



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES
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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, FEBRUARY 1, 1979

MEMBERS PRESENT

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

ITEM NO. 1: PRAYER

---Prayer

SPEAKER (Hon. David Searle): Gentlemen, before we go to the orders of the day I am told that 32 years ago to the day Mrs. Ernerk had quite an experience, and by that I simply mean that today is the Hon. Peter Ernerk's birthday.

---Applause

Item 2, replies to Commissioner's Address.

ITEM NO. 2: REPLIES TO COMMISSIONER'S ADDRESS

Hon. Arnold McCallum.

Hon. Arnold McCallum's Reply

HON. ARNOLD McCALLUM: Mr. Speaker, I recognize that this will be the last occasion on which I have the opportunity to reply to an opening Address given by Commissioner Stuart Hodgson. I would be remiss, therefore, if I did not take advantage of this opportunity to personally offer to the Commissioner both my heartiest congratulations on his appointment as chairman of the International Joint Commission, and my heartfelt gratitude to him for his 12 years of dedicated service to the people of the Northwest Territories as our Commissioner. In expressing these sentiments to Commissioner Hodgson, I also want to congratulate John Parker on his appointment as Mr. Hodgson's successor and to wish him well in his new responsibility and to pledge him my support.

I would also like to thank at this time the directors and their staff of the Departments of Health, Local Government, Education and Social Services. It has been a most enjoyable experience, one that I would treasure. To you, sir, to my colleagues, the Members of this Assembly I want to thank each and every one for the support they have given me and for the pleasure it has been to serve with you as a Member of this Assembly. I would like to express gratitude for the support you gave me in naming me to the Executive Committee. It goes without saying that I would like to express my appreciation to the Clerk and his staff as well for their work. However, Mr. Speaker, that is not the point of the reply that I wish to make to the Commissioner's opening Address. I rise today to talk about the most important contemporary issue facing this Legislature. And, in talking of it, I rise to make what I think is the most important speech I have ever made in this House.

Members Must Become Statesmen

I do this because I sense that we are approaching an intersection, a point at which all of us in the Northwest Territories, native and non-native, may push ahead to a better social order, or doom ourselves to the back burner, and throw away our main chance to embrace in the Northwest Territories what the rest of Canada takes for granted; self-government. I believe that the route we choose depends on whether we as Members of this Legislature behave as politicians seeking personal or partisan gain or whether instead we become statesmen. I believe that if a free Northwest Territories is to emerge, that if a free Northwest Territories is to evolve, we must then become statesmen, wise in the science of government and unselfish and conciliatory in our conduct and in our work.

It is for this reason that I want to speak to you today, and speak to all citizens of the Northwest Territories about a species of wildlife. Unfortunately, yes, unfortunately, this species is not endangered in the Northwest Territories. It is my intention and I hope that when I am finished it will be yours, to start seeing to it that this species of wildlife does become endangered. And, hopefully that one day it may even become extinct here. I am not talking about the caribou that so concern us, Mr. Speaker. No, I am speaking of a much more efficient and dangerous species. I am talking about the federal bureaucrats in the Department of Indian Affairs and Northern Development. And I am speaking about what these bureaucrats are attempting to do, and so far succeeding, in the negotiation of native land claims in the Northwest Territories.

Before I go on, I should state unreservedly so that the native people of the Northwest Territories and the native leaders of the Northwest Territories will not misunderstand me: The Government of the Northwest Territories favours the settlement of land claims based on traditional use and occupancy. We encourage these settlements and see a fair settlement as a necessary step in the evolution of our society towards responsible government.

COPE Agreement Should Be Reconsidered

However, for a start, I ask some of these original peoples, the Inuvialuit of the Western Arctic, who through the Committee for Original Peoples Entitlement have recently reached an agreement in principle with the federal government, I ask them to seriously reconsider what they have agreed to, and to think hard about it, because what I am about to say goes to the heart of their future as a people and to the future of their children. Right now, the Inuvialuit herald this, see this, as a step towards their liberation. In this agreement, they are establishing -- there is no doubt about it -- a direct relationship with the federal government. I repeat, on analysis of the document, there is no doubt about it.

The plain truth of it, what it really does is that it guarantees the Inuvialuit's servitude to the federal bureaucracy, binds them to it more than ever before. It is an instrument, not of liberation, but of repression. It puts them in the same position as the native peoples on reserves in the South; the victims of an unresponsive and dehumanizing bureaucratic machine called the Department of Indian Affairs and Northern Development, a monolith that does not encourage change and original thinking, but fights it. Is this what the Inuvialuit of the Western Arctic want? I think not. Is this what other native groups in the Northwest Territories want? I think not. Perhaps history will reveal that the timing of the signing of the agreement in Sachs Harbour was prophetic. It was signed on Halloween, the time for masquerades. Unfortunately, this is but a small part of the masquerade that is being perpetrated on all of us in the Northwest Territories.

As Minister responsible for land claims, I have with the help of my staff analysed the history and development of native land claims in the Northwest Territories, dissected the principles expounded and agreed to in the COPE agreement in principle and digested this along with our knowledge of other federal postures in this and other land claims negotiations. When we mix all this with our own considerable experience in the past 11 years dealing with the federal bureaucracy, it is impossible for me to avoid a series of frightening conclusions about things to come.

A Balkanized Territory

In fact, I have a sense of foreboding that these conclusions constitute a warning to the people, all the people of the Northwest Territories and that warning is this: We are in danger of becoming a Balkanized territory, a huddle of reservations, a multitude of ghettos. We will never become one unified political entity. What I would like to give you now is a synopsis of why we feel this way, by listing our conclusions. Later, I will explain in detail just how and why we reached them. Most of these conclusions are based on an examination of the COPE agreement in principle.

The Department of Indian Affairs and Northern Development is attempting to turn the promise of our future, the future of all of us, into a quagmire of social, administrative and jurisdictional confusion and dispute. They are, if the COPE agreement in principle is an example of their intent, deliberately encouraging the growth of stronger elements of racism in our northern society. I also believe that the COPE agreement in principle is the beginning of an attempt to fracture our homeland and Balkanize our people into opposing groups and to effectively throw us back into the dismal age of racism. This is not political rhetoric. It is, I believe, an accurate analysis of the COPE agreement and the situation in the Northwest Territories today. And it begs the question as to whether we can trust the federal government when it says, as the Prime Minister himself has said, that there will be no native states or anything akin to native states in the Northwest Territories.

Federal Intent To Divide And Conquer

Equally important, after examining the COPE document and pondering our experience as a government with the federal bureaucracy in regard to it, I now agree with what some native groups have been saying but what my background and instincts have kept me from realizing until now. The federal intent in land claims is to divide and conquer, and to divide and conquer us all. I now agree with the Indian Brotherhood of the Northwest Territories. I now agree with the Inuit Tapirisat of Canada. I do not agree that the federal government is the culprit. As I have said, I believe the federal bureaucracy is. But I do agree with these groups as to what is happening: Divide the peoples of the Northwest Territories and, by so doing, conquer and control the peoples of the Northwest Territories.

We must now, if these native groups are willing and I include the Committee for Original Peoples Entitlement, resolve our differences, patch up our partisan desires, put aside our past conflicts and go forth in tandem to convince the Minister of Indian and Northern Affairs and the cabinet, of this federal folly and deceit. You may find all of this difficult to believe.

The Minister has repeatedly stated that he and his department, and the Trudeau government, believe in the development of strong government in and for the North, believe in creating the social and economic climate that will heal the differences of our peoples, believe in the development of participatory democracy at the community level and believe in our political and fiscal future, as the majority of the people of the Northwest Territories see that future. What I can only presume is that the Minister and the rest of the Liberal government do not realize a fundamental truth, that in order to achieve these

aims it means inherently that the power of the federal DIAND bureaucrats will have to be reduced, and that it naturally follows that if these aims are reached their power will be reduced, and that DIAND will lose its traditional hold on the political jugular vein of the Northwest Territories.

