



**LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES
DEBATES**

63rd Session

8th Assembly

Official Report

WEDNESDAY, OCTOBER 19, 1977

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

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YELLOWKNIFE, NORTHWEST TERRITORIES

WEDNESDAY, OCTOBER 19, 1977

MEMBERS PRESENT

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

ITEM NO. 1: PRAYER

--- Prayer

SPEAKER (Hon. David Searle): Item 2, replies to the Commissioner's Address. Are there any replies this morning?

Item 3, questions and returns. Are there any returns, Deputy Commissioner Parker? No.

ITEM NO. 3: QUESTIONS AND RETURNS

Written questions, Mr. Kilabuk. Just before you begin, Mr. Kilabuk, what channel are you on today? One.

Question W13-63: Anik Radio To Clyde River

MR. KILABUK: Mr. Speaker, the people of Clyde River would like to know when they can get Anik service.

MR. SPEAKER: I assume, Deputy Commissioner Parker, you will take that as notice?

DEPUTY COMMISSIONER PARKER: Yes, Mr. Speaker.

MR. SPEAKER: Further questions? Mr. Kilabuk.

Question W14-63: Acquisition Of Projector From Old American Base

MR. KILABUK: Mr. Speaker, during the Commissioner's visit to Clyde River, he was asked to get a movie projector from the old American base. Could the people from Clyde River be informed what progress has been made?

DEPUTY COMMISSIONER PARKER: Mr. Speaker, I will speak to the Commissioner about that and have a reply prepared.

MR. SPEAKER: Further questions? Mr. Kilabuk.

Question W15-63: Additions To School, Clyde River

MR. KILABUK: The people in Clyde River would like to see their school expanded. At present, portables are being brought in. This is not as convenient as each portable needs a teacher. There would not be a lack of teachers if the school itself is expanded.

MR. SPEAKER: Deputy Commissioner Parker.

DEPUTY COMMISSIONER PARKER: Mr. Speaker, I will file an answer with the Assembly regarding the school at Clyde River.

MR. SPEAKER: Further questions? Mr. Kilabuk.

Question W16-63: Larger Boat, Clyde River

MR. KILABUK: Mr. Speaker, what are the chances of getting a peterhead boat for the hunters' and trappers' association in Clyde River since there is no peterhead boat in Clyde River?

MR. SPEAKER: Deputy Commissioner Parker.

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

MR. SPEAKER: Further questions? Mr. Butters.

Question W17-63: Petrocan Invitation

MR. BUTTERS: Mr. Speaker, would the administration approach Petrocan, the president, Mr. Maurice Strong or vice-president, Mr. Bill Hooper today and document whether both or either of these gentlemen, or in their absence Mr. Barry Yates, might meet with Members of this Assembly in committee of the whole and outline plans, programs and proposals that the Canadian government's peoples' petroleum company may have for filling the vacuum in the Northwest Territories and especially in the Western Arctic region, left with the departure of the major oil company?

MR. SPEAKER: Deputy Commissioner Parker.

Return To Question W17-63: Petrocan Invitation

DEPUTY COMMISSIONER PARKER: Mr. Speaker, we are left with a little problem. Are we to assume that this is a request of the Legislature or a request of an individual Member? In any event, we would be glad to make the inquiries.

MR. SPEAKER: Mr. Butters.

MR. BUTTERS: I have been caught out. I will put this in the form of a motion.

MR. SPEAKER: Thank you. Further questions? Mr. Butters.

Question W18-63: Tuktoyaktuk Airstrip Extension

MR. BUTTERS: Mr. Speaker, would the administration inquire of the Hon. Otto Lang, the Minister of Transport, and Mr. Mel Hagglund of Arctic Transportation Agency today or tomorrow, regarding the proposal the federal ministry responsible for transportation in the North has for extending the Tuktoyaktuk airstrip to 6000 feet and for paving same. An estimate of the cost of the proposal would be helpful, plus the construction schedule as it is being currently contemplated by the Ministry of Transport.

MR. SPEAKER: Mr. Commissioner.

THE COMMISSIONER (Mr. Hodgson): Yes, Mr. Speaker, we will inquire and we will also inquire, although the Member did not ask, when they are going to fix the Yellowknife air terminal.

MR. SPEAKER: It sounds, Mr. Commissioner, as if you are meddling in my riding. Are there any further written questions?

Item 4, oral questions.

Item 5, petitions.

Item 6, reports of standing and special committees.

Gentlemen, just before I go on I am told that Mr. Vince Steen is here today, the chairman of the Game Advisory Council. He was not here yesterday when we acknowledged the rest of the Game Advisory Council and, since he is here today, I would just like to acknowledge his presence.

--- Applause

Item 7, notices of motion. Hon. Dave Nickerson.

ITEM NO. 7: NOTICES OF MOTION

Notice Of Motion 6-63: School Of Dental Therapy

HON. DAVE NICKERSON: Mr. Speaker, on the next business day of this House I give notice that I will move the following motion:

WHEREAS there is reason to believe that the Department of National Health and Welfare is considering moving the school of dental therapy from Fort Smith to a location in British Columbia;

NOW THEREFORE, I move that the Minister of National Health and Welfare be advised of the strong opposition of this Legislature to any attempt to relocate the Fort Smith school of dental therapy to a place outside of the Northwest Territories.

MR. SPEAKER: Thank you. Further notices of motion? Mr. Butters.

Notice Of Motion 7-63: Petrocan Invitation

MR. BUTTERS: Mr. Speaker, I give notice that tomorrow, October 20th, I will move the following motion:

WHEREAS major private petroleum exploration companies have reduced their activity in the Beaufort sedimentary basin;

AND WHEREAS the Government of Canada has constituted Petrocan to act in the national interest in developing energy resources and exploring for new petroleum reserves;

AND WHEREAS Petrocan management has expressed interest in carrying out and is carrying out petroleum exploration and development activities in both the High Arctic and the Western Arctic;

NOW THEREFORE, I move that the Commissioner invite Petrocan's president, Mr. Maurice Strong and/or vice-president, Mr. Bill Hooper, or in their absence, Mr. Barry Yates might meet with this Assembly in committee of the whole and outline their corporation's plans, programs and proposal that Petrocan may have for filling the vacuum left in the Northwest Territories and especially in the Western Arctic region, with the departure of the major oil companies.

MR. SPEAKER: Further notices of motion? Mr. Stewart.

Notice Of Motion 8-63: Liquor Ordinance Amendment

MR. STEWART: Mr. Speaker, I give notice that tomorrow I will move the following motion:

WHEREAS the Liquor Ordinance lists quasi military messes which include by interpretation Royal Canadian Mounted Police, armed forces and civil defense as being eligible for a canteen licence;

AND WHEREAS local fire department duties are similar to civil defense in many ways and indeed act in the capacity in many municipalities;

NOW THEREFORE, I move that the Liquor Ordinance be amended to include recognized fire departments in Part III 29(f) of the Liquor Ordinance.

MR. SPEAKER: Notices of motion, are there any further? Mr. Whitford.

Notice Of Motion 9-63: House Trailer Lots And The Landlord And Tenant Ordinance

MR. WHITFORD: Mr. Speaker, I give notice that I would like to move the following motion on October 20th:

WHEREAS the relationship between landlords and tenants of house trailer lots appears to be inadequately defined;

NOW THEREFORE, I move that the administration be requested to review the Landlord and Tenant Ordinance and report back to the Legislative Assembly at its January 1978 session whether amendments are recommended to more adequately protect the parties to any agreement respecting the rental or leasing of house trailer lots.

MR. SPEAKER: Further notices of motion?

Item 8, motions for the production of papers.

Item 9, motions. Mr. Butters.

Discussion On Motions For The Production Of Papers

MR. BUTTERS: Mr. Speaker, on a point of order. This item has appeared on our agenda for the last, I think, year and a half and I believe only at one time has the request been made for a paper. Am I correct in believing that the definition of "papers" here includes departmental documents or documents one knows to be in the possession of a department or the Executive or are these briefs or publications that one might obtain from the Queen's printer?

MR. SPEAKER: Mr. Butters, I do not know what they are. If you wish to make a request for a particular piece of paper, then we will have to rule on it based on what it happens to be but I do not propose, with all due respect, to get into an abstract rules discussion at this time. I think what a Member has to do under this item is make a request for whatever paper it is he wants. Obviously there are some which the Executive may take the position that they are not entitled to release and when they do that that is when we have to make a decision on what they may or may not keep unto themselves. I might say I am not necessarily looking forward to that day, but ...

Item 9, motions. This morning I am told, gentlemen, that we have Motions 2-63, 3-63 and 4-63. Motion 5-63 we have to hold over because it is not yet translated but, if we may, Motions 2-63, 3-63 and 4-63 are and I would propose we proceed with those. Motion 2-63, Hon. Dave Nickerson.

ITEM NO. 9: MOTIONS.

Motion 2-63: Transfer Of Health Services.

HON. DAVE NICKERSON: Mr. Speaker:

NOW THEREFORE, I move that, at a suitable time to be established by the Speaker, this House resolve itself into a committee of the whole to study the document entitled "National Health and Welfare Proposal for the Transfer of the Delivery of Health Services to the Northwest Territories Government."

MR. SPEAKER: Is there a seconder? Mr. Stewart. Discussion, Hon. Dave Nickerson. Does any other Member wish to discuss this motion? Question being called.

SOME HON. MEMBERS: Question.

Motion 2-63, Carried.

MR. SPEAKER: All in favour? Down. Contrary? The motion is carried.

--- Carried

Mr. Clerk, will you see that matter is placed on the orders of the day? Motion 3-63, Hon. Arnold McCallum.

Motion 3-63: Appearance Of Regional Director Of Resources Before The House.

HON. ARNOLD McCALLUM: Mr. Speaker:

WHEREAS the regional director of resources of the Department of Indian and Northern Affairs has indicated his willingness to appear before this House;

NOW THEREFORE, I move (a) that an invitation be extended to him to appear before this House during this session; and (b) that the question of resource management in the Northwest Territories be considered in committee of the whole with the regional director of resources in attendance at an appropriate time during this session.

MR. SPEAKER: Moved by Hon. Arnold McCallum. Is there a seconder? Mr. Evaluarjuk. Discussions?

SOME HON. MEMBERS: Question.

Motion 3-63, Carried.

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

--- Carried

Motion 4-63, Mr. Pearson.

MR. PEARSON: Mr. Speaker, I do not wish to proceed today. I am awaiting additional information and will present it tomorrow.

MR. SPEAKER: Motion 4-63, stood over until tomorrow. As indicated, Motion 5-63 is not yet translated. Those are the motions for today.

Item 10, tabling of documents.

Item 11, consideration in committee of the whole of bills, recommendations to the Legislature, information items and other matters.

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

Gentlemen, as you can see the order paper has been incorrectly prepared to the extent that the items which were read out by the Clerk last evening on orders of the day, Bills 1-63, 3-63 and 4-63 are not in fact printed in there and obviously these were the matters referred to and without any further ado I propose to suggest that we include Bills 1-63, 3-63 and 4-63. I am sorry, Bills 1-63, 2-63 and 4-63 under Item 11. Is there any disagreement with that?

HON. ARNOLD McCALLUM: Agreed.

MR. SPEAKER: It is agreed.

---Agreed

As I recall it when the lights went out on us last evening we were in fact considering Bill 1-63, were we not? Is it the wish of the Executive that we go back into committee of the whole for continued consideration of Bill 1-63?

Mr. Stewart, Mr. Fraser was in the chair and I assume you have no objection to him continuing and completing Bill 1-63?

MR. STEWART: No, Mr. Speaker.

MR. SPEAKER: This House will resolve into committee of the whole for continued consideration of Bill 1-63, with Mr. Fraser in the chair.

--- Legislative Assembly resolved into committee of the whole for consideration of Bill 1-63, Income Tax Ordinance, with Mr. Fraser in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 1-63, INCOME TAX ORDINANCE

THE CHAIRMAN (Mr. Fraser): We were discussing Bill 1-63, An Ordinance Respecting Income Tax and I think when we shut it down last night the lights were out and we were in a discussion discussing comments of a general nature. Does the House wish to continue with comments of a general nature?

SOME HON. MEMBER: Agreed.

THE CHAIRMAN (Mr. Fraser): I hear one agreed.

SOME HON. MEMBERS: Agreed.

---Agreed

THE CHAIRMAN (Mr. Fraser): That is better. Would the House like to have the witnesses at the witness table?

SOME HON. MEMBERS: Agreed.

---Agreed

THE CHAIRMAN (Mr. Fraser): We have now Mr. Nielsen and Mr. Pilling at the witness table and I think we will have some questions for them once we get into the bill clause by clause. We are still on comments of a general nature. Mr. Butters.

MR. BUTTERS: Mr. Chairman, I wish to comment on the opening remarks of Hon. Dave Nickerson of yesterday evening as I can recall them. He gave a bit of background on the genesis of this motion or this bill and how it came before us. He mentioned that it was first raised as a recommendation or a motion asking for a recommendation to Council at the 59th session and checking back in the record I found that I was seconder to that motion. I depart from my association with Hon. Dave Nickerson in this regard at this time, for the main reason being that the motion which I seconded and which was put by Hon. Dave Nickerson called for the putting forward of an income tax ordinance, but more important, I think to us, it called for a resource revenue sharing agreement between the Government of Canada and the Government of the Northwest Territories. It was a double-barreled motion, the implementation of one, was contingent upon the carrying forward of the other which was this resource revenue sharing arrangement.

Resource Revenue Sharing

At that time I think we were all very hopeful that the sharing aspect would be realized. In fact, Members of this body remember that during our first breakfast meeting with the Hon. Judd Buchanan in this hotel Hon. Dave Nickerson raised the point about taxation and Hon. Judd Buchanan welcomed the suggestion and said, "Yes, we are looking at this and we are looking very favourably with going ahead with resource sharing. In fact at the present time in the Yukon we have made very great strides in achieving this to some effect and we are hopeful it can also be accomplished in the Northwest Territories."

So, there was a very great willingness on the part of the federal government to enter into this resource sharing deal with us, because in effect this is our land claim. This is the land claim for all the people of the territories, the resource revenue sharing agreement. Well, we know what happened to it in the Yukon. It just got shot down. There are no more discussions going on in the Yukon with regard to this arrangement and that is my understanding. You will remember also in those halcyon days with the minister succeeding Hon. Jean Chrétien, we established a standing committee of revenue and taxation, a standing committee of which Hon. Dave Nickerson is the chairman and which has never met; it has never met. Hon. Dave Nickerson, as chairman has never found it necessary to call that committee into session. He has never found it necessary to put before this committee this legislation. So, you know how valuable is it? How valuable is it if our land claim, the land claim of all the people of the Northwest Territories whom we represent is not proceeding?

Premier Lougheed is looking after the land claims of all of the people of Alberta, thank you. Our land claims have gone nowhere. Hon. Dave Nickerson suggested last night that when the recommendation was referred back to this House, that it was adopted unanimously. Well, I wish to correct the Member, I was in the chair at the time and I did check the debates too, to strengthen my recollection and at that time only two people spoke. Hon. Dave Nickerson spoke and Deputy Commissioner Parker spoke and at that time too we were still hopeful that the resource sharing aspect of this agreement would be going ahead. So, that is one comment I have.

Control of Transferred Funds

The other comment is that I would like to know as Mr. Pearson suggested last night just whether or not we, this Assembly, would be gaining control of any funds that were transferred to us as a result of the Taxation Ordinance? I have heard a complaint from the Executive Members -- I call them Executive Members now -- that they have no control in that Executive, that they do not have a say in that Executive, that their voice is very small in that Executive and yet this ordinance would turn over to that Executive, in effect the Commissioner, who is the only person in the Northwest Territories having responsibility for the administration of these territories under the Northwest Territories Act and in his absence the Deputy Commissioner, and would turn over to the Deputy Commissioner this funding. I say it is time to look at proceeding on such an ordinance when we do have real physical control.

Now, I have been very unhappy with the manner in which the Executive in principle has worked out in this eighth Assembly. The Executive Members tell us that they are responsible to this House and yet although we have received from the Commissioner agreement that they can inform us what is going on in the Executive sessions, I have never been so informed to any particular specific purpose, so I do not really feel that those Members are representing me, or that I would turn over to that Executive Committee the spending control. I would like to see that fiscal authority here in the finance committee and not in the Executive. Yet, this is, in effect, what this ordinance does.

So, as far as I am concerned, on third reading I will vote it down for these reasons. I was inquiring whether or not our Members from the Eastern Arctic have examined this in Inuktitut to know what it means and to know what the concept is and I understand there are only four pages in Inuktitut. Thank you.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. Comments of a general nature. Mr. Steen.

Rates Of Income Tax

MR. STEEN: Mr. Chairman, I guess my comment is more of a question than a comment. The way I understand it here is that we are asking individuals to pay 43 per cent over and above the federal income taxes that we pay already. I understand it to be that way.

THE CHAIRMAN (Mr. Fraser): Did you get the question, Deputy Commissioner Parker?

DEPUTY COMMISSIONER PARKER: No, 30 per cent, the same rate that we are paying at the present time.

THE CHAIRMAN (Mr. Fraser): Hon. Dave Nickerson.

HON. DAVE NICKERSON: I would like to make some comments on the presentation by Mr. Butters first of all and then I will give a preliminary answer to Mr. Steen. We will get to that further on when we discuss the bill.

Mr. Butters' recollection of the history of this thing appears to be substantially correct. This Legislature always has had a two-bladed approach in that we wanted both an income tax and resource revenue sharing. He is also of course quite correct that when the Hon. Judd Buchanan was minister of Indian Affairs and Northern Development we were making very good progress towards such an agreement and I think that most of us would agree that it was very unfortunate when there was a change of ministers and Hon. Judd Buchanan was no longer able to pursue his plan to implement resource revenue sharing. I do not think the two have to go together at the same time; we could have one or the other. It is the position of the government that we intend, more especially since we have a new Minister of Indian Affairs and Northern Development, Hon. Hugh Faulkner, who we hope will be much more sympathetic than the previous incumbent in that job, we would hope that we would be able to pursue this matter again, and again enter into negotiations regarding resource revenue sharing.

Revenue Committee Termed "Special"

The revenue committee which was established, and it is my understanding that this was a special committee, an ad hoc committee, which would self-destruct, so to speak, at the end of the period for which it was established which is not like a standing committee which goes on forever and ever until somebody puts a stop to it, the committee did, I recall, meet on one or two occasions. Other meetings were called but apparently Mr. Butters was unable to attend some of those proposed meetings because undoubtedly he had very important private business to do at the same time.

Also, had Mr. Butters again not been too preoccupied that he could attend a recent caucus meeting where the matter of Inuktitut translation of the Income Tax Ordinance was discussed, and perhaps the Members for the Eastern Arctic would like to speak for themselves, but at that time they gave the administration or gave caucus the understanding that the type of summary that was being prepared and was being interpreted, translated, would be sufficient. It is very complex legislation, taxation law in general, and even to interpret it or translate it into simple English is rather a difficult task and it would be almost prohibitively difficult to interpret the whole thing into Inuktitut.

