

MR. SPEAKER: The question.

SOME HON. MEMBERS: The question.

Motion 9-60, Carried

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

---Carried

Motion 11-60, Mr. Butters. I am sorry, Motion 10-60.

MR. BUTTERS: Thank you, sir.

Motion 10-60: Production Of ACND Document, XND-180

Mr. Speaker, I move to have produced Advisory Committee on Northern Development document, XND-180 contained in Northwest Territories government file number 22-840-000.

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

MR. BUTTERS: Thank you, sir, this may take a little bit longer as I should supply the Assembly with the reasons for which I wish this document.

The Honourable Member from Frobisher was mentioning or alluded to the Follies Bergere of the Mackenzie Valley earlier this morning which rather tickled my fancy, but the documents are relative to that hearing. Now, some documents were presented by, I believe, a Mr. Sparham who was employed with the Department of Local Government of the territorial government and a submission was made by Mr. Sparham to Comissioner Berger which I think is the privilege and right of members of the territorial administration, and included in the attachments to the material supplied by Mr. Sparham was a document which is

described as attachment number four, and is a document which is on the letterhead of the Northwest Territories government and signed by Mr. R. A. Creery, director of Local Government. This is a three page document but it would appear to be an internal document but is most interesting because the half that has been made public to Mr. Justice Berger refers to ACND Document XND-180 and ACND refers to the Advisory Committee for Northern Development which is a body that has more influence on our lives than we think.

Document Explained

This document apparently made some comment or statement about -- for want of a better word -- a Mackenzie Valley Pipeline authority. Now, the Members of this Assembly have expressed a great deal of interest in what such an authority might be, what it might assume and what it might do and it was for this reason that I felt that as this document, the existence of this document has been brought to the public's attention that this document therefore has good reason to be brought -- the document itself -- the ACND document has a good reason to be brought to our attention because this was the first indication I have had that the federal government is considering, seriously considering, the establishment of a Mackenzie Valley Pipeline authority.

MR. SPEAKER: Is there any further discussion? Deputy Commissioner Parker.

DEPUTY COMMISSIONER PARKER: Mr. Speaker, with your very kind permission, I would like to make a statement with regard to this subject on behalf of the administration.

MR. SPEAKER: Is there any objection to that, gentlemen? Is it agreed?

---Agreed



DEPUTY COMMISSIONER PARKER: The document to which Mr. Butters refers is a document of the ACND, the Advisory Committee on Northern Development, to which reference was made in a submission made by Mr. Sparham to the Berger Commission. Mr. Sparham did not supply the Berger Commission with a copy of this document and I do not believe Mr. Butters claims that he did, but what he did supply was a copy of confidential comments made by the director of the Department of Local Government as an internal document so that those of us who had been studying the other document could have some broader views before making a response on it to the ACND.

Mr. Sparham did not have the authority to release even the document that made reference to the ACDN document 180, and for that reason there will be disciplinary action taken. The ACND document 180, referring to a number of matters but among them possible consideration of a pipeline authority, is a confidential document. The confidentiality is marked and requested by the federal office that produced it. Therefore, it is not within my authority to release it and were I to release it I suspect the Commissioner would discipline me as I intend to discipline the person who started the exercise.

MR. SPEAKER: Is there any further discussion? Mr. Nickerson.

Secrecy Criticized

MR. NICKERSON: I do not think, Mr. Speaker, that the explanations we are getting in this regard are very satisfactory at all. It becomes apparent now that there is thought and attention being given to this matter of setting up a Mackenzie Valley Pipeline authority and it is a matter that we ourselves have talked about, it has been contained in our submissions to the Berger Inquiry and to the National Energy Board, it is something which we give a great deal of importance to and I think it is disgraceful, sir, when the federal government, knowing of our great concern in these matters keeps the thing entirely secret to themselves, and it gives me the impression that they intend to go ahead with this thing by themselves with no consultation with us, with no consultation with the people of the Northwest Territories, and I reiterate that it is disgraceful, it is a completely disgraceful state of affairs to have this sort of thing happen.

The second point that has been brought to our attention by the Deputy Commissioner is, as has happened on several occasions before, people in the employ of the Government of the Northwest Territories have deliberately released confidential government documents to people, and to various inquiries and bodies without any authority whatsoever. This to me is a very serious consideration. I think we should be much more careful in who we hire, in what authority we give them to handle documents of this nature and, if they do go wrong, I hope that they will be, as Deputy Commissioner Parker puts it, severely disciplined.

MR. SPEAKER: Are there any further comments? On the motion. Mr. Butters.

MR. BUTTERS: If there are no further comments I would wish to close the debate.

MR. SPEAKER: Are there any other Members who wish to speak before Mr. Butters closes debate? Mr. Butters.

MR. BUTTERS: Thank you, sir. The Deputy Commissioner's reply or explanation of course is most unsatisfactory. In fact it is rather laughable that we have a new item put in our agenda paper, "motions for the production of papers" and the first one we ask for we can not have. It is amusing, it is really amusing but sad, sad, because it indicates where the power lies and where the authority lies, maybe not where the responsibility lies but where the authority lies.

Request For Document Not Granted

I was very frank with the administration, I informed the Commissioner immediately I received the document, I told the Commissioner that I would be requesting material from this file, I gave him the number of the file on the phone and so he has had this information for three or four weeks but I can only expect, because I am sure that he would have immediately phoned his boss in Ottawa and asked whether or not my request could be acceded to. Obviously his boss has said no so I do not fault either the Commissioner or Deputy Commissioner, they are just agents too. However, I think it is -- you know, disciplinary action, I say thank God somebody did leak it, thank God somebody has indicated that our concern about the Mackenzie Valley Pipeline authority was not listened to. Any intention involving us discussing the Mackenzie Valley Pipeline authority with the federal government was not considered at all. So, I assume that although we passed this motion we will not get anything and I would ask Members, I am going to call for a recorded vote, and I want it indicated and indicated very clearly that we want material such as this and we want this document. Thank you, sir.

SOME HON. MEMBERS: The question.

MR. SPEAKER: The question being called. On the motion. You want a recorded vote?

MR. BUTTERS: Yes.

MR. SPEAKER: In that case I would ask the Members to stand and Mr. Clerk would you call out the names? All in favour?

Motion 10-60, Carried

CLERK OF THE HOUSE (Mr. Remnant): Mr. Steen, Mr. Butters, Mr. Fraser, Hon. Arnold McCallum, Mr. Evaluarjuk, Hon. Peter Ernerk, Mr. Pearson, Mr. Kilabuk, Mr. Pudluk, Mr. Whitford and Mr. Nickerson.

MR. SPEAKER: Let the record show that those are all of the Members in the chamber and hence the vote was unanimous.

May I suggest or ask from the Executive, since we would go back to Item 11 what it is they would like us to next deal with in committee of the whole? The Education Ordinance, is that it?

DEPUTY COMMISSIONER PARKER: Yes.

MR. SPEAKER: May I suggest that we resolve into committee of the whole with Mr. Butters temporarily I suppose in the chair because I think Mr. Stewart was in previously and Mr. Stewart is not here with a view to immediately adjourning for lunch, recessing for lunch, by which time when we come back I think we will have Mr. Stewart with us.

MR. BUTTERS: Sir, possibly we could just complete one minor order of business while you are still in the chair and that is to return to Item 10.

MR. SPEAKER: Tabling of documents?

MR. BUTTERS: Yes.

MR. SPEAKER: Any objection to returning to Item 10?

---Agreed

ITEM NO. 10: TABLING OF DOCUMENTS

MR. BUTTERS: I would like to table Tabled Document 5-60, Attachment Number 14, a four page document signed by Mr. Creery which I referred to a short time ago.

MR. SPEAKER: Mr. Nickerson.

MR. NICKERSON: Mr. Speaker, I would like to table Tabled Document 6-60, the Report of the Standing Committee on Legislation Concerning Certain Bills Introduced at the Sixtieth Session of the Legislative Assembly.

MR. SPEAKER: Thank you. Further tabled documents? Just for my own understanding, Mr. Butters, the document you tabled, is that the document you were requesting from the administration?

MR. BUTTERS: No, sir. It was the document I was holding and it is a document which presented I think the Local Government's position on establishing a Mackenzie Valley Pipeline authority or something like that.

MR. SPEAKER: I see. There are no further documents to be tabled, I take it?

REVERT TO ITEM NO. 11: CONSIDERATION IN COMMITTEE OF WHOLE OF BILLS, RECOMMENDATIONS, OTHER MATTERS AND INFORMATION ITEMS

Proceeding to Item 11, this house will resolve into committee of the whole for consideration of Bill 1-60, the Education Ordinance, with Mr. Butters in the chair.

--- Legislative Assembly resolved into Committee of the Whole for consideration of Bill 1-60, Education Ordinance, with Mr. Butters in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 1-60, EDUCATION ORDINANCE

THE CHAIRMAN (Mr. Butters): Is it the wish -- the committee will come to order. We are considering the Education Ordinance. Is it the wish of committee Members that we recess for lunch and reconvene again at 2:30 o'clock p.m.?

---Agreed

Thank you. Then we shall recess.

---LUNCHEON ADJOURNMENT

THE CHAIRMAN (Mr. Stewart): The committee will come to order. Returning to your legislation, the Education Ordinance, I have received two papers relative to changes to be made. I think if you are agreed we should go over these first and then it will simplify things as we go down. Mr. Nickerson.

I am sorry, I thought you indicated you wanted to speak. You were reaching for your microphone as if you were getting ready.

I direct your attention under the Education Ordinance "substitute the words 'Executive Member' for the word 'Commissioner' in the following existing provisions of the ordinance:" There are three pages to this document. This is done on the advice of this committee.

Motion To Substitute Words "Executive Member" For "Commissioner", Carried

MR. BUTTERS: I move acceptance of this list.

THE CHAIRMAN (Mr. Stewart): Mr. Butters moves acceptance of these changes and Mr. Lyall seconds it. Question being called. All those in favour? Opposed if any? The motion is carried.

---Carried

HON. ARNOLD McCALLUM: Mr. Chairman, if we are to go into the discussion of the ordinance now, may I have permission to have two departmental officials here with me as advisers?

THE CHAIRMAN (Mr. Stewart): If you are lonesome, you can have company.

---Agreed

Now, the Legal Advisor has advised me there may be further additions to the change of the word "Commissioner". There has been one addition she has found already. Would you care to inform us of that so we can put it on our document?

LEGAL ADVISOR (Ms. Flieger): Mr. Chairman, between items 11 and 12 should be inserted paragraph 4(2)(g).

THE CHAIRMAN (Mr. Stewart): I will direct your attention then to the other preparation that we have, the other paper, "powers of the Executive Member". Does everybody have a copy? This deals with clause 3. Has everybody got the document?

Motion To Amend Clause 3, Carried

MR. NICKERSON: Mr. Chairman, I would move acceptance of the complete document we have before us here.

MR. LYALL: I second it.

THE CHAIRMAN (Mr. Stewart): Discussion?

MR. BUTTERS: No, sir.

MR. NICKERSON: Question.

MR. BUTTERS: The complete document includes other amendments, does it not? The three last pages are amendments to other sections, so I say let us approve the clause 3 that refers to the powers of the Executive Member.

THE CHAIRMAN (Mr. Stewart): All of the exclusions were at the advice of the committee which asked for them to be made. Question being called on the document as a whole?

---Agreed

The motion is carried.

---Carried

Last night we concluded on clause 16 on page 14. The clause has not been accepted yet by the committee. Discussion?

MR. NICKERSON: Mr. Chairman, I can not remember whether I brought the first of these two points up when we were discussing clause 16 previously. The first recommendation that the legislation committee had was in 16(d) to add the words "or disapprove" after "approve" in that particular paragraph.