What the Minister and the rest of the Liberal government do not seem to realize is that the castle of power these bureaucrats have built will start to crumble if these honourable developments are allowed to occur, whether they occur through native land claims or through the constitutional development in the Northwest Territories, or both. And what the Minister and the rest of the Liberal government do not seem to realize is that these bureaucrats have no intention of idly sitting by and watching their power dissipate land, a sand castle before the incoming tide. What the Minister and the rest of the Liberal government do not seem to realize is that these bureaucrats, in defiance of the wishes of their political masters, if anything intend to increase their power in the Northwest Territories, adorn their castle, and pile up even more sand than they have now and to do it to all of us through the manipulation of our peoples and their legitimate land claims and by holding back and hobbling constitutional development in the Northwest Territories.

Not A Progressive Document

At the same time, they must make it appear that the opposite is being accomplished. And so far, as I have indicated, they have been able to maintain this bizarre masquerade. It is quite a deception. Only now is its pattern beginning to emerge. If you still think I am joking, consider this for a start. As outlined in the COPE agreement in principle, territorial legislation will be inferior to what is in essence a contract between the Inuvialuit and the federal government, a contract that will be subject to change at any time and, further, territorial ordinances will be subordinate to negotiations, negotiations of which there is no formal record. It is all a lawyer's delight and a judge's nightmare because the agreement is subject to change at any time and it leaves the people of the Northwest Territories in the impossible position in the Western Arctic of being unable to rationally plan for their future. This is not a progressive document for social change. It is, potentially, a bog that will ensure that change for the Inuvialuit comes only with painful effort.

Mr. Speaker, I would now like to remind Members that the parliament of Canada established a government structure for the Northwest Territories many years ago. That structure has changed. The jurisdiction given to this government has changed. Some changes have been made by specific amendments to the Northwest Territories Act and all of the changes have been made by policy direction. All of these changes have increased the administrative responsibilities and legislative jurisdiction of this government. But as I have said, it now appears, contrary to both the wishes of the Minister and of the cabinet, that by policy the bureaucrats in the Department of Indian Affairs and Northern Development are taking deliberate steps through the settlement of native land claims, to erode the jurisdiction of the Government of the Northwest Territories and to fragment this territory and its peoples into opposing and competitive groups.

Bureaucrats Eroding Power

This is the opposite, a reversal of the 12 years of constitutional development that has occurred in the Northwest Territories through establishing this government and establishing this House. In order to explain how the bureaucrats are trying to erode our power and, as a consequence, fragment the Northwest Territories, I must go back to a Friday in October, October 27, when Dr. John Naysmith, the federal government's chief negotiator in the COPE agreement, appeared before this House to summarize the elements of the proposed agreement in principle between the Government of Canada and COPE.

At that time, the Hon. Tom Butters, who was then responsible for native land claims secretariat of this government, outlined the history of the COPE negotiations up to that point. In his speech, Hon. Tom Butters emphasized this Legislature's desire and I quote: "...to see an early and equitable settlement by the Government of Canada of the legitimate claims of native residents in the Northwest Territories". That quotation is from a motion passed by this body as far back as January 17, 1972. In our paper Priorities for the North, we stated, and I again quote: "The Northwest Territories Legislative Assembly has a vital interest in the settlement of native claims and therefore must claim equal representation, together with the federal government and native groups, on any land claims negotiating committee."

Hon. Tom Butters, in his remarks, recounted the limited involvement of this Legislature and of the Executive in the negotiations between Canada and COPE. He identified four principles which this House has consistently endorsed as being key elements in any claims settlement in the Northwest Territories, which in the COPE agreement in principle the federal bureaucrats have consistently and adamantly violated. These principles are:

Principles In Claims Settlement

1. That the Government of the Northwest Territories, as constituted under the Northwest Territories Act, is the senior government in the Northwest Territories and represents all Northwest Territories residents. Canada, through the settlement of native claims, shall not erode any constitutional authority of the Government of the Northwest Territories;
2. That the Government of Canada shall not give, through the settlement of native claims in the Northwest Territories, to any group or groups of people any constitutional authority and responsibility which has not yet been delegated to the Government of the Northwest Territories;
3. That the settlement of native claims in the Northwest Territories shall not prejudice the continued development of strong and democratic government at the community level; and finally
4. That traditional use of land and resources by native peoples, including Metis, who are not included in a land claim settlement, shall be preserved.

This Legislature unanimously adopted, by motion, these principles and insisted that the Minister include them in the COPE agreement in principle.

Some people may ask why these principles should be included in that particular agreement. Native land claims are much more than claims for land and money. The native land claims advanced to date include demands for political control, the setting up and method of delivery of social programs, preferential treatment in economic activities and control of land use and wildlife. All of the elements aside from land and money impinge on the Northwest Territories Act which is the constitution of the Northwest Territories. Who better than this Legislature to deal with our own constitution?

Even the Office of Native Claims has called for our full participation. Yes, part of that federal bureaucracy of which I am complaining so much, has said itself we should be fully involved. I refer to an opinion paper that office prepared about a year ago entitled "Native Claims: Policy, Processes and Perspectives," in which it is stated: "Another function of the claims negotiating process is to provide a forum which will take into account the interests of non-claimant groups in the area that may be affected by a claims settlement. Settlement of the claim must accommodate these interests, else settlement will merely give rise to another set of grievances." Now here is the part I wish to emphasize: "The involvement of the provincial or territorial government is essential to ensure this accommodation."

Clearly, we are not being involved. Clearly, as I have just stated, the federal bureaucrats do not practise what they preach. One school of thought proposes that the federal government should only be negotiating land and money and that all other matters should be accomplished through this government and its continuing processes of decentralization and devolution. On the other hand, the policy of the federal government is one of a comprehensive settlement which includes social programs, cultural programs and economic programs for development. At the same time, the significance of this is all-important, the federal government defers the constitutional development of the Northwest Territories pending Hon. C.M. Drury's recommendations.

Fragmentation Of Territories

This is the essence of the strategy of divide and conquer. Settle one piece of the action with the native peoples but put the other piece on hold. Control the constitutional amending formula and leave yourself free to work both ends against the middle. That leaves the representatives of all the people, us, powerless to act, powerless to act in the interests of the Inuvialuit, powerless to act in their non-native neighbours' interests, powerless to act for all the people affected, but not directly involved, in the COPE settlement. All we can do is sit and watch the fragmentation of our territories.

I would like now to refer to the four principles I mentioned earlier and directly relate them to the COPE agreement in principle, to show you just exactly how these principles have been ignored. Principle one, that the Government of the Northwest Territories, as constituted under the Northwest Territories Act, is the senior government in the Northwest Territories and represents all Northwest Territories residents. Canada, through the settlement of native land claims, shall not erode any constitutional authority of the Government of the Northwest Territories. It is important to realize, in relation to this principle, that a land claims agreement must be declared valid by an act of parliament. Once that is done, the agreement will have the full force of a federal statute and will supersede territorial legislation.

As well, the wildlife provisions of the COPE agreement are contrary to this principle. In 1949, parliament declared that jurisdiction respecting game would be the responsibility of the Commissioner in Council. This agreement, however, will carve out a region in the territories in which territorial game laws will have restricted application. Implementation of the wildlife provisions in the agreement section 14, will require substantive changes to existing game laws, for example, exclusive hunting rights will be granted, general hunting licences have to be defined and guaranteed, quotas will be bargained.

Authority Respecting Game Fractured

All this would normally be done by amendments to territorial legislation. But because it is done in an agreement to be validated by federal jurisdiction, the authority of this government is fractured. When this government deals with legislation respecting game, it will always have to look over its shoulder and consider the contents of the COPE agreement. What is even more worrisome is whether agreements pending with other native groups will be developed similarly. If so, this already serious problem will become a jurisdictional and administrative horror story, a nightmare for both sides. Before I go to principle two, let me say that I could give more examples of where in the agreement with the Inuvialuit this first principle is violated. There are other examples.