As to Mr. Steen's question, we will get to this later in the section of the bill that deals with establishing a rate of taxation. I should mention now that earlier on this year the Government of Canada passed an act called the Federal-Provincial Fiscal Arrangements and Established Programs Financing Act of 1977. Under this act there was a tax point transfer from the federal government to the provincial governments so that the 43 per cent that you see in the text here, when combined with the federal tax, will still equal the same amount of money as under the present system. There has been a reduction

in federal tax and an increase in provincial tax. This will take place nationally so taxpayers will not end up paying more but the provinces will end up with a higher rate than they did previously and I think a better time to discuss this is when we actually finally get to that one section of the bill.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Dave Nickerson. Mr. Butters.

MR. BUTTERS: Just to correct some misrepresentations by the Honourable Member, if the Member will recall, we had planned to meet in Whitehorse believing that it would be most valuable if we met in the jurisdiction of that territory which was making the greatest progress in the matter of resource revenue sharing agreement and that meeting had been worked out to go and then they could not meet on that weekend. As it happened, they were going to Yellowknife and Hon. Dave Nickerson said he would meet with them himself and get the background as to what progress they had made so that I think Hon. Dave Nickerson's remarks are uncalled for and incorrect.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. Any comments of a general nature? Mr. Evaluarjuk.

Ordinance Difficult To Follow

MR. EVALUARJUK: Mr. Speaker, I will ask in the ordinance about the translation. I have seen a short translation but somebody took it from me so I do not have it. I do not have the Inuktitut translation and I am not even sure where we are now. So I guess it is okay. I will talk about it more later on. The Northwest Territories Legislature, are they going to fill us in on the tax ordinance? It would be agreeable with me. It is hard for us to follow up. Sometimes we do not file our income tax on time and when we are late -- we do not know anything about filling it out in our settlements -- and if we are late filing our income tax we have to pay extra afterwards. This scares us if we do not get the ordinance, if we do not understand it. Regarding income tax, if someone makes a mistake, even if you do not try to make a mistake when you are filing it, you still have to pay extra for it. This we do not like. Is it going to be better for us regarding income tax if we get this ordinance into effect? It would be better for us all.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Evaluarjuk. I think you raised a couple of questions on whether the ordinance would be better in ways. I wonder if Hon. Dave Nickerson could answer that for you. I do not think he is quite sure ...

HON. DAVE NICKERSON: I am very sorry, Mr. Chairman, but I was listening as intently as possible and I am afraid I am having a very difficult time with the interpretation. I just could not understand exactly what the questions were.

THE CHAIRMAN (Mr. Fraser): I think one of the questions was if the ordinance was going to better the taxes in the Northwest Territories, he was prepared to go along with it. Was that the question you wanted to find out?

MR. EVALUARJUK: That was one of them.

THE CHAIRMAN (Mr. Fraser): Would you care to answer that, Hon. Dave Nickerson?

HON. DAVE NICKERSON: I am afraid I am still unaware of what the question was, Mr. Chairman.

THE CHAIRMAN: (Mr. Fraser): Could you give us the question again, Mr. Evaluarjuk?

Translation Not Understood

THE COMMISSIONER: Mr. Chairman, with all due respect, I do not think that the translation has been put in a manner that some of the Members can properly understand what it means, what the bill means. They are uncertain and what they are saying to you is, is there any assurance, can they have any assurance that there will not be a mistake made and when this bill is passed they will be paying two income taxes. They will be paying 100 per cent income tax to the federal government and, say, 30 per cent income tax to the Northwest Territories government. To the Members who have not got a translation that sort of explains this -- Mr. Nickerson explained it yesterday and I thought very well, but I do not think that people really have grasped just what this bill is intended for and what it will do.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Commissioner.

HON. DAVE NICKERSON: Perhaps, Mr. Chairman, one of our expert witnesses would like to advise the Members on the manner in which taxes are collected so that there is no duplicate taxation, so that taxpayers do not have to pay both federal surtax and territorial tax.

THE CHAIRMAN (Mr. Fraser): Yes.

MR. NIELSEN: Mr. Chairman and Members, in Canada there always have been two taxes paid by all citizens. There has always been a federal tax and there has always been a provincial tax. In the case of the Northwest Territories, the provincial tax is called a "federal surtax" because we do not have any legislation.

THE CHAIRMAN (Mr. Fraser): Thank you.

Explanation Of Federal And Provincial Income Taxes

MR. NIELSEN: The federal income tax department and the Department of Finance determine what is taxable income. For purposes of consistency the provinces enter into agreements with the federal government to use the same tax base. This ensures that what is taxable income in British Columbia is, as well, the same taxable income as in Prince Edward Island. The Government of Canada determines the federal tax rate. This rate varies according to the amount of income earned. Provincial taxes are calculated as a percentage of the federal tax. For example, if an individual had \$1000 of taxable income and he paid a federal tax rate of 40 per cent, he would pay \$400 federal tax. As well, if there was a provincial rate of ten per cent, he would pay ten per cent of the \$400 for an additional \$40, paying a total federal and provincial tax of \$440.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Nielsen.

MR. NIELSEN: I have not quite finished.

THE CHAIRMAN (Mr. Fraser): Carry on.

MR. NIELSEN: The legislation that is presently being considered does not change the tax rate in any manner whatsoever. The total amount of tax paid by a Northwest Territories resident will not change. If a taxpayer paid \$50 in tax in 1977 or if he is going to pay that when his tax is calculated, the legislation which we are presently considering is for 1978 and he would pay identically the same tax in that tax year. There are two basic reasons for the legislation as I see it; one of which is political and removes the territorial government from the position of being a receiver of grants, to a collector of its own revenues based on income earned in the Northwest Territories. Secondly, it provides this government, this

Assembly, with the opportunity to in subsequent years change the tax rate if it determines that it wishes to change the level of service or the type of service being provided, but for the initial year there will be absolutely no change in tax rate or in amount of tax paid by a territorial resident under this act, which they would not have otherwise paid to the federal government in the form of a federal surtax.

Decision Of Legislature If Taxes To Increase

DEPUTY COMMISSIONER PARKER: Mr. Chairman, there should be one thing underlined or added to the remarks that Mr. Nielsen has made and that is this, if this Legislature decides in the future, that is after the first year of application of this ordinance, that there should be an increase in taxation for some purpose or other, that is to raise money for some specific purpose then it would be this Legislature's decision to raise the rate of taxation. The rate of taxation could not be increased by the administration, nor in fact by the Executive Committee. It would have to be raised by this Legislature. That is I believe a very important point that must be understood, to raise the taxation under the Income Tax Ordinance, it must be a decision of this House.

THE CHAIRMAN (Mr. Fraser): Thank you, Deputy Commissioner Parker and Mr. Nielsen. Comments of a general nature? Mr. Butters.

MR. BUTTERS: Mr. Chairman, I would ask Mr. Nielsen to reconsider some of his remarks and advise me if they were not incorrect. I am taking it out of context here, but I wrote down part of what you said and it came out something like this, that it would allow the collection of tax for the Northwest Territories and then this is a true quote: "...based on income earned in the Northwest Territories." That really is not true, because there are many corporations who earn income in the Northwest Territories whose tax credit is credited to a provincial jurisdiction. There are many people, as we have seen, who come into the Northwest Territories to work on exploration offshore and whose tax credit is credited to a provincial jurisdiction. So am I not correct in suggesting to you that the statement that you made there is not totally correct? Is it not based on the income earned by residents and the resident corporations in the Northwest Territories and not as you said here?

MR. NIELSEN: Mr. Chairman, in the case of the corporate resident, a corporate citizen registered in the Northwest Territories should be paying tax on income earned in the Northwest Territories and I think that the passage of this legislation would in fact assist the enforcement of that up until this point. Our discussions with the federal people have indicated that there may not have been sufficient reason to enforce that.

Desired Change

In so far as the individual citizen is concerned you are absolutely correct. However, that is not in the ordinance. That is an administrative matter which has simply been incorporated into the regulations attached to the Income Tax Act and which has been agreed to by the provinces. In so far as the territories are concerned, and in fact we had this discussion with the Department of Finance and the Department of National Revenue, we would like to see that changed if at all possible. It is in the regulations and it is a negotiating item and while we only account for about one or two per cent in total of income earned in Canada, I think we could probably attempt to negotiate that point, but it is a point outside the ordinance and whether we have an ordinance or do not it really does not affect the amount of money that this government receives.

MR. BUTTERS: A supplementary question.

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

MR. BUTTERS: Referring to Mr. Nielsen's comments on corporate bodies, in view of the fact that I would imagine Pacific Western Airlines is registered as a company that operates in the territories, am I correct in believing that its earnings, taxable earnings would be prorated and that the share of the earnings that are derived from its service in the territories then accrues or is credited to the Northwest Territories tax budget or tax credits?

MR. NIELSEN: If a corporation has, and I am not sure of Pacific Western, if a corporation has a registered branch in the Northwest Territories they are required to report income in the Northwest Territories and to pay income tax to the Northwest Territories.

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

HON. DAVID SEARLE: Pacific Western Airlines is not a very good example unfortunately, because for tax purposes it is classed as a crown corporation...

MR. BUTTERS: Hurray for socialism!

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

HON. DAVID SEARLE: ... a crown corporation of the province of Alberta.

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

MR. PEARSON: Then I guess the same rules would apply to another big dollar earner in the Northwest Territories, Northern Canada Power Commission?

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

HON. DAVID SEARLE: That again is a bad example because it does not earn a profit as you well know.

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

Danger Of Control Of Tax

MR. STEWART: Mr. Chairman, with regard to this particular piece of legislation, it is a difficult one to make a decision on, there is a great deal of it I would agree with. However, the point that plagues me is the point that was raised by the Deputy Commissioner and that is that it does open the door for this government to increase the income tax for a specific purpose. As we noted today we have to look to the federal government and often the reason that we are able to give is that we have no means of raising further money and on this basis have to depend too greatly on the federal government. Once we are in a position where we do have some control and are able to levy an increase in income tax, is the federal government then going to say, "You have the means to levy your own income tax and raise your money this way"? I think this is part of it and this is a danger.

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

MR. PEARSON: I wonder if I could hear the response to the comment I made yesterday when I was speaking and the lights went out?

THE COMMISSIONER: Do not say it again.

MR. PEARSON: I said that the territorial Assembly, the Legislative Assembly, is unable to enact legislation that calls for the expenditure of funds or make any suggestion that the government spend funds, we can only recommend and yet here we are, we find ourselves in the position of being responsible for the collection of taxation and taxes but yet we really do not have any jurisdiction over the expenditure of these funds and it seems to me that when we get that responsibility first from the federal government then we can get into the business of levying taxes. It seems that that responsibility should come first.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Pearson. Hon. David Searle.

HON. DAVID SEARLE: The right to levy a tax is such a basic and fundamental power of any legislature or any parliament, it is the very thing that the English parliament fought for hundreds of years to obtain, so it is an important right. Many times I have said in this House that it is so important that you have to very jealously guard that right because it is something that historically was fought so hard to obtain. I think that it is important that in this particular bill that it come forward and we be levying the tax and

that it not be done by the federal government by way of a federal surcharge as it has in the past. In other words, the fact that we have not been in this field and have not had this legislation has put us in the position really of letting the federal government do this for us at whatever rate they have wished to pose and the fact is that they have acted pretty responsibly but it does not take away from the principle that we should have been in this field ourselves.

Pricing Of Liquor

Now, this is consistent with the view I have often expressed with respect to the other areas of taxation that we have, some of which have been fairly direct such as the way we tinker around with the price of liquor. The Members will recall on many occasions how I had said that that is just as much of a tax as any other tax and hence we should be setting the prices of liquor just as we should be setting the taxation rate as this ordinance proposes to do. I think not to pass this legislation is inconsistent with that approach to life that I think we have taken in the past.

As to Mr. Pearson's point, as I understand it, it is this. Here we clearly have the authority to raise money by way of taxation, but we do not have the authority to spend it, that is not true. We do have the authority to spend it and that is what we do with the budget every year. We authorize the expenditure of money, some of which is raised by taxation and by no means all. However, the caveat there is that that spending must be recommended to this House by the Commissioner. If we agree with his recommendation then we authorize the expenditure. If we do not agree with his recommendation as it is recommended to the House you can reject the budget.

The internal mechanism that we have built up which hopefully results in the recommendation of expenditures in accordance with our wishes is the finance committee which, if Members participate in, can have a tremendous effect and influence on the way the recommendations from the Commissioner come to this House because the Members are participating on an ongoing basis in the building up of the budget.

The area that we do not have too much control over is in the sum total of moneys that we obtain from the federal government because we have obtained so much from them that obviously they have a substantial say in how much of that in the total sum we get. We also, of course, know that we have ongoing programs, social assistance is one of them, where there is not really too much money to dicker with once you have got rates established. In other words, you are committed. Education is another one. Once you negotiate the salaries of teachers, you know, you are committed to a certain amount of money and you can not reduce that beyond your commitment, so, you know, there are certain areas in which there is to say the least, little flexibility because of the commitments either through legislation and commitments of social assistance or commitments through your collective bargaining agreements as to salaries for staff and others. So, I think that gives you a more rounded view of our authority within the financial area. So, I think it is correct to say in conclusion that we have the power to raise taxes.

Tax Will Not Increase At Present

This legislation levies an income tax and a corporate tax on all persons at a certain rate within the territories, whether they be individual or corporate. We have the other taxes, specific taxes on fuel oil, liquor, etc. We have been encouraged from time to time to levy a general sales tax. We have resisted that and I personally hope we resist that for a long time to come because a general sales tax hurts a lot of people who need the assistance. The income tax obviously taxes the rich a little substantially harder than it does the poor, so I think this is a good move and at present it does not increase the tax that anyone in the territories would be paying. In other words, we happen to be indicating, as I understand it, the same rate as currently in effect by the federal government surtax so we are not requiring,

we are not taking any more money out of anybody's pocket today, but clearly this legislation gives us the basis to be able to do that in the future if we want through the amendment by this House of this legislation. It is not correct to suggest that the Executive can do this or the Commissioner can do this. It would have to be done through this legislation and this House.

No Increase In Constituents' Taxes

It is the very step, I think, that makes this Legislature more responsible to get into the taxation field. It is the very thing that, historically, parliaments have struggled to obtain authority over, to get it from the Crown, and, if we are talking about progressive steps down towards full responsible government, obviously this is an essential area to get into and, happily, in this particular case it is a painless step to take because you are not taking any more money out of anyone's pocket; whereas, for instance, to get into a general sales tax or to levy more specific taxes such as, say, a hotel bed tax, you are taking money out of your constituents' pockets. I do not think I should say any more, Mr. Chairman, because I would be repeating myself but I think it is a good and responsible act. I commend Hon. Dave Nickerson for it because, as we all recall, this has essentially been his baby. He came up with the idea and he carried it through meetings with the then minister and he is now sponsoring the bill after, as I understand it, he had general approval from caucus and from this House and I must say I am surprised at this late stage to see the resistance among Members that it has encountered. So, for my own part, I would just conclude my comments by indicating at least my personal support in committee of the whole for the bill.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. David Searle. Mr. Pearson.

MR. PEARSON: Well, I thank Hon. David Searle for his clear, precise comments. One of the thoughts that has occurred to me in the last while is the dilemma that we in municipalities find ourselves in, particularly in the Eastern Arctic where we have very few municipal taxpayers, ratepayers. Is there any likelihood that mechanisms could be established within the municipalities that some of this income tax could go toward the municipalities as is the case in Greenland where a certain percentage of income tax goes directly to the municipalities? We had a referendum in Frobisher Bay just recently on the pavement of roads and with the population of almost 3000 people, 69 were eligible to vote on that issue. I mean it is ridiculous and I have wondered for some time how we could possibly finance municipalities on a more equitable basis so that people who live in municipalities somehow make a financial contribution to them.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Pearson. Hon. Dave Nickerson.

HON. DAVE NICKERSON: I kind of relish the opportunity of being able to agree with Mr. Pearson for once. This very seldom arises.

MR. PEARSON: Whose fault is that?

Inability Of Municipalities To Raise Funds

HON. DAVE NICKERSON: I have my own idea as to whose fault that is. I also have been concerned about the inability of municipalities to raise the funds they need to carry out those responsibilities that we have imposed on them. It seems that the senior levels of government are usurping all the fields of taxation. The federal government is taking a bigger slice leaving the provinces with less, the provinces always seem to be taking more, leaving less for the municipalities, and that puts the junior levels of government at the mercy of the senior ones.

MR. PEARSON: Hear, hear!

HON. DAVE NICKERSON: This is in my opinion the wrong approach to life. As regards a slice of income tax for municipalities, this type of approach would meet with my personal approval. It has been tried with some success as I understand in Greenland. I also understand that in Alaska the borough governments take a slice of the income tax. In Canada, in Manitoba I believe the figure is two and a half per cent, two and a half per cent of the federal tax or a provincial levy of two and a half per cent of the federal tax is assessed in addition to the provincial rate of 40 per cent and this money is then transferred on a per capita basis to the municipalities so there is ample precedent both abroad and in Canada for using some of the income tax funds for municipal purposes. If this ordinance were to pass, it would be within our jurisdiction then to, should we wish, increase it by two and a half per cent the same as they have in Manitoba and turn this money over to the municipalities. We would not be able to do this the first year because of our gentlemen's agreement not to tinker around with the rate, but we certainly would have that authority to do so in the future.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Dave Nickerson. Mr. Pearson.

Support For Eliminating Income Tax In N.W.T.

MR. PEARSON: Well, I could not condone any act that was to increase taxes. I would suggest that we pay enough taxes as it is and that some of this money be redirected. Instead of going down to the coffers in Prime Minister Trudeau's basement, it should be going to the municipalities but people should not be penalized or be expected to pay extra taxes, but a percentage of the taxes going to the federal and territorial governments should be redirected to the municipalities. I advocate and have advocated for years in fact, that there should be no income tax in the Northwest

Territories as a northern incentive to people who live here and to ease the burden of excessive costs that we have to pay for the basic fundamentals of life. It seems to me that this is probably the most equitable way of assisting people, by eliminating income tax.

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

MR. BUTTERS: A couple of brief comments on what I have heard in the last half hour. I am quite sure that the two honourable gentlemen who spoke from the other side of the House and Members of this House will also agree with me that we do not decide things in caucus. Certainly we make no agreement in caucus to pass or put anything before this House. The discussion that would take place regarding things that take place in this House should take place in this House and I am sure all Honourable Members will agree.