THE CHAIRMAN (Mr. Stewart): That was duly noted as a suggestion but was not approved by the committee. We did enter that in as a matter of record.

MR. NICKERSON: I wonder if you could inquire, sir, of the committee whether or not they wish that amendment to be made?

THE CHAIRMAN (Mr. Stewart): Madam Legal Advisor, this seems to me to be dotting i's and crossing t's. I know what the intent is, but I do not know whether it is necessary.

LEGAL ADVISOR (Ms. Flieger): Mr. Chairman, I think there could be some argument on the fact that "disapprove" is not there, that in fact in the end they must approve something.

Motion To Amend Paragraph 16(d).

THE CHAIRMAN (Mr. Stewart): Mr. Nickerson, I take it you are moving to add the words "or disapprove" in there so we can get this thing dispensed with. We have a motion on the floor. Page 15, paragraph (d), "approve or disapprove plans for programs..."

MR. BUTTERS: I will vote against it because it is misleading. We have determined the committee will not be able to approve plans, so while it is a truth they can not approve plans, they can not disapprove plans. The Commissioner has told us that he has the authority. I would say that they "recommend" or "examine" or something like that, but "approve or disapprove" is misleading.

THE CHAIRMAN (Mr. Stewart): The point appears to me to be well taken. Further comments? I have a motion on the floor. Question being called. Do you understand Mr. Butters' point? It was indicated to us yesterday that really we do not have the authority to disapprove anything under this particular section. It is an advisory capacity, you are acting in an advisory capacity only, so I am not sure how you could disapprove something. Hon. David Searle.

HON. DAVID SEARLE: Well, Mr. Chairman, they do not have the authority of either approval or disapproval surely to affect whether or not the program will go into effect, but that does not mean that the committee itself can not disapprove of a plan as far as it is concerned. The meaning as it reads, if you go back, "Every community education committee shall (d) approve plans..." I think that wording implies that they may also disapprove of them. If it does not in the legal sense, then surely we should amend it to indicate that they may as well disapprove them. That is only for their own purposes. In other words, their disapproval or approval surely would not affect the administrative executive powers to implement the plans notwithstanding their disapproval.

THE CHAIRMAN (Mr. Stewart): Thank you. Your point is very well taken. Are you ready for the question?

HON. DAVID SEARLE: Mr. Chairman, it is a legal question first, I think is what I am saying. In other words, I would address this question, if I might, to Ms. Flieger. The wording as shown, that the "education committee shall approve plans", does that prohibit them from disapproving them as well for their own purposes? In other words, even though the disapproval would not affect the Executive's right, notwithstanding the disapproval?

LEGAL ADVISOR (Ms. Flieger): I think the wording is intended to indicate that the committee will work toward -- if I can backtrack for a minute -- I think that the words are intended to indicate that plans ought not to proceed unless they are approved. That is not to say that they can not proceed. They ought not to, and if the committee disagrees with the plans, then the Executive Member or whoever is proposing the plans ought to try to accommodate the criticisms of the committee and present them with some modifications so that they can approve them. Hopefully no plan for education programs -- this is actually student residences -- no student residences would be operated, I think, in a way not approved of by the committee.

Motion Deferred

MR. NICKERSON: Mr. Chairman, I think that was an excellent explanation given by the Legal Advisor. I wonder if it would be possible to leave this for the time being and have the Legal Advisor draft something up that puts into words that intent?

THE CHAIRMAN (Mr. Stewart): Are we agreed?

---Agreed

MR. BUTTERS: If that is agreed, I would just like to ask then too if that is being deferred, if you look at paragraph (e) in the third line where it refers to dates, I think that there should be also included the word "hours" because at the present time in the community of Paulatuk the school opens, I think, at mid-morning or 11:00 o'clock, and it has been determined that opening hour is much better for the community. The kids get there on time, and it closes late in the day. I think "hours" should be included in this provision as well.

MR. NICKERSON: Mr. Chairman, there is a section on hours that comes later on in the ordinance. I can not quite find it at the moment, but I think that would be the correct time to bring up those particular questions.

MR. BUTTERS: I received Mr. Nickerson's advice with thanks.

THE CHAIRMAN (Mr. Stewart): Thank you. We will leave paragraph 16(d) for rewriting of paragraph (d) by the Legal Advisor.

HON. ARNOLD McCALLUM: Mr. Chairman, may I suggest that the opening of school or of schools on a daily basis may be taken under the phrase "observance of special holidays and related matters". We are talking the length of the school days, as Mr. Nickerson suggests in a later section of this ordinance. However, to allow for the opening of school on a daily basis that would come in under "other related matters". We have already had Ms. Flieger's explanation of the intent.

THE CHAIRMAN (Mr. Stewart): Thank you. Is there any further discussion? Mr. Nickerson.

Motion To Amend Paragraph 16(e)

MR. NICKERSON: With respect to 16(e), Mr. Chairman, it was a recommendation of the committee that in the second line of 16(e) the word "voters" be changed to "residents", the reason for this being that although presumably only voters can vote for members of the community education committee, it is incumbent on that committee to take into consideration the wishes of all the residents of the community whether they are voters or not, and of course it could be people below voting age and that type of thing. So we recommended this change.

THE CHAIRMAN (Mr. Stewart): To conclude the matter, Mr. Nickerson, would you like to put that in the form of a motion? To conclude the matter, could you put that in the form of a motion?

MR. NICKERSON: In that case, I will so move.

Motion Carried

THE CHAIRMAN (Mr. Stewart): Any discussion on the motion to change the word "voters" to "residents"? The question being called. All those in favour?

Opposed? The motion is carried.

---Carried

I presume that means that if you can talk you can vote on the subject, is it?

MR. NICKERSON: I am sorry, I did not quite comprehend.

THE CHAIRMAN (Mr. Stewart): On your change, I presume that if you could talk you could vote, or write?

MR. NICKERSON: No, sir, if you read carefully 16(e) it says that the community education committee shall "advise the superintendent of the special wishes of the voters of the education district" and actually what you would want to say is "the special wishes of the people of the education district". Here we are not talking about anything to do with elections or who can speak or anything else: It is just whose wishes are supposed to be represented in the submission to the superintendent, and obviously some of the wishes which would be most important would be those of the children, who of course are not old enough to vote.

THE CHAIRMAN (Mr. Stewart): Madam Legal Advisor, that got me into trouble, but does that answer your question?

LEGAL ADVISOR (Ms. Flieger): Yes, sir.

THE CHAIRMAN (Mr. Stewart): We will set aside clause 16 unless there is something further. Clause 17, powers of committee. "A community education committee may..." at the bottom of page 15. Mr. Butters.

MR. BUTTERS: This is probably the most important section we have come upon yet because it authorizes what the education committee may do. My first comment is really pursuant to the one raised by Mr. Nickerson. The members of the committee of Inuvik thought that 17(a) "appoint a committee of its own members..." was too narrow and they felt that a subcommittee should be permitted them of not only their own members but of residents; in fact, they did this when they carried out a survey to find out the language requirements of the people living in our community, and most of the people serving on the subcommittee were not members of the education advisory committee. So, I wondered if that could be included to broaden the selection from which subcommittees of the education advisory committee could be chosen?

Motion To Amend Paragraph 17(a)

THE CHAIRMAN (Mr. Stewart): Just so we can bring these things to a conclusion, would you make a motion that they appoint a committee?

MR. BUTTERS: Yes, sir, that would be better. I agree. Delete then "of its own members".

THE CHAIRMAN (Mr. Stewart): We have a motion on the floor. Any discussion on the motion? Mr. Nickerson.

MR. NICKERSON: This matter was discussed in the legislation committee. We discussed it in some detail and the reason we decided to leave it as it is is that even with its present wording there is nothing to prevent a subcommittee maybe of one or two members of the local education committee having with it other people, whether they be from that community or not, to help in whatever they are trying to do. These people would of course be able to enter the discussions and do all normal things which a committee member would,



but the only thing of course they would not have is the vote. We were rather reluctant to give to people who had not been elected the right to vote on a subcommittee meeting. We realized fully what Mr. Butters is getting at, that their expertise might be needed, but this is the point, we did not want non-elected people to be given the right to vote on these subcommittees.

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

MR. BUTTERS: Surely the important point is not whether non-elected people should vote on the subcommittee but whether they have any vote on the committee, the advisory committee itself, and they do not. I think the advantages to be gained by enlarging the base of your community education committee to include the appointment of people in the community to a subcommittee to do subcommittee work would make the group much more effective.

THE CHAIRMAN (Mr. Stewart): Thank you. Any further discussion on the motion? No further discussion. Are you ready for the question? The question being called. The motion is that 17(a) be amended by deleting the words "of its own members", and it would then read "appoint a committee". To the motion all those in favour? Three opposed? Three. Mr. Clerk, would you count the vote for me? I have a tie, and if it continues to be a tie, I shall break it. Again, for the motion to delete the words "of its own members"? Three. Against? Three. Do you agree, Mr. Clerk?

CLERK OF THE HOUSE: I agree, Mr. Chairman.

Motion To Amend Paragraph 17(a), Carried

THE CHAIRMAN (Mr. Stewart): I will vote to delete. I will support the motion.

---Carried

Clause 17, is there anything further? That is the first time I have won in the last 24 hours. Mr. Butters.

MR. BUTTERS: To proceed to subparagraph (i) it was felt that the purposes for which subcommittees might be struck are very limited, and there was some suggestion that these subparagraphs (i) and (ii) are very narrow areas in which subcommittees would be appointed. The committee felt it should be broadened so that other educational concerns could be considered by a subcommittee if the advisory committee members deemed it reasonable and, as I point out in this case of use last year where the members wanted to determine their requirement for native language instruction in the community, a subcommittee was set up, made up a questionnaire and did this work.

THE CHAIRMAN (Mr. Stewart): Thank you. On 17, is there any further discussion? Mr. Whitford.

MR. WHITFORD: I am sorry, Mr. Chairman.

THE CHAIRMAN (Mr. Stewart): You were just waving at me.

MR. WHITFORD: Just a mosquito.

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

HON. ARNOLD McCALLUM: Mr. Chairman, a consideration of Mr. Butter's concern, looking at it, would that not be covered in paragraph 16(a) where the community education committee shall "discuss all education programs... and forward to the superintendent its opinions of the programs and its views or desires in respect of future programs"?

MR. BUTTERS: No, it does not, because it is possible that some of the opinions they would be forwarding would be opinions developed by subcommittee work. I am not too excited about this because I think the way it is set up now, that they will set up subcommittees of their own and tell them what to do anyway, and no one will argue the point. I am just pointing out that

I am quite sure that this is much narrower, if it is passed, than it will be used when implemented. So, I make no amendment or motion on it at this point.

THE CHAIRMAN (Mr. Stewart): Thank you, Mr. Butters. Then clause 17 as amended, to delete the words "of its own members" in 17(a), are we agreed? Just one moment, please. There is a point in question brought up by the Legal Advisor on part (ii) and those are instructions "to review the selection of students for and their placement in special, adult and vocational programs and to advise the superintendent on these matters" and the question is whether or not "superintendent" should be changed to read "the education committee" because this was a special committee set up by that body. Mr. Lyall.

MR. LYALL: Mr. Chairman, when you were talking about advising the superintendent, are you talking about the subcommittee here or what?

THE CHAIRMAN (Mr. Stewart): I do not really think the whole thing is relative to a subcommittee, is it? It is broader than that.

MR. LYALL: If it is a subcommittee it should be the education committee, and if it is an education committee then it should say "superintendent".

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

LEGAL ADVISOR (Ms. Flieger): I think with the deletion of the words "of its own members" we are now speaking about the non-elected subcommittee advising the superintendent as to who should be placed in special programs rather than the elected committee, and the point I raised was whether you wanted to go back to the subcommittee or appointed committee to the elected committee and through that route to the superintendent.