Principle two would ensure that any responsibility granted to native groups is accompanied by a complementary growth in the constitutional authority of the Legislature. I am pleased to see that the Inuvialuit will own 37,000 square miles of land in the Western Arctic. At the same time, it is noteworthy, by comparison, that the Commissioner's lands in the entire Northwest Territories are a mere 1209 square miles. As the federal government settles the land question with the native peoples of the Western Arctic, it is not timely to turn over the responsibility for crown lands in the Western Arctic to the Government of the Northwest Territories.

Inuvialuit More Successful Than Legislature

I am pleased as well to see that the Inuvialuit will share in resource revenue and will have environmental control over their land. Their efforts have been more successful than ours. This Legislature has continually requested, without success, resource revenue sharing, responsibility for environment and justice, to mention a few. The recognition of principle two in land claims agreements is necessary if we wish to escape the colonial status imposed by Ottawa.

Principle three should be included in all agreements, as a constant reminder that the settlement of claims should not prejudice the continued development of strong government at the community level. The COPE agreement, meanwhile, provides for community corporations whose authority has not yet been defined. Presumably they will be set up under the laws respecting corporations. These laws can not be compared with the elaborate safeguards developed in legislation respecting municipal government to protect the rights of the individual. Can we assume that community corporation will place development of strong community government and the rights of the individual ahead of their corporate growth and well-being? Could we end off with corporations that, in their relationship with the society around them, fulfil the predictions of George Orwell in 1984?

It is, I suspect, optimistic to conclude that community corporations will not prejudice the continued development of strong and democratic government at the community level. I sincerely hope that it will not. However, such a conclusion requires some assumptions; for example, that community corporations will not find themselves in conflict with existing municipal institutions, that the role assumed by community corporations will not exceed or impinge on the authority given to municipalities, that the Inuvialuit will continue to participate fully in local government institutions provided by territorial legislation and that the normal growth of municipalities and municipal services will never exceed the land area provided in 1978. But is it not possible that if present municipal corporations wither away and Inuvialuit community corporations become the dominant force in local government, that democratic safeguards, for Inuvialuit as well as everyone else, could be inadequate or inoperative? I am not saying they will be. I am saying I fear they could be.

Traditional Land Use

Principle four reflects the responsibility of this Legislature for all citizens of the Northwest Territories. It states that "Traditional use of land and resources by native peoples, including the Metis, who are not included in a land claim settlement shall be preserved."

During the limited involvement of our territorial government representatives in the COPE negotiations, we were assured by the federal government that the eastern boundary of the Western Arctic region would pose no problem and that the people of Coppermine and Cambridge Bay had agreed to it. Such, as so many of us know, is not the case. Had these federal bureaucrats listened to our representations on this case all native peoples' traditional hunting boundaries would have been respected. The people of Coppermine and of Cambridge Bay are now rightfully disturbed and worried that some of their traditional hunting lands are within the COPE lands and that access to these lands will be denied them.

The real problem is that to now resolve this conflict, called overlap, may be next to impossible without making a fundamental change in the COPE agreement. When there is an overlap what is supposed to happen is that non-Inuvialuit claim harvesting rights to certain species on their traditional lands within the Western Arctic region. In return, the Inuvialuit can claim harvesting rights to certain species in traditional hunting areas outside the Western Arctic region. But a time limit has been placed on non-Inuvialuit in which to make their land claims.

Furthermore, the Dene and the Metis can only gain harvesting rights in the Western Arctic region on unoccupied crown lands, and not on lands selected by the Inuvialuit. But even here the agreement is unclear. On careful reading of the document, it appears that the Metis could gain rights to harvest on crown lands and Inuvialuit lands, while the Dene could only claim rights on crown lands. Already I see the requirement for judicial interpretation -- perhaps by the Supreme Court of Canada. Land selection by the Inuvialuit is to be done as soon as possible and that puts a further time pressure on the Dene and the Metis.

Fear Of Deprivation Of Benefits

It is also important to realize that non-Inuvialuit can only claim harvesting rights on traditional areas used by them in the Western Arctic region. I fear that non-Inuvialuit will be deprived of any direct benefits resulting from non-renewable resources and other economic development on lands traditionally used and occupied by them. The boundary of the Western Arctic region represents a grave omission on the part of the federal negotiators. It was never discussed with this government nor with non-Inuvialuit native peoples.

Further, the maps appended to the agreement show that the boundary, particularly the southern boundary, extends beyond the land traditionally used by the Inuvialuit. Some lands now included within the Western Arctic region were recognized as Dene lands when Treaties 8 and 11 were signed. Have the federal bureaucrats changed their minds?

Mr. Speaker, I hope that I have demonstrated to this Legislature and to all the people of the Northwest Territories, the importance in land claims of the four principles adopted by this House, and that the failure of the federal bureaucrats to acknowledge the merit of them, both within the COPE agreement in principle and without it in their dealings with the people of the Northwest Territories, is grossly detrimental to the future of us all. If this is a precedent for other agreements, it is the beginning, potentially, of a legal, constitutional, administrative and jurisdictional maze that could envelop us all and shatter our fragile union that we hope for as effectively as dropping a jigsaw puzzle off a ten storey building.

Involvement Of Government In Negotiations

I now want to move along to the involvement of this government in the claims negotiating process. First, I would like to refresh the memory of this House about the promises that were made to us and others before land claims negotiations really got under way. In August of 1973, the then minister of Indian and Northern Affairs, the Hon. Jean Chrétien said in a speech, and I quote: "Not all of the lands in question are the sole concern of the federal government. In the Yukon and Northwest Territories, the government has authority, to be exercised in full consultation with the territorial governments, to deal with interests in land." I repeat Hon. Jean Chrétien's words: "... in full consultation with the territorial governments ..."

As I have been trying to show you, the federal government has always supported our full participation in the land claims process. The trouble has been, and is, that the bureaucrats do not agree with them and so the bureaucrats, unilaterally and in direct opposition to their political masters, have manipulated and twisted everything around to effectively cut us out of the process.

Honourable Members will recall that the Hon. Tom Butters tabled in this House a memorandum of understanding signed by the Minister and the Commissioner. This document outlines the way in which the Executive of this government and this Legislature participate in the land claims process. An important part of this memo of understanding is that where we disagree or object to provisions proposed in an agreement, then the federal government agrees to listen to our objections and consider them. This agreement, or so we thought, is intended to ensure that the territorial point of view is heard right to the ministerial level. In the case of the COPE negotiations this document, this understanding, was violated and ignored.

Marginal Notes Wiped Out

For example, on Monday, October 30, we received a draft of the COPE agreement in principle that contained marginal notes beside certain very significant clauses. The marginal notes beside these clauses were hand written and stated, and I quote: "subject to approval by the Government of the Northwest Territories". The interesting and significant thing is that before we could agree or disagree with these clauses, the very next day -- I remember the date, Halloween, Tuesday, October 31 -- the Minister signed an identical document, the only change being that the marginal notes calling for our approval were wiped out. This government never had an opportunity to approve or disapprove these clauses, never even had an opportunity to discuss them, contrary to the memorandum of understanding and contrary to the understanding those marginal notes contained that our approval of the clauses was required.

As well, one of these very significant clauses, among other things, provided that matters concerning game in the claim area would be implemented through territorial legislation. In the agreement signed by the Minister, this principle was wiped out. Federal bureaucrats now assure us that the memorandum of understanding will work from now on. I earnestly hope they are correct.

All this aside, the memorandum of understanding only allows us to participate in developing a federal position. It does not allow us to put forward an independent position at the bargaining table. For that reason I am continuing to press for full recognition; in other words, to participate as an independent party at the bargaining table. There is no constitutional reason to prohibit us from doing so. Indeed, the 1973 policy statement by the federal government specifically calls for the participation of the Government of the Northwest Territories.

Memorandum Of Understanding Needs Change

Furthermore, I am pressing to have the memorandum of understanding amended to provide that all matters in northern claims under the legislative jurisdiction of the Commissioner in Council be implemented through territorial legislation. A provision to this effect was contained in the COPE agreement. But as I have already mentioned, it was emasculated at the last minute over our objections. Therefore, this assurance must now be stated in the memorandum of understanding, the memorandum must be changed to reflect this guarantee.

