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

LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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YELLOWKNIFE, NORTHWEST TERRITORIES

THURSDAY, OCTOBER 26, 1978

MEMBERS PRESENT

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

ITEM NO. 1: PRAYER

---Prayer

SPEAKER (Hon. David Searle): Item 2, replies to Commissioner's Address.
Mr. Lafferty.

ITEM NO. 2: REPLIES TO COMMISSIONER'S ADDRESS

Mr. Lafferty's Reply

MR. LAFFERTY: Mr. Speaker, ladies and gentlemen, my honourable colleagues: I had no thought of making my reply. As you can see I am not speaking from any prepared presentation but rather I feel, Mr. Speaker, that in the Legislative Assembly I am here representing the majority opinion of people who have elected me. I have also, Mr. Speaker, been given the privilege to represent those who may oppose my views. In this instance, Mr. Speaker, in fairness I try and represent the views of my opponents as well as my supporters. I have in the history of this Assembly never taken any issue or opposition but rather I have compromised on much of what I had wished for the Mackenzie Liard district. Mr. Speaker, there is a reason for this. As I have indicated on numerous occasions I do not consider myself only a representative of people in Mackenzie Liard; Fort Simpson, Fort Providence, etc., but rather a Member of this Legislature desiring above anything to do justice, to think in terms of being fair to all concerned in the North.

Mr. Speaker, I would like to touch briefly on what is going on in the North. I suppose what is going on, Mr. Speaker, in the North is desired by those people who are engaged in various activities. However, unfortunate as it may be, it affects the people who are perhaps not by choice but rather by circumstances at the present time making our homes here. Mr. Speaker, as I indicated I was not going to make my reply because I saw no reason for it in the light of controversies that arise in response to comments by various Members who are vocal. But today I heard a man say, and he was a so-called "white man", that he went on a holiday last summer during the height of our warm season but he found that the place he went to in Canada was too damn hot for him and the diet of the community disagreed with his system and the only thing he could think of was to go home. I think those are simple enough words to indicate to you, Mr. Speaker, that people, some of them anyway, are here because they must be and so are the native people. They are here because they must live here. Many of them lack the skills, training and education to allow them to function in the modern technological society that we know as southern Canada. Many of them have not even the skill to participate in what we call the democratic processes of this Legislature.

Education System In The North

Mr. Speaker, therein is much of our problem. We have blamed probably quite wrongly every institution around us that has been in place for many, many centuries. Maybe in some areas it is true. In one of these areas, Mr. Speaker, it was the educational system. I do know beyond any doubt that the educational system in the North and the administration of it is principally for those who are engaged in the civil service. For instance, I know people whom I have assisted some years ago when I was living in the provinces to come up to the territories and who have come up here and whose children are in the universities today at the expense of the northern people on a budget that is designed supposedly for the people of the North, for that matter Mr. Speaker, a budget that is given to the people of the North. Yet, Mr. Speaker, we have all kinds of people in the North who are expressing a desire to go to schools of higher learning and who wish to go into universities and who can not find their way through the bureaucracy that is growing and growing. Mr. Speaker, on numerous occasions I have pointed out that there are programs in this administration which should be cut out entirely as new programs are brought in. Those that are no longer of any purpose or use should be dropped because people have advanced and so the programs should be put on a shelf and maybe the staffing in that division of government can go to some other department.

Political Institution, A Mirror Of How People Live

Our people, particularly the Metis people are forgotten. I see a little article submitted by some Dene from Fort Simpson today in the Yellowknifer highlighting one lousy little house or two of them that exist and they are lived in by Indian people who for some years did not pay their rent and who before my time were evicted from their house. This is a very rare case in Fort Simpson. This type of irresponsible news flows because of irresponsible editors in the North, that applies to the Canadian Broadcasting Corporation equally and results in a lack of proper information flowing between the peoples in the Northwest Territories. Thus, there are social differences from region to region and in some instances within the community. The point I am trying to make here, Mr. Speaker, is we can not blame any one particular group or any one particular institution, but rather, Mr. Speaker, we must first look at ourselves and the way that we conduct our lives, and secondly, the businesses because they affect the individual life and our political institutions because the political institution I believe, Mr. Speaker, or at least I have always believed should be the reflection or the mirror of how people live. I am not saying, Mr. Speaker, that we should always run to the people for the decisions we make but rather that decision should be equally applied to every individual concerned in every community.

Then, of course, Mr. Speaker, I also realize that sometimes there are difficulties. How would you tell the people of Yellowknife that you are going to drop a bomb here two weeks from now? What would you suppose would happen? How would you tell the people of Fort Simpson that they are going to dam the river just below them? How would they react? There is no way in my mind to measure these reactions. Thus, we must have a certain amount of confidentiality for the common good of all people. Seemingly, the native organizations in the country do not look or think to this extent; everything is a reason for protest or contention, name it and it happens. I take great exception to these tactics. I do not care if the Metis Association, of which I am not a member nor am I a supporter of their interests, nor am I a supporter of the Dene nation concept but I believe that the Indian people in the Northwest Territories have just as much right if not more right than I have or anyone else in this room has by virtue of the Indian Act and the British North America Act which governs the Northwest Territories. Similarly, I believe that the Metis people who are descendants from the earliest settlers of the Pacific northwest by virtue of their inherited rights, whether their fathers were whites or not and because of the duality of that heritage and because they are the aborigines of Canada, not America and have just as much right to be what they are born to be. Mr. Speaker, because of these views I believe that the native organizations are on the wrong foot.

Delay In Transportation Corridor

Economically, we are at a standstill as I indicated the other day in my question and I ask myself why. We look back in the history of this Assembly and we will find that the native organizations in the North, including the Metis Association, have taken issue with the proposal; taken issue with the proposal to develop a pipeline transportation corridor for oil and gas and why did they do this and what was their argument? We do not know why they did it, perhaps they did it for political reasons or an ideological reason. There could be many reasons or there could be any reason but the fact remains, Mr. Speaker, that they have taken issue to delay the construction of a transportation corridor that we need, that we need for the future of our children. Their argument was going back to the land to live off the land by hunting and trapping. In other words, to go out in the bush and gather food. In my mind, Mr. Speaker, this also meant gathering berries and roots and what not. So, Mr. Speaker, in the last year or so we had before us many years of work, many months of consultation and concentrated effort by various groups, the hunters' and trappers' associations, individuals, settlement councils, etc. to develop some form of protection to allow native people to get back on the land so that they can take advantage of their renewable natural resources which are animals, fish, birds and what not, picking berries.

Responsibility Of Assembly Members

What happens, Mr. Speaker? I understand today from listening to the Canadian Broadcasting Corporation that the Dene people take exception. Whether it is agreed or not in my opinion, Mr. Speaker, I am the political leader of my constituency whether Mr. Erasmus likes it, whether Mr. McNeely likes it or whether the Commissioner of the Northwest Territories likes it. I have been duly elected to speak in the best interests of my constituency which is primarily composed of Indian people and they have asked me to look at their interests, not to look at their wishes, to look at the things they need, not to look at the things they want. If this is the case, Mr. Speaker, I must clearly say that we are at a time when we must change, we must change our attitude towards each other, look at one another as fellow northerners and seek that kind of representation by telling our Executive Members of our government that this is the northern view.

I do not want to be dominated by the Ottawa mandarins any more than any other native in the Northwest Territories. As a matter of fact, Mr. Speaker, I will even go further and say I wish not to be dominated by any political party from anywhere else, whether I aspire to their philosophy or not. I want the Mackenzie Valley to remain intact as it always has been historically, the people of white ancestry, the people of Indian ancestry, the immigrant people of whom there are many that I remember and who came from all over, from Sweden, Japan, China, Germany. I even know of a man who still is alive whose ancestors came from Africa and his sons call themselves Indians today and they are known as Loucheaux Indians or Hare Indians. I know of Swedes who are called Indians today who when I was a child these guys used to say "yump" instead of "jump" and today they are called Indians and known as Dene. I know others whom we used to call "squareheads", I have played with them, and who are known today as Dene.

If we are to make changes in the North, Mr. Speaker, then we must treat ourselves and this Legislature must take a strong position and a very strong one, perhaps near revolutionary but that requires one thing. That would require sacrifice on the part of the political leaders but, Mr. Speaker, I do not think we have that kind of political leadership and that kind of political leadership exists among only one group of people that I can tell you about, Mr. Speaker. I am not being proud of the Metis people but they are the answer to social and economic changes in the Northwest Territories and I have said that before because

these people have nothing to lose. They have got everything to gain. They do not mind going back from their \$40,000 a year job to getting ten dollars. They are that kind of people and that is the kind of leadership that we need. Yet, Mr. Speaker, the Metis Association in the Northwest Territories has found itself floundering in disillusionment, unable to move and the administration do not seem to care.

History Of The Metis People

Mr. Speaker, in closing my remarks what is happening in the Northwest Territories has happened to the Metis people in Manitoba back in the 1700's or the 1800's and in Saskatchewan in the late 1800's. They have treated the Indians of Saskatchewan and Manitoba and elsewhere as a commodity rather than human beings. They have treated the half-breeds in the Pacific northwest as undesirables, half-castes. As the old saying goes in French "les sauvages", they were the savages of the West simply because they had a mind of their own and they did not live like Indians. Indian Affairs could not make Indians of the half-breeds nor could they make them into Caucasians simply because they were of another character and today what are we doing in the Northwest Territories? We know these and we are doing it. We are treating the Inuit people as commodities, we are treating the Indian people as something apart from the rest of the world and we are treating the half-breeds as assimilated people and they are not; they are integrated people but they are not assimilated.

Mr. Speaker, all these problems have to be looked at before we can take a meaningful step forward towards our final goal of provincial status and I think Hon. C.M. Drury, and our comments to his remarks have touched on these things and the mistrust in the northern society comes from these things. Mr. Speaker, again in closing my remarks I would like to commend Hon. C.M. Drury for the good job he has done in taking the first step towards eventual changes in the North with which again the Dene nation took issue. I regret that very much, Mr. Speaker. I do not make apologies for anybody but on behalf of my constituents who are mostly Indian people I would like to say that I do not think it is their opinion; rather I think it is Mr. Erasmus' personal opinion. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Are there further replies?

Item 3, questions and returns.

ITEM NO. 3: QUESTIONS AND RETURNS

Are there any returns? Hon. Arnold McCallum.

Further Return To Question W32-66: Bus, Pangnirtung

HON. ARNOLD McCALLUM: Mr. Speaker, on October 19th, Mr. Kilabuk asked Question W32-66 concerning a school bus for Pangnirtung. The Baffin regional office has advised that the existing vehicle will be replaced on the next sealift with a 15 passenger van. The vehicle is for municipal use as well as serving as a school bus. It is expected that proper scheduling will provide maximum utilization of the vehicle for the benefit of those residents wishing to travel between the community and the airport.

Further Return To Question W53-66: Medical Legislation

Mr. Speaker, on Tuesday, October 24th, 1978, Mr. Nickerson asked Question W53-66 concerning a motion made at the 64th session, February 1, 1978. That motion stated "...that for the purpose of all legislation dealing with health and medical matters, the community of Tungsten be considered a settlement and not a camp". The Executive have been giving consideration to single industry communities. As you are aware, health is just one of the matters to be considered. The review of a practical consideration of single industry communities has not been simple. Meetings

have been held with representatives of the industries involved and with the directors of governmental departments involved. A policy is being prepared and hopefully it will be in a form so that information can be presented at the session of this Legislature scheduled for January, 1979.

MR. SPEAKER: Further returns. Deputy Commissioner Parker.

Further Return To Question W16-66: Northeast Mackenzie Transportation Study

DEPUTY COMMISSIONER PARKER: Mr. Speaker, on October 18th, Mr. Nickerson asked Question W16-66 in regard to the northeast Mackenzie transportation study. I have been advised today by officials of the Department of Indian and Northern Affairs that it is expected that Phase I of the northeast Mackenzie transportation study will be completed on October 31st, 1978; after which it will go to a steering committee for their review and recommendation as to how to proceed with Phase II.

Return To Question W45-66: Unemployment Insurance Commission, Pangnirtung

On October 23rd, Mr. Kilabuk asked Question W45-66 concerning unemployment insurance problems in Pangnirtung. From my preliminary inquiries it appears that the unemployment insurance issue is related to problems with the mail service, poor communications and a general lack of public understanding regarding Unemployment Insurance Commission procedures and practices. The Pangnirtung hamlet council employs a local person in Pangnirtung to deal with unemployment insurance matters on behalf of the Unemployment Insurance Commission. The Unemployment Insurance Commission has a contract with the hamlet council to cover the provision of this service. I have asked the regional director in Frobisher Bay to look into this matter in conjunction with the Unemployment Insurance Commission people and Mr. Kilabuk in an attempt to improve the situation which Mr. Kilabuk referred to in his question.

MR. SPEAKER: Hon. Peter Ernerk.

Further Return To Question W33-66: Hotel Keepers Ordinance

HON. PETER ERNERK: Mr. Speaker, on Thursday, October 19, Mr. Nickerson asked Question W33-66 concerning the Hotel Keepers Ordinance. The Department of Economic Development and Tourism advises that tourist officers of the Department of Economic Development and Tourism in the course of their duties inspect hotels licensed by the Government of the Northwest Territories.

In those municipalities where the municipality licenses the hotel and these are in the majority, they do not become involved and tourist officers do not inspect these hotels. Since this matter has been brought to my attention, the Department of Economic Development and Tourism has suggested to the Northwest Territories Association of Municipalities that they remind their members of the provisions of the Hotel Keepers Ordinance.

Although we have in the last 12 months inspected seven of the ten hotels licensed by the government in the Mackenzie, we have not received any reports of notices printed by other jurisdictions. TravelArctic, as a service to hotels has supplied and will continue to supply, free of charge, printed extracts of the ordinance although it is clearly the responsibility of the hotel keeper to provide written or printed extracts. These extracts and free rate cards are available from the regional offices of Economic Development and Tourism.

MR. SPEAKER: Further returns. Written questions. Mr. Nickerson.

Question W59-66: Chiplock Road Surfacing

MR. NICKERSON: Mr. Speaker, I have a written question. It is not my intention to put the administration through a great deal of trouble in coming up with a reply to this and maybe the reply could be given verbally. I can well understand the amount of time and work that went into putting the reply that Hon. Peter Ernerk just gave and I certainly would not hope that this question would put the administration to quite so much trouble.

Mr. Speaker, could the administration give us a brief update on the chiplock surface applied to highways in the vicinity of Pine Point last summer? What was the cost of this project in comparison with standard surfacing and does it appear, although I realize it might be too early to tell, that a satisfactory and reasonably long-lasting surfacing job has been accomplished?

MR. SPEAKER: Deputy Commissioner Parker.

Partial Return To Question W59-66: Chiplock Road Surfacing

DEPUTY COMMISSIONER PARKER: Mr. Speaker, my understanding of the initial results is that the surfacing is proving to be a very good surfacing job. With regard to the costs and the forecasts, I will have those figures put together and if there is time report it at this session and if not pass the information to Members.

MR. SPEAKER: Further written questions. Mr. Stewart.