MR. LYALL: That is what I was thinking, if it was the elected committee then the superintendent is okay, but if it is the subcommittee then that "superintendent" should be taken out and we should put in "the education committee". So, when you take the words out "of its own members", when you take that out then you would have to have "the education committee" in there.

LEGAL ADVISOR (Ms. Flieger): That is my point, yes.

MR. NICKERSON: Mr. Chairman, I have been thinking very seriously about what Mr. Butters had to say initially here, and maybe by giving the subcommittee the powers it has under 17(a)(i) and (ii) we have been much too restrictive altogether. The powers given to the community education committee in the start are rather limited, and it is of course obvious that a subcommittee of the first committee can not have greater powers than the committee that formed it. You know, that is a well known point of law, I would imagine. So, would it not be possible to say something along this line, "the community education committee may appoint a subcommittee to look into such things as the committee deems necessary" and leave it at that? I mean, we have restricted it enough as it is.

Motion To Amend Subparagraphs 17(a)(i) and (ii)

THE CHAIRMAN (Mr. Stewart): Would you like to place that in the form of a motion and then the Legal Advisor can come up with proper wording?

MR. NICKERSON: I so move.

Motion Carried

THE CHAIRMAN (Mr. Stewart): Any discussion on the motion? Are you ready for the question? All those in favour? Four. Opposed? The motion is carried.

---Carried

Ms. Legal Advisor do you have the intent of the mover? Do you understand it? If not, you can speak to Mr. Nickerson. Clause 18. Mr. Whitford.

Regulations Concerning Honorarium

MR. WHITFORD: Mr. Chairman, yesterday I discussed the honorariums paid to each member of the board prescribed, and I see now by regulation. I asked the Minister of Education if the regulations are now in effect or are they going to come into effect, illustrating what the honorariums are going to be paid to the board members?

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

HON. ARNOLD McCALLUM: Mr. Chairman, the answer I think I gave on this point yesterday suggests that we are going into developing regulations and are developing some of the regulations now. The regulation concerning the honorarium is not developed as yet and I think I suggested yesterday that it would in terms of the secretary-treasurer be hopefully commensurate with the time and effort that that person had to exert, expend in relation to the position.

It is the department's view that members of the education committee should be paid an honorarium. I can only again say that we have not determined or arrived at a conclusion as to the amount paid. Certainly we take into consideration the views that were expressed yesterday in relation to making sure that one who was elected to the board or aspired to be elected to the board was not handicapped in that he could not afford, as it were, to go because he would require babysitting services and then would be expected to pay out of his pocket. We would take that kind of concern into advisement and hopefully the regulation would compensate those electees or those who would aspire to be elected to the committee.

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

MR. LYALL: Just a general comment on this. Although these are not in practise we have been in every settlement in the Central Arctic paying education committees. As I say, Coppermine do not pay their people any more but generally the council is instructed to pay out of the per capita grant five dollars per member and ten dollars for the chairman or something like this and it has been paid out of the per capita grant that this settlement council gets. That goes the same thing for the settlement councillors and they get ten dollars and \$15 or whatever.

THE CHAIRMAN (Mr. Stewart): Thank you. Clause 18. Mr. Steen.

MR. STEEN: Mr. Chairman, I would hope when you are considering the honorarium to be paid to members of committees that they would also consider people who do not have their own kind of transportation to go from their home to their meeting place. If they are using a cab service, sometimes it could run into quite a bit of money so I would hope that they would consider that when they are deciding how much to pay the committee members.

THE CHAIRMAN (Mr. Stewart): I am not sure we are doing honoraria in this particular clause and I have had all the honoraria I want up to this time. This clause does not deal with honoraria.

MR. BUTTERS: On clause 18...

THE CHAIRMAN (Mr. Stewart): I am one jump ahead of you. No wonder I am in trouble.

MR. BUTTERS: Is it all right to speak to the honorarium?

THE CHAIRMAN (Mr. Stewart): Yes, on clause 17.

Responsibility On The Committee

MR. BUTTERS: As you deferred it anyway, I thought we would be coming back to it. With regard to the honorarium, as I mentioned earlier, I have been requested to move that this provision be deleted and that honoraria not be paid, but that members who are required to travel as a result of their responsibility on the committee away from their settlement be paid expenses and a per diem on such occasions but as for the honorarium for attending

meetings in their own home community that there is no thought that these would be required. They are really serving the interests of themselves, their children, and they felt it was more important that they do this than they have big brother do it.

THE CHAIRMAN (Mr. Stewart): I am sorry. The Chair may be in error, but I thought clause 17 we had direction by a motion from Mr. Nickerson to reword that section to include many other things besides -- they were not going to be listed in this manner. I felt I had concluded clause 17 and was on 18. Concluded for today until it is rewritten.

MR. NICKERSON: Mr. Chairman, I was under the assumption that we had set 17(a) aside and we were going through 17(b)(c) and (d).

MR. WHITFORD: Mr. Chairman, I thought I explained it quite well yesterday. I suppose communities are different in terms of Inuvik where your school is just down the road versus people who have to be transported from, for example, Rae to Edzo which is 15 miles away along with having a babysitter and maybe what we should do is just remove it and make some kind of an explanation as to an honorarium provided you have to travel from "A" to "B" or a certain distance or something. I do not know. It is just that we want to participate but the cost of going back and forth is a lot of money.

MR. BUTTERS: Mr. Chairman, I think that certainly travelling allowances do not fall under the usual definition of the word "honorarium". An honorarium is something people take like a wage for being there.

MR. LYALL: Mr. Chairman, I was just going to say that I was just thinking about it and I think we could just leave that in there and then when education administration makes out the regulation then under the honorarium could prescribe what they could pay under that section.

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

Payment Of Honorarium

HON. ARNOLD McCALLUM: Mr. Chairman, clause 17 says "A community education committee may...pay." It does not say it shall or it has to. It may if it wants to. I would think that should cover it. If the community education committee in Inuvik does not want to pay an honorarium, fine. If the community education committee in Fort Resolution wants to pay an honorarium, it may.

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

MR. PEARSON: I just wanted to clarify a point on a matter of what may develop into a district education committee. For example, the high school in Frobisher Bay will presumably have a board of governors that would be from each community in the Baffin region including the Keewatin because there are many kids in Frobisher from Rankin Inlet. If they were to participate, I suppose they would need to travel to Frobisher Bay to attend a meeting occasionally. Is there provision in this for that?

HON. ARNOLD McCALLUM: Mr. Chairman, not in this particular provision, there is not. This provision or this particular section, if you note, was written prior to the amendment that was made yesterday about setting up regional committees or societies. It would not be the department's and I am sure the administration's position not to provide this where it would be necessary. I think the Hon. David Searle brought this idea up yesterday. I think it was

yesterday but it could have been the day before about the regional boards meeting a predetermined number of times and, therefore, it would require, if that were so, it would require taking people in from other areas into the regional board meetings. We would not be opposed to providing some kind of remuneration for people who would have to come from other areas.

THE CHAIRMAN (Mr. Stewart): Thank you. Mr. Pearson, on the Municipal Ordinance relative to your question -- Mr. Nickerson, I will get back to you. Actually it is stated pretty well the same as it is here. It does not say that council members will be paid expenses if they have to go outside of town but it is a normal type of follow-through thing so I do not think there should be any concern on that matter. Mr. Nickerson.

Motion To Amend Paragraph 17(b)

MR. NICKERSON: Mr. Chairman, I was going to suggest in view of that, matters raised by Mr. Butters, Mr. Lyall, Mr. Whitford and Mr. Pearson, that 17(b) be amended so as to read "pay to each of its members an honorarium and expenses as prescribed by regulation".

THE CHAIRMAN (Mr. Stewart): Gentlemen, you are getting into problems when you do that. Who is going to prescribe the amount of your expenses? How are you going to arrive at that? By regulation? It says by regulation.

MR. BUTTERS: Mr. Chairman, I agree but what it does recognize is that the people who will be best able to equate those regulations and relate them to reality are our administration people. They know in one community it is this and in another community it is that and can sort of work out a balance. The other beauty of a regulation is if it does not work they do not have to come back to this body to get an amendment. They can say "That is no good. We will try it this way." While it seems loose, I think in practice it might be the best arrangement possible with respect.

THE CHAIRMAN (Mr. Stewart): My concern is that it is not loose. It is very restrictive. Mr. Nickerson.

MR. NICKERSON: Mr. Chairman, the kind of regulation which I would envisage in this circumstance would be a kind of regulation which would prescribe maximums. It might prescribe things such as the allowance per mile for the use of automobiles or something like that, but I imagine the regulations would be fairly simple and would just prescribe the maximums.

THE CHAIRMAN (Mr. Stewart): I would presume under an ordinance of this nature if you were a married person or a woman went out and had a babysitter right in town, you could ask for expenses for the babysitter while she went to the meeting. Yet the other one right next door, I am not talking of travelling back and forth distances, just talking about within the community, she might decide to go by cab from home to the meeting. It is an expense -- "Here is my ticket." I do not know.

MR. FRASER: Mr. Chairman, I think if anybody is interested enough to be on the committee they have an obligation to meet and they are going not for themselves but to support the committee and their children. They can always run downtown for a show or something and do not have to have somebody pay them for that so they can surely go to a meeting once a month without having to be paid for everything they do.

THE CHAIRMAN (Mr. Stewart): Thank you. On the motion. As I understand the motion, to honorarium you add the words "and expenses".

HON. ARNOLD McCALLUM: Mr. Chairman, as a point of information, the department already pays the expenses for representation of the present regional advisory board for Sir John Franklin School.

Motion To Amend Paragraph 17(b), Carried

THE CHAIRMAN (Mr. Stewart): Does anyone wish to speak to the motion? Are you ready for the question? All those in favour of the amendment which is



the addition of the words "and expenses" after the word "honorarium". All those in favour? Opposed? The motion is carried.

---Carried

Is there anything further on clause 17? Mr. Butters.

Staff Members.

MR. BUTTERS: Paragraph 17(c), I wonder if the Minister could define for me the word in the last line "staff"?

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

HON. ARNOLD McCALLUM: Mr. Chairman, what we mean here when we talk about staff members would be everybody who works in the school or, in this case, the education district, it would mean everybody.

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

MR. LYALL: In paragraph (c) does that give the education advisory board advice on such things as one years orientation program for teachers before they come to the North?

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

HON. ARNOLD McCALLUM: Mr. Chairman, we are not talking about an orientation program for teachers, we are talking here in terms of all staff, anybody who is employed.

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

MR. BUTTERS: Might I ask the Legal Advisor, through you sir, whether her definition of "staff", the legal definition of "staff" is the same as that provided by the Minister of Education?

LEGAL ADVISOR (Ms. Flieger): Mr. Chairman, I do not think there is any such thing as a legal definition of the word "staff". It is not a defined term in the ordinance and therefore takes on whatever meaning is ordinarily given the word. I think in this case it is used for the reason that the Minister has given to describe in the broadest possible way all of the people employed in the school or at the school, including janitors, secretaries, whoever works at the school.

MR. BUTTERS: Then I am satisfied with the clause.

THE CHAIRMAN (Mr. Stewart): Then is there anything further? Mr. Butters.

MR. BUTTERS: I have a point here which has been a point of contention in the Inuvik region and I am quite sure that the assistants to the Minister have been expecting this to come up.

Motion To Add Paragraph 17(f).

I wish to provide an amendment or addition to 17(e) and it would read "A community education committee may provide equipment and supplies for new lunch programs and other food services for students and necessary staff to operate such a program". The funding of course would be provided -- that would be 17(e). Is that where we are?

THE CHAIRMAN (Mr. Stewart): Yes.