There are sound reasons for both of the above positions. This government has demonstrated more than any other its concern for the well-being of all northern people. Let us use as an example education. Our curriculum provides education for all, regardless of race, unlike the schools on southern reserves.

Jurisdiction for education has been devolved to this government by agreement with the Government of Canada. There are no separate native schools here as there are in the South. I am proud of the students of our system. The leaders of the native groups are prime examples of the products of that system. The articulate leaders of native groups in the Northwest Territories are another example of the effectiveness of our educational system.

Effectiveness In Area Of Wildlife

As another example of our effectiveness, in the area of wildlife, this government created the general hunting licence in order to treat all native people equally, regardless of the federal Indian Act. Let me, again, refer specifically to the COPE agreement. The Hon. Tom Butters, in his remarks of October 27, mentioned that in November of 1977 negotiations on the COPE claim very nearly collapsed. Officials of this government played a very major role in keeping the negotiations alive by developing a joint position on wildlife. This was a positive development and an indication of the ability of this government to resolve such complex problems. Furthermore, it demonstrated the inability of the federal bureaucrats to deal adequately, by themselves, in areas of territorial concern. Officials of this government played a major role in developing that paper. Surely it is logical that the provisions of this document be implemented in territorial legislation. It is very difficult to comprehend the reluctance of the federal government to permit the implementation of these provisions by the territorial administration.

Besides avoiding an administrative and constitutional nightmare, this Legislature -- and this is one of the most important points -- is close to the people and is more responsive to change. Compare, for example, our Wildlife Ordinance to the federal Migratory Birds Convention Act. In terms of workability there is no comparison.

Inuvialuit Social Development Programs

From all I have just said, is it not now plain that many elements of a settlement should be implemented through territorial legislation and programs? A look at section 17 of the COPE agreement in principle, which is headed Inuvialuit social development program, further illustrates the importance of this principle. In that section we find, and I quote: "A common goal of Canada and COPE is to afford the Inuvialuit time and meaningful equality of opportunity as Canadians, while preserving the Inuvialuit culture and lifestyle within a changing larger society."

To achieve this goal, the section provides for the funding of an Inuvialuit social development program. This is in addition to the financial compensation they are to receive for the extinguishment of their claims. The program will pertain to social concerns such as housing, health, welfare, mental health and education. Certain functions for this program are spelled out and a direct relationship with the federal government is proposed.

There are several points about section 17 I would like to make. First, it establishes a direct relationship between the federal government and the Inuvialuit, contrary with stated policy of the federal government. You will remember the policy paper released by the Prime Minister in the fall of 1977: "The government does not favour the creation of new political divisions, with boundaries and governmental structures based essentially on distinctions of race and involving a direct relationship with the federal government." I would like now to quote again, but this time in full, the first part of that federal policy statement: "Accordingly, unless the Indian and Inuit claimants are seeking the establishment of reserves under the Indian Act, as in the South, the government does not favor the creation in the North of new political divisions, with boundaries and government structures based essentially on distinction of race ..."

Powers Associated With Government

But what do we have in the COPE agreement involving a race of people called the Inuvialuit? Well, the Inuvialuit do not get their own government. But with this social development program they do get the kinds of powers associated with having your own government, having your own political, educational and economic systems -- in varying degrees to be sure -- but still their own systems and powers. The Inuvialuit are getting land and money. Whatever they do with that land and money should be their business.

But how they will use that money on social programs is spelled out in this agreement in principle. It is, in effect, setting up a federal government program. And by virtue of the fact that the claimants are determined by their race, this is therefore a government program based on race. Therefore, what we end up with in the Western Arctic, depending on how you approach it, is a direct relationship between the Inuvialuit and the federal government, the Inuvialuit with some of the trappings of government power and a government program that is based on race.

Basic Intent Praiseworthy

The basic intent of section 17, the provision of social programs that will better the lives of the Inuvialuit, is praiseworthy. My main point, however, is that surely everything contained in it is applicable to all individuals in the Western Arctic, to all individuals in the Northwest Territories, regardless of race. The construction of experimental housing, studies to achieve greater renewable resource utilization, advising government agencies regarding programs, developing special training, these opportunities should not be available to northerners only on a racial basis.

Furthermore, if similar programs and funding are provided in other land claims settlements, where is the administrative horror going to end? It is my assertion that all of these things should and could be accomplished through territorial legislation and programs, with proper representation from native and other interested groups.

Natives Are Canadians

It is difficult to understand the position taken by the federal Office of Native Claims that excludes the Government of the Northwest Territories as a formal partner to agreements that are intended to define the relationship between native people and the government of the Northwest Territories. Does not the performance and record of this government when compared against any other show that native people can and do participate as equals for no other reason than the fact that they are Canadians first? But what the Office of Native Claims is doing is ignoring the fact that natives are Canadians by emphasizing that they are natives first.

This process can only lead to the social, cultural and economic malaise in which native people find themselves throughout the rest of Canada, not to mention how it will divide our people and the jurisdictional and administrative confusion and unworkability it also will cause in the North. Mr. Speaker, I said earlier that the Government of Canada, these federal bureaucrats, are eroding the jurisdiction of this government, in the claims process, to the detriment of the people of the North, all the people of the North and to divide this territory and its peoples. I hope I have made my point. Mr. Speaker, it will be obvious by now to all that land claims negotiations and constitutional development in the Northwest Territories are related.

Constitutional Development

I wish now to direct your attention to this topic, constitutional development, a topic so well-covered by the Commissioner -- I wish to thank him for his sage remarks -- and by a retiring Member of this House, Hon. David Searle. The Commissioner, in his opening Address, urged us, with the full support of the territorial administration, to fight for the powers of self-government; to, as he put it, never let up in our struggle, to get for the lasting benefit of all northerners, the kinds of democratic powers that are so taken for granted by provincial governments and their people in the South. He also urged us to think about changing the relationship of this Legislature to the Commissioner.

Subsequently, Hon. David Searle, and I complimented him on his remarks, recommended in his reply to the Commissioner's opening Address, that the Legislature should see to it that the powers of the Commissioner are systematically eroded until he is handcuffed and, ultimately, placed in the position of a powerless figurehead. Hon. David Searle said that future elected Members should take over many of the powers now held by the Commissioner and his Deputy and Assistant Commissioner and that this Legislature should demand the creation of a five man Executive Committee drawn from the ranks of an expanded 22 Member Legislature and that these Members should be responsible for all territorial government departments. "Follow through with Drury and work ... on advancing responsible government and the transfer of provincial-type responsibilities from the federal to territorial government," he advised us.

Support In Constitutional Development

Finally, only a few days ago, our new Commissioner, John Parker, said he is in agreement with our direction on constitutional change, supports our bid for increased financial and administrative power, and is in favor of strengthening this Legislature and the position of the elected Members. I think, Mr. Speaker, that our future path is open and clear. In constitutional development we have the support of the plurality of our people and the support obviously, of the territorial administration itself to achieve responsible government in the Northwest Territories, even the support of the very man, an honorable and forthright man, whose powers we must now set out to strip away.

We must, it is critical, for the benefit of all northerners, and in particular for the benefit of all native peoples, provide native peoples with the kinds of local control, programs and services and delivery of those services, that they appear to believe they can get from the federal bureaucrats in the land claims and which, I have suggested, they will not be getting for one reason or another, or will risk the fragmentation of the Northwest Territories into racial groups if they do. This, of course, would be to the lasting harm of both them and the rest of us.

Special Session

This situation is so important, Mr. Speaker, that I am now seeking a special session of the Legislature to be called in March to begin planning our drive to responsible government and to discuss a paper on constitutional development for presentation to Hon. C.M. Drury that will be ready by then. This special session should be the turning point in the development by northerners of responsible government and posterity will, I hope, remember it as the beginning of a dramatic cure for the social and economic disasters we and the native people may very well be facing in the negotiations of native land claims. This session, I suggest, will be our first dynamic step toward the freedom we call self-government, for all of us in the Northwest Territories, within the framework of Canada's constitutional democracy.