I have no argument with the legislation as such. My concern is that by bringing forward this legislation at this time we are losing and throwing away two very, very valuable negotiating points, negotiating points with the federal government. I do not agree with the Honourable Speaker that this House directs appropriations. Just yesterday I heard him from the chair when he sat in the chair tell the Honourable Member from Frobisher Bay that the manner in which he had phrased the motion was incorrect because Members of this House can not raise bills or motions that direct spending. The Honourable Member from Yellowknife South is correct, we do approve the budget but we rubber-stamp the budget. Let us be honest. The only power we have is a negative power, a power to reject the expenditures.

No Fiscal Power.

We thought we had that six months ago when we delayed the budget with whispers and suggestions that if the minister did not come across we would not pass it, but in the end we bowed. In the Yukon about six years ago they refused to pass the budget and as one of the members said, "In the end we came and kissed the minister's hand." We have no power, no fiscal power. What I am saying is that if we pass this ordinance now we relinquish the opportunity to remove from the Northwest Territories Act section 21. Section 21 says: "It is not lawful for the Council to adopt or pass any vote, resolution, address or bill for the appropriation of any part of the public revenue of the territories or of any tax or impost ..." I think that should be changed and I think when we negotiate that change in the act we should also negotiate the resource revenue sharing agreement. This can be put in very, very quickly. It can be brought into effect very, very quickly but what can not be brought into effect very, very quickly because its outcome is determined by the things that the federal government does, is when that resource revenue sharing agreement will be approved and when the Northwest Territories Act will be changed.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. Hon. David Searle.

HON. DAVID SEARLE: Mr. Chairman, I hope that the Honourable Member is not suggesting that what I said yesterday and what I have said today is inconsistent, one with the other. I do not think that he is, but just so that there be no misunderstanding, what I said to Mr. Pearson yesterday was that really the section he read, section 19 I believe of the Northwest Territories Act ...

MR. BUTTERS: Section 21.

HON. DAVID SEARLE: That it precludes private Members from advancing motions or bills which have the effect of dealing with matters of spending and that unfortunately is not a law that we made or that this Assembly made and as Mr. Butters has pointed out, it is in the act. But I might also say it is

consistent with the position that other private members find themselves in, in every other legislature in Canada. No private member in any of the provincial legislatures, nor any private member in the parliament of Canada can advance a private member's bill or motion or resolution which requires the government to spend money; that is the prerogative of the government.

Private Member's Limitations

Now, in this case, again, something that is not anything we have done or condoned or approved, the government, and by that all the executive powers are with the Commissioner, the Commissioner, who is an appointed official of Ottawa. Ultimately, when we untangle the constitutional, physical and financial arrangements and come up with a game plan that causes us to go where we want to go, hopefully, which will be a province of all of the people some day, and this presumably will be done very substantially in consultation with Hon. C.M. Drury and others, what he has been appointed to do, to come up with a scheme of things, that we will ultimately get into the position where the government is, and from this House, and at that time it will be that government who has those powers, but still the private member will not have them. It will be a part of this Assembly that forms the government. So, for the member, for the private member who is not the premier or the cabinet, he still will not have the right or the authority through a private member's bill or through a motion, as Mr. Pearson's was, to advance money matters, even though that after provincial status, if it comes, such a motion advanced by Mr. Pearson, assuming he is in the same position then as he is in today ...

MR. PEARSON: Desperate!

HON. DAVID SEARLE: Yes, desperate, assuming he is not part of the cabinet and instead of the Deputy Commissioner and Commissioner you had other elected Members who formed the cabinet with Hon. Arnold McCallum and Hon. Dave Nickerson and Hon. Peter Ernerk and they formed the government and they had a majority of Members in this Assembly and Mr. Pearson were in the opposition as, I might suggest, he is in today, assuming that is Mr. Pearson's position, he would be in the very same position as he is in today as having the Speaker having to rule out of order the implications that he advanced with regard to spending.

MR. PEARSON: Assuming that you were the Speaker.

HON. DAVID SEARLE: So, I am not really trying to debate the merits of it, but I think it is important for Members, Mr. Chairman, to know the constitutional position.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. David Searle. I recognize the time as being 11:00 o'clock a.m. and this committee will adjourn for 15 minutes for coffee.

SOME HON. MEMBERS: Agreed.

---SHORT RECESS

THE CHAIRMAN (Mr. Fraser): The Chair recognizes a quorum. We are still on comments of a general nature, Mr. Butters.

MR. BUTTERS: Mr. Chairman, I would certainly not wish to correct the Speaker because I know our Speaker is always right, but I have no reservations about correcting the Honourable Member for Yellowknife South.

The Honourable Member suggested that he was referring to a Private Member's Bill and that this is a bill that is put forward by a single individual. I would suggest that in March we saw a situation where there was legislation developed to establish a commission of this Assembly, legislation that was supported by every Member of this Assembly, legislation that would have developed a commission that would be funded from the budget of this territorial government and if Members will recollect that legislation never went forward. It got notice, I think first reading, and then it died. I think it died because we were told that even though every one of us was in favour of it that it would be disallowed or thrown out, so what I am saying here is that a Private Member's Bill or a private Member's motion that has the unanimous support and is seconded by every Member of this Assembly would still be disallowed by section 21 of the Northwest Territories Act.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. Hon. Arnold McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, just in the way of general comments on the bill itself, I would like to simply say that I believe the bill could be moved by us to be more responsible to our electorate. I think it is a move to attempt to reach the goals and aspirations that we have of obtaining more responsibility. I think it should be noted as well that we are not, or the bill does not advocate any increase in taxation. It may very well be double-bladed, but it could be a move to reduce taxation as well.

A Move Towards Responsibility

I think that as other jurisdictions in the country have this enabling legislation, we should as well. I do not think that we should continue to have "big brother" look after us. I think when we get an opportunity as an elected group to assume some authority, I think we should grab it. It may not be all that we want, but I think when the opportunity does arise because we have made representation, because we have promoted and created this opportunity, I think that we at this time should grasp at it and take it and take on the responsibility that is involved within the ordinance. I think it has been very well said by others who have indicated support of it and what it will do and we will have the authority to look after some of our taxation and I think it is a move by us to act more responsibly. I would be prepared, Mr. Chairman, now to go into the clause by clause discussion.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Arnold McCallum. You have heard the suggestion from the floor and is it agreed that we discuss Bill 1-63 clause by clause ?

MR. BUTTERS: One more question.

THE CHAIRMAN: Mr. Butters.

MR. BUTTERS: Thank you, Mr. Chairman. With reference to the remarks made by the Honourable Minister, he suggested as the Deputy Commissioner inferred, that if we had the right to increase taxes then we would also have the right to decrease taxes and is the Minister suggesting that this ordinance will give this Assembly the right to decrease the amount of taxes paid? And the Deputy Commissioner, was he inferring that a decrease could be arrived at should the House so request?

THE CHAIRMAN (Mr. Fraser): Hon. Arnold McCallum.

Power Would Be Within The Chamber.

HON. ARNOLD McCALLUM: Mr. Chairman, I suggested that it would be a double-edged instrument. I am saying that we would have the right, notwithstanding the gentlemen's agreement for the next year to set our own tax rate. That may very well be an increase, but if we appreciate the fact that it may be an increase we must as well look at the other side of the coin that says that we may very well reduce that, but to have the power to do so is in fact the key point here, not whether it will be increased or decreased, that is up to us to determine. We assume the responsibility to set it and it will not be the administration; it will be done in this chamber.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Arnold McCallum. Mr. Lafferty.

DEPUTY COMMISSIONER PARKER: Mr. Chairman, with the passage of this ordinance ...

THE CHAIRMAN (Mr. Fraser): I am sorry, Deputy Commissioner Parker. I think Mr. Lafferty has the floor.

DEPUTY COMMISSIONER PARKER: I am sorry. I thought I was to respond to Mr. Butters.

MR. LAFFERTY: Mr. Chairman, I have a question here just for the purposes of clarification. I listened quite closely and I would like to extend my apology for being late this morning. There was confusion in my timing and in the last half hour I had to attend a group discussion on something. At that point there were some people who were concerned as to the income of senior citizens. I did not know in which manner to explain it to them so I need some kind of clarification here. Since we are dealing with an ordinance respecting income tax, I would like to have it explained if this would affect the senior citizens in the North who are on fixed incomes and who are also receiving supplementary assistance and what effect will this ordinance have on their properties.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Lafferty. Hon. Dave Nickerson, could you answer that question?

Property Tax Subsidy

HON. DAVE NICKERSON: Yes, I will try to do that, Mr. Chairman. As far as this ordinance is concerned it would make no difference to old age pensioners or anyone else for that matter. Old age pensioners would still be required to pay income tax just as they are at the present time and would be required to pay it at the same rate unless in the future we felt differently. I think what Mr. Lafferty is referring to is more a matter of property taxes and he is probably aware that in the municipality of Fort Smith we do have this system whereby the Government of the Northwest Territories helps to subsidize property taxation for certain classes of old age pensioners. Those are old age pensioners who reside on their own property and who receive guaranteed income supplements and there are a number of other requirements too.

We have had representation from the Northwest Territories Association of Municipalities who would like this program to be extended throughout the whole of the Northwest Territories and our preliminary investigations would seem to indicate that this would not be very expensive. We could widen the geographical scope of this program to include all the other municipalities in the territories and it would not really cost that much. We have this in mind and have it under study.

The reason why we are not dealing with it at this particular moment in time is because we have another program on the books to benefit old age pensioners and that is, of course, the territorial supplement which we would like to start paying as of the first of the next fiscal year. This has been done at the request of this Legislature and the intent is to give old age pensioners, every old age pensioner resident in the territories a territorial supplement of between \$60 and \$80 per month, depending on the location of residence. This will be a rather expensive proposition. We estimate it will cost somewhere in the region of \$900,000. We would hope that we would be able to raise about half of this money ourselves by means of the hotel tax and we would have to go to the federal government and hope that we would be able to secure the balance of the funding necessary from the federal government.

Bills To Be Tabled

It is our intention to table at this session of the Legislature two bills, the first bill will be the old age pension supplement and the second bill will be the hotel tax which is necessary to raise this money. We will table them at this session and will not deal with them until January to give everybody in the Northwest Territories an opportunity to look at these and discuss it among themselves and tell the representatives what they think of them. So that is the situation with regard to what we are doing to help the old age pensioners at the present time and once we have completed this supplementary benefit program and got the legislation in place we will again be looking at the possibility of extending this special property tax relief that we now have in Fort Smith to the rest of the territories but obviously I can not give any guarantees as to what might happen at the present time.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Dave Nickerson. Does that answer your question, Mr. Lafferty?

MR. LAFFERTY: Yes.

THE CHAIRMAN (Mr. Fraser): Deputy Commissioner Parker.

DEPUTY COMMISSIONER PARKER: Mr. Chairman, I wish to speak only to respond to Mr. Butters. I am not sure if that response is still required. He was inquiring as to whether or not this legislation would permit this House at some time in the future to either increase or decrease the rate of income taxation. I believe that it would give this House that power. However, the Members would have to bear in mind that, if the rate of taxation was decreased, then it would be necessary for them to find somewhere within the budget to make a cut which would be consistent with that decrease. I would suggest that that would probably not be seen as a very responsible move to take while attempting to gain further political power.

THE CHAIRMAN: (Mr. Fraser): Thank you, Deputy Commissioner Parker. It was suggested on the floor that we go into the bill clause by clause. Is everybody agreed on that?

---Agreed

Definition Of Individual

If there are no further comments, we will go into the definitions to Bill 1-63, clause 2, definitions. Mr. Butters.

MR. BUTTERS: Mr. Chairman, I wonder if Mr. Nielsen could possibly answer these questions from recollection. Page three, the definition of "individual", subsection 104(1) of the federal act, I am referring here to an advantage to be gained by the territories, if the definition of the individual upon whom the territories could request or draw taxation would include a person who obtains the bulk of their revenue, of their income while working within the Northwest Territories.

MR. NIELSEN: The interpretation of "individual" is the same as under the federal Income Tax Act. The question that I believe you are raising is whether or not there is a manner of taxing an individual on income earned in the Northwest Territories. Is that the point you are getting at?

MR. BUTTERS: No. I recognize that it would be difficult to tax, say, ten per cent of an individual's annual income if only ten per cent were earned in the territories, but over the past five years we have seen many, many outsiders and, had the pipeline been built, all kinds of other individuals who would be gaining the bulk of their income while employed in the territories, although they may be resident somewhere else.

MR. NIELSEN: I believe, as I pointed out earlier, the question of whether or not an individual could be taxed on where his income is earned is not decided or not determined by this act. In fact, if you read clause 4 of the act, it suggests that an individual be taxed on where his income is earned or, let us say, his income be taxed on his province of residence. The administration of that is done by place of residence as a matter of convenience I think more than anything else and it was done with the agreement of the provinces and the federal government. But that is a decision that has been taken under regulation and has nothing to do with this ordinance. If we are entering into this ordinance, then we would assume the same regulations that are presently in effect which would mean we would tax on the basis of place of residence at December 31st.

Administration Of Ordinance Difficult

In our discussions with the Department of Finance and Department of National Revenue we suggested that an alternative be considered, perhaps a date of July 1st which would be more relevant to the Northwest Territories, so that people who are resident in the Northwest Territories on July the 1st would pay Northwest Territories tax. The real question is one of administration. It is extremely difficult to expect employers and taxpayers to report income. It would increase the size of the tax form and increase the enforcement and the administration of the act, but certainly it is something that this House should consider and I would strongly recommend that negotiations take place with the federal government and with the other provinces with a view to obtaining a more equitable distribution of the tax as it relates to the Northwest Territories but that could be done outside the ordinance.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Nielsen. Mr. Butters.

MR. BUTTERS: But the likelihood of that occurring, of us influencing the other jurisdictions would be minimal to non-existent. I have one other question and this relates to the collection agreement. Is it foreseen that the territorial government will require another great pod of civil servants to administer this act? Is it another way to increase our over-swollen and overblown territorial civil service?

MR. NIELSEN: None whatsoever. The administration, the collection administration is handled by the Department of National Revenue of the federal government completely free of charge at no cost to this government and amounts remitted four times monthly to this government.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Nielsen. Clause 2, agreed?

---Agreed

Clause 3, PART I, tax payable by individuals. Clause 3, agreed?

---Agreed

Clause 4, individual income tax, agreed?

---Agreed

Clause 5, tax rate for corporations, agreed?

---Agreed

THE CHAIRMAN (Mr. Fraser): Clause 6, tax charge on farmers and fishermen for year of averaging, agreed?

---Agreed

Clause 7, exemptions from tax, is it agreed?

---Agreed

Clause 8, capital gains refunds to mutual fund trusts, agreed?

---Agreed

Clause 9, capital gains refund to mutual corporations, agreed?

---Agreed

Clause 10, obligations to file return, agreed?

---Agreed

Clause 11, estimation of tax payable, agreed?

---Agreed

Clause 12, examination of returns and assessment of tax refund, agreed?

---Agreed

Clause 13, payer's obligation to deduct or withhold, page 27, agreed?

---Agreed

Clause 14, payment of tax by farmers and fishermen, agreed?

---Agreed

Clause 15, payment of tax by individuals generally, agreed?

---Agreed

Clause 16, cases where instalments not required, agreed?

---Agreed

Clause 17, payment of tax by corporations, agreed?

---Agreed

Clause 18, payment of assessed tax, interest and penalties, page 34.
Clause 18, agreed?

---Agreed

Clause 19, incorporation of federal provisions respecting payment of tax, agreed?

---Agreed

Clause 20, page 35, liability for interest, agreed?

---Agreed

Clause 21, on failure to make subsection 10(1) return, agreed? Mr. Pudluk.

MR. PUDLUK: Mr. Chairman, I would like to ask a question. It is in the far North about this penalty and that is a little too high because air service and the weather are problems. Sometimes they do not receive the forms or the slips on time and they have to find somebody to fill out the form because they can not do it themselves. I think this clause 21 is not really suitable.

THE CHAIRMAN (Mr. Fraser): I understand that clause 21, penalties, is not suitable for the Arctic, is that what you are saying?

MR. PUDLUK: I did not say the Arctic, but those people who are in a small settlement where they do not get the air service more often.

THE CHAIRMAN (Mr. Fraser): Hon. Dave Nickerson.

Late Filing Of Returns

HON. DAVE NICKERSON: I think, Mr. Chairman, that Mr. Pudluk brings up a very good point. I guess there are two things I could say in reply to that. First of all, in the federal Income Tax Act there is a similar section dealing with penalties. All of this is in actual fact a duplication of what it says in the federal act, so that if somebody failed to submit their return as is required both under this ordinance and under the federal act they could be proceeded against either under the federal act or under the territorial act. We have no control over what the federal authorities might do other than the power of persuasion and try to tell them that we would prefer it if they would give people in very remote locations a period of grace.

At such time as we control prosecutions under our own ordinances and we do not at the present time, we have no attorney general for the Northwest Territories under our own control, but if those circumstances did ever arise where we were able to enter into our own prosecutions I think it would be the policy of the Government of the Northwest Territories not to proceed against somebody unless they had very good grounds and I do not think we would go around prosecuting everybody in Grise Fiord because they were a few days late in filing their income tax returns and just because they could not get a copy of the forms or something like that. I guess you would have to leave it very much up to the common sense of the administration.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Dave Nickerson. Does that answer your question?

MR. PUDLUK: Yes, Mr. Chairman.

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

MR. PEARSON: Well, commenting to those remarks, we heard earlier that there was no likelihood of being any growth within the territorial organization of tax collectors, etc. Who then is going to determine whether an individual in Grise Fiord has committed a crime, whether they have got a strong enough case against him to prosecute him and who is going to do all of that work if it does not mean more civil servants or income tax inspectors to determine whether the guy in Grise Fiord has in fact broken the law?

THE CHAIRMAN (Mr. Fraser): Hon. Dave Nickerson.

HON. DAVE NICKERSON: The procedure would be exactly the same as it is at present, Mr. Chairman. People from the Department of National Revenue take it upon themselves to police us and make sure we pay our taxes or pay proper penalties if we do not. There is no intention on the part of this government of duplicating anything that is presently done by the Department of National Revenue.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Dave Nickerson. Mr. Pearson.

MR. PEARSON: Well, obviously if it is going to be as Hon. Dave Nickerson says, if there is a good case against somebody then they would determine to go ahead and if it was not a good case they would be a little more likely to be more lenient. Well, who is going to make those decisions?

THE CHAIRMAN (Mr. Fraser): Hon. Dave Nickerson.

Advice To Proceed Carefully In Remote Settlements

HON. DAVE NICKERSON: That would be for the people within the Department of National Revenue to decide. I think that if they were to come to us for advice and presumably were this ordinance to pass we would be in a better position to

render them advice, that our advice would be that they proceed very carefully when dealing with people in remote settlements who are subject to all of these difficulties that people in these remote settlements experience.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Dave Nickerson.