Question O60-66: Written Return To Question W13-66

MR. STEWART: Mr. Speaker, I was wondering whether the administration is going to be able to give me a written answer to Question W13-66 of October 18th?

DEPUTY COMMISSIONER PARKER: Mr. Speaker, that question had regard for the possible use of Government of Alberta money for the paving of the Mackenzie highway? If that is the question then I supplied the answer at the time. The answer was that we had received no formal approach but that we would investigate the pros and cons of the situation.

MR. SPEAKER: Further questions. Mr. Stewart.

MR. STEWART: Mr. Speaker, with all due respect that answer is not sufficient inasmuch as the question asked whether the federal or territorial -- possibly I should read the question again: Has the Alberta government offered the federal and/or territorial government to pave the Mackenzie highway from the Northwest Territories' border to Hay River? I understand the answer from the territorial side. I would like to know the answer from the federal side, Mr. Speaker.

MR. SPEAKER: Deputy Commissioner Parker.

Further Return To Question W13-66: Paving Of Mackenzie Highway And Question O60-66: Written Return To Question W13-66

DEPUTY COMMISSIONER PARKER: Mr. Speaker, I meant to imply in my earlier answer that the answer from both the federal and territorial governments was that no formal approach had been made.

MR. SPEAKER: Further written questions.

Item 4, oral questions.

Item 5, petitions.

Item 6, reports of standing and special committees.

Item 7, notices of motion. Mr. Whitford.

ITEM NO. 7: NOTICES OF MOTION

Notice Of Motion 20-66: Proposed Change In CMHC Funding Arrangements

MR. WHITFORD: Mr. Speaker, I give notice that on October 27th, 1978, I will move a motion for the proposed changes in CMHC funding arrangements.

MR. SPEAKER: Further notices of motion.

Item 8, motions for the production of papers.

Item 9, motions.

ITEM NO. 9: MOTIONS

Gentlemen, I am advised by the Clerk that the two motions that are yet to be dealt with, Motions 18-66 and 19-66, are reproduced in English only and the Eskimo translation is not reproduced due to an equipment breakdown. Motion 18-66, though, we may be able to proceed with this. It is dealing with appointments to the Housing Corporation and it might not be so critical to have that translated. In any case, let us see if Members object to proceeding with that. Hon. Arnold McCallum, that is your motion.

Motion 18-66: Appointment To N.W.T. Housing Corporation

HON. ARNOLD McCALLUM: Mr. Speaker:

WHEREAS three vacancies exist on the board of directors of the Northwest Territories Housing Corporation;

NOW THEREFORE, I move that this Legislature recommend to the Commissioner the appointment of John H. Parker as member and chairman, and Steve Brooks of Hay River and Leo Hardy of Norman Wells as members, each to serve for a three year term, to take effect, October 16, 1978.

Motion 18-66, Carried

MR. SPEAKER: Is there a seconder? Mr. Evaluarjuk. Any discussion? The question being called. All in favour? Contrary? The motion is unanimously carried.

---Carried

Motion 19-66 is a little more complicated. Is it the wish of the House that we stand that down until the translation is available?

---Agreed

Item 10, tabling of documents, Hon. Arnold McCallum.

ITEM NO. 10: TABLING OF DOCUMENTS.

HON. ARNOLD McCALLUM: Mr. Speaker, I would like to table the following:

Tabled Document 18-66, a copy of the minutes of the committee on Indian Affairs and Northern Development that was held in Ottawa on May 25 of this year in which Hon. Hugh Faulkner, the Minister of Indian Affairs, was present to answer questions from various Members of Parliament dealing with Indian Affairs and on this particular piece of paper or a copy of those minutes, Mr. Speaker, there are the very pertinent and very important comments made by the Progressive Conservative critic for Northern Affairs, Mr. Doug Neil. Mr. Neil asked the Minister if he was giving consideration to bringing in amendments to the Northwest Territories Act in connection with a change in the number of Members and also perhaps in connection with changing the name from a Legislative Council to a Legislative Assembly. Mr. Neil's comments were and I would like to take the opportunity to read them out even though I am asking you to table them. Mr. Neil, as a spokesman for the Progressive Conservative party at the federal level said to Hon. Hugh Faulkner "I just want to point out that we on this side are prepared to support the representations of the territorial councillors and would be prepared to give the bill quick passage, possibly with three meetings in one day".

---Applause

Mr. Speaker, I would like as well to table the following:

Tabled Document 19-66, concerning the discussion that this House has had with the Honourable Minister, Hon. Hugh Faulkner, concerning the short-term goals and in which he indicated that he has been doing his all. I think, Mr. Speaker, that with these two documents this House had better come to grips with the people at hand and if I may be allowed for a moment with the indulgence of Members, Mr. Speaker, I think it is time that this House condemned the Northwest Territories New Democratic party for their particular stand. I would like to table within the House as well the following:

Tabled Document 20-66, a letter from the leader of the federal New Democratic party indicating that he supports Mr. Firth's stand on this issue and in point of fact that that is the stand of the federal New Democratic party. I think that is a terrible condemnation for anybody, especially a Member of the federal House, the Member of Parliament representing this area, in an attempt to repress the advancements towards more responsible government and more representative government, increased representative government, a government that would give a great majority of native northerners the opportunity to sit in this House and here we have our own MP who is gerrymandering and there is no other word for it, the additional MP in the House of Commons so that he in fact would be able, or he expects to be able, to get a seat in the next federal election. He asks for the increased membership in the House of Commons, for more native and more northern representation and in here when this Assembly, when the people of the Northwest Territories through the Tallis commission, when the people through the Members, the native Members of this House, when the federal government and when the official opposition are agreed that they would go into a quick one day three meetings on the bill we have our own Member of Parliament saying "No way, that is not the right time".

I think we should as an Assembly come down hard and really ask the New Democratic party of the Northwest Territories if in fact that is their position and if it is then I suggest to you and to people in the Northwest Territories that we should eradicate those people from election scenes throughout the North. Mr. Speaker, I would like to table those comments.

MR. SPEAKER: Gentlemen, I think we should go back to Item 2, do you not, replies to the Commissioner's Address, if you want to carry this discussion on? This is tabling of documents. I thought by giving some latitude to Hon. Arnold McCallum I would incur the risk of others wanting the same latitude.

Item 11, first reading of bills.

Item 12, second reading of bills.

Item 13, consideration in committee of the whole of bills, recommendations to the Legislature and other matters.

ITEM NO. 13: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS, RECOMMENDATIONS TO THE LEGISLATURE AND OTHER MATTERS

What is the wish of the Executive, Bill 3-66?

HON. ARNOLD McCALLUM: Yes, Mr. Speaker.

MR. SPEAKER: This Assembly will resolve into committee of the whole for continued consideration of Bill 3-66, Wildlife Ordinance, with Mr. Stewart in the chair.

---Legislative Assembly resolved into committee of the whole for consideration of Bill 3-66, Wildlife Ordinance, with Mr. Stewart in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 3-66, WILDLIFE ORDINANCE

THE CHAIRMAN (Mr. Stewart): I will call this committee to order to study Bill 3-66. Is it your desire that we recall our witnesses?

---Agreed

Mr. Simmons, Mr. Land.

HON. TOM BUTTERS: Mr. Chairman, I wonder on this occasion if we might call Mr. Singer as well in view of the fact that we will probably be discussing the amended clauses that Members wished to stand down and Mr. Singer was the man who drafted these and may be required to speak to the drafting.

THE CHAIRMAN (Mr. Stewart): Thank you, Mr. Minister. As Mr. Singer has already been accepted as a witness in this Assembly we will recall him. I wonder if I could direct your attention by turning to page 55 of Bill 3-66. I note that when we left this bill previously clause 95, repeals, and clause 96, commencement, had not been dealt with. So that I clear the decks of everything that has not been amended I wonder if you could have your agreement on clause 95, repeals. Agreed?

---Agreed

Clause 96, commencement. Agreed?

---Agreed

Thank you. Mr. Nickerson.

MR. NICKERSON: I presume we are on clause 96 as amended on page 55a, is that correct?

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

MR. NICKERSON: Thank you, Mr. Chairman. I am not sure I would like that aspect of retroactivity.

THE CHAIRMAN (Mr. Stewart): Do all Members of the committee then have their beautiful folder? This contains the amendments. What are the committee's instructions in regard to dealing with these amendments? Hon. Tom Butters.

HON. TOM BUTTERS: Yes, Mr. Chairman, the amendments are those clauses which Members have asked to be stood down and redrafted and returned. Possibly if the committee agrees I could enter each one into the discussion by way of a general motion which would be "I move that clause so and so of this bill amended as shown on page such and such of this purple book be adopted" and so put it on the floor if I might do it that way. The amendments that are shown on the pages are those portions of the drafting which are double underlined so you can readily determine which are the added words.

THE CHAIRMAN (Mr. Stewart): I have no objection with that. Does that meet with the approval of this committee that we have the Minister introduce each one by way of motion and then discuss it?

---Agreed

Do I have agreement on that procedure?

---Agreed

HON. TOM BUTTERS: Mr. Chairman, I move that the amendment proposed on the first page of the book which deals with the addition of the words "Executive Member" and also because they are related, the amendments appearing on page 1a -- I beg your pardon, I believe it is pages 5a and 6a of the purple books before us, be adopted. I would ask that Mr. Singer speak to the changes in each case so he can refresh memories of Members on the reason the clause was set aside and indicate to them the changes he has drafted in the bill to meet the requests of the committee.

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

MR. SINGER: Mr. Chairman, on the front sheet of your book you see a number of changes which result from Hon. Peter Ernerk's suggestion that we incorporate the same concept of Executive Member into this bill as is demonstrated in the Education Ordinance. Broadly speaking there is a definition incorporated into paragraph 2(1)(b) of the bill and a number of changes from "Commissioner" to "Executive Member" and one or two additions of the term "Executive Member" in the last two amendments shown on the sheet. In addition, on page 6a, clause 3, which deals with the administration of the ordinance and the regulations have been substantially redrafted and there is also a change in subclause 4(1) also on page 6a. This is in response to Hon. Peter Ernerk's request for the concept of Executive Member to be incorporated. Thank you, Mr. Chairman.

THE CHAIRMAN (Mr. Stewart): I wonder in view of the problems we might get into Mr. Minister, if we were to take the first page of the amendments that deal specifically with the change from "Commissioner" to "Executive Member" and clear that off and once that has been approved by this committee and probably get that out of the way first and then deal with the individual ones as they come up.

HON. TOM BUTTERS: Yes, Mr. Chairman, I accept your direction and amend my initial motion accordingly.

THE CHAIRMAN (Mr. Stewart): Gentlemen, we are dealing with page Ia of the purple book which indicates the places that the word "Commissioner" has been changed to "Executive Member", also the necessary changes relevant to the bill which gives direction relevant to the powers of the Commissioner over the Executive Member. Do we have agreement on these changes?

---Agreed

Then we will go to page Ia. Mr. Minister.

Motion To Amend Definitions Of Bill 3-66 To Include "Executive Member", Carried

HON. TOM BUTTERS: Mr. Chairman, I move that the definition section of the bill amended as shown on page Ia of our purple books be adopted.

THE CHAIRMAN (Mr. Stewart): Discussion? To the motion. All those in favour? Opposed, if any? The motion is carried.

---Carried

MR. NICKERSON: A question on that. What exactly is the meaning of the boat referred to in the Travel And Outdoor Recreation Ordinance?

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

MR. SINGER: Mr. Chairman, the term "boat" does come directly from the definition of tourist establishment which is contained in the Travel And Outdoor Recreation Ordinance. So whatever "boat" means in that legislation the same interpretation, Mr. Chairman, must be carried through to this legislation also because the definition is incorporated. To answer Mr. Nickerson's question I think it would probably be taken according to its ordinary dictionary definition.

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

HON. DAVID SEARLE: I think the problem Mr. Nickerson is having is that the words within the meaning of the Travel And Outdoor Recreation Ordinance, do they apply to education or commercial fishing or tourist establishments, or do they apply to the words "other than a boat", if you know what I mean? In other words, do you read that education or commercial fishing or tourist establishment within the meaning of the Travel And Outdoor Recreation Ordinance

other than a boat? Or do the words apply to "boat"? What are you attempting to define with the words "within the meaning of the Travel And Outdoor Recreation Ordinance"? Are you trying to define what a commercial fishing or a tourist establishment is or are you trying to define what a boat is?

MR. SINGER: Mr. Chairman, the word "boat", the exception for "boat" relates to the exemption from the tourist establishment within the meaning of the Travel And Outdoor Recreation Ordinance because within the definition as contained in that ordinance it clearly indicates that a tourist establishment under that legislation can be a boat.

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

Definition Of A Mobile Unit

MR. NICKERSON: When I first read this, Mr. Chairman, the words "mobile unit" I understood to mean a trailer or something like that. Could the definition of "mobile unit" include watercraft also and maybe even aircraft? Is that the intention here?

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

MR. LAND: Mr. Chairman, the intent here is not to include an aircraft. It is to include mobile accommodation units such as you see with an oil company or some other exploration activity.

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

MR. NICKERSON: Maybe, Mr. Chairman, we could ask the Legal Advisor if that is the way she would read that.

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

LEGAL ADVISOR (Ms. Flieger): Mr. Chairman, I would read mobile unit in this case as including a boat if it is used to house people engaged in construction and so on. I think that the qualification on mobile unit is what it is used for, not whether it flies or sails or moves on wheels.

THE CHAIRMAN (Mr. Stewart): Thank you.

MR. NICKERSON: The problem that I am having, Mr. Chairman, is that you specifically have gone about excluding a boat. Now, surely that has been put in as an afterthought because somebody must have thought that a mobile unit would also mean various watercraft. Now, why would you want to go about excluding a boat but not a barge, for instance?

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

MR. SIMMONS: I hope that by again retreating to our intent I can clarify the thing. Our problem in responding to Hon. David Searle was to exclude the type of accommodation that he was talking about, the private cabin for a recreationist and in doing so we came upon a definition of a tourist establishment in the Travel And Outdoor Recreation Ordinance and that does not include the type of accommodation that Hon. David Searle is talking about. The mobile unit term is intended to be any mobile unit used for accommodation outside the limits of a settlement etc., for people engaged in construction, exploration, scientific research and logging and it is conceivable that such a mobile unit could be a floating unit as well as a unit on wheels or even with wings I guess. So, if that would be the case, it would be our intent to include a floating mobile unit, but again to exclude the recreationist who wants to go out to his cabin and enjoy a week end or a week or whatever.

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

MR. NICKERSON: So, Mr. Chairman, the phrase "other than a boat" is supposed to refer only to tourist establishments, is that correct?

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

MR. SIMMONS: That is intended to exclude boats from the definition of tourist establishments.

MR. NICKERSON: So, a tourist establishment on a barge would be included but a tourist establishment on a boat would be excluded, but an educational facility would be included whether it was located either on a boat or a barge. Is that the intent, Mr. Chairman, and if so, why?

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

HON. TOM BUTTERS: Mr. Chairman, the definition in the Travel And Outdoor Recreation Ordinance uses the words "tourist establishment means any premises or boat operated for gain or reward". I am just wondering whether there might be a way of using those words to include or exclude the type of tourist accommodation which the witnesses are advancing.