As a start, however, I must ask the following questions: Why do we not employ more native people? Why can not housing be improved? Why can not more economic programs be developed? Why can not social programs be expanded and improved? I think the answer is that they can. I therefore challenge the government and this House to see that they are.

Toward this end, I challenge each department of this administration to look at comprehensive land claims and see where there are elements in them that can be accommodated, can be satisfied, by territorial government legislation and programs. And not just existing programs but proposals for new ones as well. I call on my colleagues on the Executive Committee to prepare such recommendations and those that have the full support of this House should be ready for discussion by this House at the special constitutional session I have proposed.

The Prime Minister's special representative, Hon. C.M. Drury, speaking recently to the Central Arctic area council in Coppermine, said: "I think that northerners have the most important role in solving the problems concerning government in the North. Indeed, without their participation there can be no solutions." Hon. C.M. Drury is right. Unfortunately, his words may not carry south to the people who should heed them.

National Versus Northern Perspective

Do the natives of the Northwest Territories want to effect social change from a national perspective, through what amounts to federal programs and federal agreements, or from a northern perspective, through responsive and changeable territorial laws? The axiom is those who do not pay attention to history, are doomed to repeat it. Are we to be the victims of the same kinds of relationships with Ottawa that the native people of the South have suffered? I sure as God hope not.

We must, in this Legislature, in the administration, extend our hand anew to the native peoples of the Northwest Territories. What I fear they have and will have, with the federal authorities, is agreements in which they will be lucky to have, in terms of real power and real programs, any land left. What we must offer them is the kind of agreement, the kind of understanding, the kind of response in which, like a good handshake nobody has the upper hand. I challenge this Legislature and this administration to accomplish it. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Are there further replies? Mr. Steen.

Mr. Steen's Reply

MR. STEEN: Mr. Speaker, I do not believe that this reply will last as long as Hon. Arnold McCallum's otherwise I would put you to sleep. There is quite a contrast between this reply and Hon. Arnold McCallum's but nevertheless, Mr. Speaker, Members of the Legislative Assembly, ladies and gentlemen: I rise today in reply to the Commissioner's opening Address and to give a brief summary of my experience in this Legislature and perhaps a suggestion as to where some improvements might be made to help the next candidates achieve the wishes of their electorate and perhaps even as to how the next Members can be helped in the business of carrying out their responsibilities.

As you can see, Mr. Speaker, I have here today a hand written speech, it is not a confession, even though there are three Ministers in the Assembly. In the past years I have delivered most of my speeches direct from the shoulder but, if I may use the term, I have come to the conclusion that the dignity of your presence and the dignity of this Assembly must at all costs be respected, especially if we are to retain the respect of the rest of the country. So, Mr. Speaker, to get back to the Commissioner's Address.

The Commissioner in his opening remarks left little for us to remark on. His remarks seem to reflect almost all of what we have been saying during the life of this Assembly. I think he received his mandate through his travels throughout the North, which confirmed what we have been saying all along. I do not for one minute feel that he had to make these trips throughout the North to gain the convictions he so well expressed in his remarks. During his travels last year throughout the territories the Commissioner held meetings in every community and virtually took over the job of the Members of this Assembly, and at the same time expected the Members of the constituencies to follow him around like a child hanging on to its mother's apron strings.

Mr. Speaker and Members of the Assembly, I maintain that the people of the North are not dumb-heads, they know if you have been dealing with the mother who has all the say, then surely you will not be dealing with the child. I do not wish to downgrade the man, he has done great things for us in the past. He was around when we needed him the most, but his time of glory has gone, I hope forever. I am only saying that the position of Commissioner is no longer needed and that he has served in an era of time when in my opinion no one other than Stuart Hodgson could have done it and done such a magnificent job. I think as many Members have said -- this speech was written some days ago and so I did not pick up the speeches from the rest of the Members.

Constituency Problems Responsibility Of Members

What I am really saying, Mr. Speaker, is that if there should be another Commissioner he had better leave the problems of the constituency alone to the Member responsible. If he sincerely believes in the process of democracy that is what he will do. I see nothing wrong if the Commissioner wishes to travel in the North to familiarize himself with the country but if a problem arises the Commissioner must delegate it to the responsible Member for the area. I hope that John-John our new Commissioner will endeavour to do just that.

Mr. Speaker, I remember when Stuart Hodgson first came into contact with me. I believe it was in the year 1964 or 1965 when the then Commissioner Ben Sivertz first brought the Council of the Northwest Territories to Tuktoyaktuk. I remember notables in the group such as Air Marshal Campbell, Peter Baker, Gordon Gibson, the man who envisioned year-round shipments through the Northwest Passage. Mr. Hodgson was in the group at the time; he looked a lot younger at the time, he was a tall, young man, was cleancut and some people called him "dashing" and some others "smashing."

He seemed to have a lot of interest in the problems of the North. His approach to me and our council of Tuk was one of warmth, of concern and understanding. It was so different from what we were accustomed to by the previous federal administrators who were playing God to the community in prior years. Today the Commissioner seems so very old. It seems how strange and how awful that we the public can not envision how our everyday problems can age a public servant to that which we see in only 14 years. Yet the Commissioner took on our concerns with interest and cool and sometimes with humour. There was only once I believe that I felt "Old Stu" had lost his cool. That was a time when we were on our way back from Greenland and we stopped at Nanisivik mine to make a tour through the tunnels there. He lost us all in the tunnels and his wrath and gnashing of teeth was a match to that of a woman scorned.

Trip Gave Members Understanding

I must say that our trip to Greenland with the Commissioner was an experience that any of us who went on the trip will never forget. We had a chance to see a great part of the country, to see how well we compare with them. We had a chance to see what is going on in our own Arctic Islands. On the trip we took to Alaska we had a look at the effects of problems in relation

to a northern pipeline, oil storage at Valdez. This trip was a great eye opener for all who went along with the Commissioner. I would have to congratulate him for taking this Assembly, or part of this Assembly, with him. It gave us a great understanding.

As Commissioner Hodgson fades out of history in the development of the North I am sure that every one of us northerners who has had the opportunity to work or become associated with him will leave a special place in their hearts to welcome him and his family back to live here again someday.

Now, getting on to the new Commissioner, John-John or John-Boy...

---Laughter

...I would like to congratulate him and it is the wish of this Assembly and it is also my wish that he take on the responsibility. Hon. Peter Ernerk called him something else yesterday but anyway John-Boy has his work cut out for him at this time in the history of the North when people are screaming to get rid of the Commissioner. How well he handles the situation will be something that will be watched by all of us. He may very well be the only Commissioner to come into the situation where he will have to turn his powers over to the elected people of the North. I sincerely hope that in that case it will not be taken with humiliation. I hope Ottawa has the good sense to realize that the people of the North are no longer illiterate but are on the threshold of handling their own affairs.

Support For New Commissioner

Mr. Speaker, I, along with other Members of this Assembly, will pledge my support to the new Commissioner, but he should be prepared to work himself out of a job. That is an awful thing to say, Mr. Speaker, especially at a time when we all need jobs!

---Laughter

---Applause

However, I am sure that we can find another job for him. Maybe we recognize that the country is changing, the country seems to want something different, a new government perhaps. It has been said that the grass is always greener on the other side of the fence. This brings to mind the thought that when I used to hunt and trap, when I had a dog team of my own, I tied dogs on a picket line from the cabin and anchored the other end of the line on something else. During the night if something strange came around like a polar bear or something else that was not supposed to come into the camp the dogs would all get up and bark with a strange, certain bark. Mr. Speaker, this should tickle the ribs of the Conservative Member across from me, Mr. Nickerson; he may be able to use it as a slogan for the next election and that is, "Do not bark at Joe Clark."

---Laughter

Mr. Speaker, it was an interesting four years being in this Assembly. I have learned that it takes two years to learn the ropes of the procedures of government, two years to learn the procedures of this Assembly and after two years we have the third year which we may call a good working year. The fourth year is the year in question, which is our last year. The government knows that we are on our way out, they do not really have to listen to us because they figure maybe we will not be elected anyway. So, actually we only have one good working year; two years of learning, one working year and one year on our way out.

Members Need Staff.