MR. PEARSON: Well, I have a deep down feeling that within a year of the enactment of this legislation there will be another floor on the Laing building or some other building with a bunch of tax collectors sitting in there called territorial tax collectors or call them what you will, sending letters to each other and going out spying around the communities. Obviously, when you get legislation of this sort it is going to require a large staff to administer it and I suspect that within the next budget we will see signs of this cancerous growth beginning to take off.

Another question, I do not expect a reply, the other question I have is if the territorial government is going into the business of collecting taxes can it or could it or is it possible for it to produce taxation forms in another language other than French? I mean in Grise Fiord it would mean if the taxation forms were in Chinese, French or English, that does not make any sense but Inuktitut would and if a kind of an attempt was made by the territorial government to put these taxation forms in the native languages then I think the native people might feel that they were part of the operation and that there was some concern and that they were being encouraged to participate.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Pearson. Hon. David Searle.

HON. DAVID SEARLE: I will pass, Mr. Chairman.

THE CHAIRMAN (Mr. Fraser): Thank you. Hon. Dave Nickerson.

Tax Collection Done Federally

HON. DAVE NICKERSON: Two comments: first of all, we do not intend to get into the business of tax collection at all. I think Mr. Nielsen made this very clear. We intend to enter into an agreement with federal authorities whereby the Department of National Revenue will collect taxes for us at no charge to ourselves. The only work that we will do is to cash the cheque for \$2 million a week that we will get from the federal government and there is no more work involved in that than in cashing the present cheques that we get for grants in lieu of taxes.

I think Mr. Pearson's point about the difficulty people have in remote settlements, especially where they are unable to read and write in English or French is very good and it might be to the advantage of this committee if Mr. Pearson instead of making these complaints and then letting them lie would maybe move a motion requesting us to ask the Department of National Revenue whether or not they could at least have some kind of explanations in Inuktitut to accompany the taxation forms. I am sure that with this indication given by this committee we would be very pleased to do that because I am sure it is very, very difficult for a lot of Mr. Pearson's constituents and a lot of other people's constituents to properly fill out income tax forms.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Dave Nickerson. Mr. Pearson.

Motion To Have Translations Of Tax Forms And Instructions, Carried

MR. PEARSON: For once in my life I will take Hon. Dave Nickerson's advice. I would like to move a motion that the administration request the federal government to have translated instructions and taxation forms into the native languages of the Northwest Territories to better enable the residents of the North to comply with the rules and regulations in their own language.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Pearson. We have a motion on the floor. Could we read the motion back? Have you got the motion? Did everybody get the motion?

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Mr. Fraser): We are getting the motion written out here and we will read it back just for the ones who did not get it. The motion reads: The administration requests the federal government to have translated instructions and taxation forms into the native languages. Is that pretty well what you want, Mr. Pearson?

MR. PEARSON: Yes.

THE CHAIRMAN (Mr. Fraser): Question on the motion. The question has been called. To the motion, all in favour? Eight. The motion is carried.

---Carried

Clause 21, agreed?

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

MR. STEWART: Mr. Chairman, certainly that last motion was of the motherhood nature, but I wonder while we are at it, if they could write the income tax paper in English so that we could all understand the darned thing in our own language?

---Applause

THE CHAIRMAN (Mr. Fraser): You have got a good one, Mr. Stewart, whatever it was. Clause 21, penalties, agreed?

---Agreed

Clause 23, Commissioner's refund of overpaid tax. That is a good one! Clause 23, agreed?

---Agreed

Clause 24, page 43, notice of objection to assessment. Clause 24, agreed?

---Agreed

Clause 25, taxpayer's right to appeal, page 45. Agreed?

---Agreed

Clause 26, Commissioner's reply to notice. Clause 26, agreed?

---Agreed

Clause 27, effect of filing of material. Agreed?

---Agreed

Clause 28, provision for in camera proceedings. Agreed?

---Agreed

Clause 29, agreed?

---Agreed

Clause 30, effect of irregularity, etc., on assessment. Agreed?

---Agreed

Clause 31, page 51, rights and duties of administration. Agreed?

---Agreed

Clause 32, regulations. Agreed?

---Agreed

Clause 33, on page 53, recovery of taxes, etc. Agreed?

---Agreed

Clause 34, certification of unpaid amounts. Agreed?

---Agreed

Clause 35, Commissioner's warrant. Agreed?

---Agreed

Clause 36, right against taxpayer's debtor. Mr. Pearson.

MR. PEARSON: Mr. Chairman, I just wonder if the Commissioner really knows what he is getting into here. In clause 36 we find that "When the Commissioner has knowledge or suspects that a person is or is about to become indebted or liable to make payment to a person liable to make a payment under this ordinance, he may, by registered letter or by a letter served personally, ..."

THE CHAIRMAN (Mr. Fraser): Is that clause 35 or 36, Mr. Pearson?

MR. PEARSON: That is clause 36.

THE CHAIRMAN (Mr. Fraser): Clause 36. Hon. David Searle.

HON. DAVID SEARLE: Obviously it means personal service on the taxpayer, not by the Commissioner.

MR. PEARSON: I interpreted it, Mr. Chairman, as the Commissioner having to deliver the letter personally and, if it takes him 13 months to cover the entire Northwest Territories ...

THE CHAIRMAN (Mr. Fraser): Clause 36, agreed? Mr. Commissioner, do you want to reply to that? Are you going to deliver these things personally?

THE COMMISSIONER: I thought we could try it out for an experiment on Mr. Pearson after the act is passed and then I will let you know how it works.

Not Eligible For Payment Of Tax

MR. PEARSON: I just wanted to also comment on a problem that seems to be developing in southern Canada with regard to native people in some instances who feel that they are not eligible for federal income tax as per the treaties

that were signed many years ago between them and the Crown. I presume the case is still before the courts. If that in fact were the case, it would not only apply to the Indian people, it would also apply to the Inuit in that they would not be eligible for taxation and I think the amount anticipated being collected each year would be considerably reduced.

THE CHAIRMAN (Mr. Fraser): Is that a direct question or are you just talking?

MR. PEARSON: I wonder if Hon. Dave Nickerson has given it any thought?

THE CHAIRMAN (Mr. Fraser): Hon. Dave Nickerson.

HON. DAVE NICKERSON: Yes, Mr. Chairman, I have given it some thought and I believe there is before the courts now whereby the ability of governments in Canada to assess income tax on treaty Indians has been challenged and, of course, this will presumably go to a very high court and possibly the Supreme Court of Canada. If the ruling of the Supreme Court is that governments do not have the authority to impose income tax on treaty Indians, it will, of course, make a great deal of difference to the amounts of money that we would be able to collect in the Northwest Territories here and also severely affect a lot of provinces too.

I would imagine that if that is the decision of the court, the federal government will have to decide whether they can live with that or whether they will change the federal legislation or enact a new law to collect taxes. It could be a very complicated situation and I obviously have no idea, nor does anybody else, how it might end up in the final analysis but it would severely affect us in the Northwest Territories if indeed that were to be the case.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Dave Nickerson. Mr. Pearson.

Costly Errors

MR. PEARSON: While the subject is hot, one of the other things that has been a concern is the mistake that the federal government made recently in relation to the income tax collected by the province of Ontario. In fact they made two mistakes in their calculations, one for \$360 million in this years budget and another for \$169 million. This has posed tremendous hardships on the province of Ontario and it will be four or five years before they are able to balance their budget again as a result of this so I would urge the administration, should this bill pass, that they watch very carefully the feds in their assessment of the territorial contribution.

THE CHAIRMAN (Mr. Fraser): Clause 36, right against taxpayer's debtor. Agreed? Is clause 36 agreed?

---Agreed

Clause 37, seizure. Mr. Pudluk.

Motion To Amend Clause 37

MR. PUDLUK: Yes, Mr. Chairman, under clause 37 I would like to move a motion, instead of ten days, give them 20 days notice, to make a notice.

THE CHAIRMAN (Mr. Fraser): I take it you want to change the third line, Mr. Pudluk, of clause 37 on page 56 from ten days to 20 days. Is that what you want to put in the form of a motion?

MR. PUDLUK: Yes.

THE CHAIRMAN (Mr. Fraser): Mr. Pudluk moves that clause 37, the third line where it says: "...giving ten days notice" to read "20 days notice". Hon. Peter Ernerk.

HON. PETER ERNERK: Mr. Chairman, I was going to make an amendment to the amendment to read "30 days" rather than "20 days", because again going back to that mail service that a lot of the communities receive in the Northwest Territories, there is often infrequent air service to a lot of the remote communities in the Northwest Territories.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Peter Ernerk. Do you agree with that amendment, Mr. Pudluk?

MR. PUDLUK: Yes, Mr. Chairman.

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

MR. LYALL: Mr. Chairman, that is exactly what I was going to say.

Motion Carried

THE CHAIRMAN (Mr. Fraser): Clause 37 now reads on the third line, "... on giving 30 days notice by registered mail ..." Do I hear the question? To the motion, all in favour? The motion is passed.

---Carried

Clause 37, seizure. Agreed?

---Agreed

Clause 38, suspicion of taxpayer's impending departure, on page 57. Agreed?

---Agreed

The Legal Advisor just brought up something here on subclause 37(2), on the second line it mentions ten days, "Property seized under this section shall be kept for ten days..." I do not know if that has anything to do with the mailing. Is it the wish of the mover that you change that ten days all the way through to 30 days, or do you just want to leave it? Ten days is mentioned twice in subclause 37(2).

HON. DAVE NICKERSON: Mr. Chairman, on subclause 37(2) the time concept is different.

THE CHAIRMAN (Mr. Fraser): Clause 37, seizure. Agreed?

---Agreed

Clause 38, suspicion of taxpayer's impending departure. Agreed?

---Agreed

Clause 39, protection of persons complying with law. Agreed?

---Agreed

Clause 40, on page 61, requirement of businesses to keep records and books. Agreed?

---Agreed

Clause 41, right to enter, examine and audit books, etc. Agreed?

---Agreed

Clause 42, on page 68, application of s. 232 of federal act. Agreed?

---Agreed

Clause 43, information return. Agreed?

---Agreed

Clause 44, penalty relation to s. 32. Agreed?

---Agreed

Clause 45, on page 69, signatures for corporations. Agreed?

---Agreed

Clause 46, penalty for failure to file return. Agreed?

---Agreed

Clause 47, specific penalties. Agreed?

---Agreed

Clause 48, on page 71, minister's right of action. Agreed?

---Agreed

Clause 49, communication of information. Agreed?

---Agreed

Clause 50, liability of officers, etc. of corporations. Agreed?

---Agreed

Clause 51, minimum penalties. Agreed?

---Agreed

Clause 52, laying of information or complaint, on page 73. Agreed?

---Agreed

Clause 53, on page 80, Commissioner's right to enter into agreement. Agreed?

---Agreed

Clause 54, minister's right of appropriation. Agreed?

---Agreed

Clause 55, remittance of tax in case of individual not resident in the Northwest Territories. Agreed?

---Agreed

Clause 56, liability to remit reduced by tax withheld outside the Northwest Territories. Agreed?

---Agreed

Clause 57 on page 83, definitions. Agreed?

---Agreed

Clause 58 on page 86, enforcement of judgments. Agreed?

---Agreed

Clause 59 on page 87, commencement. Agreed?

---Agreed

Complete clause by clause study, end of bill. Clause 1, short title. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Is it the committee's wish that I now report the bill ready for third reading?

---Agreed

MR. SPEAKER: This House will come to order. Mr. Fraser.

Report Of The Committee Of The Whole Of Bill 1-63, Income Tax Ordinance

MR. FRASER: Mr. Speaker, your committee has been studying Bill 1-63, An Ordinance Respecting Income Tax, and it is now ready for third reading as amended, the details of which are recorded in the proceedings of this House.

MR. SPEAKER: Thank you, Mr. Fraser. The motion that was made and passed with respect to the attendance before the Legislature of the Metis Association and COPE, part of that motion said: "At a time to be determined by the Speaker." I understand that representatives from both of those groups have been available and on speaking with Deputy Commissioner Parker and certain of the Executive Members it seems that it would not inconvenience the business

of the House to suggest at this time that we hear from them tomorrow afternoon and in this way they then know in advance and can be available. So, I would like to indicate that, that we hear from them tomorrow afternoon and maybe, Mr. Clerk, you could indicate that to them so they are not just sitting by here. Mr. Butters.

The Appearance Of COPE

MR. BUTTERS: Mr. Speaker, with reference to that motion and the amendment to that motion with regard to COPE's appearance, I understand that I might have been a little hasty in moving the amendment. I have received a telex today saying that they would be happy to appear before the House in the future upon the invitation of the House but I misunderstood, they were interested in having their delegation appear at the committee of the whole. I will be asking for this when we go into committee of the whole on the Wildlife Ordinance.

MR. SPEAKER: In other words, you are saying that they did not want to appear with respect to discussion of land claims, they wanted to appear to discuss the Wildlife Ordinance.

MR. BUTTERS: That is what it would appear to be at this time, sir, but they do express their willingness to attend as the Metis Association will be attending at a future date on receiving our invitation.

MR. SPEAKER: In any case we will hear from the Metis Association tomorrow with respect to land claims. Agreed?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Then the other group who have been waiting patiently here, I assume, is the Game Advisory Council and is it then the intention of the Executive to go into the Wildlife Ordinance next?

HON. PETER ERNERK: Yes, Mr. Speaker.

MR. SPEAKER: I just noticed that that group has taken leave and I also notice that we normally sit until 1:00 o'clock p.m., those are the hours. Do you want to get into the Wildlife Ordinance now even though the Game Advisory Council are not here? Mr. Whitford.

MR. WHITFORD: Mr. Speaker, the Game Advisory Council went over to the Laing building to have a meeting and, therefore, they will have to be informed.

MR. SPEAKER: Is there a general discussion or discussion of a general nature that could take place without them here or do you want them here? Mr. Butters.

MR. BUTTERS: Mr. Speaker, it is the absence of our game management superintendent Mr. Simmons which indicates to me that we should not proceed until he is present and possibly we could quit for lunch an hour earlier and return to the chamber an hour earlier.

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: I think that really amounts to a change in Rules and I do not see why we can not do that with the unanimous consent, to stop now and, say, come back at 1:30 o'clock p.m.

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Is there anyone who is not prepared to give unanimous consent to that suggestion? Unanimous consent being requested to change the hours of sitting for this day, to break now and come back at 1:30 o'clock p.m. Is there any Member who feels contrary? No. In that case we will adjourn for lunch now and come back at 1:30 o'clock p.m.

---LUNCHEON ADJOURNMENT

MR. SPEAKER: The House will come to order. Orders of the day, Item 11, consideration in committee of the whole of bills and other matters. I understand it to be the wish of the executive to move into Bill 2-63, the Wildlife Ordinance. This House will resolve into committee of the whole for consideration of Bill 2-63, the Wildlife Ordinance, and in view of the fact that Mr. Stewart is not here possibly Hon. Arnold McCallum would take the chair.

---Legislative Assembly resolved into committee of the whole for consideration of Bill 2-63, Wildlife Ordinance, with Hon. Arnold McCallum in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 2-63, WILDLIFE ORDINANCE

THE CHAIRMAN (Hon. Arnold McCallum): Good afternoon. Members, we have Bill 2-63, An Ordinance Respecting Wildlife, and, as is the case, we would have comments of a general nature by individual Members. Hon. Peter Ernerk.

HON. PETER ERNERK: Mr. Chairman, this afternoon I would propose to invite the superintendent of game, Mr. Norm Simmons, the chairman of the Game Advisory Council, Mr. Vince Steen, and also Mr. Ellis Land who has worked on this particular ordinance I believe for the past couple of years, if the committee agrees, to have them appear before the committee this afternoon.

As Members well know, this particular piece of legislation is a very important one as I see it, as everyone sees it. A lot of work has been done to it within the past couple of years. A gentleman by the name of Mr. Frank Bailey who was at one time the superintendent of game management I believe for Churchill, Manitoba and the Keewatin region--out of Churchill for the Keewatin region, visited various communities in the Northwest Territories for two years. I believe he only missed at the most three or four communities, consulting people, game advisory bodies across the Northwest Territories and getting their feedback to the department itself or to the division itself.

Members of the Game Advisory Council have met a number of times within the past couple of years and they have contributed a lot of work into this. As everyone congratulated them on their work yesterday, I would also like to do that at this point. So, in the meantime, I would like to call on the three gentlemen that I mentioned earlier, with your permission, Mr. Chairman.

THE CHAIRMAN (Hon. Arnold McCallum): Does the committee agree to have Hon. Peter Ernerk's witnesses appear?

---Agreed

Would you call the three gentlemen in question. Gentlemen, Members of the House, I do not know whether everybody knows the three witnesses. They are Mr. Simmons, Mr. Land and Mr. Steen. Hon. Peter Ernerk, I wonder do you have any other comments you would like to make on the bill as you are the sponsor?

HON. PETER ERNERK: Not at this point, Mr. Chairman. I think a lot of the questions or items were covered yesterday by various Members. I am sure with the people here as witnesses there could be a lot of questions or statements made by the Members.

THE CHAIRMAN (Hon. Arnold McCallum): Deputy Commissioner Parker.

The Importance Of The Ordinance

DEPUTY COMMISSIONER PARKER: Mr. Chairman, I would just like to say a very short word or two by way of introduction since I have had an association with this ordinance for quite a number of years. What I would like to say is that the reason the ordinance is coming before us at this time is this, as we all realize, is a very important ordinance to the people of the Northwest Territories, perhaps an ordinance which touches more lives in the North than any other single ordinance. Over the years this ordinance has been amended -- I do not know how many times but I think that it has been amended at least every two years and perhaps even on average every year. That resulted in an ordinance that had become very cumbersome, that had a number of errors and faults in it, as anything would. You might compare it to starting out with a good truck and then repairing, changing the motor, converting it to diesel, changing it over to propane, putting a dump box on it, taking the dump box off and putting a stake body on. This is what happened to the Game Ordinance over the years. Each of the amendments was carried out for good reason and carried out as well as possible, but the ordinance had reached the point where it was almost unrecognizable and from the standpoint of the legality of it, it was getting to be a bit borderline simply because it needed to be completely overhauled.

When we set out to carry out this complete overhaul naturally every clause had to be looked at and the reason for the existence of every clause. The bill does not contain a lot of major changes. It contains quite a few medium to minor changes but ones that over the years we as an administration have felt have been asked for or are necessary for the proper handling of the game resource in the North.

The administration's desire is to place before this Legislature a piece of legislation which has the support of the people of the Northwest Territories because we have no desire whatsoever to have a piece of legislation that does not have that kind of support. There has been a certain amount of discussion as to how much general review has taken place in the communities and there has been an expression of opinion that there should be continuing review before the ordinance is finalized. That is your decision as Members as to when you want to finalize the discussion and complete the bill. From the standpoint of the administration we do not want that to happen until there is a good level of agreement on the general principles of the bill and in fact on the details.