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

Motion To Amend Subparagraph 2(b)(i), Carried

MR. SINGER: Mr. Chairman, if I can suggest an amendment to this definition to put at the beginning of the definitions "a tourist establishment other than a boat within the meaning of the Travel And Outdoor Recreation Ordinance or" and then the following words "tent, cabin, etc."

THE CHAIRMAN (Mr. Stewart): Could you present a copy of that change to the Chair so we are sure to get it right? Thank you. Then this section would read: "(i) a tourist establishment, other than a boat, within the meaning of the Travel And Outdoor Recreation Ordinance, or a tent, cabin, mobile unit or other accommodation outside the limits of a settlement or municipality used to house any person who is engaged in construction, exploration, scientific research, logging, mining, surveying, education or commercial fishing." Then (ii) would remain the same. Is that the amendment as I understand it and is that correct?

MR. SINGER: Yes, Mr. Chairman.

THE CHAIRMAN (Mr. Stewart): Then subparagraph 2(b)(i) as amended are we agreed?

---Carried

Then page 5a, Hon. Tom Butters.

Motion To Amend Subclause 2(4), Carried

HON. TOM BUTTERS: Mr. Chairman, I move that subclause 2(4) of the bill as amended and shown on page 5a of our purple books be adopted. This is just a technical change. I do not believe it was requested by any specific Member.

THE CHAIRMAN (Mr. Stewart): A motion is on the floor. To the motion. All those in favour? Opposed? I will take the vote by hands inasmuch as we are going by way of motion, gentlemen. All those in favour? Opposed if any? The motion is carried.

---Carried

Page 6a, Mr. Minister.

MR. NICKERSON: Mr. Chairman, while we are still on the definitions section, as we were going through the bill, we had difficulty because the word "settlement" had been used in a number of places and there was no definition as to what a settlement was, what the geographical area of a settlement was. Was that fault to be rectified by an addition to the definition section?

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

MR. SINGER: No, Mr. Chairman. I think that the question arose in connection with, if I can recall, clause 39 and it has been dealt with in another manner. Perhaps we can deal with it when we get there.

MR. NICKERSON: It was the problem not only in that particular section, Mr. Chairman, the same problem would have arisen in a number of other sections under the original ordinance. It occurred at least three times to my knowledge.

MR. SINGER: Mr. Chairman, the word "settlement" arises in four or five different places in the ordinance but I do not agree that it causes a problem everywhere that the word is used, such as would require a definition of the term. Since we are dealing with the matter I did contact the Department of Local Government who told me that there was no hard and fast document or method by which the term "settlement" could be defined so as to give the geographical limitations of every single place within what would fall within the definition. The problem that arose in connection with clause 39 was to determine whether a particular activity arose within or outside the limits of a settlement. Unfortunately, the settlements do not have precise geographical boundaries such as are necessary in the cases of municipalities upon their own corporation. Incorporation of a municipality is accompanied by the setting of specific boundaries.

Such is not the case with settlements and as I understand it from the Department of Local Government it is impossible to fix a precise definition, except for the purposes of specific legislation where the geographical boundaries can be artificially set up. For example, in the liquor situation when one is dealing with a settlement, a plebiscite in a settlement, one takes the definition of the settlement as including anywhere within, let us say, 15 or 20 or 25 kilometres of the settlement office. It is not possible to do this, perhaps not every settlement has a settlement office and perhaps if we said one kilometre it might be too large for some communities and too small for other communities. I think that we have addressed our minds to the situation and I think there is only one place where the problem is acute and I think we have addressed our minds to that point.

THE CHAIRMAN (Mr. Stewart): Thank you. Mr. Minister, Hon. Tom Butters, page 6a.

Motion To Amend Subclauses 3(1), 3(2), 3(4) And 4(1) And Paragraphs 4(3)(b) And 4(3)(c), Carried

HON. TOM BUTTERS: Mr. Chairman, I move that subclauses 3(1), 3(2) and 3(4) and subclause 4(1) and paragraph 4(3)(b) and 4(3)(c) amended and as shown on page 6a of our purple books be adopted. These clauses, sir, were stood down at the request of Members, Hon. Peter Ernerk and Hon. Arnold McCallum.

THE CHAIRMAN (Mr. Stewart): Thank you. To the motion. The question being called? All those in favour? Opposed, if any? The motion is carried.

---Carried

Mr. Minister, page 7a.

Motion To Accept Changes To Clause 5.

HON. TOM BUTTERS: I move that clause -- I can not find the amendment on this one -- but the clauses as amended and appearing on page 7a of our purple books be adopted. This was raised by Mr. Nickerson and I will ask Mr. Singer to speak to it because I can not quite see the reference to it on looking at it at this moment.

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

MR. SINGER: Mr. Chairman, this page involves a straight deletion. Formerly the page had a subclause 5(3). This has been deleted at the behest, I think, of Mr. Nickerson. We feel that the situation can be accommodated without this particular provision.

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

HON. DAVID SEARLE: Mr. Chairman, what bothers me with respect to subclause 5(1) is that it says "the Commissioner may appoint from persons residing within any region, wildlife guardians". In other words, the Commissioner has to make the appointment of wildlife guardians whereas back on page 6a, clause 4, the Executive Member may appoint persons to act as wildlife officers. I guess my question is why would we have the Executive Member appointing wildlife officers on the one hand and presumably much more highly trained and skilled and yet for guardians we seem to have to give power of appointment to the Commissioner? What is the justification for that difference?

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

MR. SINGER: Mr. Chairman, Hon. David Searle is under an erroneous impression. If you look at the front sheet you will see that this in effect substitutes the other sheets whether in the original bill or on the other small "a" pages. In other words this is a master list of amendments. The individual amendments have not been shown necessarily on any of the other pages with the sole exception of 6a. So we are talking about the Executive Member here and not the Commissioner. If one looks at the front sheet, one sees that on page 7a, subclause 5(1) "change Commissioner to Executive Member".

THE CHAIRMAN (Mr. Stewart): Thank you, Mr. Singer. Hon. Tom Butters.

HON. TOM BUTTERS: I guess I should have mentioned this, that the changes that we are drawing the committee's attention to are shown in the double underlining and not the single. I do not know why those other clauses got in there but they are here. Has this one been voted, sir?

THE CHAIRMAN (Mr. Stewart): It has not been voted yet. Mr. Evaluarjuk.

MR. EVALUARJUK: Mr. Chairman, if a person going to be appointed, it says, "I do solemnly swear or affirm that I will etc. so help me, God". Why not "so help me, Satan"? Is that all right, because to me it just will not be any help at all?

Motion To Accept Changes To Clause 5, Carried.

THE CHAIRMAN (Mr. Stewart): I am sure some of us would agree with you. Are there any further questions on page 7a? Question being called. All those in favour? Opposed, if any?

---Carried

Mr. Minister.

Motion To Amend Clause 14, Paragraphs 14(a) And 14(b), Carried.

HON. TOM BUTTERS: Mr. Chairman, I move that clause 14, paragraphs 14(a) and 14(b) on page 12a as amended and shown in our purple books be adopted. This was requested to be stood down by Hon. Peter Ernerk.

THE CHAIRMAN (Mr. Stewart): To the motion on page 12a, as amended. Question being called. All those in favour? Opposed? The motion is carried.

---Carried

Mr. Minister, page 13a.

Motion To Amend Subclause 15(2), Carried.

HON. TOM BUTTERS: Mr. Chairman, I move that subclause 15(2) of the bill as amended as shown on page 13a of the purple book be adopted. This I believe was deferred by Hon. David Searle.

THE CHAIRMAN (Mr. Stewart): Thank you. To the motion. Question being called. All those in favour? Opposed, if any?

---Carried

Page 14a, Mr. Minister.

Motion To Amend Paragraph 15(3)(c) And Subclause 15(7), Carried.

HON. TOM BUTTERS: Mr. Chairman, I move that the amendment to paragraph 15(3)(c) and subclause 15(7) as shown in the purple book be adopted. These points were brought to the attention of the committee by Mr. Evaluarjuk and Hon. David Searle.

THE CHAIRMAN (Mr. Stewart): Thank you. To the motion. Hon. David Searle.

HON. DAVID SEARLE: Mr. Chairman, the words that are doubly underlined "but this subsection does not apply to general hunting licences", to my mind to put that in there makes all of those powers for the management of wildlife useless. It is precisely, it seems to me, for the reason that if you want to manage wildlife that it should apply to all holders; in other words, if a species of wildlife such as the Kaminuriak caribou herd is in danger of becoming extinct and in the interest of good management licences are cancelled or suspended it seems to me to say that you can not suspend general hunting licences does not make sense. What do the game management people think of this?

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

MR. SIMMONS: By responding to a decline in the wildlife population by cancelling general hunting licences the only people whom we would affect

would be people who are not Indians and Eskimos. Indians and Eskimos can hunt for food for themselves and their families, all species except for those listed as in danger of extinction in the Northwest Territories Act. So we felt that in the species that we can control as far as native harvesting goes we would do so through quotas rather than through suspension of licences which would be relatively ineffective. I will stop there unless there are further questions.

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

HON. DAVID SEARLE: Mr. Chairman, I understand the superintendent to say that he can live with that amendment as it is written, then.

MR. SIMMONS: Yes.

HON. DAVID SEARLE: Well, that is good enough for me.

THE CHAIRMAN (Mr. Stewart): Page 14a, are you ready for the question? Question being called. All those in favour? Opposed, if any?

---Carried

In view of the hour shall we recess for 15 minutes for coffee? Agreed. This committee stands recessed for 15 minutes.

---SHORT RECESS

THE CHAIRMAN (Mr. Stewart): The Chair recognizes a quorum. We will call the committee back to study. We are on page 15a. Hon. Tom Butters.

Motion To Correct Title Of Clause 17

HON. TOM BUTTERS: Mr. Chairman, I would like to draw the committee's attention to a typographical omission in the title of the amendment. The title that is given in the book is "General hunting and reindeer licences". The title should be "General hunting and reindeer preserve caribou licences" and the words "preserve caribou" should be placed in between "reindeer" and "licences".

Motion To Amend Paragraphs 17(1)(a) And 17(1)(b) And Subparagraph 17(b)(ii)

If Members would make that addition I would then move that paragraphs 17(1)(a), 17(1)(b) and subparagraph 17(b)(ii) be amended as shown on page 15a of our purple books be adopted. This provision was requested to be stood down by Mr. Steen and Mr. Lyall.

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

MR. LYALL: Yes, Mr. Chairman, I think with this "general hunting and reindeer preserve caribou licence" I would be satisfied with that but I see -- is the game department agreeable, do they have that caribou hunting licence on reindeer preserves existing at the present time?

MR. LAND: That is correct, Mr. Chairman, it has not been used for a number of years and it is a different type of licence than what we envisage here but it is in existence now.

MR. LYALL: Mr. Chairman, I wonder if this reindeer preserve licence would have to be in the definition section of this ordinance, then.

THE CHAIRMAN (Mr. Stewart): If you turn to page 60a, Mr. Lyall, you will find it has been added to the list of licences.

MR. LYALL: I beg your pardon, Mr. Chairman.

THE CHAIRMAN (Mr. Stewart): If you turn to page 60a you will notice it has been added to the list of licences on the very last page in your purple book.

MR. LYALL: Mr. Chairman, would that put it into the definition section then?

THE CHAIRMAN (Mr. Stewart): No, but the Legal Advisor advises me that it does not need to be there as long as it is contained in the licensing section.

MR. LYALL: Is that enough?

Motions To Correct Title Of Clause 17 And Amend Paragraphs 17(1)(a), 17(1)(b) And Subparagraph 17(b)(ii), Carried

THE CHAIRMAN (Mr. Stewart): To the motion on 15a with the typographical error noted so that the heading reads "general hunting and reindeer preserve caribou licences". Are you ready for the question? Question being called. All those in favour? Opposed, if any?

---Carried

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

Motion To Amend Clause 17 To Exclude The Concept Of Inherited Privilege

MR. NICKERSON: Yes, sir, now that we are on the clause 17 I wish to put a motion before the committee, Mr. Chairman. The motion reads as such: "I move that Bill 3-66 be amended so as to exclude the concept of inherited privilege."

THE CHAIRMAN (Mr. Stewart): Mr. Nickerson, we still have page 16a to deal with and could you hold that motion until we get to page 17a?

MR. NICKERSON: That deals with clause 17 which is on pages 15a and 16a.

THE CHAIRMAN (Mr. Stewart): Right, thank you. I have the following motion on the floor. Moved by Mr. Nickerson that Bill 3-66 be amended so as to exclude the concept of inherited privilege. Mr. Nickerson.

MR. NICKERSON: I have referred to this matter on several occasions before, Mr. Chairman, and feel obliged to speak to it once again, although I will try to do it very briefly. Also I feel obliged, morally obliged to present the committee with this particular motion. I could, despite what I consider to be several outstanding faults within this piece of legislation, support it, except for this one concept, the concept of inherited privilege which is contained herein. If that concept remains in the bill, I am afraid that there is no way that I could support it. I will have to vote against it on third reading.

It seems that in the last several centuries the world has gradually turned away from this idea of stratifying society and having people's place in society designated at the time of their birth. It is something that, in my opinion, I am very pleased to see, is happening. I do not think inherited privilege is something we should support. I think it is a very retrogressive step on our part. It is certainly abhorrent to me and I can see no reason at all why we should include this concept in our game legislation. It might very well be that there need to be various classes and distinctions in licences, but surely we can find another method of distributing the various types of licences and not by right of birth. We could hand out different types of licences on the basis of need. That to me would seem to be the most logical way of doing it. The basis of need or lifestyle or something else, but certainly not on inheritance. I think that everyone here is fully aware of my strong feelings on this particular matter. I have brought them to the attention of this committee and I have brought them to the attention of the government and, indeed, of my constituents and the people of the Northwest Territories so I do not wish to belabour the point, but I insist that the committee deals with this particular matter.

THE CHAIRMAN (Mr. Stewart): Thank you, Mr. Nickerson. The committee has a motion on the floor and it was moved by Mr. Nickerson that Bill 3-66 be amended so as to exclude the concept of inherited privilege. To the motion, Mr. Lyall.

Rights Of The Individual

MR. LYALL: Mr. Chairman, if in checking this out that paragraph 17(1)(a) does not take away any inherited privilege as far as the way I could see it, but I too, personally do not believe in it and I think this whole House does not believe in any legislation put forward that is taking away the rights of people that they have always enjoyed. I think for the same reason that Mr. Nickerson is stating, I mean if this takes rights that they now enjoy away from people and if there is something in there that I could see that does, that I would not vote for it either and I would be the person trying to push this legislation through because we are giving more rights to people, the kind that they never had before. I think, gentlemen, what I am trying to say is that I think that if we are taking rights away from people then I do not agree with it but I can not personally, find in this legislation where we are taking rights away from people. So, on that note, Mr. Chairman, that is just a comment I would like to make on this motion.

THE CHAIRMAN (Mr. Stewart): Mr. Lyall, for clarification possibly there is nothing in the bill that takes rights away. Mr. Nickerson is proposing by way of this motion that it be amended so that the bill does take away inherited rights. That is his motion, to take away inherited rights. The bill does not do that at this time, in the form it is in at the present moment. Do you understand that?