I see a need for the staff to help the Members, especially native Members of the Assembly, to inform them of what they can do and how they can do it and perhaps assist them, even personal assistance here in the chamber and also in the field such as providing information, writing letters, because native Members are not capable of writing the letters that are considered important to the white society and to ourselves. You will recall the politics that we native Members of the Assembly had to go through, especially during the Berger Inquiry -- I like to say that word Berger. Many of us were subjected, native Members were subjected to the worst kind of treatment politically. Our lives were threatened, our families were threatened. We were treated to some of the worst political games that existed from our own native organizations, but we knew it was not the natives themselves in the native organizations who were sending us the messages to do this and that.

Some of us natives in this Assembly took the initiative to attempt to help lead the North out of the economic position that it is in, only to be kicked and battered and mercilessly tortured on our only national radio wave, CBC, but it came to pass, Mr. Speaker, that these so-called Moonies found most natives on this Assembly could not be blown around in the wind. There were only two Members of this Assembly who cracked under the pressure but these two Members were replaced by the people of the North and these people are still with us today. I think the native Members of this Assembly, because of their desire and determination to help their own kind in the only politically workable institution in the North, should deserve a hand. I feel it is only through an institution such as this that we black, yellow or white can look at each other with equality.

Native Land Claims

Mr. Speaker, there is one other thing that I feel I should touch on and that is native land claims. Hon. Arnold McCallum left little to discuss. He said it so well that I do not believe I have very much to say except what I have written last night. There are no other people in the world who are more vulnerable than the natives of Canada's North. They are subject to strange kinds of government, strange political games, strange ways of voting which we all know the Liberal Minister, Hon. Hugh Faulkner recognizes as the democratic way of voting. The vote is house to house and the balloteer bullies his way to achieve the vote, the vote he requires before leaving the house in order to say that the people represent the land claims of the Western Arctic. It is noted in Alaska, in the Alaska land claims that everyone benefits there. The corporation benefits, also the individual benefits, but the Canadian Inuvialuit land claims are different. Only the bureaucracy benefits. Nothing goes to the people on the street. There will be no benefits going to anyone unless he is working for the administration of such a bureaucracy.

I have said this before and I will say it again. I will not participate in the so-called land claims nor will I allow the Committee for Original Peoples Entitlement to use the members of my family in order to raise the value of their land claims. I do not feel that the good people of Canada will want to give the Inuvialuit \$45 million for a land settlement and still at the same time pay for education services, medical services and so forth. At the present time Canada has an obligation to its natives of the North pertaining to the Indian Act. Therefore, I, as a Canadian looking at the pocketbook of every Canadian, am going to reject any proposal for land claims on my part. All I demand, as any other Canadian, is to be treated equally.

One has only to look at what we get already. We get free medical care, free dental care, free schooling. We use your airplanes, your buses to go to hospitals, schools. We get subsidized housing. In many cases it is free.

We get our water hauled, we get our sewage hauled away for free. You will not allow us to starve because you have a relief program. You allow us to hunt all our game. You protect us if Mars attempts to attack us. What else do you do for us? You look for us when we are lost, you provide police services when we are in danger. What else do we want?

Special Interest Should Not Be Overdone

Mr. Speaker, I am not saying that the natives should be forgotten. All I am saying is that natives desire a special interest, but do not overdo it. I think it is wrong to have the Canadian public pay us twice for our land claims, pay us twice to keep us alive. So, therefore, Mr. Speaker, that is the only thing the Hon. Arnold McCallum did not touch on. This is coming from a native northerner. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Further replies? Gentlemen, tomorrow as I understand it will be the last day for replies.

Item 3, questions and returns.

ITEM NO. 3: QUESTIONS AND RETURNS

Are there any returns? Hon. Peter Ernerk.

Return To Question W29-67: Musk-ox Hunt, Grise Fiord

HON. PETER ERNERK: Mr. Speaker, I have a number of returns. First to Question W29-67 asked by Mr. Pudluk on January 29, 1979, subject, musk-ox hunt in Grise Fiord.

Open seasons for hunting of species are calculated to occur at times when stress pressures are relatively light on pregnant females and newborn calves. The extension of the musk-ox season into April would mean that the animals would be hunted into the beginning of the calving season and to harass musk-ox at that time would be very dangerous to pregnant cows or young calves. To kill a cow in late pregnancy or shortly after it has calved would be similar to killing two animals without the appropriate benefit. Therefore, no change in seasons is anticipated. On December 12, 1978, the Commissioner granted a change in the regulations to allow the Grise Fiord residents to harvest four male musk-oxen on Devon Island during the month of August.

Return To Question W15-67: Illegal Export Of Game By Minister Of Indian Affairs And Northern Development

Return to Question W15-67 asked by Mr. Nickerson on January 25, 1979. The subject is illegal export of game by the Minister of Indian Affairs and Northern Development.

The investigation of this reported violation of section 3(a) of the Game Export Act was completed by the wildlife service on November 10, 1978. During the course of the investigation, it was determined that during the ceremony held in conjunction with the signing of the COPE agreement in principle at Sachs Harbour, there was an exchange of gifts between the Minister and the people. Included with the gifts given to the Minister was a hind quarter of caribou meat which was placed on the Minister's plane and subsequently transported to Ottawa.

The results of this investigation were considered by the administration and it was decided that no legal action would be taken. In accordance with the provisions of section 3(b) of the Game Export Act, the matter was referred to the appropriate authorities in Ontario who, after reviewing the information decided the matter should be concluded without further action.

Return To Question W17-67: Outpost Camp Cabins, Cape Dorset.

I have return to Question W17-67 asked by Mr. Evaluarjuk on January 26, 1979. The subject is outpost camp cabins in Cape Dorset.

Under the outpost camp program there is a provision whereby funding may be obtained for material to repair outpost camp buildings. The regional director in Frobisher Bay has initiated action to determine exactly what is required in the way of materials to repair the buildings in question. As soon as we know what is required, the regional director will ensure that the material is provided.

Return To Question W18-67: Welding Equipment, Cape Dorset.

A return to Question W18-67 asked by Mr. Evaluarjuk on January 26, 1979. The subject is welding equipment in Cape Dorset.

The regional director in Frobisher Bay advises that a welder which is surplus to our requirements at Port Burwell will be removed and transferred to Cape Dorset at the first opportunity. It is not possible for aircraft to land at Port Burwell at the moment because of ice conditions. Thank you, Mr. Speaker.

MR. SPEAKER: Are there further returns? Deputy Commissioner Parker.

Return To Question W30-67: School Bus, Cape Dorset.

DEPUTY COMMISSIONER PARKER: Mr. Speaker, Question W30-67 was asked on January 29, 1979, by Mr. Evaluarjuk concerning the school bus for Cape Dorset.

The funds to purchase a school bus for Cape Dorset have been included in the Baffin region capital budget. The regional director in Frobisher Bay advises that a requisition for a 15 passenger bus has been actioned and it is anticipated that the vehicle will be delivered to Cape Dorset this summer.

MR. SPEAKER: Gentlemen, are there any further returns? Written questions? Mr. Evaluarjuk.

MR. EVALUARJUK: Mr. Speaker, some of my questions are quite long and the reason I make them long is so that they can be clarified and I have three questions I would like to ask today.

Question W44-67: Band Instruments, Cape Dorset.

My first question is, and this is also from Cape Dorset where the recreation committee in Cape Dorset requested when the Commissioner was in Cape Dorset, they requested to get some instruments which they could use in the band, and I would like to know specifically what equipment was ordered. Naturally when the Commissioner visits a community he writes down the requests of the community and I was instructed to ask this question at the present moment as the young people have nothing to do and usually get into mischief and perhaps the Commissioner is aware of the instruments that were requested by Cape Dorset, and they have not yet got any reply. That is my first question to the administration.

MR. SPEAKER: Mr. Commissioner.

Return To Question W44-67: Band Instruments, Cape Dorset.