Commendation To The Game Advisory Council

I would also like to add my own words of thanks and commendation to Mr. Vince Steen and to Mr. Norm Simmons and all of the members of the Game Advisory Council who have worked so hard and so carefully to come up with the ordinance that has been produced.

In addition, this ordinance reflects the views of this particular Council and preceding Councils over the years. I commend it to you for your study and would just like to close by saying that the decision as to how far you take it at this time is up to you. I would like to leave you with the thought that you will not be able to produce a perfect Wildlife Ordinance, but please bear in mind that in the past the Game Ordinance was opened up and amended to meet people's requirements from time to time and I am sure that whenever this ordinance is passed, within a matter of months or years it, too, will be opened up and subject to review and subject to correction. I want to make sure that you understand that legislation is not a dead thing. It is a living thing and can be and must be kept up to date and changed from time to time to meet the requirements of the population that that legislation

was designed to serve. Thank you.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you very much, Deputy Commissioner Parker. Mr. Lyall, as chairman of the standing committee on legislation, do you have any remarks that you would like to make at this time?

MR. LYALL: Mr. Chairman, just to say that as we go through clause by clause I will be commenting on the clauses that we discussed. The committee right from clause 1 to clause 16 presented everything that was presented so from there on I will make comments as we go along.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you, Mr. Lyall. Hon. David Searle.

Land Claims And The Game Ordinance.

HON. DAVID SEARLE: Mr. Chairman, I felt that I would like to make some very general comments in that I obviously was unable to do so at the time others made their general comments.

The position communicated to this House by certain organizations is that this House should not proceed with wildlife legislation prior to the settlement of land claims. I would like to personally go on record as saying that I do not support that approach to life. I personally reject the suggestion that we should mark time on virtually all and every piece of legislation until land claims are settled for the obvious reason that I think we are charged with the responsibility in our short four year term with legislating as we think fit in the interests of all of the people of the territories. If it is time for a new Game Ordinance, well, let us have a new Game Ordinance. If as a result of the process of settlement of native land claims certain rights are enshrined, then those rights can be enshrined as a result of changing the legislation in the future. As Deputy Commissioner Parker indicated, we are dealing with living things here, living in vibrant times. I think we have to proceed and do our best and the process of land claims settlement in due course will take its own course and there will be a lot of legislative amendments that will have to be made both by parliament and presumably by us when that process has been completed.

The reason I reject this suggestion that we hold off all new legislation, all development of any kind, is because I do not know how long the process of settlement of native land claims will take. Some of these organizations involved in that process have been funded and in effect for I think at least seven years. It could be said, I suppose, that they are no closer to a settlement of native land claims now than they were seven years ago.

That is not the case with all of them. My purpose is not to attack any organization for being dilettante, but simply to make the point that that process could take another ten or 15 years or, indeed, never be completed in an absolute way and for us to accept a policy of doing nothing until that process has been completed in my mind would be erroneous. We should not in that case obviously accept our stipend every month because we would not be doing anything, it seems to me, to justify it.

So, I think with those few general remarks I wanted to put my position very clear on the submission that has been made to us not to do anything. Now, I think that is a different position, Mr. Chairman, than the suggestion which has also been made that we give more time so that everybody understands what the ordinance says, and whereas I am not prepared to go on with the former, I am prepared as other Members are if it is the feeling of this Assembly that our people need more time to understand what this legislation says. I am prepared personally to give more time, but I caution Members to make sure that that is the reason they are doing it and to make sure that the people who are asking for more time are asking for more time because they do not understand what it says and are truly and honestly interested in knowing what it says and are not just asking for more time because instead they support the theory that we should not even be passing the legislation until native land claims are settled.

Each Member Must Make Up His Own Mind

In other words, just be sure, I think, of the reasons why we are doing it and then I think we have made ourselves clear as to why I am doing it. I am not doing it for the first reason, but I am doing it for the second reason. I think each Member has to make up his own mind on that and I am not suggesting for a moment that all Members take the same attitude that I am taking. I just want to make it clear on the record what my attitude is.

Having said that then I am personally prepared to proceed with this legislation if it is the wish of the House or personally prepared to see it set over until the next session or even the session after that, if that is the position of this House. Again, I reject totally the suggestion that this is none of our business and we should not be doing it until native land claims are settled.

There are really two questions that I have of a very general nature and I think Deputy Commissioner Parker may have answered the first one, but I want to be absolutely clear on it, Mr. Chairman. I would like to ask Mr. Steen if I might through you, Mr. Chairman, if the ordinance as drafted and as presented here is fully supported by the Game Advisory Council?

THE CHAIRMAN (Hon. Arnold McCallum): Mr. Steen -- I should say Mr. Vince Steen so we do not get confused -- would you like to respond?

MR. VINCE STEEN: Well, as it is drafted and presented I can not say truthfully that it is fully supported by the Game Advisory Council, because we have had some suggestions which were not accepted by the legislation committee or the federal and territorial government. That is the only reason and other than that we do support it, but there are some points that we did not go for that are in here.

HON. DAVID SEARLE: May I, Mr. Chairman, suggest to this House that we invite Mr. Steen as we go through the legislation to indicate to us those areas where the Game Advisory Council takes a different view than as expressed in this legislation, as he and his group are the only ones -- at least I do not know what they are and I would suggest that we rely on him to bring those areas to our attention as we go through.

THE CHAIRMAN (Hon. Arnold McCallum): I think that we could do that. Mr. Lyall is chairman of the standing committee and he has indicated he will be making comments on various clauses as we go through it clause by clause and then we would invite Mr. Steen on behalf of the Game Advisory Council to comment on them as well.

The Policy Behind The Changes To The Game Ordinance

HON. DAVID SEARLE: My last point of a preliminary nature, Mr. Chairman, would be to make the suggestion to you, sir, that you consider inviting the administration and by that I refer to Mr. Simmons to possibly indicate to this House in a summary form the changes that they are proposing from the last ordinance. More importantly the general principles or philosophy behind those changes to see if we agree with the principles which they rely on to support the changes. In other words, I am more interested in the philosophy or the policy underlying the legislation than in necessarily a clause by clause examination of exactly what it says.

THE CHAIRMAN (Hon. Arnold McCallum): I will, Hon. David Searle, take that as advice and when we have heard some comments of a general nature I would call upon Mr. Simmons and for the administration to try to capsule various changes and the principles behind those changes. Is there anyone else for general comments? Mr. Butters.

MR. BUTTERS: Not comments, sir, but questions of you with regard to procedure. My understanding was that the hunters' and trappers' associations were provided not only with a copy of the draft ordinance but with the regulations and I am operating from draft four of the regulations which I understand has been superseded and I can not find draft five. Has it been tabled?

THE CHAIRMAN (Hon. Arnold McCallum): Mr. Butters, I would then have to ask if in fact your question is correct. I do not personally have the answer. Maybe I could ask Mr. Simmons. Is that correct, Mr. Simmons? Did you hear the question?

MR. SIMMONS: The question I believe was whether we had available the most recent draft of the regulations, is that correct? We had draft six of the regulations that I believe should be ready in the English version only at the printers. It was just completed a little while ago and was not reviewed by the Game Advisory Council yet.

THE CHAIRMAN (Hon. Arnold McCallum): Mr. Butters.

Current Drafts Of The Ordinance

MR. BUTTERS: The point I am making is that the hunters' and trappers' associations have examined it, and rightly so, the draft ordinance and regulations together, because they are married. I think that we should have the same advantages as those associations and we should have before us the most current copy of the regulations. As I say, draft four is now out of date.

The second point of order I wish to inquire on is that you are aware that two members from the Committee for Original People's Entitlement have travelled to Yellowknife with the hope of appearing before this committee of the whole while we are discussing this matter. I leave it to you as to when I might put a motion before this House, before the committee, requesting that they appear before us and make a very brief presentation.

THE CHAIRMAN (Hon. Arnold McCallum): Fine, Mr. Butters, I then would give you an opportunity to move that motion as we continue on. As regards the draft copy of the regulations, the most recent one, Mr. Simmons, may I inquire if you have this available now? Did I understand you correctly to say that you have the sixth draft?

MR. SIMMONS: Since we put out draft four we have gone through two more drafts, drafts five and six, neither one of which has been reviewed by the Game Advisory Council. We have available for the Game Advisory Council and whoever else requests it, draft six. I believe it was just printed late yesterday or today.

THE CHAIRMAN (Hon. Arnold McCallum): Mr. Simmons, Mr. Butters was inquiring as to whether the hunters' and trappers' associations have had access to the most recent one.

MR. SIMMONS: No one outside of this government has had access to draft five or draft six.

THE CHAIRMAN (Hon. Arnold McCallum): Mr. Vince Steen.

MR. VINCE STEEN: When I was in Tuk the game wardens were reading draft five to the hunters' and trappers' associations.

THE CHAIRMAN (Hon. Arnold McCallum): When you were in Tuk?

MR. VINCE STEEN: That was in September and some of the people had copies of draft five but I had not seen it up to then.

THE CHAIRMAN (Hon. Arnold McCallum): We have them available now and do you have them available, Mr. Simmons?

MR. SIMMONS: They are available in English only at this time.

THE CHAIRMAN (Hon. Arnold McCallum): Perhaps, Mr. Simmons, you could make those available to us, to the Members at least and do you have plans or when do you foresee getting translated versions of these?

MR. SIMMONS: The translation process will begin immediately. We just received draft six from the legal services division and it was our intention to review that with the Game Advisory Council as soon as it was translated. The regulations are still very much in the discussion stage.

THE CHAIRMAN (Hon. Arnold McCallum): Hon. David Searle.

Motion To Make Draft Six Available

HON. DAVID SEARLE: Mr. Chairman, I would like to move, if I could, that draft six be made available to us and to the Game Advisory Council.

SOME HON. MEMBERS: Agreed.

THE CHAIRMAN (Hon. Arnold McCallum): I have a motion by Hon. David Searle that the draft regulations be made available to Members and to the Game Advisory Council. To the motion? Mr. Butters.

MR. BUTTERS: I have no comment. I was voting.

THE CHAIRMAN (Hon. Arnold McCallum): Anyone to speak to the motion? The Member from Foxe Basin.

MR. EVALUARJUK: Mr. Chairman, I would just like to say and I would like to know who the people are who have not seen it. I have not seen it before and I will be able to tell you which ones you are talking about.

THE CHAIRMAN (Hon. Arnold McCallum): We are dealing with primarily general comments, comments of a general nature on the ordinance itself. Within the course of those comments, Mr. Butters raised the question whether or not the latest edition of the regulations is available and whether or not they have been made available to other people.

Subsequent to that Hon. David Searle has now moved a motion that Members of the House as well as the Game Advisory Council are to receive the latest edition of the regulations. As I understand it, it is the sixth edition. Those regulations have not been translated, but they are and will be available to Members and to the Game Advisory Council if we vote for the motion of Hon. David Searle.

MR. EVALUARJUK: Where are they written? It is my understanding we are talking about ones I have not seen yet.

THE CHAIRMAN (Hon. Arnold McCallum): Mr. Pudluk.

MR. PUDLUK: Mr. Chairman, they were having a little difficulty in the booth there. I wonder if Mr. Evaluarjuk could say that again to get it translated?

THE CHAIRMAN (Hon. Arnold McCallum): Would the Member from Foxe Basin repeat his comment?

MR. EVALUARJUK: I was not understood? I would just like to be understood. We had meetings regarding the Wildlife Ordinance I think for the last two years and we know we are going to get it together. They have written it in Inuktitut. I was thinking it was already included in this proposed ordinance but maybe right now we are going to be talking about things I have not seen and ones that have not been seen by the public at all. That is what I was going to say. I was not happy about this being talked about here because people have not seen it yet.

THE CHAIRMAN (Hon. Arnold McCallum): Is that clear now? The regulations have been undergoing revision apparently. I am not sure what edition you have in front of you, but they have been going under revision and the request now of the administration is to have Members supplied with the latest copy of the regulations. Unfortunately the latest copy is not translated, but it has been requested through a motion by Hon. David Searle that the English edition be made available to Members. We have been told by Mr. Simmons that the translation process will be started immediately. To the motion. We have a motion. Mr. Fraser.

Translated Copies Should Be Made Available

MR. FRASER: Mr. Chairman, I will speak to the motion. These copies that are to be made available are only in English. There will be no translation available. I do not think that this is fair in all due respect to our Members who do not read English. It looks to me like the thing is a little premature. We are not ready for this ordinance and, if they have not got the proper translations out and the proper regulations for this sitting, I would not vote for that motion unless they could supply copies of the regulations, translated copies for our Members who are not English speaking. Thank you.

THE CHAIRMAN (Hon. Arnold McCallum): Mr. Fraser, we have in the past dealt with the legislation without the regulations there. I do appreciate the concern of yours and Mr. Butters that these two documents should come together. They obviously will, but we are dealing primarily with the legislation itself in this particular committee at this time and not the regulations. In dealing with the bill we have simply asked for general comments and the question of the availability of the regulations arose. I allowed that and the subsequent motion, but I think that in terms of our business here in this particular committee, that would be to deal with the ordinance itself. Mr. Fraser.

MR. FRASER: Mr. Chairman, are you talking to the motion now or are you just passing on some information? We are talking to the motion. Is there not a motion on the floor?

THE CHAIRMAN (Hon. Arnold McCallum): That is correct. I am not talking to the motion. You raised the question or you made the comment that you felt the regulations should be there. I merely pointed out to you or attempted to, that we were dealing with in the beginning, the ordinance itself. I had indicated as well that I allowed the motion for the production of this particular piece of paper, the regulations. Mr. Butters.

MR. BUTTERS: Mr. Chairman, I was not attempting to be difficult, but during my discussions or consultation with the hunters and trappers of Inuvik they raised some very serious points that had appeared in the regulations and they specifically directed me to raise two matters which I wish to do. They gave me pages five and seven in draft five and I have only got draft four. If I want to be able to talk to it I want to have draft five, the draft that they had so that we are discussing the same regulations.

THE CHAIRMAN (Hon. Arnold McCallum): I think that is valid enough, Mr. Butters, and I think the opportunity to discuss various changes that have been made in the regulations would come about as we go through various parts of various clauses of the ordinance itself. The Member from Foxe Basin.

MR. EVALUARJUK: Mr. Speaker mentioned that the English ones would be translated. Are they going to be translated? It would be a lot better when the translation is ready and then we can go ahead. The chairman said that before we were able to proceed even with the translation -- I know that, but a lot of times we read about things that are useless in the Northwest Territories. Right now the Game Ordinance is very useful up here and the people have use for it. If we are going to talk about game in the North, we know a lot more about the game because we use it as food, so I really want to be involved in the discussion.

THE CHAIRMAN (Hon. Arnold McCallum): As a point of clarification, I did not indicate we would discuss anything before the translation. I indicated we would discuss the ordinance before the regulations.

MR. EVALUARJUK: That is what I understood.

THE CHAIRMAN (Hon. Arnold McCallum): There is a communications problem. There has been a motion to have the regulations produced. Any further discussion on the motion? Mr. Kilabuk.

MR. KILABUK: Mr. Chairman, I have the same view as Mr. Evaluarjuk. If I am to go along with what you are discussing I would like to do that but a translated paper, I am thinking if they are going to translate it very quickly I am sure there will be some mistakes. I would like to be able to discuss and follow the written material done in Inuktitut. I would like to be able to discuss this with you by following the written words. The proposed ordinances are needed by the people in the North. What we are going to be talking about is needed by people for their income so what I would like to do is follow the Inuktitut written material.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you, Mr. Kilabuk. The ordinance itself is in translated form, is that correct, Hon. Peter Ernerk?

HON. PETER ERNERK: Mr. Chairman, that is correct.

THE CHAIRMAN (Hon. Arnold McCallum): Is there any further discussion on the motion? Are you ready for the question?

SOME HON. MEMBERS: Question.

Motion To Make Draft Six Available, Carried

THE CHAIRMAN (Hon. Arnold McCallum): Those in favour of the motion that the administration produce the regulations. All those in favour? Nine. Contrary? One. The motion is carried.

---Carried

We will have the sixth edition then of the regulations. Now can we get back to the ordinance itself? Are there any further comments of a general nature on the ordinance? Mr. Fraser.

MR. FRASER: Mr. Chairman, I have been instructed by the residents in my constituency that they would like a little more time to study the ordinance. The ordinance was delivered to the communities late this fall. The fish and wildlife officers went around two weeks, three weeks ago to the different settlements explaining the ordinance to them. They spent a couple of days in maybe each community and I do not think that there was enough time spent on an ordinance as important as this ordinance. I can not see any reason why, if they want it delayed for three months, four months, five months, whatever, a year, it is not like the Education Ordinance that we went through. We did not have an ordinance but we have at present a Game Ordinance which is working and this new ordinance that is coming out, there are a few changes and a few amendments. However, I can not see any reason why if they want it delayed for whatever, three months, four months or six months, what difference is it going to make to the Game Advisory Council or the Wildlife Ordinance or the game wardens or fish and wildlife officers, because we have an ordinance now that is working. I do not see any reason for not delaying it if it goes through. Thank you.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you, Mr. Fraser. Mr. Pearson.

MR. PEARSON: Just to emphasize one point. In discussing this matter with my constituents the dilemma that they find themselves in is that the ordinance has been interpreted and translated into Inuktitut in such a way that they are utterly unable to understand it. I can only assume that

the problem is that the legalese used in the English text does not readily translate into Inuktitut. It has to be processed. It has to be simplified and then it has to be examined very carefully by a knowledgeable person, a bilingual person, and then sent to the constituencies so that they can understand it because it does affect a very large number of people. I think that is the dilemma that we in the Eastern Arctic find ourselves in. There has been some consultation and I do not think that there is general disagreement with it. It is a question of being unable to understand the form of syllabics that it is in.

I understand that there is a simplified version in English and I suggest that this be translated into Inuktitut and that the department use the services of their employees, the game officers, to visit each community and to go over these things with the hunters' and trappers' associations. This is what they have asked to be done and I think it is a reasonable request. That is all.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you, Mr. Pearson. Mr. Whitford.

Game Laws In The Great Slave Lake Area

MR. WHITFORD: Mr. Chairman, as I indicated yesterday, we feel that our constituents want to discuss the Wildlife Ordinance. We do not want to vote on it or put it into law at this particular session, but to go through it to get ideas from some of the other Members from other parts of the communities and in discussing the ordinance I hope you realize that in this particular area, Great Slave Lake, the majority of Indian people are in this area in my particular constituency and they are very dependent on, just one example, caribou. Now, we have the problem of only having two game officers for such a very large area, one out of Yellowknife and one out of Rae and it is virtually impossible for those game officers to be everywhere at once. In other words, be over at Lac La Martre or Snare Lake and at the same time try to control the game management. So, we feel that some of these new laws through the Wildlife Ordinance will be able to protect the wildlife out there.