MR. LYALL: No, I did not understand what Mr. Nickerson's motion was. I thought it was what I was speaking to.

THE CHAIRMAN (Mr. Stewart): I will read it again, Mr. Lyall. That Bill 3-66 be amended so as to exclude the concept of inherited privilege. In other words, to take away inherited privilege, that is the motion that we are now speaking to. Hon. David Searle. Go ahead, Mr. Lyall.

MR. LYALL: Well, I think if Mr. Nickerson is not going to let it go past third reading then I think that just right here now that motion -- I do not know what he is trying to do but I certainly as heck do not agree with that. I mean, the thing we always talked about in this House, like I said before, is that we never liked to take away rights that were already there and, Mr. Speaker himself always has stated that. The motion as far as I am concerned, I am not going to support that motion.

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

The Principle Of Licensing With Respect To Wildlife

HON. DAVID SEARLE: Mr. Chairman, I know very well what my colleague from Yellowknife is about with this motion. I have no doubt at all that he feels very sincerely and very strongly about this matter. The problem I have with this motion is that the whole bill that we have been going through can not be simply changed in this particular section by this motion. There would have to be a total revamping of the bill and a change in philosophy starting from the very beginning should this motion succeed. What I think Mr. Nickerson is suggesting is that in principle, licensing with respect to wildlife should be based on the way you live, whether you are living off the land or not, not on your ancestry.

Now, intellectually speaking, I agree with him, intellectually speaking. However, we have had to this point in time and this is what we are really talking about, persons with general hunting licences based on their ancestry, based on when their parents first lived here and this means in practice that, with the exception of a very few whites whose ancestors were here in the 1930's and I might say it does not include me, but with the exception of a few people the only persons in these territories who are entitled to general hunting licences are native people and they receive them regardless of how they live. You can have an Hon. Peter Ernerk, for instance, if you would pardon me using you as an example, who works in an office behind a desk five days of the week, he has a general hunting licence notwithstanding the fact that he does not live off the land per se. He has the same rights to hunt as someone who does live off the land and there are, of course, whites who might want to live off the land but would have a very difficult time getting a general hunting licence.

Motion Is Premature

I think that maybe this Legislature might move some day to that position, but it would certainly be subject to whatever settlement was made ultimately, with respect to land claims and to go directly there now in my opinion would be going too far too fast and it would be going in my view right in the face of what we have been saying in "Priorities for the North". We in that paper said that if we had our way we would enshrine certain rights of native people in legislation that could not be tampered with today or tomorrow. It was Hon. C.M. Drury picking that up when he came back and said to us the other day that he is asking us to look at, I forget the exact wording he used, but a bill of human rights in effect, for the Northwest Territories. Now, it seems to me that the one thing, apart from the Dene nationhood that the native people or the Dene or Inuit will certainly, will most certainly ask for in any comprehensive land claims settlement will be the right to live a traditional way of life.

Now, I suppose Mr. Nickerson would answer me by saying that "Well, I would propose that anyone living in a traditional way of life whether he be Indian or anyone would be qualified to receive that licence". But I doubt very much that we would be doing anything at this particular point in time to advance our credibility and to advance the goals that we set out in priorities if we were to take this very, very major step. The effect of it would be obviously not only to have to redraft this bill as a whole and not pass it at this session certainly but once you did get it back, if you ever did and I doubt that you would ever get it back before this Assembly but if you did the effect would then be that for every native person who was not living off the land, who is not living a traditional way of life you would have to go around and pick up all their general hunting licences. That is what this motion would mean.

Consultation Necessary Before Removing Inherited Privileges

Now, I am quite prepared frankly to leave that decision as to whether one day we will get to carrying licences tied to your style of life as opposed to ancestry. I am quite prepared to leave that to the next Legislature to struggle with at the next time this act is opened up because that discussion and that debate will be a long, long one and in view of the fact that the consultation with respect to this ordinance has gone forward on this current basis I would think that you would want to go back to your constituents and discuss this pretty carefully before you ever did this because you would be taking away the right to hunt essentially from everyone who had a job. That is the path you get down and I suggest that we not get going down that path today, that maybe this legislation is not as perfect as Mr. Nickerson would like it, it certainly is not as perfect as I would like it. But keeping some of these things like this inherited privilege which is clear in the law currently today, you may as Mr. Nickerson does, think that that is bad, I am prepared to make the compromise and keep that in at this point because this ordinance does some other good things. It gives game management some good tools with respect to quotas, with respect to closing areas for hunting if the game is in danger. It is not a perfect bill but at this point in time with the issues being what they are I think it is as much of a compromise as we can make it.

I am sorry to take so long, Mr. Chairman, but this motion does really go to the very root of what we are doing here and I do not think that Mr. Simmons, if this motion would pass, could do anything but say "Gentlemen, in that case we will have to pull the bill and go back and start right over again from phase one with consultations and redrafting". It is not just a question of redrafting clause 17. So while I know that some of my constituents particularly in Yellowknife most definitely share Mr. Nickerson's view in principle and while I would hope that at some time in the future we might get to where hunting privileges, and that is what they are, they are privileges, certainly for me it is a privilege but for a native person maybe it is a right. Maybe some time in the future these privileges or rights, whichever view you take of it, will be more tied to how you live than, let us call what it is, the colour of your skin but I am not prepared at this point in time to tackle that question.

THE CHAIRMAN (Mr. Stewart): Thank you, Hon. David Searle. To the motion. The motion that Bill 3-66 be amended so as to exclude the concept of inherited privilege. Hon. Tom Butters.

Native Right To Harvest And Utilize Resources

HON. TOM BUTTERS: Mr. Chairman, I do not think the motion has a hope in hell of passing. It will have one supporter. It flies in the face of everything this Assembly has said in my hearing and that is that the Assembly has recognized that native people have a right, an aboriginal right, the right of native title or whatever to harvest and utilize the resources of this land, their land, for their own use. The Northwest Territories Act protects that right. I do not think it is a privilege. It is a right and this Assembly in the past has also recognized and supported the fact that the Metis people too, who now have a privilege only as general hunting licence holder should also be entitled to the right enjoyed by Indians and Eskimos under the Northwest Territories Act. In opening the debate on this Wildlife Ordinance I said I make no apologies and I do not think any other Members of this Assembly make any apologies for recognizing that in our ordinance there is a strong stream of preferential treatment for native people. This is recognized because we recognize that they were here first and they first used the resources of this land.

Quote On Native Rights From "Priorities For The North"

Hon. David Searle quite rightly reminded us of our important statement in "Priorities for the North" and he paraphrased it very well. This is what we said then, "The enshrinement of native rights must be clearly defined in legislation in order to protect those rights from erosion by further Legislatures. Although certain rights to hunt for food on unoccupied crown lands are presently assured under section 14(3) of the Northwest Territories Act, these hunting and trapping rights should be expanded to include areas not presently covered by the provisions of the act. Only by such statutory guarantees will the preservation of native languages and cultures be assured". So as the Honourable Speaker reminded us we have already made a commitment, we have already recognized they are not privileges, they are rights and I do not see how any of us in view of our past statements and our past positions can support the motion.

THE CHAIRMAN (Mr. Stewart): Thank you, Hon. Tom Butters. Mr. Lafferty.

MR. LAFFERTY: Mr. Chairman, I would like to thank our Hon. Tom Butters, the Honourable Minister, for reiterating what we have already said. This piece of documentation which he quoted has been distributed and quite well understood, although perhaps the executive of the native associations do not accept it but the point is they have missed an opportunity to use and take advantage of the position of this Legislature. We here, as I have indicated earlier, Mr. Chairman, are representative of great Metis people. In the Mackenzie Valley it is primarily Indian and native people with the exception of several communities.

Metis Struggle For Recognition

Mr. Chairman, as the Honourable Member from Inuvik said the Metis people have but one privilege and it is a privilege and as I interpret it, Mr. Nickerson's motion has the intent or establishes an intent to take the only right that we as Metis people in the Mackenzie have. We presently are struggling for recognition of our inherited rights and I will say, Mr. Chairman, that if the Alberta people of Ukrainian ancestry who by virtue of settling in the province of Alberta can have inherited land rights, farm rights, then why cannot the Metis and Indian people of the Northwest Territories have similar privileges? Mr. Chairman, I was saying earlier that I am here principally to try and unite all the people of the Northwest Territories may they be any nationality or of any nationality, background or cultural background. If this is my view, Mr. Chairman, I interpret that motion to mean that we are going to further fragment the northern society. Mr. Chairman, putting my political interest aside I can only read that as demeaning the vested interests of the native people and I can not support it.

THE CHAIRMAN (Mr. Stewart): Thank you, Mr. Lafferty. Mr. Evaluarjuk.

MR. EVALUARJUK: Mr. Chairman, perhaps I will be saying something else rather than to the motion. I do not clearly understand the motion that was made earlier but talking about the traditional way of life I would like to know what traditions they are talking about, are you talking about the white man's traditional way of life or are you talking about the Indian's traditional way of life? That is the part where I did not clearly understand the motion. We have often expressed our traditional lives. I personally myself want to be able to go back to the traditional life of the past. Does the motion state that? I am not going to support it if the motion is intending to decrease the ability of an Inuit person so that an Inuit person can not go hunting. If that is the intention of the motion then I will not support it but however I will support the motion if anyone under the age of 16 is not able to hunt. If that is the way the motion is going to be, then I will agree with the motion.

Age Of People Who Can Hunt.

For example, if it is going to give our people who are not 16 the right to do any hunting -- the traditional way of life of the Inuit is the way where in the old days they used to be able to hunt without a licence and if this particular motion that is made by the southern people, if I could hunt only if I have a licence, then I will not support it. Therefore, I would like to duly understand the motion. If a person can not go hunting when he is at the age of 16 and that is the intention of it, then I am definitely against it and perhaps I spoke a little bit long but that is my understanding.

THE CHAIRMAN (Mr. Stewart): Thank you. To the motion. Before I recognize speakers for the second time, is there anyone who has not spoken to this motion who would like to do so now? Mr. Lyall has indicated that he wishes to speak again and this would be his second time.

MR. LYALL: Mr. Chairman, I just would like to ask you if I could ask this House to recess for about five minutes.

THE CHAIRMAN (Mr. Stewart): I am sorry, Mr. Lyall, I was conversing with the Legal Advisor. Could you repeat your question?

MR. LYALL: I would like to ask you if we could recess for about five minutes.

THE CHAIRMAN (Mr. Stewart): There has been a request to adjourn for five minutes. Are we agreed?

---Agreed

A show of hands, please? Opposed? We will recess for five minutes.

---SHORT RECESS

THE CHAIRMAN (Mr. Stewart): The Chair recognizes a quorum and calls this committee back to order. We are studying Bill 3-66 and just prior to the recess we were debating the motion. The motion reads: "That Bill 3-66 be amended so as to exclude the concept of inherited privilege". Prior to the recess, Mr. Lyall had indicated he wished to speak. Mr. Lyall.

MR. LYALL: Mr. Chairman, I think just to take note that I would like a recorded vote on this.

THE CHAIRMAN (Mr. Stewart): All right, your request has been noted and a recorded vote will be taken. Are there any other speakers to the motion? Mr. Kilabuk.

Thinking Of The Future

MR. KILABUK: Mr. Chairman, although I really do not understand about the motion that was just made by Mr. Nickerson, the traditional way of life, I have always talked about this and I personally think that it is going to cause problems. It seems to be acceptable but I have to think about my children's children and their children. It would create problems. I have stated before when the proposed Wildlife Ordinance was tabled, I recommended that it should be discussed in 1979 and maybe you thought I was not serious but I was serious about it. There are problems that we see now that would be created and my constituents have been affected just by reading the material, the written material. The communities in the Northwest Territories, we would like to give some more authority. A lot of things are happening. Why are we hurrying with this ordinance?

Those in the communities who are hunters and trappers who know the business, they should be studying this ordinance and also the fish and wildlife officials for the management purposes are doing a lot of studying. When the local hunters and trappers are handling their own affairs why are we rushing this ordinance? Those people who have a traditional way of life are starting to realize that those of you who are sitting here, those who are white people, you are aware of the hunting and trapping situation but you do not know fully of the Inuit citizens and their livelihood. That motion that was just made, I am afraid I can not support it. When I speak I try to speak of my thoughts seriously. Like I said before, I recommended that it should be discussed in 1979 and it could have been a lot easier. Thank you.

THE CHAIRMAN (Mr. Stewart): Thank you, Mr. Kilabuk. To the motion.

MR. LYALL: Mr. Chairman, I indicated I wish to talk. We are not here to debate the ordinance. We are debating the motion. To the motion only and when I asked for a recorded vote I understood that stops debate.

THE CHAIRMAN (Mr. Stewart): Mr. Lyall, you are basically correct. When you ask for a recorded vote that did stop the debate. Although it is not usual for a recorded vote in committee, there is nothing in the Rules that prohibits it. I had taken the over-all viewpoint as chairman that because the debate was that important to everyone, to let everyone have a chance to speak to make their views known. So, according to the Rules as I understand them, we will pause for a moment and make sure that our legal advice is correct. Mr. Lyall, I understand that you wish to proceed by way of a recorded vote and you do not wish to withdraw this at this time. Is that correct?

MR. LYALL: That is correct, Mr. Chairman.

THE CHAIRMAN (Mr. Stewart): Then as chairman and within the Rules I then will call now for a recorded vote. Mr. Clerk, will you take a recorded vote?

MR. NICKERSON: Mr. Chairman, on a point of order.

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

Rules On A Recorded Vote

MR. NICKERSON: Do not our Rules ensure that every Member has an opportunity to speak and surely the Rule that Mr. Lyall is referring to means when the vote is called by the chairman, the chairman of committee of the whole and until such time as the chairman decides to call or not to call the vote, the normal Rules of the House would apply and the concept that every Member has the opportunity to speak on the subject matter under discussion. I mean surely otherwise were that not to be the case on any motion that could be

put before the committee or put before the House one Member could request a recorded vote and there would immediately be no further debate on the issue.

THE CHAIRMAN (Mr. Stewart): Mr. Nickerson, I agree with you in your principle that you speak of, although the Chair had called for any new speakers on two occasions and Mr. Lyall was the only speaker who had already spoken who asked for the floor and received it, so I would have to rule that everyone had the opportunity to speak once to the motion and, therefore, I find that your argument is invalid on this point. I know it is normal for the mover to wind up and have the last kick at the cat, if you like, but inasmuch as I had called twice and received Mr. Lyall as the only one and he was speaking for the second time, I rule that we are in order at this time to call for a recorded vote. Mr. Clerk, will you record the vote?

MR. NICKERSON: Mr. Chairman, on a point of order.

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

MR. NICKERSON: I would appeal that decision to the Speaker, Mr. Chairman. I do not think you are correct. Perhaps you would be kind enough to point out to me how I should go about appealing that decision to the Speaker.

THE CHAIRMAN (Mr. Stewart): Mr. Nickerson, I assume you are making an appeal to the Speaker. The chairman can not rule on that request, so I presume it is my duty at this time to report progress to the Speaker for a decision. Gentlemen, in that case I will be reporting progress.