COMMISSIONER HODGSON: Mr. Speaker, the question touches on a subject that seems

to have captured the imagination of most communities in the Eastern Arctic. Several years ago when I visited Lake Harbour they requested some musical instruments to fill out their small band and for use at their community hall. I did not think the government should get into the business of supplying musical instruments and directed the request to the national office of the IODE who made it a part of their annual collection program and they were successful in providing the instruments.

Last year when I visited Broughton Island, Cape Dorset, Clyde River, to name just a few communities we received requests for musical instruments for all of these communities. These have all been turned over to the IODE but I guess they have been overwhelmed with the amount and we have heard nothing back. I expect to be going to Cape Dorset in March and will personally raise the matter again with the IODE and we will see if they have had any success, but I think in all honesty up until now it has not been the policy of this administration to provide instruments to communities for bands. I should say that the kind of instruments we are talking about are in the vicinity of between \$6000 and \$10,000 to complete what the requests are for.

MR. SPEAKER: Any further written questions? Mr. Evaluarjuk.

Question W45-67: Fire Department Funds For Training, Cape Dorset

MR. EVALUARJUK: Mr. Speaker, this request is also from Cape Dorset where the fire department in Cape Dorset would like to get some funds which they would use for training. At the present moment they have to visit each household to look into what needs are in these communities. They are asking if there is a possibility of getting some funds which they would use for training local firemen and I would like the administration to look into the possibility of getting some funds.

MR. SPEAKER: Hon. Arnold McCallum.

HON. ARNOLD McCALLUM: Mr. Speaker, in the discussion on Public Services I think it was indicated there that there was some funding available for the training of firemen in various fire departments. I will take the question under advisement and see if I can supply an answer to the Member at a later date.

MR. SPEAKER: This House stands recessed for 15 minutes for coffee.

---SHORT RECESS

MR. SPEAKER: The Chair recognizes a quorum and the House will come to order. Written questions? Mr. Nickerson.

Question W46-67: Cambridge Bay Rocket Launches.

MR. NICKERSON: Mr. Speaker, in the absence of the Honourable Member for the Central Arctic I have a question pertaining to his constituents. How many rockets does the National Research Council plan to launch from Cambridge Bay in 1979? Do they plan to establish permanent rocket launching facilities at that location?

MR. SPEAKER: Deputy Commissioner Parker.

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

MR. SPEAKER: Any further written questions? Mr. Evaluarjuk.

Question W47-67: School Gymnasium, Hall Beach.

MR. EVALUARJUK: Mr. Speaker, Hall Beach would like a school gymnasium. How soon can a gymnasium be built in Hall Beach?

MR. SPEAKER: Deputy Commissioner Parker.

Partial Return To Question W47-67: School Gymnasium, Hall Beach.

DEPUTY COMMISSIONER PARKER: Mr. Speaker, we are attempting to provide gymnasiums as community facilities more than strictly as school facilities and therefore we will work in co-ordination with the Department of Natural and Cultural Affairs to try to meet the Member's request. I will have to examine our five year capital plan and provide an answer later in the session to the question.

MR. SPEAKER: Mr. Kilabuk.

Question W48-67: Sale Of Whale Meat And Muktuk.

MR. KILABUK: Mr. Speaker, my question, and I have asked this question or did during the sixty-sixth session, and I asked the administration at that time the question and I have not received an answer to my question. My question was about narwhal meat, as to how we would be using narwhal meat. The hunters' and trappers' association would definitely like to get an answer to their question and they also want to get some assistance as to how they could sell the narwhal meat including the muktuk. At the present moment they will be planning for the next two years as to how they will deal with narwhal meat and also the muktuk, as to how productive they will be when they are selling it. I would like to know if Economic Development would assist us in this particular area.

Partial Return To Question W48-67: Sale Of Whale Meat And Muktuk.

HON. PETER ERNERK: Mr. Speaker, in the absence of the Honourable Minister for Economic Development, I would like to answer a bit of that question. It seems to me that I provided a reply during the sixty-sixth session of this Legislature. I can not recall just offhand but I will take the question under advisement and provide a reply at a later date.

MR. SPEAKER: I am advised, Mr. Kilabuk, by the Clerk of the House that there is an Information Item 7-67, which deals with the sale of whale meat and muktuk at Pangnirtung. I think that might refer to your question.

MR. NICKERSON: A point of order.

MR. SPEAKER: Mr. Nickerson.

MR. NICKERSON: I was looking at that too, Mr. Speaker, and it appears that this Information Item 7-67 deals with whale meat which is a subject that I thought Mr. Kilabuk dealt with at the sixty-sixth session and now I understand he is talking about narwhal meat. Which is correct, Mr. Speaker?

MR. SPEAKER: Mr. Kilabuk.

MR. KILABUK: Mr. Speaker, is Mr. Nickerson relating his question to me?

MR. SPEAKER: I do not see anything to be gained by continuing this discussion. My only comment, Mr. Kilabuk, is that your question may be answered partially or in total by Information Item 7-67. Mr. Kilabuk.

Question W49-67: Building Renovations, Broughton Island

MR. KILABUK: Mr. Speaker, I am going to ask a question which I recall was not properly answered when I asked it and it was answered partially but I have not received any more information. My question is to the administration and it is the same question I asked at the sixty-sixth session. I have not heard about the renovations for the sewing centre in Broughton Island. The people want the sewing centre very much and it can be easily completed. It would be a good opportunity for the unemployed people. Will I please be properly answered if this sewing centre will be completed in 1979? A lot of trouble was taken to move this building to Broughton Island.

MR. SPEAKER: Hon. Peter Ernerk.

HON. PETER ERNERK: Mr. Speaker, again I will have to take the question under advisement. I will check with the Department of Economic Development to see what plans they have for a sewing centre at Broughton Island.

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

Question W50-67: Freezing Water Pipes, Resolute Bay

MR. PUDLUK: Mr. Speaker, this past winter we have had a lot of problems with water pipes freezing and breaking in Resolute Bay. Whoever was responsible for building on the ground pipes and under the ground did not do a very good job of it. I would like to know at whose expense these damages will be paid as I imagine the repair costs will not be all that cheap. Thank you.

MR. SPEAKER: Hon. Arnold McCallum.

HON. ARNOLD MCCALLUM: Mr. Speaker, I will take the question as notice and file a reply.

MR. SPEAKER: Are there further written questions? Mr. Lafferty.

Question W51-67: Agricultural Policy

MR. LAFFERTY: Mr. Speaker, could the administration tell this House if they are developing any agricultural policy for the South Mackenzie and Liard districts?

MR. SPEAKER: Deputy Commissioner Parker.

Return To Question W51-67: Agricultural Policy

DEPUTY COMMISSIONER PARKER: Mr. Speaker, the development of an agricultural policy depends very much upon the actions of the federal government since the federal government is the agency that owns and controls the vast majority of the lands. The territorial government may have views on agriculture and the extension of agricultural activities but at this time it is impossible for us to play a lead role and therefore we are not ourselves actively developing an agricultural policy.

MR. SPEAKER: Mr. Lafferty.

Question W52-67: Supplementary To Question W51-67

MR. LAFFERTY: A supplementary question, Mr. Speaker. I understand the answer to mean, Mr. Speaker, that the Northwest Territories Government has its hands tied behind its back. Mr. Speaker, there are people who are waiting for this type of development. Are the views of residents interested in agricultural developments made known to the federal government through the Minister of Indian and Northern Affairs by this administration?

MR. SPEAKER: Deputy Commissioner Parker.

Return To Question W52-67: Supplementary To Question W51-67

DEPUTY COMMISSIONER PARKER: Mr. Speaker, we have discussions with federal officials from time to time. However, we do not have in front of us a clear view of the residents' wishes with regard to agricultural development. We know the view of at least one segment of the population and those views seem to be opposite to the views of another segment of the population. The latter groups have expressed rather clearly the wish that there be no major agricultural developments, that is, identifying of lands and the sale of land until their land claims are settled, so we are clearly placed on the horns of a dilemma, receiving views in two opposing directions.

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. Fraser.

ITEM NO. 7: NOTICES OF MOTION

Notice Of Motion 13-67: Operation Of Naturalist Lodge, Godlin Lakes Area

MR. FRASER: Mr. Speaker, I give notice that on February 2, 1979, I will introduce a Motion 13-67 regarding a lease applied for by Mr. Sam Miller.