As I indicated yesterday, Yellowknife has grown to something like 12,000 people and there are lots of aircraft here as well as skidoos and automobiles and I am not saying that the people are doing this consistently, but the fact is that there is a lot of take from this area or region of caribou into the community of Yellowknife and this is causing us a lot of concern through some of these new laws here such as the 12 hour waiting period. It would give us a chance to be able to control game a little better and at the same time the game officer would be able to get into the area to see if anything is going on, if anything in fact is.

There are a lot of people who would not be able to go out and stay overnight because they do not have the equipment to do so. So, I hope that we can proceed ahead to discuss some of these issues and get a better understanding of how other Members in other areas feel, because like I say it is sad really that the game department has two game officers in such a vast and large area, an area of real concern. However, I hope that the superintendent will consider maybe next spring to be able to put in a second game officer.

The other point of concern is that of the band council and in another area or part of my constituency there are hunters' and trappers' associations and through this Wildlife Ordinance they have a little bit more control in being able to handle some of the business of the game officers and thus be able to control game in a much more manageable way. That is all I have to say for now, Mr. Chairman.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you, Mr. Whitford. Mr. Butters.

MR. BUTTERS: Mr. Chairman, I wonder if Mr. Simmons can advise why SCHEDULE A, items one to five, were excluded from the ordinance draft tabled in May? It was very difficult for discussion purposes or for discussion to proceed in the communities because one saw the draft referring to the schedule but when one looked there was no schedule in it. I think this was a rather grievous oversight because even at that point in time the feeling of the hunters' and trappers' was that there was something still to come, that they had not seen the ordinance in its entirety having not had available SCHEDULE A, items one to five.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you, Mr. Butters. I think that before I have Mr. Simmons go on to talk about changes such as that along the lines that Hon. David Searle had suggested I would take further comments first, general comments and then I can have Mr. Simmons talk about the various changes and the rationale behind it.

MR. BUTTERS: That was not a change. I think it was an omission.

THE CHAIRMAN (Hon. Arnold McCallum): Okay, an omission. Commissioner Hodgson?

The Process Of Growing Up

THE COMMISSIONER: Mr. Chairman, the administration can handle it any way that this Council wants, the point being that the administration is not pushing to have this ordinance nor the regulations adopted in the next day or two. To my knowledge no other ordinance was more widely discussed and no ordinance has been changed so many times as this one.

Now, we know that with this Council when it was elected many changes came; one being the interpreters and the translators. In bygone Councils there was no translation in anything and as a matter of fact ordinances were presented and passed and the regulations came after. The Council never saw the regulations until the general public saw them. Council objected to that quite strenuously and I think the first objection was registered by Mr. Searle in the period of 1967 and Mr. Stewart in 1970. Then more objections were registered in the last Council and new objections are now being raised and I think that is part of the process of growing up. The Council after this one will probably have some more innovations or more suggestions for change that will have to be accommodated. It seems to me that what really is happening is that for the first time in their lives in the communities the people are aware that not only is there a body in the Northwest Territories that has the capability to change legislation that affects their everyday life, but that they through what we have known for many years, and what we have called a democratic system, have a part to play and can have some input. So, the Council Members from the predominantly native constituencies are more than ever before being questioned and asked to find ways and means of consulting with their constituents.

Now, this is only the second ordinance with which this has happened. There are others that will come up for revision because they are out of date, they were drafted for other years by people who really did not understand and we must agree and admit that in some instances no provision was ever made to permit or to allow or to provide input by the people, but that will not happen any more because the people of the Northwest Territories, if nothing else, are aware. So I know this and I think that you know it too, that some vehicle has to be found whereby we can in important and major pieces of legislation carry on some form of dialogue or constant consultation process, either through council in communities or with the Council or the Assembly in some other form.

The Game Advisory Council

Now, I think that this is where the Game Advisory Council will come to the fore, because they have had a series of meetings in a series of communities and our game people have very willingly and patiently sat with them and have gone through these various suggestions, ideas and have hammered them into ideas and it is now being presented to you not as a final document but rather as the results of about three years of continuing discussion and dialogue and perhaps it has not finished, it is not finished yet. Maybe it will take another session or another, who knows, but it seems to me that what you might like to do is ask or permit the Game Advisory Council at some stage this afternoon without asking them whether they are recommending it to you to pass it today or tomorrow or the next week or the next month or even the next session, ask their views on some of the important aspects of the bill and perhaps out of that will come some of their concerns. Perhaps they can highlight on the basis of their two years of experience their advice to you on the subject of game itself.

Now, it would seem to me that by doing this you are not committing yourself to anything, nor are you giving any indication that you are going to pass it at this time, but remember that while these people were appointed by me they were not nominated by me and they do not represent me.

Delay Of Ordinance

MR. EVALUARJUK: Mr. Chairman, if I can say this well, I would say so. I would like to say we have been pushed in the Northwest Territories, especially in our constituencies by our people. We were elected to be representatives for our people, to be able to report on the government to the community. I would like to state this Wildlife Ordinance, to my constituency, every one of them told me to delay the ordinance, so I would like to see it be delayed coming into the communities. Some of them would like it in the communities but a lot of them did not have the chance to have a good review of the Wildlife Ordinance. Some communities only received eight copies of the proposed ordinance so they did not have the chance to review it properly, so I would like to have the proposed Wildlife Ordinance delayed for the reason we probably will not be coming into our constituencies with money after the fiscal year. We would probably go to our constituencies. Also, in my opening after we have reviewed this we should discuss this proposed Wildlife Ordinance first so we will be able to tell our constituents the exact meaning of the proposed Wildlife Ordinance. I am not against passing this ordinance, but I have very good reasons first of all. I would like this proposed Wildlife Ordinance, this handbook for the first time along with Inuit people involved. Also, after we talked about this translation in Inuktitut those interpreters and translators are against them because I can not understand any English. I am not saying they are not translating, they are translators -- you can not say they were translated poorly because most of them are understood by Inuit. Only some of them are not, some sections. Also, I go along with discussions but I note there are not enough game officers in the Northwest Territories. The only people who are hired as wildlife officers, you must have education. Also, I agree to settle the land claims. I go along with that. I do agree with Hon. David Searle's idea of delaying it until the land claims are settled.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you. Mr. Lafferty.

People Dependent On Game

MR. LAFFERTY: Mr. Chairman, I had a frog in my throat. Mr. Chairman, my comments are of a general nature around the ordinance. As I have indicated earlier, in my constituency we need the ordinance very badly. I think that in my area particularly we are the buffer zone for many people. With all due respect to people in the High Arctic and down in the Delta, the Mackenzie Liard constituency and possibly the Slave Lake, these two areas are the buffer zones for people who are beyond it. It is our people in our constituencies that have the greatest impact of what happens to the game, yet we are greatly dependent, as Mr. Whitford points out, quite correctly, that he represents primarily Indian people and I could go further and say he represents totally Indian people and, of course, in it is the Indian Brotherhood. On the other hand, in the Delta there too, a lot of people are dependent on game and that is to be expected and it is true, but, however, there again are many people who are different in their ways of living. There are a lot of white people living there in that district without anyone giving them any thought and many of them are privileged to hunt exactly the same way as any other native person. These people have a right too. So it is in my constituency. And then beyond this is the establishment to the regulations of area game control zones or you can even go further and say for a privileged few, zones set aside in treed areas. In some instances so far as I am concerned it is contrary to the interests of greater numbers of people who have general hunting licenses because I do not think that any one group of people under the law should be preferred, whether he is a native Indian, Eskimo, Metis or otherwise, unless that person wants to shut a door and confine himself to an area and be disallowed in another area. I have pointed these things out as a representative person elected not

by the majority of people in my constituency, but a minority of people in my constituency and in many instances you have been elected in the same way. If in some communities there is a three way vote, a four way vote because there are ten candidates running or two or more, you may be elected with a very simple majority. That is democracy and under those circumstances in some instances none of us I know of or no elected person has ever gone back to the people who elected him or to the constituency from which he was elected asking for a revote.

Big Game Hunters

I think if we are to be just and honest and fair we have to remember the rights even of those people who oppose us and in that instance we can not go to them and ask them their opinion. Naturally, they are going to say no. In the Mackenzie Liard area there are seven big game hunting outfits and none of these guys, so far as I am concerned or to my knowledge, are residents of the Northwest Territories. They live outside of the Northwest Territories. They are residents of the Yukon, British Columbia and for that matter there could be some from Alberta. In my area the people, particularly the Indian people in Fort Liard, Trout Lake and Nahanni Butte do not want these people to hunt in the Northwest Territories and they have been asking for this for years. And then we have people living in the surrounding provinces who can afford to fly into the Northwest Territories and take big game out. There is not a thing that our game officers can do because they have no power. I know very well that this does not affect the majority of people in the Northwest Territories because, as I said earlier, we are bordering other provinces and are the buffer zone or the buffer people for those that are further up north. I have had complaints in Norman Wells, people I have spoken with, not that I wanted to speak to them at Norman, of big game hunters coming in from Dawson way into the mountains in the hunting grounds of the Indian people who travel up the Peel River. We have no game patrol in there, but maybe once a year or twice a year and they are unable to land, if they could, because there is no money. There are many, many problems that we in the South Mackenzie area face. We have many people whom we do not hear from. You take in my constituency about 70 per cent of the electorate there are Indian or Metis people, with the same rights to hunt anywhere in the Northwest Territories as anybody else. If they choose to hunt up in the Arctic they have the right to do so. A treaty Indian under the Indian Act is allowed to hunt anywhere in Canada, be it in a national park or not, for the provision of his own food. He has all of these rights and we, above anybody else as native people, and I am a native, I was born in this country and my father was born in this country and my grandparents may have come from Manitoba or Minnesota, but nevertheless I was born in this country. I do not want anybody to interfere with those basic rights that I have, that I have inherited by birth and these rights I extend to other people regardless of their race who also inherited the right to hunt, fish and trap.

THE CHAIRMAN (Hon. Arnold McCallum): Excuse me, Mr. Lafferty for curtailing you but we have a time limit and maybe you could finish up your general comments.

The Power Of Decision

MR. LAFFERTY: In my constituency in regard to these things that I have pointed out to you, the people have given me or loaned me the right to support this ordinance that we need, not that I care whether it passes or not, but I would just point out one thing. If we tabled the document, as we did with other documents to the January session, and we already know the heavy workload that we have in January, because we are going to be

dealing with finances and every other important matter on legislation perhaps -- that we are going to be looking to table the document under further pressure into the May session and on and on. We either forget the ordinance presently before us at this session or give some serious thought to passing it. If we are not about to do that I can not see myself sitting here for a week discussing something that somebody else is going to decide, that power of decision is mine and that power has been delegated to me by my voters and whether we make that final decision, gentlemen, is yours to make.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you, Mr. Lafferty. Any further comments of a general nature? Mr. Kilabuk.

MR. KILABUK: Mr. Chairman, I am going to say that concerning the Wildlife Ordinance they have not said that they do not want a Wildlife Ordinance, but I would like to be able to understand it along with you people. I was told not to pass the ordinance by my constituents. They told me they would not mind passing it if they understood what we already know. We have gone through it every time we discuss passing an ordinance and they know that. The people where I come from also said that they would like to understand this ordinance better. We have to look to our future and especially what Hon. David Searle said about the land claims, we have to think about that too. We are going to have to talk about that for a long time. It would not be good if we had just this ordinance passed if our land settlements were not settled yet. It would be best if this ordinance were passed after the land claims have been settled.

My people have said to go ahead and delay it for a while because we would like to understand it better and we would like to know what is in the ordinance. This is what they have said to me, because we have guns now and we have skidoos and we have other means of hunting and better ways. We do not use oars now, we use kickers. We use kickers when we go hunting and that is the reason why we should have laws. My people told me that they would like to understand this ordinance, along with the people who are speaking English, that is what I have been told, to delay this ordinance. Thank you.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you, Mr. Kilabuk. Are there further comments of a general nature? Mr. Whitford.

Revised Ordinance Needed

MR. WHITFORD: Mr. Chairman, I draw to the attention of the Members from the East that last year we had somewhere in the neighbourhood of 10,000 caribou that were killed in the Rae and Yellowknife area. Now, if we sat back and waited for land claims, which could be another five years or ten years down the road there will be a heck of a lot more caribou killed. This is why it is important that we discuss this so we can indicate to Members from the East some of our problems that we have here.

I know that in the small communities of Igloolik or Whale Cove that these kinds of things are happening, but it can be controlled by the communities. However, in our particular case we can not do much about it. We have hunters coming in from Resolution and we have had hunters coming in from Fort Simpson as well as Yellowknife plus our own and this is why it is very, very important. I think that we can discuss the ordinance and then when we go back to the constituencies and throughout our communities -- and I know my own -- be able to tell them how you feel about some of these game laws and at the same time they will have a better understanding of how Members of this Legislative Assembly feel in that regard.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you, Mr. Whitford. Mr. Lafferty.

MR. LAFFERTY: Mr. Chairman, my comments are related to what Mr. Whitford said and how they benefit our honourable colleagues from the Arctic. It is true what Mr. Whitford said and it really concerns me a great deal, because this type of game taking of the migratory animals does affect you people as well in the High Arctic.

The other matter is because Mr. Kilabuk mentioned the modernized transportation that he has better boats and better transportation in general and better guns and many other things and because of the new technologies in these places the danger of harming the breeding stock that we have. The people are multiplying fast, in numbers, because we have got better hospitals and better everything and in this instance there must be some kind of control. As far as I am concerned, the present game legislation is inadequate to meet the times. Thank you.

THE CHAIRMAN (Hon. Arnold McCallum): Anything further? The Member from Foxe Basin.

Represented People Come First.

MR. EVALUARJUK: Mr. Chairman, I would like to respond to Mr. Whitford's comments. He told us about some things about which I would like to answer. Perhaps not that he really understood what Mr. Kilabuk has said. The people I am representing, I have told them that we should have some kind of regulation on game matters, but right now I can not really comment on this. I will have to talk to the people I represent who come first.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you. Hon. David Searle.

HON. DAVID SEARLE: Mr. Chairman, as thankful as I am for the views expressed by all of the Members, I assume that they would like to hear from Mr. Simmons and his people as to the changes that he sees from the old ordinance to the new one and the reasons behind those changes. Just before he gets into that I would just like to say that while listening to the comments of others I examined particularly clause 91 which is the clause where the Commissioner is given power to regulate and, would you believe, using the full range of the alphabet, (a) to (z) inclusive, it appears to me that the ordinance itself which is only 95 clauses is purely the skeleton. The muscle and the flesh and the innards and the brains and the eyes and the ears are contained obviously in the regulations. Of course, not having had the benefit of seeing them it is obvious to me that who we need to hear from are from people to tell us what the game laws will contain because they are sure as heck not found in here, except for some prohibitions, but I really would like to hear from the officials so that I can go away from here having some idea of what they are going to be. This ordinance does not tell me very much.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you, Hon. David Searle. Mr. Simmons, it had been suggested earlier that possibly you could give us an idea of the kinds of changes from the old ordinance and the principles behind those changes, if you would.

A Brief Historical Perspective.

MR. SIMMONS: To give it a very brief historical perspective, since this was spoken to vaguely by some Members, a major revision has not taken place in the past 17 years. There have been some significant amendments made about June 1972, and so, generally, as has been mentioned before, the intent is to keep up with the times, to change this ordinance so that it is a modern ordinance. To get more specific, there is an ever-increasing list of activities that people would like to participate in here in the Northwest Territories that are presently prohibited under the existing Game Ordinance. For example...

THE CHAIRMAN (Hon. Arnold McCallum): I wonder if you could possibly slow down, Mr. Simmons?

MR. SIMMONS: I would be glad to. Should I go back over any of it?

THE CHAIRMAN (Hon. Arnold McCallum): I think you may continue on if you would slow it down.

MR. SIMMONS: All right. For example, in the Fort Smith region there is a requirement for hunting and trapping courses by educational and rehabilitation institutions. These are not adequately provided for in the existing ordinance. There is no enabling legislation for that.

In the Western Arctic there has been a requirement or a request for ability to trade in musk-ox meat, to buy and sell musk-ox meat. Some areas like Banks Island seem to have an abundance of musk-oxen and there may be other areas that musk-oxen meat is required and the expenses of that trade could be borne by the commercial sale of the meat. This is not permitted in the existing ordinance. There have been several requests from the Fort Smith and Baffin regions for game farm type operations. Again this is not permitted in the existing ordinance.

Mr. Lafferty was speaking just a moment ago about the Mackenzie Mountain outfitters, the desire by people of the Northwest Territories to have resident outfitters if they have outfitting at all. There is no provision for this, there is no enabling legislation in the current ordinance to allow us to regulate the residency requirement of Mackenzie Mountain outfitters.

Definitions

I will not go into any more detail unless you require it. There are changes to our provisions for taxidermists and tanners, the establishment of licensed vendors and so forth. Under the existing ordinance there are many definitions and interpretations that are vague. An example is "nuisance wildlife", wildlife that a community may want to do away with, or even a camp, because it is a nuisance and perhaps even a hazard. This is not defined adequately in the current legislation. Pelts and hides are not clearly defined. There is a requirement to differentiate between raw and tanned pelts. A new licensing system is required for fur dealers. There is a request from the Fort Smith region to allow native people to become guides without having to go into the outfitting business as well and perhaps they are looking down the tubes quite a ways. They may want to guide non-resident hunters on limited caribou hunts for example. There is no provision for this.

Some matters in the existing ordinance are regulatory in nature and we may get a response, I mean a request, for a change to such an item and we can only respond through amendment through this body here which is quite unwieldy in many cases. I am not talking about things that should come before this body, but sudden changes in a zone to permit adequate management procedures, for example. This, in our opinion anyway, is a regulatory matter and we should have some flexibility here by having these items in the regulations. Trapping areas for example is another regulatory matter that this body may want to have in regulations rather than engraved in stone or in the ordinance. That is the end of my general comments unless I am pressed for more specifics.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you very much, Mr. Simmons. I am not sure whether the coffee would be ready yet. We have indicated that we would try to move the coffee time up to 3:30 o'clock p.m. I do not think it is quite ready as yet. Mr. Vince Steen, would you have any other comments that you would like to make?

Translated Wildlife Ordinance

MR. VINCE STEEN: Well, I would like to clear up the matter or possibly shed a little light on the matter of how well translated the Wildlife Ordinance is into Inuktitut. Personally I do not feel that the three members from the Game Advisory Council from the Eastern Arctic are high class lawyers or anything, but they are not translators either. They can not read English, but we have never had any problem with them understanding the translation that they have had. Just about every draft of the ordinance has been translated for them. I have asked them for comments or to specify if they do have problems understanding the translations and they have never brought it up. There were times that the numbers may have been mixed up, sections may have been mixed up in order form, but the meanings were always the same. I am sure that if this Assembly felt that they should ask them whether they had any problem understanding, I must also point out that that is the legal version that was translated to them, what you see right now. That is what was translated to them and they did not seem to have any problem understanding it.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you, Mr. Steen. Are there any other comments of a general nature? Hon. David Searle, have you anything further of Mr. Simmons from his comments?