MR. BUTTERS: Oh, I suppose that should be 17(f).

THE CHAIRMAN (Mr. Stewart): One moment please. Such a clause is already on page six.

MR. BUTTERS: Where, sir?

THE CHAIRMAN (Mr. Stewart): On page six under paragraph (r) on page six.

MR. BUTTERS: That is in paragraph (r)?

THE CHAIRMAN (Mr. Stewart): Yes.

MR. BUTTERS: That refers to the Commissioner?

THE CHAIRMAN (Mr. Stewart): That has now been changed to "the Minister".

MR. BUTTERS: I believe what the amendment will do is further decentralize this to the community and in this way -- I know in Tuktoyaktuk for a number of years the education advisory committee there hired a cook and provided lunches for the students who lived too far away from the school. I think they did an excellent job and I think the school staff were very satisfied with this. What I would like to see is something included to recognize that students do have a right to stay at the school if it is so required and that to ensure that right, and to fulfil that right, that there is a program through which food is provided and guidance or supervision during their stay is provided in the school during the lunch hour.

THE CHAIRMAN (Mr. Stewart): I wonder if I could ask the Legal Advisor for an interpretation relative to the general form of this legislation? You are putting into the hands of a committee the spending of what in some cases would be an awful lot of money and that is why I presume it is under the discretion of the Commissioner which in this case was changed to "the Minister" but again the Commissioner would still be the one to authorize it. So I think I would like the Legal Advisor's opinion and would that be agreeable?

MR. BUTTERS: Yes.

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

LEGAL ADVISOR (Ms. Fliieger): Mr. Chairman, I think probably the reason that these school meals are included in clause 3 which lists the responsibilities of the Minister is that this could be quite an item in the budget and I can only say that, I think that is why it is there.

MR. BUTTERS: The amendment as worded does not recognize the fact that the money being spent would be that of the Crown, but I wonder if the Legal Advisor could take the general amendment and correct it so that the fiscal aspect is removed?

LEGAL ADVISOR (Ms. Flieger): I am not certain I understand the instructions. I wonder if this would help? I would assume that school lunches would never be served in a school where the committee had not asked for them and agreed to them and, in fact, budgeted for them and had that budget item approved in the budget for that superintendency.

MR. BUTTERS. Mr. Chairman, I wonder if you would permit me to sit down with the Legal Advisor outside of the session and work out an amendment, and as this section is being deferred anyway to make some other changes we could possibly work it out better.

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

Too Much Power.

MR. LYALL: Pertaining to paragraph (e) we will pass that where it says, "permit the education facilities to be used for purposes other than education programs in accordance with the regulations". I think they should make a bit of a stipulation there because you are giving too much authority and they can start having sales in your gyms and that kind of stuff and that can not go on, not in the schools anyway. You are giving them too much power.

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

MR. NICKERSON: Mr. Chairman, I was going to speak to 17(f) as proposed by Mr. Butters if I may. It would seem to me to be sensible to mention it here again. I do not think there is any conflict in saying initially in subclause 3(3) it is the responsibility of the Executive Member but what I would see is that were such a program to be approved then obviously it is one of the things that the community education committee would render their advice on. So I was going to suggest something of the nature of this as a possible paragraph 17(f): "Organized with the assistance and consent of the superintendent a new lunch program" or something of that nature.

THE CHAIRMAN (Mr. Stewart): Thank you, Mr. Nickerson. I think we have agreement that he will get together with the Legal Advisor and we are not prepared to vote on it at the moment as clause 17 will be set aside anyway. So, if you want to get together with Mr. Butters and the Legal Advisor. Hon. David Searle.

HON. DAVID SEARLE: I will pass.

THE CHAIRMAN (Mr. Stewart): Anything further on clause 17? Mr. Butters, if you will get together with Mr. Nickerson and the Legal Advisor and bring back your suggested amendment. Now, clause 18, community education society. Mr. Nickerson, clause 18.

MR. NICKERSON: The committee had no recommendations and were prepared to agree to clause 18, it was okay in our eyes.

THE CHAIRMAN (Mr. Stewart): Thank you. Is it agreed?

---Agreed

Clause 19, transition, on page 17. Mr. Nickerson.

MR. NICKERSON: There is some type of typographical error in clause 19 in that subclause 19(3) should actually be 20(3) and somehow it got slipped into as 19(3) so that 19(4) should be 19(3) and 19(3) should become 20(3) because it talks about something entirely different than what the rest of clause 19 talks about.

THE CHAIRMAN (Mr. Stewart): Madam Legal Advisor, is that correct?

LEGAL ADVISOR (Ms. Flieger): I think that is a matter of opinion, neither opinion necessarily being wrong or right.

THE CHAIRMAN (Mr. Stewart): That is why we have lawyers. So you are saying it could stay there or it could be moved?

LEGAL ADVISOR (Ms. Flieger): Yes.

MR. NICKERSON: Mr. Chairman, I am sorry, I did not quite catch what was said in a very low voice but this is the legal advice which was given to the standing committee on legislation, apparently it is some kind of oversight.

LEGAL ADVISOR (Ms. Flieger): Mr. Chairman, it seems to me that subclause (2) of clause 19 is more or less a procedural matter, the date of the first meeting and sections 11 and 12 which are incorporated into clause 19 by this reference are also clauses that deal with what I would call procedure within the committee; that is when they meet, what constitutes a quorum and who will act as chairman in the absence of the chairman.

MR. NICKERSON: I am becoming a bit confused; one lawyer tells me one thing and another lawyer tells me something entirely different.

THE CHAIRMAN (Mr. Stewart): That is why there is more than one lawyer.

HON. DAVID SEARLE: Would you like to hear a third opinion?

THE CHAIRMAN (Mr. Stewart): Well, we have two opinions on the matter and are you satisfied that it can stay where it is, Mr. Nickerson, or do you want it moved? Hon. David Searle.

A Legal Question

HON. DAVID SEARLE: With all due respect I do not think it is a question of whether or not Mr. Nickerson is satisfied, I think it is a legal question and I think it is a question of whether or not our Legal Advisor is of the opinion that it is in the right section. It is not one which she and you could probably argue on the matter of merit, it is purely a legal question. I think if there is a difference between our Legal Advisor and Mr. Nickerson and if it is a matter of engineering I will go with Mr. Nickerson.

MR. NICKERSON: It is not a question between myself and the Legal Advisor, it appears to be a matter between the Legal Advisor and the former Legal Advisor. I am completely neutral, sir.

THE CHAIRMAN (Mr. Stewart): Thank you. I assume my word may not have been entirely correct but Mr. Nickerson made a motion to have it moved and so I wanted to know if he wanted to leave it that way or take it out. I will ask you again, Mr. Nickerson: Are you prepared to drop the matter at this time?

MR. NICKERSON: It does not worry me where it goes.

THE CHAIRMAN (Mr. Stewart): Thank you. I have a few suggestions where it might.

SOME HON. MEMBERS: Agreed.

THE CHAIRMAN (Mr. Stewart): Clause 19, is it agreed?

MR. NICKERSON: Excuse me, but with 19(3) we made some amendments to clause 14 if I remember correctly and this would necessitate altering 19(3) a little if I may check up. Yes, it would appear that 19(3) should read "sections 11, 12 and 14(2) apply mutatis mutandis to community education societies". This suggestion made, is a suggestion of the present Legal Advisor so maybe we will not get into any trouble on this one.

THE CHAIRMAN (Mr. Stewart): I wonder if we could take it under advisement and have the Legal Advisor look at it and see if that is correct.

MR. NICKERSON: That is what the Legal Advisor told me yesterday.

THE CHAIRMAN (Mr. Stewart): Legal Advisors do not necessarily always have the same opinion. Because it is of a legal nature, would you like time, Madam Legal Advisor, to check that out?

LEGAL ADVISOR (Ms. Flieger): Mr. Chairman, I can not seem to locate that change to clause 14.

MR. NICKERSON: I do not think it was a real change to 14. It was just something the Legal Advisor pointed out to me yesterday when we were talking over this matter and it was her suggestion that now 14(2) would have to be included in this 11 and 12 in this section.

THE CHAIRMAN (Mr. Stewart): We are in a state of confusion. Would you mind letting the Legal Advisor have a look at this and bring back an answer?  
Agreed?

---Agreed

Setting aside clause 19. Clause 20, procedure for election, agreed? I only have one "agreed". Agreed?

---Agreed

Clause 21, duties of society, Mr. Nickerson.

Motion To Amend Paragraph 21(1)(d)

MR. NICKERSON: The legislation committee, sir, recommends that in 21(1)(d) the wording be altered to read as follows: "invite the superintendent or his delegate to be present".

THE CHAIRMAN (Mr. Stewart): Instead of being mandatory, it is open, is that what you are saying?

MR. NICKERSON: Yes.

THE CHAIRMAN (Mr. Stewart): That is in the form of a motion, Mr. Nickerson?

MR. NICKERSON: Yes.

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

MR. BUTTERS: I wonder if I can get an amendment to the amendment on the same paragraph (d). Would you permit me, or do you want to get his amendment out of the way first?

THE CHAIRMAN (Mr. Stewart): I am sorry?

MR. BUTTERS: Would you permit me to go on, or do you wish to get Mr. Nickerson's amendment out of the way first? It is on the same section, but it refers to the number of regular meetings.

THE CHAIRMAN (Mr. Stewart): I wonder if during the coffee break you and Mr. Nickerson could get together and get one motion rather than get more confused than is absolutely necessary?

MR. BUTTERS: Let us clear Mr. Nickerson's amendment first.

THE CHAIRMAN (Mr. Stewart): Do you wish the Legal Advisor to word that and bring it back, or are you satisfied with the wording now?

MR. NICKERSON: It is my recollection that this new wording was done on the advice of the Legal Advisor in the first place, although, of course, it was a different Legal Advisor.

THE CHAIRMAN (Mr. Stewart): Paragraph (d), clause 21. Would you like to read your amendment and I will call for a vote?

MR. NICKERSON: The amendment reads as follows: show that paragraph 21(1)(d) would read "invite the superintendent or his delegate to be present..." and the rest of the paragraph of course remains unchanged.

Motion To Amend Paragraph 21(1)(d), Carried

THE CHAIRMAN (Mr. Stewart): The change is to delete the word "have" and put in "invite". To the motion. Are you ready for the question? All those in favour? Opposed? The motion is carried.

---Carried

Clause 21, Mr. Butters, do you wish to speak?

Motion To Further Amend Paragraph 21(1)(d)

MR. BUTTERS: The same paragraph, sir, on the second line it says "invite the superintendent or his delegate to be present during a minimum of a least two regular meetings during each academic year". An academic year is ten months, and in view of the fact that either the superintendent or his delegate would attend, we felt it should be "four", the reason being it would seem that maybe before school, maybe at the end of the mid-term or end of the term or semester, and then likewise two in the spring session.

THE CHAIRMAN (Mr. Stewart): Your motion is to delete the word "two" and put the word "four". To the motion. Hon. David Searle.

HON. DAVID SEARLE: Mr. Chairman, I really do think that we tend to get carried away in legislation and in regulations with minimum numbers which can prove fairly arduous. I do not know, for instance, how many societies you may have in a superintendency area, but why can we not use the same wording that we use -- I wonder if the Minister and his officials would find it repugnant to use the wording that we used with respect to the attendance of principals at the meetings of the community committees? You see it in that subclause 14(2) as amended where we said "from time to time as required by the community education committee".

In other words, you may find one year that the superintendent would be required to be there four or five times but maybe the next year, if things were running well and sorted out correctly, he might only come twice. When you start putting these minimums in legislation, you know, you remove some of the reasonableness and common sense of the situation. I would hate to think of someone, just to comply with legislation, showing up for a meeting when he was not required, for instance. These people are busy and presumably the meetings are in the evening to facilitate volunteer committee people. Why not just leave it on a rational basis "from time to time as required"? That is the sort of wording our Legal Advisor could come up with.