MR. SPEAKER: Mr. Stewart.

Report Of The Committee Of The Whole Of Bill 3-66, Wildlife Ordinance

MR. STEWART: Mr. Speaker, your committee has been studying Bill 3-66 and during the study a matter of conflict arose between the chairman of the committee and Mr. Nickerson who has appealed to the Speaker for a decision relative to the question.

MR. SPEAKER: I was quite frankly hoping that I was going to get through the four years without having one of these things develop. However, since we have not had this situation before I am going to have to recess the House for 15 minutes and huddle and make a ruling. This House is recessed for 15 minutes.

---SHORT RECESS

MR. SPEAKER: Gentlemen, the Chair recognizes a quorum. May I say, gentlemen, at the outset that this has proved to be a vexing problem because the Rules appear to be in conflict with each other. You will see what I mean in a moment. However, I think that the decision that I am going to make will indicate to you about the only sensible interpretation which can be made of the clause. Starting at the beginning and by that I mean the right of appeal from a decision of the chairman of a committee to the Speaker, that of course is set out in Rule 72 and Rule 72 says: "The chairman of committees of the whole shall maintain order therein and shall decide all questions of order subject to an appeal to the Speaker." The Rule goes on but I do not think there is any point in reading it because the rest of it is not relevant.

Then, Rule 9 deals with the matter of a recorded vote. Rule 9 says that: "The names of the Members voting on each side of the question shall not be recorded in the debates unless requested by a Member." Now, there is no doubt that Mr. Lyall requested of the chairman that the vote be recorded. A Member therefore requests, and that is the word used, a recorded vote and then Subrule (2) of Rule 9 says: "When a recorded vote is called..." not requested but when it is called, "...no further debate is permitted". Subrule (3) says: "The Speaker shall call upon..." etc.

Mover Of The Motion

It is clear to me that the calling of a vote then is done by the chairman, if he calls the vote that a Member requests and a Member requests that a vote be recorded. It seems to me that what Mr. Stewart said was that he was calling a vote, that he had given everyone an opportunity to be heard. However, had it not been for the fact that the person wishing to speak was the mover of the motion I would have upheld that ruling and said that as the question was being called, the vote being called, there could be no further debate. The problem we have, however, is that it was the mover of the motion who was wanting to speak and that gets us into Rule 45 and Rule 45 says: "Every Member has the right to speak once to a motion except the mover of the motion who has the right to the last reply." Subrule (3) says: "In all cases the Speaker shall inform the Assembly that the reply of the mover of a motion closes the debate." Then, Rule 69 says: "The Rules shall be observed in committee of the whole in so far as they are applicable and subject to the following Subrules."

It seems to me, therefore, that the mover of the motion in committee of the whole as well as in full Council has the right of reply; in other words, had it been anyone but Mr. Nickerson, the mover of the motion, I would have found that the Chair would have called the question and no further debate could take place but unfortunately in terms of the chairman's ruling the person who was requesting the further debate was the mover of the motion and had the right of last reply. So I have to direct then that the matter go back to committee of the whole and that the chairman give Mr. Nickerson, the mover of the motion, the right of last reply and inform the committee that as he gives Mr. Nickerson the right of last reply then pursuant to Subrule 45(3) the mover of the motion closes the debate; in other words, if he does give him that right of last reply then the debate is closed. Mr. Lyall.

Request For A Recorded Vote

MR. LYALL: Mr. Speaker, I think when we are in formal session then he closes debate but now if he is going to speak we are doing away with my request for a recorded vote.

MR. SPEAKER: Mr. Lyall, you certainly may make the request of a recorded vote and I have indicated that you have done that but you do not call the vote. The Rule says that "When a recorded vote is called no further debate is permitted". You, pursuant to Subrule 9(1) requested a recorded vote. The calling of the vote is the act of the chairman who says "I am calling the vote"

and what Mr. Stewart said was that that is what he was doing because he had given everybody an opportunity to speak and that is why I said that had it been anybody but Mr. Nickerson, the mover of the motion, the chairman's act would have been quite in order but since the Rules in committee are to be obeyed the same as in formal session so far as it is possible it seems to me that the chairman should have given the mover the right of reply that he is given pursuant to Rule 45. Do you follow me now?

MR. LYALL: Mr. Speaker, I think if we go back in the debates you will find that Mr. Chairman did indeed call a recorded vote.

MR. SPEAKER: That is right, he did call a recorded vote or at least he was in the process of calling the vote but my ruling is that he should have given Mr. Nickerson the right of last reply.

MR. LYALL: On a point of order, Mr. Speaker, then if Mr. Nickerson speaks, being in committee of the whole then anybody else could speak after that because in committee of the whole we could debate as many times as we wanted.

Concerning New Business

MR. SPEAKER: That is right and the chairman has discretion to -- if Mr. Nickerson as I see it were to raise new material in his reply then the chairman could, using his discretion, permit the debate to continue and similarly if the Members in reply to Mr. Nickerson's motion and in their replies raised new material the chairman could in his discretion give Mr. Nickerson the further right to reply. That is exactly the way it can go on in committee of the whole until all of the new arguments and replies to those new arguments are exhausted. That is why it is the committee of the whole, there is that flexibility. So, then, Mr. Stewart?

MR. STEWART: Mr. Speaker, after your explanation I quite agree with you in your decision. However, for clarification for the chairman inasmuch as we have related this particular instance of committee of the whole back to a Rule of formal session then would it normally follow that when we have a motion on the floor, if the mover of the motion speaks the second time that automatically closes the debate as it does in formal session because we do not have a Rule applicable to that either? The Rules get a little difficult to follow between the two of them. I am quite satisfied, I am not questioning the ruling in any way, shape or form but really for the satisfaction of the chairman just what is the position relative to that?

MR. SPEAKER: Well Subrule 69(5) says: "Subject to the discretion of the chairman a Member may speak more than once to any matter under discussion but not until every Member wishing to speak has spoken." So you may certainly permit Members to speak more than once but when it comes to that point where everybody has spoken and the mover wishes to respond you, I think, should indicate that he too may speak more than once because after all he is a Member but if it is by way of final reply it closes the debate. However, if he brings up new material which then prompts other Members to want to respond then you can exercise your discretion by letting them respond to it but in doing so it seems to me that again if they bring up new material you would have to give Mr. Nickerson the right to reply to that, and that is the flexibility of committee of the whole. I do not know if I have cleared it up or made it worse but let us go back into committee of the whole and give Mr. Nickerson the right of reply.

This House will resolve into committee of the whole for continued consideration of Bill 3-66 with Mr. Stewart in the chair.

---Legislative Assembly resolved into committee of the whole for consideration of Bill 3-66, Wildlife Ordinance, with Mr. Stewart in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 3-66, WILDLIFE ORDINANCE

THE CHAIRMAN (Mr. Stewart): The committee will come back to order for continued study of Bill 3-66. You heard the decision of the Speaker and I agree entirely with his decision. It seems so easy when you have had time enough to look through the whole manual to come up with a proper conclusion but on snap judgments that we are required to make from time to time in the chair I suppose you are going to allow us to make a few mistakes. Our apologies, Mr. Nickerson, it was certainly not intentional in your case or anybody else's case. We were in error. The Chair recognizes Mr. Nickerson.

MR. NICKERSON: Thank you very much, Mr. Chairman. What I wanted to do in summing up and I promise not to introduce any new material is to reply to some of the comments made by Honourable Members. The first comment I have is with respect to the explanation given by the chairman of this committee as to what the motion means. It certainly does not mean of necessity -- and I admit that it is worded in a very flexible manner because the idea at stake is the concept and the principle and I did not want to go about redrafting the ordinance -- but there is no necessity for it to mean and I would not think it would ever mean that the existing rights of people are going to be taken away. I could not foresee the Legislative Assembly ever doing that. When we have dealt with other pieces of legislation where we have restricted the rights of certain people, which we have done on many occasions, we have always added grandfather clauses in them to allow those people who presently enjoy those rights to continue to enjoy those rights. An example in point would be for example the engineering profession ordinance which we dealt with some time ago which restricted the previously enjoyed privilege of anybody calling themselves and practising as an engineer in the Northwest Territories in making it mandatory for people who wanted to do that to join the professional association. We allowed a grandfather clause in that legislation so that people presently practising as engineers would automatically be enrolled in the new association.

Existing Rights Of People

So, there is certainly no intention to take away any existing rights of people. Out of all the Members who spoke on this I think that the Honourable Member from Yellowknife South made the best presentation and one in which in many respects I wish that I could concur with. He said that as a matter of principle he was in complete agreement with the course of action that I have proposed but as a matter of political expediency he would be prepared to compromise that principle and as politicians we have to do that all of the time. If all of us stood up on a matter of principle whenever one was involved, we would never get anywhere. We would never make any compromises or reach any consensus and, of course, we would not be able to operate but there comes a time and I am sure this happens to each one of us on occasion where we feel so strongly about a particular principle, that we are unable to compromise in that particular case and this is what has happened to me in this case. I am not really able to compromise. Had it been that the existing ordinance had been kept in effect and we had been making amendments to the existing ordinance and that we really had not addressed ourselves to this particular question and renewed our intent in legislation to keep this concept of inherited privilege then I could have lived with it and avoided having to ask myself whether or not this is the right and proper thing for people in the Northwest Territories to do. Unfortunately, this has not been the case.

Something Common To Everybody

On technical matters I would tend to disagree with Hon. David Searle. I do not think it would of necessity mean redrafting the whole ordinance to remove this concept. In my opinion it would only be necessary to redraft clause 17 and possibly clause 18 because that is the clause under which the eligibility for general hunting licences is specified and, of course, in my opinion, we would want to keep general hunting licences. They serve a very useful purpose in the present scheme of things and will do for some time. The only difference I would make would be on the way that these licences are awarded. I spoke to this before and it would be my suggestion that they be allocated on the basis of need or something else, something that is common to everybody and not inheritance. So, I do not think that it would need a great deal of redrafting to accomplish this, not that that would make that much difference anyway. I do not think that we have to take into account really, the difficulties in drafting something if it is something we firmly believe in. We should be quite prepared to utilize our legal draftsman's ability to the utmost to accomplish it.

Getting on now to the comments made by the Hon. Tom Butters. I do not know if he really intended to attack me in a personal manner. I do not think he probably did, that is not the way the Honourable Minister usually operates and maybe he got carried away a little at that point in time. But I would point out to the Honourable Minister that some of the things he is saying are hard to reconcile. On the one hand he comes out publicly very forcefully for the retention...

MR. LYALL: Mr. Chairman, there is no translation.

THE CHAIRMAN (Mr. Stewart): One moment, please, Mr. Nickerson. I understand there is no translation. Is it okay now? Proceed now, Mr. Nickerson.

MR. NICKERSON: Yes, Mr. Chairman. On the one hand he says publicly, very forcefully that the present existing rights and inherited rights are to be maintained. Whereas, if you look at the legislation you will find that in a very sneaky and underhanded and maybe I am using words that are a little stronger than I really intend...

HON. TOM BUTTERS: What did you say?

MR. NICKERSON: But in such a manner...

HON. TOM BUTTERS: What did he say?

THE CHAIRMAN (Mr. Stewart): He said in such a manner.

Hunting Privileges Curtailed

MR. NICKERSON: In such a manner that in actual fact the privileges held at the present time by a holder of a general hunting licence will be undermined to a great extent. If you look, for instance, at clause 22 of the bill, you will find that the administration, the government, has been granted the right to divide up the territories into various areas and regions and to call them by various categories of names and in those areas the hunting privileges of a general hunting licence holder would be severely curtailed. So, indeed, in the bill itself many of the presently enjoyed privileges are being taken away from general hunting licence holders.

We see also in subclause 17(1) as it is written now there would be provision there for general hunting licence holders to lose that privilege and this would refer, as the Legal Advisor has told us before, only to people who were born after the coming into effect of this ordinance and for such people if they were to leave the territories for a period of five years they would find themselves ineligible for a general hunting licence on their return.

HON. TOM BUTTERS: That is not true.

MR. LYALL: That is not true.

MR. NICKERSON: So in fact, we are by virtue of this legislation taking away many of the presently enjoyed privileges.

HON. TOM BUTTERS: That is false.

The Type Of Thing That Fragments Society

MR. NICKERSON: The third point, Mr. Chairman, is to deal with some comments made by Mr. Lafferty. He said that such a move would fragment society. I do not think that this is the case at all. I think that what we are doing by retaining the concept of inherited privilege is to fragment society and if we

can look for several years down the road it is not hard to see a point in time where there will be very many people in the Northwest Territories not really distinguishable one from another but some people will have this jealously guarded right to a general hunting licence and some will not. That is the type of thing that fragments society. When somebody finds themselves excluded from some opportunity just because of some accident of their birth, that is the kind of thing that has a very serious deleterious and fragmentary effect upon society.

At some point in time, Mr. Chairman, it will be absolutely essential that we deal in earnest with this question. The rights of a general hunting licence holder, more or less to indiscriminately take wildlife throughout the Northwest Territories could not be retained over a very great length of time if there were an increase in numbers to any great extent. The wildlife resources just would not be able to withstand that number of hunters and trappers and we would have to take action to preserve the game resources of the Northwest Territories. So, maybe it is a good idea that we start thinking about this at the present time and maybe as Hon. David Searle has pointed out that something is not politically or practically expedient at this time. It may be that it will take 20 years for people to come around, but if we do not start at some point in time thinking about it we never will get public thought turned around so maybe it is a good idea that we do start thinking about this matter at the present time even if now we do not take this step.

In my humble opinion, Mr. Chairman, I would have preferred to have kept the present ordinance and alter it if need be by way of amendments to come up with something like what we have now rather than in legislation again putting forward this concept of inherited privilege. I think we could have gotten around to what we have now by a process of making amendments over a period of time. To my way of thinking there is not too much point in putting together or going through as much trouble as we have and putting together an ordinance if it does not attack this idea or this very important question.

Deliberately Generated Misunderstandings

I think there appears to be a certain amount of misunderstanding or that is what we have been told by certain Members from the Eastern Arctic. It may be that some of this misunderstanding was deliberately generated but the proposal that I have put forward would by no means take away any of the rights to hunt that people in that area presently enjoy. People who presently make a livelihood, people who make a living from hunting and trapping off the land would continue to enjoy that right. If anything they would be better off if the basis of them receiving those rights and privileges, or call them what you will, were based on need. It is quite possible to see that under legislation as we have before us, somebody after having left the territories for a period of time and finding themselves not eligible for a general hunting licence, would be prevented from doing so. However, if a general hunting licence was issued on a basis of need or lifestyle or something else then they would be ensured of the continued right to hunt and trap for a living. Those are the comments which I wished to make, Mr. Chairman. Thank you very much for the opportunity of being allowed to do so.

THE CHAIRMAN (Mr. Stewart): Thank you, Mr. Nickerson. The Chair then calls for the recorded vote as requested by Mr. Lyall. The vote has been called.

HON. TOM BUTTERS: Mr. Chairman.

THE CHAIRMAN (Mr. Stewart): On a point of order or privilege?

New Material Raised By A Member.

HON. TOM BUTTERS: No, there was much new material raised by the Member.