HON. DAVID SEARLE: Mr. Chairman, any further comments I would have would be with respect to the particular clauses.

MR. BUTTERS: One question, sir: Is the draft of the ordinance that is contained in this book the same, identical, to the draft that was tabled in May?

THE CHAIRMAN (Hon. Arnold McCallum): Mr. Simmons, could you answer that or do you know of the draft that is in the legislative book?

MR. SIMMONS: I can answer it partly and maybe the Legal Advisor could expand on it. The drafts are different mainly because one was a legal document that was reviewed by the legal services division and put into legal form. The other one is more our document, the document that we drafted and the previous document is more our document, something that we drafted as amateurs and turned over to legal services division for review.

THE CHAIRMAN (Hon. Arnold McCallum): Satisfactory, Mr. Butters?

MR. BUTTERS: I have a whole bunch of papers here and I am going home to read them both.

THE CHAIRMAN (Hon. Arnold McCallum): There are all kinds of them. If there is nothing further in terms of statements of a general nature, would we be prepared to go into clause by clause? Agreed?

---Agreed

Just before we do then we will take a break for 15 minutes and come back and do the clause by clause.

---SHORT RECESS

THE CHAIRMAN (Hon. Arnold McCallum): The Chair recognizes a quorum.
Mr. Stewart.

Wildlife Ordinance Discussion

MR. STEWART: Mr. Chairman, I wonder whether we could take up those clauses that we have had specific instructions from our areas to deal with rather than going through clause by clause at this time. There appears to be some opposition to proceeding in this manner by our colleagues but rather than seeing the bill set aside, I would rather at least be able to do this much work at this time and I would suggest, if we have agreement, to proceed in that manner. In other words, just deal specifically with the sections that we have complaints about.

THE CHAIRMAN (Hon. Arnold McCallum): What is the feeling of the committee? Are we agreed? Mr. Butters.

MR. BUTTERS: Mr. Chairman, I think that is an excellent idea and I accept it. I would just suggest that we go very slowly so that we do not miss any of them. If a person has paper here and paper there from different sources, I want to make sure I do not miss some of these clauses.

THE CHAIRMAN (Hon. Arnold McCallum): We will put the hobbles on this outfit and slow it down. Perhaps, Mr. Stewart, since we have agreement, I think there have been some changes that have been passed to Members, one sheet I think where there are seven different changes on a sheet of paper that everybody has. Is that correct? "Proposed amendments to Bill 2-63." They are seven in number. Does everybody have that sheet? I take it that means yes, you do? You do not have one, Mr. Pearson?

MR. PEARSON: No.

THE CHAIRMAN (Hon. Arnold McCallum): Now you do. Taking Mr. Stewart's suggestion, do you have particular clauses, Mr. Stewart, or anybody else? How in fact would you like to go through it? Is there a difficulty with clause 2, the interpretation? Mr. Butters.

Wildlife Sanctuary

MR. BUTTERS: Just that clause 17 which was referred to on the first amendment I think contains within its body the word "wildlife sanctuary", and I wonder if that is defined.

THE CHAIRMAN (Hon. Arnold McCallum): Are you referring to clause 17 now?

MR. BUTTERS: I am really referring to clause 2 because that is the definition section. I am trying to find if "wildlife sanctuary" is defined in it.

THE CHAIRMAN (Hon. Arnold McCallum): You would want a definition of "wildlife sanctuary"?

MR. BUTTERS: Well, yes, sir, because the first clause that I have that requires some discussion is clause 17. Clause 17 includes the words "wildlife sanctuary" and I am now looking into the definition section in clause 2 to find out where it is defined. I do not see "wildlife sanctuary" defined in the definition section, sir.

THE CHAIRMAN (Hon. Arnold McCallum): Mr. Butters, clause 20, subclause (3) on page 18, it deals with wildlife management units and regions and in subclause (2) deals with a wildlife sanctuary.

MR. BUTTERS: It says what it is not and I want to know what it is. It is important, because clause 19 says, "No person shall, carry or have in his possession in a sanctuary, a firearm other than a sealed firearm" and what is a "wildlife sanctuary"?

THE CHAIRMAN (Hon. Arnold McCallum): Mr. Butters, clause 20, subclause (2), indicates that the Commissioner may by regulation designate a portion of one or more wildlife management units as a wildlife sanctuary. So it would be in the regulations what a wildlife sanctuary would be and a region designated under one paragraph may overlap with a region designated under another. Of course, going on to subclause (3) it would seem that whatever would be designated as a wildlife sanctuary would be within the regulations.

MR. BUTTERS: This is a very important departure from anything else that I understand had occurred in this jurisdiction, when we are now setting aside territorial wildlife sanctuaries. I know the federal government has sanctuaries and we are now getting these international biological preserves and it looks like the territorial government is going into the sanctuary business, also.

THE CHAIRMAN (Hon. Arnold McCallum): But again, Mr. Butters, paragraph 20 (2)(b) indicates that no areas should be designated as such that was not a game sanctuary or a bison sanctuary before the commencement of this ordinance.

MR. BUTTERS: If I may, perhaps Mr. Simmons, would you like to comment on that?

MR. SIMMONS: No, I think you have hit the nail on the head, that paragraph 20(2)(b) clearly states that there will be no further sanctuaries created.

MR. BUTTERS: I would ask for the definition and the answer is, there is no definition.

THE CHAIRMAN (Hon. Arnold McCallum): Not in the definitions as listed, that is true. If I may just for a moment, the suggestion is made by Mr. Stewart to go through particular sections. Those contrary to the procedure for bills in committee of the whole, Rule 60 and, if I may, I would like to read that Rule and then get your advice as to what you want to do. Rule 60 says: "Where a bill is considered in the committee of the whole the preamble, if any, and the title are first postponed and then every clause considered by the committee in its proper order and the preamble and the title shall be considered last." Mr. Stewart's suggestion is that we pick and choose particular clauses, I guess according to the Rules that we have I can not allow that. Now, I do not want to stop anything and perhaps a compromise will be if I were to read the clause as we go through these clauses and then when I hit a sour note you stop and we can discuss that particular area. That is not to suggest in any way that there will not be further discussion on it, on any or all clauses. I am not trying to indicate that we are going to pass or bypass a particular clause. Mr. Fraser.

Motion To Defer Bill 2-63: Wildlife Ordinance

MR. FRASER: Mr. Chairman, I move that we defer the Wildlife Ordinance until the January session and report progress.

THE CHAIRMAN (Hon. Arnold McCallum): We have a motion by Mr. Fraser to defer the Wildlife Ordinance until the January session. Hold on a minute, Mr. Fraser. Mr. Fraser, you have moved a deferment?

MR. FRASER: Yes.

THE CHAIRMAN (Hon. Arnold McCallum): Mr. Fraser, I am not trying to stop things, I am just trying to determine if the motion to defer is debatable in this committee.

MR. FRASER: There does not seem to be any Rule that would preclude the speaking to that motion. So, I would then ask if Members would like to speak to the motion.

THE CHAIRMAN (Hon. Arnold McCallum): Since you moved it, do you want to say anything further?

MR. FRASER: Mr. Chairman, I would like to extend that a little bit and say that if Mr. Stewart's suggestion had gone through I would have gone along with some of the paragraphs. If they had to go through this ordinance clause by clause and I think there are some 90-odd clauses or 80 something, we could spend four or five days and then still have it thrown out at the end. If we defer it until the January session or the next session, and most of the people in my constituency would like to have more time to look at it, I think then we would not be spending too much time on it at this session if we had to go through the whole thing again at a later session. If we were to go through it now clause by clause and I note there are 95 clauses in it and if we spent a better part of a day and a half in a committee meeting going through this ordinance and some of it is not changed from the existing ordinance and some of it are changes that were recommended by people in my constituency and they are going to have to be dealt with

extensively. I know the guys on the Game Advisory Council would like to see it go through and so would the game department and so would I, but I am not speaking only for myself, I am speaking for people in my constituency.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you. Mr. Whitford.

MR. WHITFORD: Mr. Chairman, I was sorry I was out of the chamber because of other important matters as well, but I did not understand the motion. Am I led to believe the we discuss the ordinance and then not vote on it at the end, is that correct?

THE CHAIRMAN (Hon. Arnold McCallum): The motion that Mr. Fraser moved, Mr. Whitford, is to defer further discussion on this bill until the January session. Mr. Commissioner?

A Motion Of Closure

THE COMMISSIONER: Mr. Chairman, I think your are duty-bound to point out to everybody here that this is in effect a motion of closure, closure not to put something through but closure to stop any further discussion. If this motion passes there is to be no more discussion period during this session on the game matter. That, of course, is up to the Council to decide. I think what the game people and the administration were hoping for was some kind of reading from the Council as to are they on the right track or on the wrong track and I do not think they necessarily want to go through it clause by clause. If they did, it is only to get some idea of what you think, but it would seem to me that you might think about that because as things stand there is nothing learned.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you, Mr. Commissioner. Mr. Lyall.

MR. LYALL: Mr. Chairman, I will be going against the motion because of the fact that I have spent quite a bit of time on the Wildlife Ordinance myself and I know the game department and the Game Advisory Council have spent a long and hard time with this ordinance. I do not believe it is perfect, but the only way that we are going to make changes in the Wildlife Ordinance is by putting it into force and after that we could do anything we want. We could amend it to any way we want it. If it keeps on being deferred, this Assembly is not doing its job. I was put into my seat by the people of the Central Arctic and I mean to do the job they put me here to do. If I was to go along with that motion, I would be going against the wishes of the people. The only place that I did not visit in the Central Arctic was Holman Island, but I met people in Spence Bay from Holman Island and exactly the same things that they wanted changed in the ordinance I already got changed through the regulations, that is when I was going through it in the legislation committee. I joined the legislation committee and I joined the finance committee and I joined every committee that is going because I want to learn about these things. I told the people of the Central Arctic two and a half years ago that these four years I am going to spend will be spent learning about government operations and the way this House should operate.

The only way to do that is to join every committee going, go to every function that is going and, if you do not, you are not going to learn a thing about this Council. I would like to say again that this was dealt with, a lot of hours put into it, I know when the Game Advisory Council was in Cambridge Bay they put a lot of hours into it. They did not only go from 8:30 o'clock a.m. to 5:00 o'clock p.m. at night, they would go on again right after dinner. They used to go on until the wee hours of the morning. I am going to oppose that motion to defer. I would like to see this Wildlife Ordinance put through so that I could personally, if I see something in there later on, I could change it, but this way I can not change it. Thank you, Mr. Chairman.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you, Mr. Lyall. Mr. Butters.

MR. BUTTERS: Mr. Chairman, I think if we were examining the ordinance we would be almost halfway through now instead of embarking on this timewasting debate. I doubt if there are more than 14 or 15 provisions that have raised questions in the minds of people. I think if we did not go through and examine those concerns then we would not be only wasting the time of our superintendent of wildlife but also of Mr. Steen and the people who have come here from many, many parts of the territories to assist us in discussing this ordinance. So while I will vote against deferral at this time in order that I wish to see us discuss the remainder of the ordinance, I will do as the Members from the Eastern Arctic have suggested and members from my own constituency have suggested, request that the actual final study of the bill be carried out in January or at a later session.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you, Mr. Butters. Mr. Lafferty.

Irresponsible To Defer Wildlife Ordinance

MR. LAFFERTY: Mr. Chairman, my honourable colleagues, I know that most of you made up your minds before you came here and I also know that no matter how we approach this ordinance that in the end you are going to vote against it or you will put your foot down. I think that taking that position is irresponsible because I think we are cheating those people we represent. As the Commissioner said, there will be nothing learned. I myself have studied this ordinance. I had people translate it to me. I went to the game officers and went to the police officers, the people who know something about laws and had them help me and even with all the time I spent on it I do not understand it and I never will, but the thing I remember is that it is open to changes from time to time. Somewhere we have to act responsibly so the people can have confidence in us. And then, of course, I got the mandate from my constituency, the majority of people I spoke to support the ordinance and I will not back down from that. I am for the ordinance. I will vote for the ordinance. I will work to the best of my ability to make sure that it passes and, if I fail, it is not my fault.

I would like to remember what I promised the people, involvement for improvement. How in the heck are we going to involve the people if we always run home because we are afraid to make a decision? That is like a man going up to the Hudson's Bay Company or the beer parlour and spending all his few dollars and then he is afraid to go home. In the end he is responsible, no matter what he does. I think that we have a responsibility at least to discuss this paper in detail so that the media around us here and the public around us here and the many people who are going to hear it can discuss it in their homes, in the cafes, wherever they are, so that they can learn something about it. If we shut the door now, this will never happen. In that chain of thought I refuse to support this motion.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you, Mr. Lafferty. Mr. Whitford.

MR. WHITFORD: Mr. Chairman, this is just something I wanted to bring up and besides I wanted to speak on this motion but there are many people in the public gallery who are involved with game management and are interested in the Wildlife Ordinance. When the Inuit people speak they do not know what is being said because they have not got any of these earphones or radios, so I wonder if tomorrow possibly the Clerk of the House, or whoever, could get a few more?

Native Involvement

The concern that I have in regard to the Wildlife Ordinance presently is, I have explained over and over, but the concern that I have got is that we speak so many times of getting native involvement. This is one of the few times that there have been native people involved and especially on the Game Advisory Council. I think, with all due respect to that, that this Wildlife Ordinance

coming from them who visited communities should be heard and I am more than surprised that we want to stop here. I think that perhaps most Members agree that we should defer it to the January session for a vote, giving time to go back to the communities, but, however, I really believe and I wish Members would reconsider, that we would proceed ahead on discussion of this ordinance.

THE CHAIRMAN (Hon. Arnold McCallum): I am about to ask you people to consider and call the question on the motion. Question being called. The motion is to defer until January.

MR. LYALL: Mr. Chairman, I think you should give the people a little more time to discuss the motion.

THE CHAIRMAN (Hon. Arnold McCallum): The question was called. The Member from Foxe Basin.

MR. EVALUARJUK: Mr. Chairman, this motion has not been seconded yet but I do not think it will pass. I would be glad if we could talk about this in January at the session. We have a lot of work to do in January but right now it would be okay and I would go along with the discussion of the subject if it is possible. I would like to make a motion saying that we should have second reading and we would talk about it in May again.

MR. LYALL: Mr. Chairman, just for Mr. Evaluarjuk's information, when we are sitting in committee of the whole like this you do not need a seconder to the motion.

THE CHAIRMAN (Hon. Arnold McCallum): You did make a motion or you want to make a motion? We have one on the floor and we have to deal with that first. We have a motion on the floor now. I can not accept your motion at this time.

MR. EVALUARJUK: I am talking about the motion that is on the floor right now.

THE CHAIRMAN (Hon. Arnold McCallum): Hon. David Searle, you indicated you wish to speak.

More Discussion Needed

HON. DAVID SEARLE: Mr. Chairman, I just wanted to say that I certainly had some questions to ask on specific clauses and personally would have preferred to continue the discussion of the ordinance if we could. I think that from the point of view of the officials and the Game Advisory Council, I should have thought that they would like to have heard from us more about the specific clauses because, though the bill is in this form, depending on the various views that Members took with respect to the clauses, then presumably the ordinance might come back in a form more acceptable to us and indeed might go out between now and the next session in a form more acceptable to us for discussion purposes with the residents of the territories. I, therefore, for the life of me do not see anything to be gained by closing off the discussion at this point in time but see everything to be gained by letting it continue. Accordingly, I personally will not support the motion to defer the bill at this time.

THE CHAIRMAN (Hon. Arnold McCallum): Are there any other Members who have not spoken who want to speak to the motion? Hon Peter Ernerk.

HON. PETER ERNERK: Mr. Chairman, I was the one who introduced this this afternoon. I do not think I would vote for a deferment because, as I understand it, this would kill the discussion immediately, at least it was mentioned by the Commissioner earlier I believe. I would certainly like to see it discussed myself at this point because I think a lot of the people in the Eastern Arctic are very interested in it. The people in my constituency, for example, in the Keewatin are so interested in it that one or two communities have written a number of letters to various organizations in their own communities. I do not think the people want to see it disappear. I think they would rather see something like this be discussed to a certain extent and put into law at some point in the future, whether today or at the January session.

I do not think to close off the discussion right at this point is going to do anything, at least on the part of the Members, but I think it would give us an opportunity to hear what the other Members have to say about it. I would certainly like to hear from the chairman of the Game Advisory Council or the game management division as to what sort of urgency this particular matter has in their own opinion or in their own view.

Motion To Defer Bill 2-63, Wildlife Ordinance, Defeated

THE CHAIRMAN (Hon. Arnold MacCallum): Thank you, Hon. Peter Ernerk. Mr. Steen, I noticed your hand up. We are on a motion of debate and I can not allow you to speak toward the motion. This is just in terms of Members. Question being called. The motion by Mr. Fraser is to defer the bill until the January session. All those in favour raise your right hand. Those against? The motion is defeated.

---Defeated

According to the Rules of the committee of the whole, we are to continue on and it is to be done clause by clause, so we would go on ...

DEPUTY COMMISSIONER PARKER: Mr. Chairman, I speak only in an effort to try to help you out of your dilemma. It is quite clear that the wish of Members is to examine the ordinance but not to pass it at this time but to pass it at a future time after there has been more consultation.

In order to do that could I suggest that there are certain clauses in here that obviously cause difficulty and they tend to be controversial. Now, Mr. Simmons and Mr. Vince Steen probably know which of those clauses are the most controversial and as a start could I recommend to you that Mr. Simmons name some of these issues so that the issues themselves and the particular clauses that cover them could be discussed and advice given so that changes could be made or decisions arrived at and then if we do that it would mean you would not have to go through every clause at this time but you might deal with the ones that obviously need attention. That does not limit the discussion at all, all matters could be raised as you wish, but that would be the most helpful procedure as far as we are concerned so that at the conclusion of the Assembly's study of the bill at this time there can be a new draft prepared or changes prepared and then that revised draft or updated draft could be discussed in the communities. Then when you reach the time when it is to be discussed, whether it be in January or May, the very latest word will have been gone over and we will have had the advice of Assembly Members.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you, Deputy Commissioner Parker. I am not sure whether I am out of the quandry now or not and I do not mean to be disrespectful of your advice. I do not mean to do that against the Rules of the House and I guess the only way that I could get around that would be to have unanimous consent of the committee to get around the Rules.

Perhaps, if I may, I could simply read out the clauses as we go through and where there are comments to be made by the witnesses or by individual Members you could stop me there. I do not see what other means I have to deal with the situation. For example, if I simply said clause 2, any comments, and if there were comments from anybody then we could stop and discuss those. We could then at the end of this simply report progress and I think that is where in my feeling you are correct in that, Deputy Commissioner Parker, we would want to report it and we would simply report progress. Are we agreed? Mr. Butters.