Motion To Amend Paragraph 21(1)(d), Withdrawn

MR. BUTTERS: That is most rational and on that basis I withdraw my motion with the expectation the Hon. David Searle would place that on the floor.

HON. ARNOLD McCALLUM: Mr. Chairman, if I may comment, I appreciate the Hon. David Searle's remarks. In terms of the number of times and also in terms of the amendment that I know, the first amendment that went in, inviting and having a person, our problem with the word "invite" as opposed to the word that has been changed by this house to "have", if the education society in Fort Smith invites the superintendent to be at a meeting, if the invitation is extended at 3:00 o'clock in the afternoon to the superintendent to attend a meeting that night at 7:00 o'clock, and he is in Fort Simpson, it may be very difficult. That is looking at or taking into consideration what the Hon. David Searle has talked about, being reasonable.

I would think that in a large superintendency that the superintendent could be tied up most of the time in travelling back and forth to attend meetings rather than doing his specific job for which he is hired, to ensure that programs within the schools are being conducted in the proper manner. I do not like to see it too restricted or tie it down too tight. What we are saying in intent here is to make sure the superintendent did in fact meet with the education committee or society to ensure that they at least would be there. Once you tie it to numbers and talk about distances involved, we could be very restrictive, and I think Hon. David Searle has indicated "from time to time as is required" does not present a problem as much as the restrictions you have already agreed to.

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

MR. FRASER: I agree with the Minister. It says "the superintendent or his delegate". If he is in Fort Simpson, he must have a delegate at home who is replacing him, so this leaves us wide open.

HON. ARNOLD McCALLUM: Do you suggest, Mr. Fraser, that he could send his wife?

MR. FRASER: I did not say his wife. It says "his delegate". There must be assistant superintendents or somebody to take his place.

HON. ARNOLD McCALLUM: Not in all cases. In some they do.



THE CHAIRMAN (Mr. Stewart): The superintendent might be better to send his wife.

HON. ARNOLD McCALLUM: That is another shot and I will get you too.

Additional Motion To Amend Paragraph 21(1)(d)

MR. BUTTERS: I think Mr. Nickerson's amendment recognizes the concern Hon. Arnold McCallum is raising, and the word is "invite", and if you are invited you can refuse for a perfectly good reason. I think that is the basis for the word "invite", and I again stress that Hon. David Searle's amendment is most wise and I would hope that has been accepted on the floor. If it has not, I would so move it.

MR. NICKERSON: Excuse me, Mr. Chairman. Is there something on the floor at the present time?

THE CHAIRMAN (Mr. Stewart): Not yet.

MR. NICKERSON: I would like to speak briefly to one of the things we took into consideration when discussing this earlier. We did not like the thought of the superintendent sort of turning up at most of these meetings and imposing his will on the members of the committee if this was unnecessary. Apart from the legal trouble we had with the word "have", that is why we changed it to "invite", to have it of a non-mandatory nature. If the community education society thought that they were doing a sufficiently good job, they might feel it quite within their competence to carry on without having this guy turn up at every meeting and tell them what to do. That was one of our considerations.

THE CHAIRMAN (Mr. Stewart): Thank you. I do not have anything other than suggestions at this time. I do not have any motions. Mr. Butters.

MR. BUTTERS: The amendment would be to "invite the superintendent or his delegate to be present from time to time as required by the community education society".

THE CHAIRMAN (Mr. Stewart): I wonder, Mr. Butters, if you will agree that this should be printed because it is a lengthy amendment and not just a word? If you would have that brought back to the committee in printed form?

MR. BUTTERS: Yes, thank you.

THE CHAIRMAN (Mr. Stewart): Would you like to adjourn for coffee? Agreed?

---Agreed

---SHORT RECESS

THE CHAIRMAN (Mr. Butters): Order. I recognize a quorum being present and the committee will come to order and return to its consideration of the Education Ordinance, clause 21. I believe that the Legal Advisor is having some suggested amendments drawn up for circulation to Members at a later date. Are there any further comments relative to the legislation under clause 21 on pages 18, 19 and 20?

MR. NICKERSON: Mr. Chairman, would I be correct in assuming, sir, there is nothing on the floor of the house at the moment?

THE CHAIRMAN (Mr. Butters): That is correct, sir. Mr. Nickerson.

MR. NICKERSON: I was in a quandary there. I see a motion in front of me, a motion the intent of which was being discussed by the Honourable Member from Inuvik shortly before the recess. I could not understand whether or not this amendment had in fact been moved and was now under debate or not. Otherwise, it had been my intention to move onto another paragraph of subclause 21(1).

THE CHAIRMAN (Mr. Butters): My recollection at that time was the chairman had accepted it with the proviso that it would be written out in legal terms and circulated. If the amendment is now circulated and the Members have a copy and a translation has been done, we can consider that business and deal with it.

MR. NICKERSON: Am I correct in assuming I can now speak to the amendment presented by the Honourable Member for Inuvik?

Motion Deferred

THE CHAIRMAN (Mr. Butters): Have translations been made of this amendment and are they at the places of the Members? They have not been made yet. I think we had better defer this as translations have not been made yet into syllabics. I think it is the practice that syllabic translations are provided along with the English version. Mr. Nickerson, you had a comment on this section?

MR. NICKERSON: I have another comment on page 18 and that is in respect of paragraph 21(1)(f) which is the same as you will note as paragraph 16(d). It would appear to me that maybe Mr. Chairman we should set paragraph 21(1)(f) aside and use the same terminology that we will adopt in paragraph 16(d).

THE CHAIRMAN (Mr. Butters): Do I have approval of Members to so do? I understand the recommendation is made to standardize the language of the ordinance; is that correct?

MR. NICKERSON: Yes.

HON. ARNOLD McCALLUM: Could I have the reference that Mr. Nickerson suggested?

THE CHAIRMAN (Mr. Butters): Paragraph 16(1)(d).

HON. ARNOLD McCALLUM: As in "do not"?

THE CHAIRMAN (Mr. Butters): Yes.

HON. ARNOLD McCALLUM: Paragraph 21(1)(e) is similar to 16(d)?

MR. NICKERSON: Mr. Chairman, while we were discussing paragraph 16(d) the committee decided to set that aside for rewording by the Legal Advisor.

Paragraph 21(1)(f) is the same wording as used in paragraph 16(d). Therefore, it would seem sensible to set this one aside also and use here the same words which we will eventually use in 16(d).

THE CHAIRMAN (Mr. Butters): Thank you, sir. Does that satisfy your inquiry, Mr. Minister?

HON. ARNOLD McCALLUM: Yes.

THE CHAIRMAN (Mr. Butters): I think I had the agreement of Members to set that aside as suggested by Mr. Nickerson.

---Agreed

Concerning Typographical Errors

MR. NICKERSON: On 21(1)(i) in the last paragraph but one, it is a very simple typographical error on page 19, 21(1)(i). The noun "education" there is used instead of the adjective "educational". That is just a typing error. Similarly, on page 19 and 21(1)(j) the word "buildings" in the second instance it occurs should, of course, be "building".

HON. ARNOLD McCALLUM: Mr. Chairman, I do not know about the Legal Advisor. Maybe this is not a legal question but I would suggest that the word "education" is correct.

THE CHAIRMAN (Mr. Butters): I was just discussing that matter with the Legal Advisor and apparently it is used in that manner throughout the ordinance. I would suggest that it would be wisest to accept it and leave it as "education" unless the Member wishes to move an amendment which would affect the remainder of the ordinance. Do I have Members' agreement to leave it as it is, as it is this way throughout the ordinance? The Minister feels that it meets the needs.

---Agreed

However, paragraph (j) on page 19 the "s" is removed from the word "buildings" the second time it appears in that paragraph. Any other questions regarding clause 21?

MR. NICKERSON: Yes, sir.

THE CHAIRMAN (Mr. Butters): Proceed.

Motion To Amend Paragraph 21(1)(m), Carried

MR. NICKERSON: In paragraph 21(1)(m) the word "voters" should be the word "residents". We changed that earlier when dealing with community education committees. This is exactly the same wording that is used there so therefore we should change it here also.

THE CHAIRMAN (Mr. Butters): Do the Members accept that change?

---Agreed

Are there any further amendments or suggestions relative to clause 21?

MR. NICKERSON: Mr. Chairman, it was the recommendation of the legislation committee that on page 20 under 21(1)(r) in the last line but two the words "but not including" should be deleted and the words "exclusive of" be put in their place.

HON. DAVID SEARLE: What is the difference?

MR. NICKERSON: I think this was done on the advice of the Legal Advisor. This one. It is a very simple matter and it was just to improve the wording.

THE CHAIRMAN (Mr. Butters): I would ask our Legal Advisor if she sees any great need to change the wording as provided in the present ordinance.

LEGAL ADVISOR (Ms. Flieger): It is six of one and half a dozen of the other, Mr. Chairman.

THE CHAIRMAN (Mr. Butters): That answer suggests to me that it does the job. The job the person who drafted it intended it to do. Are Members in agreement? Do Members agree?

HON. DAVID SEARLE: Agree what?

THE CHAIRMAN (Mr. Butters): Agree that the way it is in the ordinance is all right and covers our needs. Are there any further amendments or questions or suggestions relative to clause 21 or any of the other subsections thereof? If there are no further ones, we will be coming back to it anyway for certain corrections or amendments. May we go to clause 22?

---Agreed

Clause 22, powers of society. Comments from Members, please.

Power Of Society

HON. DAVID SEARLE: Well, frankly it is not an amendment that I supported but I just wondered when we were dealing with the community education committees in the subclause (b) where it says "appoint a committee" we struck out "of its own members". If you are going to do that there, I should think whoever did that was responsible for the dirty deed there and probably we should be consistent and do it again here. I did not support it so I am not prepared to move it.

THE CHAIRMAN (Mr. Butters): Thank you very much, Mr. Speaker. Do Members agree that there should be balance and the wording should be the same for both organizations? Mr. Lyall?

MR. LYALL: If you are changing responsibilities of societies in this or the other one, you should leave it in. If you take it out, you are changing responsibilities of people.

THE CHAIRMAN (Mr. Butters): No. We are giving the society exactly the same responsibility as we gave to the other, the community education society.

MR. LYALL: I personally never believed in that first one when you changed it. I believe that we should not give a subcommittee the same kind of authority that we have a community...

THE CHAIRMAN (Mr. Butters): That is what the Hon. David Searle suggested. To do that we would have to take out the words under paragraph 22(b) the last four words "of its own members" and that would be exactly the same as we did for the preceding one.

MR. LYALL: You give the subcommittee the same kind of powers as the education committee.

THE CHAIRMAN (Mr. Butters): Community education committee, yes. We felt it gave them more power, you see. It allowed the committee to go into the community to pick up members to serve on subcommittees.

MR. LYALL: I still do not believe it should be taken out on both of them. We voted on the other one, and I do not agree with it. I do not want to agree with this either.

MR. NICKERSON: Mr. Chairman, I think it is essential that this be changed here to give the education societies at least as much power as the community education committees. To me this would be just a consequential change. I did not really bring it up because I assumed that once you had made that change it would have been changed all the way along anyway.

THE CHAIRMAN (Mr. Butters): That is what I understood. I thought maybe we should go the amendment route and have it deleted by amendment.

HON. ARNOLD McCALLUM: Mr. Chairman, my understanding, if I recall correctly back when we were talking about paragraph 17(a), the total 17(a)(i) and (ii) were to be rewritten, is that not correct?

THE CHAIRMAN (Mr. Butters): Yes, you are correct.