THE CHAIRMAN (Mr. Stewart): I noted it very carefully and listened very carefully and I did not note any new material being introduced other than by way of argument on a point that had been raised and he made reference to places within the ordinance which in his opinion counteracted that argument but as far as new material was concerned I do not believe he did raise any.

HON. TOM BUTTERS: Yes sir, he did, he suggested that I had attacked him. That is new material because I have wracked my brains to recall what I said. I do not even remember mentioning him.

THE CHAIRMAN (Mr. Stewart): Every time somebody says one word in here I suppose it could be quickly construed as an attack and if you are thin-skinned enough for that, well I presume you will have to take the bruises today because I do not think anything was outlined to that extent that warrants any apologies or that is new material. You also have the right to appeal to the Speaker if you wish to keep this thing going.

HON. TOM BUTTERS: I would rather speak on this one.

THE CHAIRMAN (Mr. Stewart): Well, I have this chair too, so just keep pushing. I have had a request for a recorded vote. Mr. Clerk, we will take the recorded vote. The motion on the floor, moved by Mr. Nickerson that Bill 3-66 be amended so as to exclude the concept of inherited privilege. All those in favour of the motion please stand. All those in favour?

MR. NICKERSON: Pretty lonely up here, Mr. Chairman.

CLERK OF THE HOUSE (Mr. Remnant): Mr. Nickerson.

THE CHAIRMAN (Mr. Stewart): All those opposed please stand.

Motion To Amend Clause 17 To Exclude The Concept Of Inherited Privilege,
Defeated

CLERK OF THE HOUSE: Mr. Steen, Mr. Lafferty, Mr. Lyall, Hon. Tom Butters, Mr. Fraser, Mr. Whitford, Hon. Arnold McCallum, Mr. Evaluarjuk, Hon. Peter Ernerk, Mr. Kilabuk, Mr. Pudluk, Hon. David Searle.

THE CHAIRMAN (Mr. Stewart): The motion is defeated.

---Defeated

Please note there have been no abstentions. I believe now we are on page 16a, Hon. Tom Butters.

HON. TOM BUTTERS: Yes, if we may recall the witnesses. We have lost them in the melee here.

THE CHAIRMAN (Mr. Stewart): I do not blame the witnesses for leaving the arena. Welcome back, gentlemen. Page 16a, Hon. Tom Butters.

Motion To Amend Subclauses 17(2), 17(5) And 17(6)

HON. TOM BUTTERS: Mr. Chairman, I move that subclause 17(2) and subclause 17(5) of the bill as amended and shown on page 16a of our purple books be adopted. We have three Members who have asked that this be re-examined, one, Mr. Lyall, one, Mr. Nickerson and one, Mr. Steen.

THE CHAIRMAN (Mr. Stewart): To the motion. Hon. Tom Butters.

HON. TOM BUTTERS: Mr. Singer had a comment to supplement something I had said. I wonder if he might do this?

THE CHAIRMAN (Mr. Stewart): Will you give way, Mr. Nickerson?

MR. NICKERSON: Most certainly, Mr. Chairman.

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

MR. SINGER: Mr. Chairman, I was just wondering if that included subclause 17(6) as well? I think Hon. Tom Butters only mentioned subclauses 17(2) and 17(5).

HON. TOM BUTTERS: Yes, 17(6) should have been included.

THE CHAIRMAN (Mr. Stewart): As I understand it, it is the amendment as contained in the purple book on page 16a complete. Mr. Nickerson.

MR. NICKERSON: While I was speaking just previously, Mr. Chairman, I said that subclause 17(1) as had been presented to us previously had meant that a person with a general hunting licence who being born after the coming into force of this ordinance, left the Northwest Territories for a period of five years except for certain specified things such as being a member of the Canadian Armed Forces etc., on his return to the territories would not be eligible for a general hunting licence. Is that the case with the amendment we have before us now, Mr. Chairman?

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

MR. SINGER: Mr. Chairman, it is my opinion personally that this is not necessarily the case. It is my opinion that it depends upon the particular provision of the law under which the person qualifies for his general hunting licence. Certain provisions which derive from the existing Game Ordinance have certain residential requirements in so far as they require that the person be not a non-resident for a certain number of years.

If a person has to rely on one of those provisions in order to qualify for a general hunting licence then the fact that he has been non-resident for the requisite or relevant period of years, be it five or ten -- I think ten is the period in one case -- would in fact disqualify him but if he or she can qualify under the other provisions which may have no relation to any period of residency then it is my opinion that non-residency for any period whatsoever does not disqualify a person from his right to a general hunting licence.

THE CHAIRMAN (Mr. Stewart): Thank you, Mr. Singer. To the motion, page 16a. Question being called. All those in favour by a show of hands, please, because this is by way of motion. Mr. Steen.

Reindeer Preserve Caribou Licences

MR. STEEN: I take it this is the area that we were talking about the other day in committee of the whole, subclause 16(6). The administration has come up with a requirement now that one must have a special licence to hunt caribou in that portion of the reindeer preserve. This is the clause, Mr. Chairman?

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

MR. SINGER: Mr. Chairman, I understand that the question was to do with whether or not this responded to Mr. Steen's inquiry about the reindeer preserve caribou licences. This is one of the provisions, Mr. Chairman. Other provisions can be found on pages 60a and 59a of the amendment booklet.

THE CHAIRMAN (Mr. Stewart): We are dealing with the motion on page 16a. To the motion on page 16a.

MR. STEEN: Mr. Chairman, can I ask probably Mr. Simmons, where he intended to put in this regulation, in the ordinance or in this amendment to the ordinance or in the regulations or how would it work to issue licences?

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

MR. SIMMONS: What we have done here is to build in the enabling legislation that would permit us to draw boundaries within the present reindeer preserve. These boundaries would be used or be referred to in the reindeer preserve caribou licence to allow a hunter to hunt in certain areas of the reindeer preserve at certain times. There would be flexibility built in here to respond to changing conditions, that is, caribou movements, increases in caribou populations and so forth as well as changing conditions in the reindeer herd, the location of the reindeer herd at certain times of the year. So you could, in the system that we have set up draw boundaries, say, opening the area east of the Kugaluk River all the year round or part of the year or opening the area south of the Husky Lakes area for a part of the year, or all of the year, depending on what the reindeer operation and the desires of the hunters are.

MR. STEEN: Thank you, Mr. Chairman. That was well said and I agree with it.

THE CHAIRMAN (Mr. Stewart): The motion on page 16a. Mr. Pudluk.

MR. PUDLUK: Mr. Chairman, I wonder if you could read that motion again because I was not here when it was moved. Thank you.

THE CHAIRMAN (Mr. Stewart): The motion basically, Mr. Pudluk, is to adopt the motions on page 16a of your purple book, the amendments on page 16a, that is the motion we are dealing with now.

MR. PUDLUK: Thank you.

Motion To Amend Subclauses 17(2), 17(5) And 17(6), Carried

THE CHAIRMAN (Mr. Stewart): To the motion on page 16a. The question being called. And by a show of hands, please. All those in favour? Opposed. The motion is carried.

---Carried

Page 17a, Hon. Tom Butters.

Motion To Amend Subclause 19(1), Carried

HON. TOM BUTTERS: Mr. Chairman, I move that subclause 19(1) at the bottom of page 17a as amended and then shown in our purple books be adopted. This matter was asked to be stood down by Mr. Nickerson.

THE CHAIRMAN (Mr. Stewart): I am sorry, Hon. Tom Butters. It was asked by whom?

HON. TOM BUTTERS: By the Honourable Member from Yellowknife North, Mr. Nickerson.

THE CHAIRMAN (Mr. Stewart): Thank you. To the motion. The question being called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Motion To Amend Clause 32, Carried

HON. TOM BUTTERS: Mr. Chairman, I move that clause 32 of the bill as amended and as shown on page 23a of the purple book be adopted. This provision was also requested to be stood down by Mr. Nickerson.

THE CHAIRMAN (Mr. Stewart): To the motion. The question being called. To the motion. All those in favour? Opposed, if any? The motion is carried.

---Carried

Hon. Tom Butters, please.

Motion To Amend Paragraph 37(c) And Paragraph 39(1)(c), Carried

HON. TOM BUTTERS: Mr. Chairman, I move that paragraph 37(c) of the bill amended as is shown on page 27a in the purple book be adopted. I also move that paragraph 39(1)(c) as shown on page 27a in the purple book and as amended here be adopted.

THE CHAIRMAN (Mr. Stewart): To the motion. The question being called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Hon. Tom Butters, please.

Motion To Amend Paragraph 40(1)(b), Carried

HON. TOM BUTTERS: Mr. Chairman, I move that paragraph 40(1)(b) as amended on page 28a of the purple book be adopted. It was Hon. David Searle who asked that this clause be stood down.

THE CHAIRMAN (Mr. Stewart): To the motion. Hon. David Searle.

HON. DAVID SEARLE: No, I was just voting, Mr. Chairman, sorry. I am just overanxious.

THE CHAIRMAN (Mr. Stewart): The question being called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Hon. Tom Butters, please.

Motion To Amend Clause 45, Carried

HON. TOM BUTTERS: Mr. Chairman, I move that clause 45 as amended and appearing on page 30a of the purple books be adopted. This provision was also or was requested to be amended by Mr. Nickerson.

THE CHAIRMAN (Mr. Stewart): To the motion. The question being called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Hon. Tom Butters, please.

Motion To Amend Subclauses 52(1) And 52(2), Carried

HON. TOM BUTTERS: Mr. Chairman, I move that subclauses 52(1) and 52(2) as appearing on page 32a of the purple book amended and thereon be adopted. This clause was also requested to be stood down by Mr. Nickerson.

THE CHAIRMAN (Mr. Stewart): To the motion. The question being called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Page 34a, Hon. Tom Butters.

Motion To Add Subclause 54(3) And Delete 53(6), Carried

HON. TOM BUTTERS: Mr. Chairman, I move that subclause 54(3) as shown on page 34a of the purple book be adopted. Mr. Nickerson requested that this be amended.

THE CHAIRMAN (Mr. Stewart): To the motion. This includes the deletion of subclause 53(6) I presume, Hon. Tom Butters? The question being called. Mr. Nickerson.

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

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

---Carried

Hon. Tom Butters, please.

Motion To Amend Paragraph 77(1)(d), Carried

HON. TOM BUTTERS: Mr. Chairman, I move that and the clause number is not given, but it is paragraph 77(1)(d) and the last line of that clause as shown on page 45 of the original legislation book and as amended on page 45a of our purple books be adopted as amended.

THE CHAIRMAN (Mr. Stewart): Thank you, Hon. Tom Butters.

HON. TOM BUTTERS: Hon. David Searle raised that point.

THE CHAIRMAN (Mr. Stewart): To the motion. The question being called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Page 46a, Hon. Tom Butters.

Motion To Amend Subclause 77(1), Carried

HON. TOM BUTTERS: Mr. Chairman, I move that subclause 77(1) as amended on page 46a of the purple books be adopted. Again this was requested to be stood down by Hon. David Searle.

THE CHAIRMAN (Mr. Stewart): To the motion. The question being called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Page 50a, Hon. Tom Butters.

Motion To Amend Paragraph 87(b) And Clause 88, Carried

HON. TOM BUTTERS: Mr. Chairman, I move that paragraph 87(b) and clause 88 as are amended on page 50a of the purple books be adopted. The first amendment was suggested by Mr. Nickerson and the second by Hon. David Searle.

THE CHAIRMAN (Mr. Stewart): Mr. Nickerson, to the motion.

MR. NICKERSON: This might not be strictly to the motion, Mr. Chairman, but how does somebody dispose of the garbage, say, in a camp, a fairly large camp, how does one dispose of his garbage in a way that does not substantially alter the habitat even if it is for a small period of time? I would imagine that a lot of camps would dig holes and put the garbage in the hole and then cover it up afterwards but that would obviously affect the habitat at least for a period of time.

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

MR. LAND: Mr. Chairman, the normal procedure is to burn anything that is burnable and to bury the remainder in the ground. If this is done properly there is no significant disturbance to the habitat that I am aware of.

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

MR. NICKERSON: It is my understanding that that is a common method of dealing with garbage and I just wondered whether there would be anything in this section which would prevent people from doing that, from digging up the ground to bury their garbage in.

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

MR. LAND: We are of the opinion that there not be anything to prevent people from burying the garbage.

THE CHAIRMAN (Mr. Stewart): To the motion on page 50a. The question being called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Page 52a, Hon. Tom Butters.

Motion To Amend Paragraph 91(f), Carried

HON. TOM BUTTERS: Mr. Chairman, I move that paragraph 91(f) as amended on page 52a of the purple books be adopted. This recommendation was made by Mr. Nickerson.

THE CHAIRMAN (Mr. Stewart): To the motion. All those in favour? Opposed, if any? The motion is carried.

---Carried

Page 53a, Hon. Tom Butters.

Motion To Amend Paragraph 91(v), Carried

HON. TOM BUTTERS: Mr. Chairman, I move that paragraph 91(v) as amended on page 53a of our purple books be adopted. This is a technical and consequential change and I would ask possibly Mr. Singer to speak briefly to it if it is required.

THE CHAIRMAN (Mr. Stewart): Mr. Singer, page 53a.

MR. SINGER: Mr. Chairman, the previous wording referred specifically to subclause 15(2), an appeal under that particular subclause. As a result of Hon. David Searle's suggestion we incorporated an appeal process under another subclause in clause 15 and so we had to widen the enabling provision so that the Commissioner could make regulations in respect of appeals under that subclause as well as under subclause 15(2). It is a technical change, Mr. Chairman.

THE CHAIRMAN (Mr. Stewart): Thank you. To the motion. The question being called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Page 54a, Hon. Tom Butters.

Motion To Amend Paragraphs 91(w) and 91(y)

HON. TOM BUTTERS: Mr. Chairman, I move that clause 91 amended on page 54a of our purple books be adopted. This clause which is the one on top was suggested to be stood down by Mr. Nickerson.

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

MR. SINGER: Mr. Chairman, I wonder if I might make two more slight and technical changes on that page. As we see on the original page 54 of the bill after at the end of the paragraph (y) we have the word "and" scored out but the change is not to be incorporated into 54a and I wonder if we might delete that word "and" at the end of paragraph (y).

Additionally, Mr. Chairman, I wonder if I could suggest that the House delete the words from paragraph (w), delete the words "appeals mentioned in paragraph (v) or" so that it merely reads "in relation to the making of regulations under this section;". The reason, Mr. Chairman, is that the Commissioner has no function in relation to appeals and the continued inclusion of these words was an oversight.

THE CHAIRMAN (Mr. Stewart): I am sorry, Mr. Singer, I lost track of you. Were you dealing with page 53(a)?

MR. SINGER: Sorry, Mr. Chairman, I thought you had gone on to page 54a.

THE CHAIRMAN (Mr. Stewart): You are absolutely correct but I was looking at the wrong one. On page 54a I can not find a (w).

MR. SINGER: Lines seven and eight of the page, Mr. Chairman.

THE CHAIRMAN (Mr. Stewart): Just one moment, please. Sorry, we did not get the words that you were deleting. Could you go through the exercise again for us, please?