Definitions

MR. BUTTERS: Yes, sir, I will support that going numerically through but I wonder if you could when you give the reference in the ordinance that was tabled two or three days ago if you would also give the reference in the old ordinance because they are not the same. Like, clause 17, which I point out here is on sanctuaries and in here it is on eligibility and yet I did all of my study with the hunters' and trappers' associations with the old ordinance and if you read clause 2 here you would just say clause 2 is the same as in the old ordinance and just confirm that.

THE CHAIRMAN (Hon. Arnold McCallum): I do not have a copy of the old ordinance, Mr. Butters. What I could do is simply read out the clause and the marginal note. Clause 2 deals with definitions and if there are comments on that you could address the Chair on those. Clause 2, definitions, any comments? Hon. Peter Ernerk.

HON. PETER ERNERK: I wonder if I could suggest to you, Mr. Chairman, if you could read out the clauses in that it takes a little longer to read the Eskimo version of these clauses and if you could read them out and they could be translated at the same time so we might be able to come to some better understanding of each clause, what each clause means?

THE CHAIRMAN (Hon. Arnold McCallum): Are you suggesting that I read out the entire bill?

HON. PETER ERNERK: Yes.

MR. PEARSON: Agreed.

THE CHAIRMAN (Hon. Arnold McCallum): Clause 2 is Interpretation, and it deals with the definitions. It deals with big game, camp, firearm, fur-bearing animal, game, game bird, general hunting licence, habitat, hunt, licence, manufactured product, municipality, non-resident, non-resident alien, officer, open season, permit, prescribed, raw hide, raw pelt, resident ...

HON. DAVID SEARLE: Mr. Chairman.

THE CHAIRMAN (Hon. Arnold McCallum): Hon. David Searle.

Residency Requirement

HON. DAVID SEARLE: Mr. Chairman, reading this ordinance it would appear that one must be a resident to engage in much of the hunting that is contemplated under this ordinance and that the drafters of this ordinance have taken the decision that they should recommend to us that in effect you have to be a resident for two years before you may engage in hunting. Now, I take it that that in essence is really what we are getting into, is it?

THE CHAIRMAN (Hon. Arnold McCallum): Hon. David Searle, I would ask Mr. Simmons to comment on that.

MR. SIMMONS: In the residency requirement it was our intention to eliminate as resident those who moved to the Northwest Territories for a particular purpose or, excuse me, project, with no intention of making their home here in the Northwest Territories. Our advice from the communities and from the Game Advisory Council was for residency requirements ranging from one to ten years. We came up with two years as a logical breaking point.

THE CHAIRMAN (Hon. Arnold McCallum): Hon. David Searle.

HON. DAVID SEARLE: So I take it that my assumption then was correct, that essentially what we are saying is that to be able to hunt you have to have been resident here for two years?

MR. SIMMONS: As a resident.

THE CHAIRMAN (Hon. Arnold McCallum): I do not think that is correct, Mr. Simmons.

MR. SIMMONS: To be able to hunt as a resident. You may purchase, however, a non-resident licence.

HON. DAVID SEARLE: What are the differences? What may a resident do that a non-resident may not do?

THE CHAIRMAN (Hon. Arnold McCallum): Mr. Simmons.

MR. SIMMONS: For example, a non-resident may not hunt barren land caribou. Only a resident may hunt that. With other species it is mainly a difference of where they can hunt, that is, right now it is in the Mackenzie Mountains and how much they pay for a licence when they do hunt.

THE CHAIRMAN (Hon. Arnold McCallum): Hon. David Searle.

HON. DAVID SEARLE: Well, I think I would agree with that.

THE CHAIRMAN (Hon. Arnold McCallum): Thank you. Mr. Pudluk.

MR. PUDLUK: In Inuktitut, Mr. Chairman. These copies have been sent to all communities and it would be better if they were because we have not seen these. I think we sort of rely on this if we try to follow the page numbers.

THE CHAIRMAN (Hon. Arnold McCallum): Mr. Pudluk, unfortunately we could not do that. We have to deal with the bill that is tabled, the bill that is introduced, the ordinance as we have it here and not the ordinance that has been passed around and that is the unfortunate part about dealing here with that. I do not have a copy to give you a cross reference, but we can not deal with a document that has not been tabled or is not before us. We must deal with the document that is here, Mr. Pudluk.

MR. PUDLUK: Mr. Chairman, this legislation has not been translated, is that what you are trying to say.

THE CHAIRMAN (Hon. Arnold McCallum): No, Mr. Pudluk, what I am saying is that we have the legislation, the bill in our legislation book. That is not the copy that is in here and we can only deal with the copy that is here. Commissioner.

THE COMMISSIONER: If you are men of good faith you can do anything you want. You simply have to report progress on table the document and then someone refer it here and then go back into committee. I think what is happening is the people from the Eastern Arctic have gone a long way with you and they are willing to sit here and discuss it with the understanding that you do not pass it, but all they are simply saying is that they studied that document and the one that we brought before you is the legal document and they have not seen it and it is just to help them, that is all.

Changing Of Rules.

THE CHAIRMAN (Hon. Arnold McCallum): Mr. Butters raised the same question. Well, I am going to play by the Rules and if you want to change the Rules, fine. We have not been dealing with the pre-draft legislation in the house.

THE COMMISSIONER: Mr. Chairman, when in doubt do not chicken out. Ask the Speaker, he is the boss and he will tell you whether you can do it or not, he is the boss.

THE CHAIRMAN (Hon. Arnold McCallum): Somebody has to do something to get me out of here first. Obviously I have got help from Mr. Stewart.

MR. STEWART: I wonder if possibly as we are in committee of the whole on the bill, why can we not report progress on that and then go back into committee of the whole just to discuss the Wildlife Ordinance and then we are all out of this nonsense that we have to follow down the line. We can have our discussion and refer to whatever documents you may have and we would still be within the Rules.

THE CHAIRMAN (Hon. Arnold McCallum): You asked that question of everybody, Mr. Stewart, not just specifically me?

MR. STEWART: You are sitting in the hot seat.

MR. PEARSON: Why not ask, as the Commissioner suggests, the Speaker, who is the boss and get his decision from him and let us get going. It has not been a very productive day so far and there is half an hour left in it.

THE CHAIRMAN (Hon. Arnold McCallum): I guess the question I have in order to ask the Speaker that, Mr. Pearson, is we would have to get out of committee of the whole because at the present time he sits as a Member.

MR. PEARSON: So let us get going.

THE CHAIRMAN (Hon. Arnold McCallum): You do it. You make the motion to report progress.

MR. PEARSON: I move that we go back into formal session.

THE CHAIRMAN (Hon. Arnold McCallum): I take it you mean to report progress?

MR. PEARSON: And report progress, okay.

THE CHAIRMAN (Hon. Arnold McCallum): The motion is to report progress. Question? Question being called. All in favour? Signify in the usual manner. You had better hold them up. Six. Against? One. The motion is carried. The House goes back into formal session.

MR. SPEAKER: The House will come to order. Hon. Arnold McCallum.

Report Of The Committee Of The Whole Of Bill 2-63, Wildlife Ordinance.

HON. ARNOLD McCALLUM: Mr. Speaker, at the point of being facetious, the committee has been meeting in committee of the whole to discuss the Wildlife Ordinance and we report progress.

MR. SPEAKER: Is it the wish of this House that unanimous consent be given to Mr. Pudluk to return to Item 10, tabling of documents, so he can table a previous draft of the Wildlife Ordinance?

---Agreed

Item 10, tabling of documents. Mr. Pudluk.

ITEM NO. 10: TABLING OF DOCUMENTS

MR. PUDLUK: I do not know how to say it.

MR. SPEAKER: Would you like to table that previous draft of the Wildlife Ordinance?

MR. PUDLUK: Only in Inuktitut. I believe, Mr. Speaker, the English version has been tabled already and I believe the syllabics have not been tabled, so I would like to table them together.

MR. SPEAKER: Do you wish to table that document?

MR. PUDLUK: Yes, I wish to table the following: Tabled Document 6-63: Consultations on the Proposed Wildlife Ordinance.

MR. SPEAKER: Gentlemen, I propose to go back to Item 11 and to go back into committee of the whole for continued consideration of Bill 2-63, but I would assume that what you may wish to do is, once in there, waive the Rules with respect to giving clause by clause study to the bill, but to discuss the clauses in a different order. Listening to the discussion I assume that is what you want to do and indeed, refer to the tabled document if you wish. Is that correct?

---Agreed

Unanimous Consent

MR. LYALL: Mr. Speaker, just for my own clarification, I would like to know what would have happened if there is a "nay" for unanimous consent? Would the House just walk out then?

MR. SPEAKER: I was hoping there was not going to be a "nay" and there was not. Let us not get into what would have happened had there been one. Anyway, we are back and we have tabled the document and I propose to go back to Item 11, back into committee of the whole. I would also propose to suggest that the chairman, once there, seek unanimous consent of the House together with the tabled document and the clauses in that order. Just before we do that and before I get the chairman into trouble in that attempt, is there any discussion here and now? Obviously, gentlemen, the purpose is to permit the Members to continue the discussion whether of the new bill or of a previous draft, in an order which enables them to raise the problems as they see them from the documents that they have been carrying around to discuss in the communities. Mr. Stewart, do you want to take the chair?

MR. STEWART: No, thank you, Mr. Speaker. I was just wondering though do we have copies of this new document so we can follow what is going on?. I do not have a copy of it. If we do not have a copy, possibly now is the time to adjourn for the day and get this thing sorted out so that we can proceed tomorrow.

MR. SPEAKER: I am wondering. I know that document was widely circulated and I have got copies. Do any Members have copies of that draft? I assume the Clerk of the House does not have copies readily available. Mr. Lafferty, do you have a dozen copies?

MR. LAFFERTY: I do have a copy but I left it in my room so I will deliver it tomorrow.

MR. SPEAKER: If we are going to continue the discussion with copies of this other document, we are obviously going to have to give some time to have it reproduced in sufficient copies. Mr. Pearson.

MR. PEARSON: Surely, Mr. Speaker, the document is in Inuktitut or syllabics and the Members who read that language do have their copies with them. I do not know that Mr. Stewart is able to follow it very quickly in Inuktitut, but I am not. I know that the Members do have them so I suggest that we proceed forthwith.

MR. SPEAKER: Mr. Lyall.

MR. LYALL: Mr. Speaker, those three copies over there have English in the back of them so maybe we could just tear the back part off so we can follow it.

MR. SPEAKER: Mr. Pudluk.

MR. PUDLUK: Mr. Speaker, the reason I am saying this is because we have our comments in here, not in this book. We can use either one of them now maybe. Thank you.

MR. SPEAKER: It seems the only way out of this dilemma, gentlemen, is to wait until we have sufficient copies of that particular document. That being so, is it the wish to start Bill 4-63, Metric Conversion Ordinance, 1977?

---Agreed

Revert To

Is there any problem from the Executive's point of view? This House will resolve into committee of the whole for consideration of Bill 4-63, the Metric Conversion Ordinance, 1977, with Mr. Stewart in the chair.

Item No. 11: Consideration In Committee Of The Whole Of Bills, Recommendations To The Legislature, Information Items And Other Matters

--- Legislative Assembly resolved into committee of the whole for consideration Bill 4-63, Metric Conversion Ordinance, 1977 with Mr. Stewart in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 4-63, METRIC CONVERSION ORDINANCE, 1977

THE CHAIRMAN (Mr. Stewart): The committee will come to order to study Bill 4-63, An Ordinance to Facilitate Conversion to the Metric System of Measurement. Are there any witnesses to be called?

HON. ARNOLD McCALLUM: No.

THE CHAIRMAN (Mr. Stewart): Comments of a general nature.

MR. PEARSON: Nobody knows anything about it. Mr. Chairman, if there are no witnesses, then who is going to give us -- Hon. Arnold McCallum is going to give us an introduction I guess, is he?

THE CHAIRMAN (Mr. Stewart): Hon. Arnold McCallum, are you going to give us an introduction?

HON. ARNOLD McCALLUM: To whom? Mr. Chairman, I indicated in the beginning or when I moved second reading of the bill that the bill is simply to provide new legislation to amend existing legislation to change from the existing standards of measurement to the metric system. The country, the Government of Canada, introduced and accepted a White Paper on Metric Conversion in Canada, in 1970, and has begun the adoption of the metric system to replace what has been termed the imperial system. There is a Metric Commission of the Government of Canada composed of people from all sectors of the country and various target dates have been established for the conversion to this system. As a result of that, federal, provincial and territorial legislation must be changed to accommodate the conversion.

The basic purpose of the legislation is to make the conversion easier by amending references to distance and area in existing ordinances and to amend all measurements in the Vehicles Ordinance, that is, things dealing with distance, weight, speed, etc. The legislation also contains a clause to enable the Government of the Northwest Territories to enter into an agreement with the Government of Canada to establish a metric information centre. All the changes that are set out in the ordinance itself have been made in consultation with those responsible for administering the ordinances and are in line with revisions made or recommended by federal and provincial governments and the Metric Commission through its subcommittee. Further than that, Mr. Chairman, I do not have any other comments.

THE CHAIRMAN (Mr. Stewart): Thank you. Any other comments of a general nature? Are you ready for -- Mr. Pearson.

Conversion Of Road Signs

MR. PEARSON: Mr. Chairman, you raised the very interesting point the other day when you questioned the matter of the municipalities having to convert and who is going to pick up the tab for this expenditure. I know that our road signs, for example, in Frobisher Bay, are going to have to be changed. It is an expensive proposition and it is not one that we would wish upon ourselves. I would hope that the government saw fit to allow in its budget a substantial amount of money for this conversion because we do not have it in our budget.

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

THE COMMISSIONER: Mr. Chairman, naturally we would hope to be funded by the senior government where we can get it and I would think that we would help the municipal governments where we can and where they need it. Wealthy communities like Frobisher Bay and Hay River I am sure will be able to stand this themselves. But if they can not, we will help them out.

THE CHAIRMAN (Mr. Stewart): It is obvious that you need more trips to Hay River if that is your opinion. Any further comments of a general nature? Are you ready to go clause by clause?

---Agreed

Clause 2, definition. Agreed? Mr. Pudluk.

Teaching The Metric System

MR. PUDLUK: Mr. Chairman, I was going to ask a question before we get into the clause by clause discussion. How about the people, are they going to be taught and by whom, to go metric? It is going to be very hard for the older people to learn how to use metrics.

THE CHAIRMAN (Mr. Stewart): As I understand it provision will be given for education along these lines and will be financed by the federal government to get in the communities and give them education in this regard. Is that correct, Mr. Minister?

HON. ARNOLD McCALLUM: Mr. Chairman, there has been a considerable amount of information passed throughout the country over the past year or so. The Government of the Northwest Territories, the administration does have an office that has a great deal of this information. I know that the information to some degree has been sent out by the Department of Information and through the Department of Education, so there has been, I think a considerable amount of discussion and information sent out across the country and across the North in terms of this conversion.

THE CHAIRMAN (Mr. Stewart): Thank you. Does that satisfy you as well as you can be satisfied, Mr. Pudluk?

MR. PUDLUK: Mr. Chairman, I am satisfied but if my father has a car and they have been changing the speed limits already to kilometres and it is certainly difficult if it was 50 miles an hour or something, that is going to be a lot different now. You know, he will have to figure out how fast he has got to go and that is the only reason why I ask that question. Thank you, Mr. Chairman.

THE CHAIRMAN (Mr. Stewart): Thank you. Clause 2, definitions. Agreed?

---Agreed

Clause 3, application of section. Agreed?

---Agreed.

Clause 4, metric information centre. Agreed?

---Agreed

Clause 5, Controverted Elections Ordinance. Agreed?

---Agreed

Clause 6, Creditors Relief Ordinance. Agreed?

---Agreed

Clause 7, Dog Ordinance. Agreed?

---Agreed

I do not know how they are going to educate the dogs from miles over to kilometres.

Clause 8, Forest Protection Ordinance. Agreed?

---Agreed

Clause 9, Herd and Fencing Ordinance. Agreed?

---Agreed

Clause 10, Jury Ordinance. Agreed?

---Agreed

Clause 11, Landlord and Tenant Ordinance. Agreed?

---Agreed

Clause 12, Lord's Day Ordinance. Agreed?

---Agreed

Clause 13, Matrimonial Property Ordinance. Agreed?

---Agreed

Clause 14, Mechanics' Lien Ordinance. Agreed?

---Agreed

Clause 15, Mining Safety Ordinance. Ageed?

---Agreed

Clause 16, Motion Pictures Ordinance. Agreed?

---Agreed

Clause 17, Municipal Ordinance. Agreed?

---Agreed

Clause 18, Planning Ordinance. Agreed?

---Agreed

Clause 19, Public Health Ordinance. Agreed?

---Agreed

Clause 20, Public Highways Ordinance. Agreed?

---Agreed

Clause 21, Religious Societies Land Ordinance. Agreed?

---Agreed

Clause 22, Taxation Ordinance. Agreed?

---Agreed

Clause 23, Vehicle Ordinance. Agreed?

---Agreed

I guess that is it. That is it.

Short title. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

May I report this bill ready for third reading? Agreed?

---Agreed

MR. SPEAKER: It is very nice to be missed.

AN HON. MEMBER: Who said you were missed?

MR. SPEAKER: Mr. Stewart.

Report Of The Committee Of The Whole Of Bill 4-63: Metric Conversion Ordinance, 1977

MR. STEWART: Mr. Speaker, your committee has been discussing Bill 4-63 and wishes to report this bill without any amendments ready for third reading. I would like to move that this report be accepted as presented.

MR. SPEAKER: Gentlemen, it seems that we have run off the order paper for this evening. Are there any announcements? There is an indemnities and allowance meeting at 10:00 o'clock a.m. tomorrow in Room 303. The Members of course of the committee are Messrs. Lafferty, Fraser, Lyall and Stewart. Are there any announcements other than that?

Mr. Clerk, orders of the day.

ITEM NO. 13: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Remnant): Orders of the day, October 20, 1977, 2:30 o'clock p.m., at the Explorer Hotel.

1. Prayer
2. Replies to Commissioner's Address

3. Questions and Returns
4. Oral Questions
5. Petitions
6. Reports of Standing and Special Committees
7. Notices of Motion
8. Motions for the Production of Papers
9. Motions
10. Tabling of Documents
11. Consideration in Committee of the Whole of Bills,
Recommendations to the Legislature,
Information Items and Other Matters:
Bill 2-63,
Matters relating to Metis Association and COPE Land Claims,
Tabled Document 5-63,
Resource Management in the Northwest Territories, and,
Information Items: 2-63, 3-63, 5-63, 7-63 and 11-63.
12. Orders of the Day.

MR. SPEAKER: This House stands adjourned until 2:30 o'clock p.m., October 20, 1977, at the Explorer Hotel.

---ADJOURNMENT

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