HON. ARNOLD McCALLUM: You are suggesting as well that paragraph 22(b) both subclauses will be not only deleting the last four words but you are going to rewrite the whole thing again?

THE CHAIRMAN (Mr. Butters): Possibly Members would agree that the Legal Advisor take this and ensure that there is a balance between the two sections since they are related. Agreed?

---Agreed

Are there any other instructions or directions relative to clause 22 which has been deferred to be returned? Mr. Pearson.

Financing Of Programs

MR. PEARSON: In the phrase "Every community education society may (a) organize, with the assistance and co-operation of the superintendent, principals and teaching personnel, special programs for the education district..." how about financing of such things?

THE CHAIRMAN (Mr. Butters): I thought the Legal Advisor provided an answer before which covered your question. Was that correct?

LEGAL ADVISOR (Ms. Flieger): Is the question, how would the program under paragraph 22(a) be paid for?

MR. PEARSON: That was not the question.

LEGAL ADVISOR (Ms. Flieger): I do not understand the question.

MR. PEARSON: Would they have the power to finance any programs that may need financing? I mean, are they to be the final authority? How does this thing work? If a group in a community said they would like to set up a special Inuit cultural society or an Inuit cultural school in the evening and would require financial assistance, does the committee have power and the responsibility to provide some financial resources?

HON. ARNOLD McCALLUM: Mr. Chairman, the answer is obviously yes, if they have done their job pursuant to paragraph 21(1)(g). If you look there "Every community education society shall prepare, in co-operation with the principals and the secretary-treasurer, an annual budget proposal for the education district in accordance...and present the proposal to the superintendent;" Now, it is at that time, when you are preparing your budget, that you would obviously put in under clause 22 whatever money you felt was necessary for the organization of these special programs including material for the culture and lifestyles of the local people. In other words, you would obviously budget it first and then bring on the program when you had the money to pay for it.

THE CHAIRMAN (Mr. Butters): Is that satisfactory?

Decentralization

MR. PEARSON: To tie into that the view of the administration on decentralization, how does the administration envisage such a process taking place if in fact the administration means what it says when it wants to hand over the reins to the communities on whatever matters they would like to assume responsibility for, say social development, education, and all other matters pertaining to life in the community.

THE CHAIRMAN (Mr. Butters): I think we will confine ourselves to education, and I will ask the Minister if he might respond generally.

MR. PEARSON: How does this tie in? I wish to confine my remarks to education. My view is that this ordinance was prepared very thoroughly and carefully over many years, as we all know, but the new scheme of things, the devolution or decentralization is a brand new thing, but the administration is still trying to concoct it in its mind and has not really given any thought as to how it would tie into this thing. If they feel that decentralization is the key to life, the key to success, then I wonder how this ties in?

THE CHAIRMAN (Mr. Butters): Deputy Commissioner Parker, do you wish to reply?

DEPUTY COMMISSIONER PARKER: I suppose I have been a little more closely involved in the transfer of responsibilities to communities than the Minister. I would say that this ordinance presents us with a very good structure by which the processes of education can be transferred to a community, and I believe that we would see a community which wants to take a major role in education first of all demonstrating its ability through setting up an education committee, as outlined under the previous clauses, and then after operating with such a committee for some period of time, and it might be a very short period of time, progressing quickly to this step and, at this stage, the community has a relatively high degree of control over education. They have a major voice in matters of curriculum, on matters of design, on matters of selection of staff, so I think that this is really the structure through which our decentralization can take place.

THE CHAIRMAN (Mr. Butters): Is that clear, Mr. Pearson?

MR. PEARSON: In other words, the society would pass a test, and if it was approved of by the administration you would present this to them, is that the idea?

Community Consultation

DEPUTY COMMISSIONER PARKER: I would not exactly put it that way. The community of course must be consulted and the community must demonstrate its interest. Once it does that, that is the only test. Some structure has to exist for authority and responsibility to be transferred to, and this is really that structure.

THE CHAIRMAN (Mr. Butters): Is that satisfactory, Mr. Pearson?

MR. PEARSON: Except that there is still the question of the community council as the supreme power within the community and the community council already has an existing bona fide structure of a chairman and committees and what have you, and I see there is no tie-in to this ordinance.

THE CHAIRMAN (Mr. Butters): You are out of order. We have already discussed that point, and there is a requirement that the communities shall appoint to these advisory bodies a member of their council so that cross contact has already been approved.

MR. PEARSON: The community shall, but the community is paramount, and this would be secondary to the community council.

THE CHAIRMAN (Mr. Butters): I think you have made your point, but I do not think it is relevant to the section we are presently discussing, but I thank you for your contribution.

MR. PEARSON: You are very welcome. I will go back to sleep.

THE CHAIRMAN (Mr. Butters): Is there anything further on clause 22? So, that will be stood down. Clause 23, boards of education, the section on boards of education on the bottom of page 21. Are there any questions on clause 23 or any comments? Is it agreed?

---Agreed

Clause 24, transition, on the top of page 22. Are Members agreed?

---Agreed

Clause 25, petition, mid-way down page 22.

Date Of Presentation

MR. NICKERSON: Mr. Chairman, I think this is going to cause a little bit of difficulty, clause 25, especially paragraph 25 (2). It reads as follows: "Every petition under subsection (1) shall be presented to the Commissioner at least four months before the next regular municipal election." We discussed earlier the possibility, especially in the case of the regional high school or a school that is say serving two communities, which municipal election you are referring to. For instance, if children from Inuvik and Tuktoyaktuk are going to the same school, and the school district takes in both communities, does this refer to the Tuktoyaktuk municipal election or the Inuvik municipal election?

THE CHAIRMAN (Mr. Butters): Madam Legal Advisor, I wonder if you could answer the question presented by the Member?

LEGAL ADVISOR (Ms. Flieger): I believe, and I am just checking, but I believe that the municipal elections are held on the same day across the territories.

THE CHAIRMAN (Mr. Butters): I believe that is correct. Mr. Minister.

HON. ARNOLD McCALLUM: Mr. Chairman, perhaps Mr. Nickerson is a little bit ahead of the game. We have no structure as yet for the regional boards and I would suggest that if and when we come up with something, and I should not say "if", because we have been directed to, but when we do and find that it is inconsistent, then obviously there will have to be changes made.

THE CHAIRMAN (Mr. Butters): Thank you, Mr. Minister. Did that satisfy you, sir? With that explanation is clause 25 acceptable to the Members? Is it agreed?

---Agreed

Clause 26, notice to Commissioner, on page 23. Is it agreed?

---Agreed

Eligibility For Election

Clause 27, eligibility for election, on the bottom of page 23. Mr. Nickerson.

MR. NICKERSON: The problem arises in communities which have two school boards, one separate and one public. It has been suggested that one of the requirements of eligibility should be that the person is also a declared supporter of the school board. This is to stop somebody, presumably who was paying taxes to the separate school, from running for election to the public school board.



THE CHAIRMAN (Mr. Butters): This would seem to be a matter only of concern to Yellowknife Members, but would the Minister comment on Mr. Nickerson's point?

HON. ARNOLD McCALLUM: Mr. Chairman, I think it was a concern expressed by one of the two boards in Yellowknife, suggesting, and I think with the separate school board, that if I were a non-Catholic I think their concern was that I would not, or I should not be eligible to sit on their board. As Mr. Nickerson suggests, this concern was there, and it has been looked at by both committees, and I do not know, but as it would be entirely up to the house, it was not placed in here as draft legislation even after considering it.

THE CHAIRMAN (Mr. Butters): Therefore, in view of the fact that both the school boards in Yellowknife have considered the draft legislation and have not seen fit to enter this amendment, Mr. Nickerson, do you wish to make an amendment along the lines you have suggested?

MR. NICKERSON: No, sir, I was just reiterating a concern of some of the people in my constituency who wished the matter to be brought up at this meeting. It has, as the Hon. Arnold McCallum stated, been discussed both within the Department of Education and in the standing committee on legislation, and at meetings which I attended where this matter was brought up. It was generally agreed that it is not really an important matter. I do not particularly wish to pursue the point. I was just bringing it up for the Members' attention at this particular point in time.

THE CHAIRMAN (Mr. Butters): Thank you. I have two speakers, Hon. David Searle and Mr. Lafferty. Hon. David Searle.

Difference Between Education Society And The Board.

HON. DAVID SEARLE: Mr. Chairman, what I would like to address the Minister's attention to is not the specific section, perhaps I should have started this before we got into the section and should probably have brought it up before we got into clause 23, but I just wanted to see if my understanding is correct with respect to the difference between an education society and the board, and reading the ordinance and comparing the sections, it seems to me that the difference essentially is that in a society you act as agent of the Minister in the hiring and firing of staff, whereas in a school board these are directly for your own employees, and the buildings, improvements and assets are acquired in the name of the board, but that appears to be all the difference there is to me in terms of power. Yet in the terms of the financial arrangements, in the case of the societies, 100 per cent of all operation and maintenance and all capital costs are paid by the territorial government, and in the case of the school boards 75 per cent of operation and maintenance is paid leaving 25 per cent to be raised by the municipal taxes, and 100 per cent of the capital.

Now, the reason I raise this is because if I am correct in what I say, and I repeat what Mr. Stewart, the mayor of Hay River, told me, he believes that you might find that once you have this ordinance passed the school districts, the two districts in Yellowknife, may want to become societies simply because they have substantially the same powers without having to raise 25 per cent of the cost of education. So, my question is two-fold: What powers or benefits does the school board have that are substantially greater than the society on the one hand and, number two, is there a way of getting back from school board to a society in a responsible manner without having the Commissioner do it? Mr. Nickerson indicates that we have not got that far yet. Finally, is this likely to occur and are we likely to end up in effect in this great scheme of decentralization because of the financial commitment to have the present highest level of delegation of authority dropping back a step to that of society?

THE CHAIRMAN (Mr. Butters): There is a blockbuster for you, Mr. Minister.

Yellowknife School Boards

HON. ARNOLD McCALLUM: Mr. Chairman, the school boards presently in Yellowknife have not indicated any desire to enter or to revert back to the status of an education committee or an education society, so as to the possibility or probability I really do not know. I would doubt very much whether in fact they would want to go back. Regardless of whether they did or not, they would still be required to pay the present school levy of 15 mills which may or may not increase.

I think that the two school boards are concerned with acquiring their own staff on their own merit, providing their own superintendent within this legislation. Mind you, on the other hand there is a possibility that they will revert. This will be the ultimate to which communities would aspire in terms of getting control as to the amount of control that they would have over local education above the first two kinds of education authorities. The Hon. David Searle is quite correct in indicating those areas where they have this absolute control. At the same time to a degree these entire sections or this entire part was a means of a grandfather clause or clauses to take into consideration that school boards do in fact want to remain and, as I said, we have had no indication otherwise. It has been our experience with the two school boards in Yellowknife that the financial arrangements which are negotiated are capable of meeting their particular demands. If they want to increase or to go beyond that and supply others, they can obviously raise the additional moneys. We have no indication from either school board that they would want to revert back.

THE CHAIRMAN (Mr. Butters): Just a minute, sir. I would like to have Hon. David Searle's comment if he wishes on that.

HON. DAVID SEARLE: The problem that I have I suppose is that with the differences between a society and a board being so slight, once this legislation is in effect, you see, now there is no such thing as a school society and hence, the board under the legislation that there is. There are only school boards, so that is what we have. I have a sneaking suspicion that there would be a very close examination which I confess I have not made but I suspect the first thing the school boards will do is examine very carefully the differences and then decide whether in fact the differences are so great that it is worth paying 25 per cent of the operation and maintenance and they will also compare what 15 mills to 25 per cent of the operation and maintenance is. If they can save a few thousand dollars I am suggesting to you that unless the powers are vastly greater to be a board, which I do not think they are from reading this, then you are liable to find yourself in the embarrassing position that instead of everybody aspiring to be a board in the end, that in fact the two boards you have now will hop back one step to a society to avoid the tax burden.