MR. SINGER: Yes, Mr. Chairman. On page 54 you see the words "appeals mentioned in paragraph (v) or..." on lines seven and eight of that page. What I am proposing, Mr. Chairman, is the deletion of those words.

THE CHAIRMAN (Mr. Stewart): Yes, Mr. Singer. Anything further?

MR. SINGER: No, Mr. Chairman.

12 Hour Waiting Period

MR. PUDLUK: Mr. Chairman, I would like to ask the witnesses under proposed new paragraph (z.2) on page 54a where it mentions a waiting period of 12 hours, what is going to happen to us when we are only having two hours daylight in the wintertime? If the plane has to come back he will not find us within 12 hours.

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

MR. LAND: Yes, Mr. Chairman, I understand that he is referring to the paragraph (z.2) referring to the regulations on the 12 hour waiting period for aircraft when hunting. Just to reassure him in the regulations that particular clause will only be applied where there is a specific problem with a specific animal. For example in the regulations Draft 8 we will be applying that to the Keewatin Kaminuriak caribou herd and applying it only to caribou. Also on South Baffin where we also have a declining caribou situation. We are only applying that paragraph (z.2) in the regulations to specific problem areas.

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

MR. PUDLUK: Mr. Chairman, I would like to ask those witnesses to be more explicit under this particular paragraph (z.2) and the farther north the plan will have to go out of this 12 hour waiting time. I would like to see more explanation for the people farther north.

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

Not A Blanket Provision

MR. SIMMONS: Mr. Chairman, this is not as Mr. Land was explaining a blanket provision to cover all of the Northwest Territories or the High Arctic or any broad area like that. The intent here is to allow us where there is a specific problem to control hunting by aircraft. A specific problem area might be the Yellowknife area, for example, where there may be a problem with people using aircraft to hunt caribou or some other species. We would be able in the regulations to confine this regulation to that area. So in Mr. Pudluk's area unless there was a specific problem associated with aircraft we would not be imposing that regulation and knowing the situation in Mr. Pudluk's area it is unlikely, at least we see no situation there now that would require us to impose that regulation.

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

HON. TOM BUTTERS: I was just going to say that I believe it is in the regulations. There will be extensive consultations carried out with the local hunters' and trappers' associations with regard to these regulations and I think the reason that that specific clause was put into a regulation was that the hunters' and trappers' associations that I have talked to recognize that there is some kind of a control needed but they realize that one could not apply the same 12 hour waiting period throughout the North so that phrased as it is and in the regulations will allow the hunters' and trappers' associations or the wildlife service in consultation with hunters' and trappers' associations to develop a restriction which will apply to the particular area where the restriction will be used.

THE CHAIRMAN (Mr. Stewart): How does the committee wish to handle this matter? We have a motion on the floor by Hon. Tom Butters. It is contained on page 54a. We have a suggestion from the witnesses to delete certain words on page 54. Hon Tom Butters, would you like to include those in your motion?

HON. TOM BUTTERS: Yes, if I may, Mr. Chairman. The words that Mr. Singer suggested to the committee would become part of my motion if that is acceptable.

THE CHAIRMAN (Mr. Stewart): Then as I understand your motion it is to deal with page 54a and the following amendment on page 54 that the words "appeals mentioned in paragraph (v)" be deleted under paragraph (w) and then under paragraph (y) following the letter (v); the word "and" be struck. Is that correct, Mr. Singer?

MR. SINGER: Yes, Mr. Chairman.

Motion To Amend Paragraphs, 91(w) And 91(y), Carried

THE CHAIRMAN (Mr. Stewart): That then will be included in your motion, Hon. Tom Butters. To the motion. Question being called. Page 54a, as amended. All those in favour? Opposed, if any?

---Carried

Page 58a. Hon. Tom Butters.

Motion To Amend Schedule A, Item 6(1), Carried

HON. TOM BUTTERS: Mr. Chairman, I move that item 6(1) as amended on page 58a in our purple books be adopted.

THE CHAIRMAN (Mr. Stewart): To the motion. Question being called. All those in favour? Opposed?

---Carried

Page 59a, Hon. Tom Butters.

Motion To Amend Schedule B, Item 1, Carried

HON. TOM BUTTERS: Mr. Chairman, I move that the description of the general hunting licence as amended on page 59a in our purple book be adopted. I believe Mr. Steen raised this question.

THE CHAIRMAN (Mr. Stewart): To the motion. Question being called. All those in favour? Opposed?

---Carried

Hon. Tom Butters, 60a.

Motion To Amend Schedule B, Item 11 And Add Item 16, Carried

HON. TOM BUTTERS: Mr. Chairman, I move that item 11 and item 16 as amended in the purple books be adopted. These points were raised by Mr. Nickerson and Mr. Steen.

THE CHAIRMAN (Mr. Stewart): To the motion. Question being called. All those in favour? Opposed?

---Carried

Mr. Singer please.

MR. SINGER: Mr. Chairman, I think it is possible that the wording of the motion to cover page 54 was not quite wide enough to cover the whole of clause 91. I think there is some doubt as to whether the whole of clause 91 has been approved because the section as a whole was stood down.

THE CHAIRMAN (Mr. Stewart): I am sorry, Mr. Singer, I am afraid I did not understand your point. Would you repeat it, please?

MR. SINGER: I would have to seek your guidance on this but I think it is possible that the motion which dealt with page 54a was not quite wide enough to cover the adoption of clause 91 as a whole which carried over into previous pages. Clause 91 in the original committee debate was stood down. It is possible that a motion may be necessary to adopt the whole of clause 91.

Motion To Accept Clause 91 As A Whole, Carried

THE CHAIRMAN (Mr. Stewart): Thank you, that is probably correct. We did make an amendment to clause 91 on page 54. To make sure that we fully understood the changes relative to clause 91 which starts on page 51 referred to as regulations there were only two small amendments made on page 54 to that whole section plus the addition of page 54a. To clarify the matter are we agreed now on clause 91 as amended just to make sure that there is no difficulty with that section?

---Carried

Our books indicate that clause 92 on page 54, consequential amendments, was not included due to a question by Mr. Nickerson. Do we have anything further on clause 92? Mr. Nickerson.

MR. NICKERSON: My question with respect to clause 92, Mr. Chairman, was I was trying to find out what the procedure under the Scientists Ordinance is or the regulations made under the Scientists Ordinance. Do applications there go to the municipal council or settlement council?

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

Regulations Made Under The Scientists Ordinance

MR. SIMMONS: I have been informed that the Scientists Ordinance and regulations are handled in the following manner as far as applications for licences under that ordinance. The communication is received by the Department of Planning and Program Evaluation and at that time a letter goes out to the applicant requesting certain information and the applicant is encouraged to consult or to carry on consultation with settlement or hamlet councils as Mr. Nickerson indicated. Then if there is no objection the licence is issued for that research project. That differs from our system in that the people who we consult with are the hunters' and trappers' associations or if there are no hunters' and trappers' associations, band councils.

Now, under the existing policy, when people from that department receive applications for research on wildlife within our jurisdiction they consult with us and we in turn see to it that hunters' and trappers' associations are dealt with, are consulted. Under the proposed Wildlife Ordinance, there will be multipurpose research projects that will cover a wide variety of topics including wildlife and maybe archeology and other areas and we will then get together and decide how to handle it. Our two departments will get together and decide how to handle it, whether there must be two permits issued, a wildlife research permit or a scientist's permit or whether just one would suffice; it would depend upon the project.

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

Municipal Councils Have No Real Power

MR. NICKERSON: The reason I brought this up, Mr. Chairman, is that in his address to this committee a week or so ago Hon. C.M. Drury made the observation and I must say that I agree with him that what has been happening in the territories is that the municipal councils, the hamlet councils or the settlement councils are finding themselves with no real power and authority. They are finding themselves with very little to do and the reason for this is that each branch of government, each department within

the territorial government and within the federal government does not really want to speak to the duly elected representatives of the people of that community. They want to establish their own particular little advisory group with which they personally can deal. We see that in the case of the game department with the hunters' and trappers' association, in the case of the Department of Social Services with the various welfare committees etc., with the federal Department of Health and Welfare with their community health committees and everybody wants their own little group of people which with to deal.

Hon. C.M. Drury in my opinion, was quite correct when he pointed this out to us and said that what on earth is the point of having a properly elected government council when everybody wants to circumvent them and deal with people of their own choosing. I think this is something that we have to keep in mind and in my opinion, it would be preferable where instead of each department of government setting up its own little committee to try and deal with the settlement or hamlet or other municipal council. Maybe some of these committees, advisory committees on education and hunters and trappers, maybe they could be subcommittees of the settlement council or hamlet council. Maybe we should start thinking along those lines, Mr. Chairman. I do not wish to move an amendment to this, but I wish to make this observation to Members of this committee and hope especially those Members having Executive authority will keep it in mind when this type of thing comes along again.

THE CHAIRMAN (Mr. Stewart): Thank you, Mr. Nickerson. Clause 92, amendment of Scientists Ordinance. Agreed?

---Agreed

Subclause 93(2) has still not received the agreement of this committee. Basically the reason for setting them both aside, they were tied somewhat together and they were both set aside I presume with the discussion Mr. Nickerson had raised and if there is nothing further then do I have an agreed on clause 93, amendment of Municipal Ordinance. Agreed?

---Agreed

I believe that that concludes the bill other than the short title. Clause 1, short title. Hon. Arnold McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, what about the Schedules? Are there not some changes there? I do not think we even discussed them in their original form but that there were some changes.

THE CHAIRMAN (Mr. Stewart): You are perfectly right, Hon. Arnold McCallum. I thought there were some amendments in there and we had covered them by way of the amended sections but to make sure we have everything covered, Schedule A as amended. Agreed?

---Agreed

Schedule B as amended. Agreed?

---Agreed

Clause 1, short title. Agreed?

---Agreed

The bill as a whole as amended. Agreed?

---Agreed

Is the bill ready for third reading? Agreed?

---Agreed

MR. SPEAKER: Mr. Stewart.

Report Of The Committee Of The Whole Of Bill 3-66, Wildlife Ordinance

MR. STEWART: Mr. Speaker, your committee has been studying Bill 3-66, An Ordinance Respecting Wildlife and I wish to report that this bill is now ready for third reading as amended on the "a" pages within the book on legislation plus the amendments as contained in the purple binder that has been distributed.

There is one exception, that on page 54 of the ordinance, pardon me of the bill, on paragraph 91(w) the words to be deleted, paragraph (w) the words being "appeals mentioned in paragraph (v) or" and that in paragraph (y) after "Schedule B", the word "and" has been dropped.

There were three motions during the debate, Mr. Speaker, one of the motions or the first motion was to include three wheeled Hondas in clause 19 of the wildlife regulations. This motion was carried.

There was a further motion on paragraph 40(1)(b) to read "protect his property" deleting "if loss or damage to it would endanger his health, life or livelihood".

There was a third motion that Bill 3-66 be amended so as to exclude the concept of inherited privilege. This motion was defeated. The bill, sir, is now ready for third reading.

MR. SPEAKER: Thank you very much, Mr. Stewart. I think that you in particular deserve a vote of thanks for your patience and in being chairman so long over such a complicated and difficult bill. Thank you very much on behalf of the House.

---Applause

I am sure, gentlemen, you would want me as well to thank the three witnesses who have made themselves available for virtually two weeks and who have I suppose you might say taken so much and, of course, given so much for which we are very, very thankful. Thank you very much, gentlemen.

---Applause

Mr. Stewart, please.

MR. STEWART: On a point of privilege, Mr. Chairman. I was so anxious to get out of that chair that I failed to recognize the witnesses.

MR. SPEAKER: Gentlemen, it is nearly 5:30 p.m., do you want to go on to something else?

SOME HON. MEMBERS: Agreed.

SOME HON. MEMBERS: Nay.

MR. SPEAKER: What is the wish of the Executive?

HON. ARNOLD McCALLUM: Mr. Chairman, we have the Report on Health Conditions, Tabled Document 2-66 and I think that we could deal with that.

MR. SPEAKER: Mr. Fraser, would you be prepared to take the chair for Tabled Document 2-66, Report on Health Conditions in the Northwest Territories, 1977? This House will resolve into committee of the whole for consideration of Tabled Document 2-66, Report on Health Conditions in the Northwest Territories, 1977, with Mr. Fraser in the chair.

---Legislative Assembly resolved into committee of the whole for consideration of Tabled Document 2-66, Report on Health Conditions in the Northwest Territories, 1977, with Mr. Fraser in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER TABLED DOCUMENT 2-66, REPORT ON HEALTH CONDITIONS IN THE NORTHWEST TERRITORIES, 1977

THE CHAIRMAN (Mr. Fraser): The committee will come to order to discuss Tabled Document 2-66, Report on Health Conditions in the Northwest Territories, 1977. Hon. Arnold McCallum, are you prepared to give us an introduction on this document?

HON. ARNOLD McCALLUM: Mr. Chairman, the Report on Health Conditions in the Northwest Territories, 1977, is as Members will note a report done on behalf of the federal Department of Health and Welfare by the chief medical and health officer who is a Dr. F.J. Covill for the Government of the Northwest Territories. The report, of course, is quite large. It deals with many different aspects of health. There may be particular questions that Members may want to ask as regards specifics on the report and for that, Mr. Chairman, I wonder if I may have Mr. McDermit who is the acting director of the Department of Health for the Government of the Northwest Territories to be in attendance as a witness. I think Mr. McDermit would be much more knowledgeable than I on the particulars of the health conditions. Of course, if we get into situations or discussions on health in general that relate to a more political nature I would attempt to field those questions, but I would feel very apprehensive and I have a very limited capability in terms of the particulars of the health. I think Mr. McDermit is present and with the committee's consent we would have him as an expert witness.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Arnold McCallum. Is it the wish then of the Assembly that we call Mr. McDermit in as a witness?

---Agreed

Opening Remarks Re Health Report

HON. ARNOLD McCALLUM: Mr. Chairman, I am not sure that Members have not only the report but a summary of the report as well. The summary is on four and a bit pages and deals with birth rates, death rates. It as well gives a breakdown on the other aspects within the report dealing with causes of death. It deals with public service health, the facilities involved and various kinds of diseases. We will as a department be putting out the report of the Yellowknife mental health study, and that will be put out within the next day or two. The health conditions report also talks about alcohol abuse, emergency health and deals with the various contracts of the universities and major specialist contracts. All of these things are within the report. I have nothing further to say as opening remarks, Mr. Chairman, although Mr. McDermit may very well have more pertinent remarks to the document.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Arnold McCallum. Mr. McDermit, do you care to give us a few words on this document?

MR. McDERMIT: Thank you very much, Mr. Chairman. As Hon. Arnold McCallum has indicated this is the report of the chief medical health officer, Dr. F.J. Covill. It is an annual report that is presented each year and deals with the statistical information related to health conditions in the Northwest Territories. It deals with births, deaths, and I think the significant areas are in the area of communicable diseases and also in the area of health education. So with those brief remarks, unless there are specific questions, Mr. Chairman, that is all I have to say.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. McDermit. I guess it is the wish of the Assembly that we be open for questions to the witness. Comments? Mr. Nickerson.