I just alert you to that possibility because we have been talking about decentralization and the three levels of it. Then you would be left with two if the two Yellowknife boards hop back to society status.

THE CHAIRMAN (Mr. Butters): Thank you. Deputy Commissioner Parker, do you wish to reply?

Cost Differences

DEPUTY COMMISSIONER PARKER: I just wish to advise the committee that the current levy put forward by the territorial government for education purposes of 15 mills is only one or two mills different from the levy which must be put forward by the two school districts in Yellowknife to collect 25 per cent of their operating costs. Therefore, the two things are very, very close together, although there is a very small financial cost attached to being a school board at the present time.

Mr. McCallum has advised very well that the differences are not great but they most importantly, lie in the area of control of staff, the actual selecting, paying and ability to discharge staff. That is where the real difference lies.

In our consideration of this ordinance over the years I think I would have to say very frankly that we did not consider that there is likely to be a substantial number of school boards formed and the Minister gave some indication of that when he said that to some extent this is a grandfather clause. That is why the rights and responsibilities of the school society are moved up to such a high level that they are very close to the board.

THE CHAIRMAN (Mr. Butters): Thank you very much for that explanation. Mr. Lafferty.

MR. LAFFERTY: Mr. Chairman, I was falling asleep, if you will pardon me. I just wanted to know if the eligibility for election of different members...

THE CHAIRMAN (Mr. Butters): I just wonder if we could remain in our seats for a few moments to see if the problem with the mike can be corrected.

MR. LAFFERTY: I just wanted to know if this eligibility for election is

applicable to all three school authorities?

THE CHAIRMAN (Mr. Butters): No, sir. We are referring now to the boards of education. This is the section we are presently on. It may be. I do not know.

MR. LAFFERTY: What I wanted to say was that if it was I do not think we should make any changes as there are a lot of complaints in several communities that I know of of people coming in who are only in the area for a short while becoming members of the education board who do not know the community at all. In that regard I think the person should get to know the community before he sits on these boards.

Landed Immigrant Status

MR. BUTTERS: I accept that as a comment. I have a question relevant to the eligibility factor. Is landed immigrant status considered? Has that been considered?

HON. ARNOLD McCALLUM: Mr. Chairman, I guess we considered many things in terms of a person eligible to be elected to a board of education, not only the concern that you have asked about, but also that of Mr. Lafferty and these are the qualifications that we have arrived at. We certainly considered many things but these are the four prerequisites or exclusions, if you like, that we finally came up with.

THE CHAIRMAN (Mr. Butters): Any comments, any other comments on eligibility as included in clause 27?

MR. NICKERSON: Mr. Chairman, I would like to ask one question. In the previous draft we had, paragraph (d) read, "is not an employee of the board of education or the Department of Education". It was to that effect and I just wondered why the second restriction "employees of the Department of Education" has now been left out of that clause.

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

HON. ARNOLD McCALLUM: Mr. Chairman, again this is, after considering all those things, this is again the consensus because we are talking about a board of education and not within the ultimate of it. A member of the Department of Education, we felt that in terms of the public or separate school boards would be eligible and it would then be up to the voters of that district whether in fact they wanted that person to be elected. The Department of Education personnel, I would suggest in terms of a board of education, would not have as much direct conflict of interest as they would with a committee or a society.

The staff of a board of education is acquired by the board; whereas in a committee or society these two authorities act as agents of the government and there would be, I would suggest, a conflict there. Again considering everything, we felt these were the eligibility factors.

THE CHAIRMAN (Mr. Butters): Mr. Nickerson, do you wish to amend the section?

MR. NICKERSON: No, sir, that information is quite satisfactory.

HON. ARNOLD McCALLUM: I just make one further comment, Mr. Chairman. When you talk about the personnel of the Department of Education you must respect and appreciate that the Department of Education includes not just teachers. There are other staff people in it.

THE CHAIRMAN (Mr. Butters): Clause 27, eligibility for election. Agreed?

---Agreed

Clause 28, tenure. Agreed?

---Agreed

Clause 29, annual elections, page 25.

Motion To Amend Subclause 29(b)

MR. NICKERSON: Mr. Chairman, there is a rather important typographical error in 29(6) on the very last line on page 27, the last line of clause 29, that is. Of course where it says "public" on that line it should of course say "separate".

Motion Carried

THE CHAIRMAN (Mr. Butters): Thank you very much, that does change the meaning considerably. With that amendment is clause 29 agreed?

---Carried

Clause 30, first meeting. I am sorry, Mr. Pudluk, go ahead. On clause 29, Mr. Pudluk.

MR. PUDLUK: Clause 29. It says on the first day of January following their election and is that on the first day of January they have to hold an election?

THE CHAIRMAN (Mr. Butters): Mr. Chairman, do you understand the question?

HON. ARNOLD McCALLUM: Is he saying that that is the date of the election? Is that the question?

MR. PUDLUK: Yes.

HON. ARNOLD McCALLUM: No. The election day is not the first day of January.

THE CHAIRMAN (Mr. Butters): Are you satisfied with the answer?

MR. PUDLUK: Yes.

MR. LYALL: I think every one of these when you see this in the ordinance, like in the school year it says the first of January, or rather the first of June to the last of July, this is the same thing. This is just trying to tell you that it must be year to year, every year. It does not matter if it begins on March 1st, or March 25th, or whatever, it is just defining from year to year, each year to the next year. Is that true, is that a good definition I gave?

HON. ARNOLD McCALLUM: Well, Mr. Chairman, Mr. Lyall and Mr. Pudluk, this subclause 29(1) is that what is being made reference to?

THE CHAIRMAN (Mr. Butters): I beg your pardon, it is clause 30. I gave the wrong ...

HON. ARNOLD McCALLUM: It is subclause 29(1).

MR. PUDLUK: Yes; clause 29.

HON. ARNOLD McCALLUM: In subclause 29(1) the members are elected for terms of three years that begin on the first day of January, the term itself begins on January 1st. They are elected at the time of the municipal elections which are in November -- chuck that, December, the second Monday in December. So, they are elected then and begin to take a seat on that board as of January 1st. They continue for the length of time for which they have been elected, three years, two years and one year, from January 1 until December 31. Does that clarify it?

MR. PUDLUK: Yes.

THE CHAIRMAN (Mr. Butters): It does, thank you. We have an agreement on clause 29. Clause 30, concerns the first meeting, special meetings and notice. Mr. Nickerson.

First Meeting

MR. NICKERSON: When we considered this previously we thought that the restriction of having to have the first meeting within ten days after the first of January, considering that that is usually a holiday time of year was a little bit restrictive. We suggested that that be amended to read 30 days. Also, in subclause 30(1) where it says "The board of education shall meet at least once each month thereafter". We have seen some difficulties arising during the summer holiday period. We thought that we might like to change that one somehow or other.

THE CHAIRMAN (Mr. Butters): Would you formalize your comments making an amendment then to clause 30.

Motion To Amend Subclause 30 (1)

MR. NICKERSON: I would move, Mr. Chairman, that the word "ten" be deleted in line one and be substituted by the word "thirty" and that subclause further be amended to allow for the possibility of having meetings more than one month apart during certain times of the year to allow for summer holidays. Of course, the exact wording would have to be worked out by the Legal Advisor.

THE CHAIRMAN (Mr. Butters): I will ask for discussion on the oral amendment as placed. If there is no discussion then we will stand it down and ask the Legal Advisor to make, to draw out the amendment in legalese and then we can discuss it and vote upon it. Mr. Minister.

HON. ARNOLD McCALLUM: I am just concerned about the suggestion, what was to be put in instead of ten, was it 30?

THE CHAIRMAN (Mr. Butters): Yes. Is there any discussion relative to the oral amendment of Mr. Nickerson? May we then stand the clause down and return to it when we have the amendment in legal form before us? Mr. Nickerson.

MR. NICKERSON: I presume you are now standing down all of clause 30 and I have one more comment on clause 30 which I might make at the same time.

THE CHAIRMAN (Mr. Butters): Would you please do so.

Motion To Amend Paragraph 30(3)(c)

MR. NICKERSON: On page 27 on the last but one line it reads as follows: "...at least six clear days..." and I would move that the word "clear" be stricken out there. It must occur at least 1000 times in our legislation and nowhere is the word "clear" put in. It must be very apparent what six days means or the interpretation would be made by a court of law or something. I have never seen this word "clear" in there at all and all it suggests to me was that either it was put in there by mistake by a typist or something of that nature.

THE CHAIRMAN (Mr. Butters): Would the Legal Advisor comment.

LEGAL ADVISOR (Ms. Flieger): Certain days being holidays are not regarded as days for the purpose of counting and this is under the rules of court and therefore, when six clear days notice is required, should five of those be holidays and the next five days would be holidays and then you would go and take five clear days.

THE CHAIRMAN (Mr. Butters): It appears there is a good reason for the word "clear" in this section and would you rather hear the interpretation?

MR. NICKERSON: If it is the intention, Mr. Chairman, although you must note that in a lot of our legislation we do not specify whether they should be business days or not business days. If it is the intention of the administration here, and I do not question it, if it is, but if they mean business days, they should say business days and not use the non-legal term "clear" days which means nothing at all. As far as I know, the term is business days.

THE CHAIRMAN (Mr. Butters): I understood the Legal Advisor to advise us that "clear" was a legal meaning and a meaning within the rules of court.

LEGAL ADVISOR (Ms. Flieger): "Clear" is much clearer than "business".

MR. NICKERSON: I wonder if we have a legal dictionary?

THE CHAIRMAN (Mr. Butters): We must accept the recommendations of our Legal Advisor and we will stand this down and if you wish to meet with the Legal Advisor at a time convenient to both of you and discuss this I think that is the thing to do.

HON. DAVID SEARLE: If it would be of any help, I would agree with what Ms. Flieger says the use of the word "clear" is a precise legal use and is quite properly used there and it is not as Mr. Steen suggested to me to suggest clear from cloudy days.

THE CHAIRMAN (Mr. Butters): Well then, I guess we can stand that down and it can be discussed if Mr. Nickerson so wishes with the Legal Advisor. Do I have your permission to stand down clause 31, is it agreed?

---Agreed

That was clause 30, not 31, sorry. Yes, Hon. David Searle.

HON. DAVID SEARLE: Mr. Chairman, with respect to the point raised by Mr. Nickerson of meeting once each month I was wondering, the Legal Advisor may need something more precise. It seems to me why could one not say "and shall meet at least ten times per year" that sort of thing and if that is what we are thinking of in numbers, then I think we should indicate that or otherwise she does not have the basis on which to make the change and that would seem to be appropriate to me. In fact often there is no meeting in December because of holidays again and you might want to say at least nine times per year.

MR. NICKERSON: I would agree with this if the wording could also leave it clear that the ten meetings are not to be held all in one month and have none for the rest of the year.

THE CHAIRMAN (Mr. Butters): I have asked the Legal Advisor if there are any other points which require clarification.

LEGAL ADVISOR (Ms. Flieger): I wondered if that clause could be voted on now for the purpose of clearing up the change from ten to thirty and then perhaps by that time I could have some words for you.

Motion To Amend Subclause 30(1), Carried

THE CHAIRMAN (Mr. Butters): If members would agree it would clear it out of the way. Would you agree, Mr. Nickerson, that we take it to a vote?



The suggestion is that we change ten on the first line of subclause 30(1) to 30 days. Is there any discussion on that suggested amendment. Is everybody in agreement?

---Carried

Thank you. What else is there Madam Legal Advisor?

LEGAL ADVISOR (Ms. Fliieger): If I could just ask Mr. Nickerson if he would approve of this.

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

MR. NICKERSON: It would be well to stand this down for some time as there may be some difficulty with the wording suggested here.

THE CHAIRMAN (Mr. Butters): It was already agreed to and I just wanted to see if there was any more clarification required.

Clause 31, quorum. Agreed?

---Agreed

Annual Audit

Clause 32, annual audit, page 28. Hon. David Searle.

HON. DAVID SEARLE: Mr. Chairman, sometimes I wonder about that provision. I know it is important to know that public funds are spent correctly and I know that the accounts of the municipality are audited, I know that the accounts of the school district are currently audited, but take for instance my own business. We have set up some very sound accounting practices and principles and they are not audited, simply because the difference between having them audited and not having them audited is a fantastic expense. It seems to me that some sound business sense might be used to save the taxpayer a lot of money by simply providing maybe in the regulations, that the Executive Member could order an audit if he were getting vibes or complaints of wastage or something. It does not seem to me that an audit should be required each and every year just as a matter of course. It seems to me there should be some good reason to require it, some reason to suspect that people are not spending the money correctly, but if an auditor just simply checks that they are following the proper accounting procedures, keeping the proper accounting procedures, keeping the proper books of records, making the proper entries, that, in the absence of anything else, should be far enough.

You know what an audit is, it is looking at every receipt and every cheque and every entry and virtually certifying everything, that everything is done correctly and that is one heck of an expense. I do not care to specifically move a motion, but I would think that the Executive might be well advised to giving some consideration to that because part of that cost is coming back to them and they should think of maybe removing the mandatory requirement but putting in that it might be required on the order or direction of the Minister. In other words, being able to require it, but not requiring it as a matter of course because it is just a heck of a cost.

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

HON. ARNOLD McCALLUM: Well, Mr. Chairman, I could concur in principle to what the Hon. David Searle has said. However, I am not sure if there is any further legal requirement for it and I would have to suggest that I would talk to other Members. I do not know whether either one of them would like to comment now but certainly in terms of the comptroller or the finance people...

THE CHAIRMAN (Mr. Butters): Possibly the Deputy...

Annual Audit Of School Board Books

HON. ARNOLD McCALLUM: Perhaps the Deputy Commissioner would like to speak on the requirement for an annual audit of school board books, in clause 32, which the Hon. David Searle suggests is a very costly exercise and whether subclause 32(1), Deputy Commissioner Parker, and he is querying the "shall be audited annually" and whether in fact there is a need to have it audited annually, is there a legal requirement for it in light of the fact that it is a very costly exercise and must be absorbed?

THE CHAIRMAN (Mr. Butters): It is a requirement under the Auditor General's office?

DEPUTY COMMISSIONER PARKER: It is not a requirement of the Auditor General's office because in areas like that the Auditor General finds it sufficient that we make a declaration on grants and he does not go to the places that get the grants, provided that the grants are made according to the ordinance. However, were he ever to conclude that there was anything the matter with the money that was used for the grants, then he might change his requirements.

The reason that this is in here is because we did not feel that we could treat a school board any differently than we could a municipality. Unless I am wrong, this remains a demand on the municipality to audit annually and in fact to publish that audit. The two school districts that have been formed thus far, are spending very large sums of public money, and I do not think it is an unusual request at all to ask that an audited statement be prepared. There might be some modification of their requirements as to detail that we could look to, but to have a basic annual audit I believe is a pretty normal and pretty necessary requirement.

THE CHAIRMAN (Mr. Butters): Before I recognize Mr. Whitford, I would like to return to Hon. David Searle if he wishes to amend it.

HON. DAVID SEARLE: I am not suggesting you remove the requirement entirely. What I was suggesting was just a practical business approach to the problem in say the books of account, if every board of education may be audited annually on the direction of the Executive Member, etc., sort of thing. In other words, where you felt you had a good and competent, well run system with many checks and balances in place, you might not require it, but you certainly could if you felt that you did not have that. In other words, just giving the flexibility not to require it if you felt you did not have to. That is all I am saying. I am not saying to remove it entirely.

THE CHAIRMAN (Mr. Butters): Mr. Deputy Commissioner.

The Discretion Of The Minister.

DEPUTY COMMISSIONER PARKER: Well, Mr. Chairman, I understand what Hon. David Searle is saying, that it could be more discretionary, left to the discretion of the Minister, but I gather what he says is that if everything seems to be running fine and the other checks and balances fall into line, then it may not be necessary some years. If anybody is really going to rip off an organization like a school board or a municipality, everything is going to be appearing to be running very well. It is those times when you have to be a bit concerned. I guess I would have to turn the question around and say: Would you wish to relax the requirements for audit of municipalities? Answering my own question, I suspect you would not want to relax that. We feel that a turning over of sums of money of this nature, public money, part of it, about 25 per cent of it raised by the ratepayers, is in itself a requirement or carries with it a requirement that there should be an annual audit.

THE CHAIRMAN (Mr. Butters): Thank you.

HON. DAVID SEARLE: I do not want to delay this discussion, Mr. Chairman. You know you have a budget, you have last years financial statement, and you get this years financial statements, and if they look way out of whack from the budget for last year, do you not require an audit? If they are what they should have been, and if the accounting procedures and practices are in place from a business point of view, you do not necessarily have to go much further. Government in my opinion spends more money probably, one cent out of every two, auditing and accounting and double checking and countersigning and everything. Maybe from time to time the taxpayer would be better off with the odd thief than the expense that is gone to to protect the tax dollar. I do not know, but it seems to me a civil servant just feels better to have some auditor's certificate and that way he does not have to use his brains. However, I am not going to say any more.

DEPUTY COMMISSIONER PARKER: I object to that, Mr. Chairman. As a ratepayer, and I am a ratepayer, and a number of people are ratepayers, I demand an audit as a ratepayer and not as a civil servant.

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

THE COMMISSIONER: It has been said.

MR. WHITFORD: Mr. Chairman, on a point of order, I agree with Hon. David Searle. When I was in business we used Froment and Co. I am not trying to advertise, but I just say we used Froment and Co., and he gave us an annual unaudited statement which is by far cheaper and it breaks down the various categories of expenditures. The audit, as far as an audit is concerned, we will be having one because we are losing out. I would agree to a motion to that effect, or something to that effect, that perhaps the school board may be looking for a six months statement of expenditure and perhaps the annual unaudited statement, I think if we are looking for -- unless some director asked for an audited statement, in the case of the expenditures being really questioned. I think we are looking for those two things in subclause 32(1).

THE CHAIRMAN (Mr. Butters): Thank you. Mr. Pearson.

MR. PEARSON: I just wanted to concur with the Hon. David Searle that the cost of auditing and providing last minute details is extremely expensive. That is currently being done in Frobisher by a system that was established by the administrator that was in the community during the time of council, and to provide council with up-to-date information on the state of the nation, which always comes a month late anyway, and costs something like \$40,000 a year.

THE CHAIRMAN (Mr. Butters): Well, we are...

MR. PEARSON: The whole thing is done on a computer and is very sophisticated and it is wonderful, but do you need that kind of sophistication? If you do, you are going to pay through the nose on it.

THE CHAIRMAN (Mr. Butters): We are engaged on a debate about a proposed amendment, and if Members feel strongly about this there should be an amendment on the floor. Mr. Commissioner.

Public Money.

THE COMMISSIONER: Mr. Chairman, maybe I had better state something. I think that the ratepayers certainly can speak for themselves whether they wish an audit or not, but you have got to remember that we are not talking specifically about the existing boards only which are established. We are hoping to establish a number of them and in establishing them, as Mr. Parker has pointed out, 100 per cent of the funds for this come from the Government of Canada. Seventy-five per cent of the funds for the operation come from the Government of Canada and of that money just a little bit comes from tax dollars raised in the Northwest Territories. That money comes from the public, whether you like to hear it or not, in southern Canada. Yes, it might be expensive for them, for these audits, but I can assure you that the very thought that there was something wrong with the books in a number of localities and we started to have investigations and guys running off with the funds and things of that kind, I can assure you that there would be a very, very strong reaction.

You have to remember this, that we have been treated more than fairly on our financing. There has been no attempt on the part of the Government of Canada to choke back on us. While it is true it may be expensive, the Government of Canada does not mind giving us that money to audit those books. They do not mind doing it. They are not complaining about it, but what they do -- once they are satisfied and feel that everything is in order, then we do not have to run across that kind of an argument. This is public money, and we have to guarantee the public that not only is it right, but it seems right.

THE CHAIRMAN (Mr. Butters): Gentlemen, I have been advised by a Member we are running overtime without a proper motion to proceed. Is it Members' wish that we recess and I report progress to the Speaker?

---Agreed

MR. SPEAKER: Mr. Butters.

Report of the Committee of the Whole of Bill 1-60, Education Ordinance

MR. BUTTERS: Mr. Speaker, your committee has met to consider Bill 1-60, the Education Ordinance, and I wish to report progress.

MR. SPEAKER: Announcements, gentlemen: First, the craft shop, which is apparently across the street from the Co-op store which is not usually open on Saturdays, will be open from 10:00 o'clock a.m. to 2:00 o'clock p.m., tomorrow for the convenience of certain visitors, that is those who still have money in their pockets. Two, the fish cannery will be open tomorrow morning at 10:00 o'clock a.m., also for those persons who still have money in their pockets and wish to visit it. Three, Mr. Butters, you have an announcement re the Yellowknife ARTC briefing?

MR. BUTTERS: Yes, Professor Bob Williamson has advised that any Members who would like to meet and discuss research in the North and educational programs, postgraduate programs, would be welcome at the ARTC between 1:00 o'clock p.m., and when we convene at 2:30 o'clock p.m., sir. I think Members have been approached by Dr. Williamson already.

MR. SPEAKER: Now, as to tomorrows sittings, nothing in the morning, but from 2:30 o'clock p.m., until 5:30 o'clock p.m., so we can do half a day. Are there any further announcements? Hon. Peter Ernerk.

HON. PETER ERNERK: I wonder if I could have unanimous consent of the house to return to Item 10? Item 10, tabling of documents.

MR. SPEAKER: Unanimous consent required to return to Item 10, tabling of documents. Any objections? Agreed.

---Agreed

Proceed, Mr. Ernerk.

REVERT TO ITEM NO. 10: TABLING OF DOCUMENTS

HON. PETER ERNERK: Thank you, Mr. Speaker. I have four tabled documents here. Tabled Document 7-60, Negotiations with Health and Welfare Canada for the Transfer of the Responsibility for all Health Services to the Government of the Northwest Territories.

Tabled Document 8-60, Arctic Bay Health Study.

Tabled Document 9-60, Health and Social Service Training Program.

Tabled Document 10-60, Central and Eastern Arctic Health Services Study.

MR. SPEAKER: Thank you. Anything further, gentlemen? Mr. Clerk, orders of the day.

ITEM NO. 12: ORDERS OF THE DAY

CLERK OF THE HOUSE: Orders of the day, October 23, 1976, 2:30 o'clock p.m., at the Maani Ulujuk School, Rankin Inlet.

1. Prayer
2. Questions and Returns
3. Oral Questions
4. Petitions
5. Reports of Standing and Special Committees
6. Notices of Motions
7. Motions for the Production of Papers
8. Motions
9. Tabling of Documents
10. Consideration in Committee of the Whole of Bills, Recommendations, Other Matters and Information Items: Bill 1-60, Bill 6-60, Tabled Document 2-60, Matters Arising out of the Recent Tour of the Legislative Assembly to the State of Alaska, Information Items 1-60, 4-60, 8-60 and 16-60
11. Orders of the Day

MR. SPEAKER: The Legislative Assembly stands adjourned until 2:30 o'clock p.m., October 23, 1976, at the Maani Ulujuk School, Rankin Inlet.

---ADJOURNMENT

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