MR. NICKERSON: I have a number of general comments before one or two on specific medical subjects. The first question I have is that I understand now that the report prepared by Mr. Jack Fleming, a consultant with the national Department of Health and Welfare and which this Assembly has requested on several occasions, I understand now that that report is available and is no longer considered confidential. I wonder if it is at all possible to obtain copies of this report?

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

Transfer Of Health Services

MR. McDERMIT: Mr. Chairman, I hope I understand which report Mr. Nickerson is referring to. Mr. Jack Fleming was the special consultant for the Department of Health and Welfare Canada in relation to working towards the transfer of health services, both in the Yukon and in the Northwest Territories. He did visit a number of communities within the Northwest Territories and his report, although very brief, was appended to a document which the Government of the Northwest Territories has received in relation to the transfer. So that document is available to the Government of the Northwest Territories. It is not a final report, I might say, in relation to the transfer, but rather it provides general comments that Mr. Fleming raised as a result of his visits to communities in the Northwest Territories.

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

HON. ARNOLD McCALLUM: Mr. Chairman, I would just like to add a further comment. We as a government have indicated to the federal government that we must come to an agreement on general principles regarding the transfer and Mr. McDermit has indicated that Mr. Fleming's report was an addendum to a document that was sent to this government in an attempt to begin negotiations. However, the difficulty that we have now is getting down to an agreement in principle for the actual transfer. Just, for example, who will be the signatories to that agreement and what the kinds of consultations that must be undertaken with all peoples within the territories. As such we have to come to an agreement on those two basic principles first so that in actual fact Mr. Fleming's report, as Mr. McDermit has indicated, is simply comments as to the way in which this should begin but this government has not come to an agreement with the federal government. I have relayed the position of the territorial government to the federal Department of Health and Welfare on those two basic issues or principles but we have not come to an agreement on those.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Arnold McCallum. I do not think that answers Mr. Nickerson's question at all. His question was are those reports available for inspection? Is that right, Mr. Nickerson?

MR. NICKERSON: Yes.

Availability Of Reports For Inspection

HON. ARNOLD McCALLUM: Mr. Chairman, it is not a reluctance to make documents or any reports done available to people and specifically to Members of this particular Assembly. The problem with getting this out is that we as a government have not agreed with the federal government's position on the transfer, on the total mechanism of the transfer. Mr. Fleming's report was in relation to that transfer as put forth by the federal government. It added comments on how it could be effected and the way in which it could be brought about, but we are not in agreement as yet with the federal government. So that to make available a report that he had as a piece of information added on to a position that the federal government is taking that we do not agree with as a territorial government I do not know, maybe it would serve some purpose and if that is still the wish of the Member to have it, I think that we could get copies of Mr. Fleming's comments on it but as far as I know that is all it contains.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Arnold McCallum. Will that satisfy you, Mr. Nickerson?

MR. NICKERSON: It would have been a lot quicker to say no, Mr. Chairman.

THE CHAIRMAN (Mr. Fraser): That is just what I was going to say.

HON. ARNOLD McCALLUM: I do not think it would have been a lot quicker to reply in a negative form to him at all. I think if Mr. Nickerson is looking for the comments of Mr. Fleming that we can make those available to him but it will serve no purpose as far as we are concerned in the government because we do not agree with the federal government on the basic issues of the signatories to the agreement and the way in which the federal government are adamant that we must undertake consultation with various organizations in the Northwest Territories.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Arnold McCallum. Any further comments? Mr. Nickerson.

Latest Communications With Respect To The Transfer Of Health Responsibilities

MR. NICKERSON: I wonder if we could be advised, Mr. Chairman, of what meetings or what communications have taken place since we last met with respect to the transfer of health responsibilities. Has this matter actively been pursued at all?

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

COMMISSIONER HODGSON: May I say a word here? I know the Minister would want to say something but I have been out of the Assembly on this very thing and have not had a chance to speak to the Minister about it. But I have been in touch with the departmental people in Ottawa and I have asked for a meeting and suggested the date of November 23rd when Hon. Arnold McCallum and myself, along with Mr. Kroeger will go to the deputy minister of health and we will hopefully get the rules straight and the course set as to what we have to do to qualify to get it turned over. I have had two meetings myself on the subject with the Department of Health and Welfare. I gained a little bit of knowledge but not enough and Hon. Arnold McCallum has had numerous meetings and you had numerous meetings when you were minister. If we can get this meeting set up for the 23rd of November, I think then we will not only know the course we have to take and what we have to do but I think we will be able to come back in January with a course of action that we have to follow to get this discipline turned over.

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

HON. ARNOLD McCALLUM: Mr. Chairman, perhaps I could be a little more specific as to the question. I have met with the federal Minister of Health and Welfare and I have corresponded on two occasions that I quickly recall, I have been involved in meetings with the Yukon minister who would be in the same position as we are regarding the transfer. I have turned over any correspondence and I have had correspondence at the federal level, I can recall two or three times.

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

HON. ARNOLD McCALLUM: These are things that have occurred since we last talked about it.

THE CHAIRMAN (Mr. Fraser): Any further comments? Mr. Nickerson.

New And Reactivated Cases Of Tuberculosis

MR. NICKERSON: I was very pleased to observe the high priority that this government is giving to the question of turning over the remaining provincial-type health responsibilities from the Department of Health and Welfare to this government. I sincerely hope that the people so engaged are successful within the near future.

I guess we should now maybe proceed to matters more of a medical nature and one question that I have is prompted or has been prompted by newspaper articles appearing in the territories over a period of a few months. Also now I see that this can be confirmed by looking at the figures for new and reactivated cases of tuberculosis on page 46, is that it seems that amongst certain sectors of the population at any rate there is a resurgence of tuberculosis. I wonder if that can be confirmed by the witness and maybe he can give us his ideas as to how we should go about reversing this trend.

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

MR. McDERMIT: Mr. Chairman, Mr. Nickerson's observations in relation to page 46 are correct. The number of cases in younger people and also in the age bracket of 30 to 49, that is those under 19 years of age and those between 30 and 49 have increased substantially in 1977. As he mentioned, recent newspaper articles have indicated that there is also an increase in 1978.

The problem in relation to tuberculosis is not just in the Northwest Territories by the way, there has been a similar situation arise in the Yukon and I refer particularly to Watson Lake. The situation I believe is that we have been led

to believe that tuberculosis is, or was not, a disease to be concerned about. With the new chemotherapy we could get rid of the large sanitariums so that I suppose as a public we were rather lulled to sleep in relation to tuberculosis. But the fact is that it does exist and until it is completely wiped out we will have recurring situations similar to what we have now. The problems in the Northwest Territories I suppose are probably about threefold. First of all in order to deal with a problem such as tuberculosis you have to test all of the people in a community. It is necessary to carry out a complete survey of all the people in the community. Secondly, then it is necessary to have the people who are active on a treatment program. In the past, tuberculosis has really received a rather bad name for the fact that if a person had a serious tuberculosis ulcer they had to go south for a long period of time and as one group of people put it to me they sometimes did not come back alive. Well, that situation has been reversed completely. The length of treatment has been reduced. The prognosis is now very favourable. That is, once the person is on chemotherapy they can come back to the community and have a normal life.

How To Beat Communicable Diseases.

The third problem that I would like to indicate is that there is a need to be able to interpret our concerns and the concerns of health care people to the residents of communities in a way that they will understand. I think that this is the one key area in the whole matter of communicable diseases that requires attention. We can continue to pay a lot of money for hospital care and doctors' care but unless we get the basic information out to the residents of a community we are not going to beat communicable diseases. I think one of the areas that we must look at is the co-operation that we could receive from the Northwest Territories Native Women's Association who appeared before this House.

So, I think that the problem will be a recurring one and there will be further press articles about tuberculosis, particularly in the Rae area. Only about 50 per cent of the population of that area have been X-rayed. So, although I would not want to say there will be more cases diagnosed the possibility is there if the remaining 50 per cent were X-rayed that we would have a number of additional cases diagnosed. The situation is that it is essential that we work with that community or that health people work with that community and encourage the people to become X-rayed and to see that appropriate health information is available in a way that can be clearly understood by the people of that community. That information is not available at the present time. It must be developed.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. McDermit. Any further comments? Mr. Nickerson.

Infectious Hepatitis

MR. NICKERSON: I have one more which I promise will be the last comment I will have about the annual health report and that concerns infectious hepatitis. It would appear from the figures given on page 25 that there has been a very serious increase in the amount of this disease and this increase has been confined mainly to the Mackenzie area. What really are the causes of this and again, how do we go about reversing the trend?

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

MR. McDERMIT: Mr. Chairman, infectious hepatitis is just exactly what it says. It is infectious and it just happens that this year there has been a problem in the Mackenzie zone. If we went back through previous reports we would find that there were similar conditions in the Keewatin zone some time ago, but once it breaks out in a community and the sanitation, that is there is not due care in relation to sanitation and in relation to contacts, it will spread very, very quickly and that is exactly what has happened in the Mackenzie. It is the same with other infectious diseases and it does not matter if it is dysentery or infectious hepatitis or tuberculosis. There are certain basic principles of personal hygiene and certain basic principles in relation to these diseases or venereal disease and unless we can get this information to the people we are going to have recurring problems year after year.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. McDermit. Any further comments? Hon. Arnold McCallum.

A Facility To Communicate Within A Community

HON. ARNOLD McCALLUM: Mr. Chairman, I would like to just elaborate a little bit more on a couple of the comments that Mr. McDermit made in relation to how we go about attempting to keep abreast of knowledge of health conditions, of how we would propose to improve the interpretation as suggested in the communication amongst people in a community. Mr. McDermit and his staff have been in close contact with the Native Women's Association as he has indicated and as I indicated yesterday we are expecting to get a recommendation from them to be involved with the delivery of that kind of a service and within the government itself we are attempting to set up a health information section within the department. Mr. McDermit and I have made representations to the finance committee of the Executive. The difficulty, of course, would be with resources. We would, of course, require increased man years. We would require further funding and in a particular time, of course, of some restraint that becomes very difficult. Nevertheless, we are attempting through discussions with the native people who have a facility to communicate within a community to do this; we have as well insisted that national Health and Welfare give us health information and up-to-date information and in the past as Members will know that has been slow to get, slow to come by.

We deplore the situation that exists. We think that we can do something about it. We have to work at the present time with the national department, but we are confident that we will be able to come up with something that will relay information or keep people within communities knowledgeable of the health conditions, what must go on and people will be able to communicate and, of course, to take on better health habits. But it is all, I should not say, a difficult process, but it is a process that requires some time and since we have just set up our Department of Health and because of the increased responsibility of the people involved within the department, our resources are strapped and we will have to try to make a better effort to have them increased, but we certainly are attempting to not only keep abreast of the situation but to be kept more aware of health conditions throughout the North.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Arnold McCallum. Any further comments? Mr. Steen.

Housing For The Dental Therapist In Fort McPherson

MR. STEEN: Last year I asked the administration to see if they could provide a house for the dental therapist in Fort McPherson. I believe the administration was so slow in acting to provide that house that the native dental therapist decided to not continue to work in Fort McPherson. I wonder if the administration can advise me what has happened now to that accommodation? Is accommodation still available for native dental therapists in that community?

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Steen. Mr. McDermit.

MR. McDERMIT: Mr. Chairman, I do not think it was a matter, at least I hope the Honourable Member does not feel it was a matter of us being so slow about responding, because if that is the case I want to assure him that we raised the issue immediately with medical services, Health and Welfare Canada, through the assistant regional director in Edmonton and although the response may have been slow I just want to assure him that we acted upon his request immediately.

The policy of medical services, Health and Welfare Canada, is to provide housing for dental therapists when they are posted to communities. However, I am sure we all realize the problem in relation to obtaining houses in some of our communities and it is necessary for medical services to plan almost two years in advance in order to assure that housing is available. I would like to say, Mr. Chairman, that if similar problems arise in the future -- and I think you yourself have found out by raising issues with us we respond fairly quickly -- that if Members have problems, if they would refer them to my Minister or to me we will do everything that we possibly can to provide them with an answer or refer them to medical services, Health and Welfare Canada.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. McDermit. I recognize the clock. Is it the wish of the committee that I report conclusion of the consideration of this report?

---Agreed

MR. SPEAKER: Mr. Fraser.

Report Of The Committee Of The Whole Of Tabled Document 2-66, Report On Health Conditions In The Northwest Territories, 1977

MR. FRASER: Mr. Speaker, your committee has been considering Tabled Document 2-66, Report on Health Conditions in the Northwest Territories, 1977, and wishes to report the conclusion of this matter.

MR. SPEAKER: Thank you very much, Mr. Fraser. Are there any announcements for tomorrow? Mr. Evaluarjuk.

MR. EVALUAFJUK: Mr. Speaker, I would like to return to Item 7. I have not had a chance to speak to it.

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

MR. EVALUARJUK: Mr. Speaker, I would like to be appraised, if we are going to be finished tomorrow. We could be meeting in this Assembly at 9:00 o'clock. Some are leaving on Saturday and we are leaving on Monday. I would like to get unanimous agreement so that we can meet at 9:00 o'clock in the morning.

MR. SPEAKER: Mr. Evaluarjuk would like unanimous permission to move a motion under Item 9 which would have the effect of altering this Assembly's sitting hours and instead of meeting at 1:00 o'clock tomorrow to meet at 10:00 o'clock, is that correct? He wants to have unanimous consent to move to Item 7. Anyone disagree with Mr. Evaluarjuk moving to Item 7, notices of motion? Mr. Lyall.

MR. LYALL: Mr. Speaker, could we get some kind of assurance that we may be finished tomorrow night?

MR. SPEAKER: Well, Mr. Lyall, I do not know who could possibly give you that assurance.

MR. LYALL: Mr. Speaker, I do not see any reason to sit in the morning if we are going to be finished with the amount of time that we have left.

MR. SPEAKER: Well, we have third reading of bills obviously, we have the COPE land claims settlement matter, we have Tabled Document 8-66, Use of Both Official Languages on Territorial Government Letterhead, and we have not even looked at yet, Bill 10-66, An Ordinance to Amend the Council Ordinance. Those I think are the only matters.

Now, whether you can get them done between 1:00 p.m. and 6:00 p.m. or whether you should start at 10:00 a.m., I do not know, but the question which we are debating now, that is, what we should be debating, is do we have unanimous consent to let Mr. Evaluarjuk put his motion forward. That is still within the Rules, gentlemen. Is there anyone who wants to deny Mr. Evaluarjuk to put his motion forward? Mr. Lafferty does not want to give consent. Is that right, Mr. Lafferty?

MR. LAFFERTY: Yes.

MR. SPEAKER: Orders of the day.

ITEM NO. 15: ORDERS OF THE DAY

CLERK OF THE HOUSE: Orders of the day, October 27, 1978, 1:00 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. First Reading of Bills
12. Second Reading of Bills

13. Consideration in Committee of the Whole of Bills, Recommendations to the Legislature and Other Matters: COPE Land Claims Settlement, Tabled Document 8-66 and Bill 10-66
14. Third Reading of Bills
15. Assent to Bills
16. Time and Place of Next Session
17. Prorogation

MR. SPEAKER: This House stands adjourned until 1:00 o'clock p.m., October 27, 1978, at the Explorer Hotel.

---ADJOURNMENT

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