MR. SPEAKER: Mr. Nickerson.

Notice Of Motion 14-67: Arbitration Ordinance, Fee Schedule

MR. NICKERSON: Mr. Speaker, I give notice that on Friday, February 2, 1979, I will introduce a motion dealing with the fee schedule which forms part of the Arbitration Ordinance.

MR. SPEAKER: Hon. Arnold McCallum.

Notice Of Motion 15-67: Appointments To N.W.T. Water Board

HON. ARNOLD McCALLUM: Mr. Speaker, I give notice that on Friday, February 2, I will introduce a motion concerning appointments to the Northwest Territories Water Board.

MR. SPEAKER: Further notices of motion?

Notice Of Motion 16-67: Change In Tender Date Of Housing Corporation

MR. STEWART: Mr. Speaker, I wish to give notice that on February 2, I will introduce a motion relative to the Housing Corporation, that a request be made to them that they should change their tendering so they could tender by September of the year preceding the year of delivery for at least part of their component part requirements.

MR. SPEAKER: Further notices of motion?

Item 8, motions for the production of papers.

Item 9, motions. Motion 11-67, Mr. Fraser.

ITEM NO. 9: MOTIONS

Motion 11-67: Outfitters Licences, Removal Of Residential Requirements

MR. FRASER: Mr. Speaker:

WHEREAS the financial benefit derived from the activities of outfitters is of great importance to communities in the economically depressed Mackenzie Valley;

AND WHEREAS the section dealing with guides and outfitters in Draft 8 of the proposed regulations respecting the management and conservation of wildlife in the Northwest Territories states that "no person shall be eligible to renew an outfitters licence unless he resides in the Northwest Territories prior to his application for renewal of his outfitters licence";

AND WHEREAS implementation of this regulation would effectively prevent outfitters from operating in the North because they would, for a variety of legitimate reasons, find it impractical, if not totally impossible, to maintain permanent residence in the North;

NOW THEREFORE, I move that the Commissioner be requested to remove this restriction from the proposed regulations.

MR. SPEAKER: Moved by Mr. Fraser. Is there a seconder? Mr. Stewart. Discussion? Mr. Stewart.

Motion To Amend Motion 11-67

MR. STEWART: Mr. Speaker, I would move that Motion 11-67, Outfitters Licences, Removal of Residential Requirements, be moved into committee of the whole. There is quite a bit of discussion on this and there are witnesses I understand who would like to present themselves to be heard. I believe that the subject can not be properly handled in formal session.

MR. SPEAKER: On the motion or the amendment, rather, to move the discussion into committee of the whole, is there a seconder? Mr. Nickerson. On that amendment by Mr. Stewart?

SOME HON. MEMBERS: Question.

Amendment Carried

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

---Carried

Further motions. Hon. Arnold McCallum.

HON. ARNOLD McCALLUM: Mr. Speaker, yesterday I gave notice of a motion that dealt with the moving into committee of the whole of the Department of Local Government Direction for the 1980's paper. Unfortunately I have not been able to get it within the book on motions and I tried to get copies of it Xeroxed but we live in a mechanical age and that mechanical apparatus is broken down. I wonder if I may simply read the motion for Members so that we could then vote on it?

MR. SPEAKER: The purpose of notice, gentlemen, as you know, is in order that you can have a chance to examine the exact wording of the motion. I think that due to the fact that the motion has not been reproduced yet we would have to regard Hon. Arnold McCallum's request as one to vary the Rules to enable him to read the motion and then to have it dealt with in effect as if it had been reproduced and were in fact before you. Is there any objection by anyone to not having the actual written text before them?

---Agreed

Proceed, Hon. Arnold McCallum.

Motion 12-57: Referral Of Tabled Document 13-67 To Committee Of The Whole

HON. ARNOLD McCALLUM: Thank you very much Mr. Speaker

WHEREAS the Department of Local Government's Direction for the 1980's paper has been tabled as Tabled Document 13-67;

AND WHEREAS translated versions are now available;

NOW THEREFORE, I move that at a suitable time to be set by the Speaker, this House resolve itself into committee of the whole to discuss the document Local Government, Direction for the 1980's.

MR. SPEAKER: Is there a seconder? Mr. Fraser. Discussion? Hon. Arnold McCallum.

SOME HON. MEMBERS: Question.

Motion 12-57, Carried

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

---Carried

Mr. Clerk, will you put that on the orders of the day, please? Further motions?

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

ITEM NO. 10: TABLING OF DOCUMENTS

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

Tabled Document 14-67: Letter from the Deputy Auditor General dated January 9, 1979 regarding the Audit of the Government of the Northwest Territories for the Year Ended March 31st, 1978.

Tabled Document 15-67: Workers' Compensation Board, Administration and General Expense Budget, 1979.

MR. SPEAKER: Are there any other documents to be tabled, gentlemen?

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

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

MR. FRASER: Mr. Speaker, dealing with Motion 11-67 which we just heard the amendment being approved, I have a witness in the chamber, if we could have unanimous consent to bring him to the witness table and maybe we could ask him a few questions on the motion, Mr. Speaker.

MR. SPEAKER: Gentlemen, Mr. Fraser's Motion 11-67 which was amended requires discussion in committee of the whole. What he has indicated is that because he has a witness here he would like to discuss that this afternoon as a matter of first priority. Have Hon. Arnold McCallum or any of the Executive Members any reason -- in other words, have you scheduled other witnesses or other matters that would require us not to heed the request of Mr. Fraser?

HON. ARNOLD McCALLUM: Mr. Speaker, we would normally be going into the Appropriation Ordinance, Bill 7-67, to continue with the discussion of that. If Mr. Fraser has some witnesses and it is more advantageous for him to do it now, I have no objection to that.

MR. SPEAKER: I think this Assembly in the interest of the public has had a history of trying to accommodate witnesses where possible. Therefore this House will resolve into committee of the whole for consideration of Motion 11-67. I assume you do not want to be in the chair, Mr. Fraser. Mr. Stewart in the chair.

MR. STEWART: Mr. Speaker, I have a few points I would like to make on this item too. However, if you can not get another chairman, I will chair it.

MR. SPEAKER: In that case we will resolve into committee of the whole to discuss Motion 11-67, with Mr. Nickerson in the chair.

---Legislative Assembly resolved into committee of the whole for consideration of Motion 11-67, Outfitters Licences, Removal of Residential Requirements, with Mr. Nickerson in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER MOTION 11-67, OUTFITTERS LICENCES, REMOVAL OF RESIDENTIAL REQUIREMENTS

THE CHAIRMAN (Mr. Nickerson): The committee will please come to order. Mr. Fraser.

MR. FRASER: Mr. Chairman, I would like at this time to call Mr. Bill Moynihan to the stand with your permission.

THE CHAIRMAN (Mr. Nickerson): Is it agreed that the witness be called?

---Agreed

MR. MOYNIHAN: Mr. Chairman, I represent the Northwest Territories...

THE CHAIRMAN (Mr. Nickerson): Excuse me. Would you mind sitting down, please Mr. Moynihan? We have a few little preliminary things to get through first. Thank you very much for your attendance. Mr. Fraser, would you like to proceed?

MR. FRASER: Mr. Chairman, the reason for this motion with the information pamphlets I passed around, subsection 40(7), which I have already made in the motion does not permit these big game outfitters to get a licence unless they reside in the Northwest Territories year round. Mr. Chairman, along with these documents I sent around, you will see a telex from Nahanni Air on the total revenue that was brought into the settlement at Norman Wells for 1978 totalling \$27,000. There is a letter from the MacKenzie Mountain Lodge which has been circulated in the total of \$4250. On the back of the papers there is a statement of moneys that were put out by Mr. Moynihan who is only one of the outfitters in the area and that totals \$51,420.78. If you will note for hardware and groceries into Norman Wells and gas there is a considerable amount of money that has gone into Norman Wells, not only from Mr. Moynihan but the other outfitters that use the facilities in Norman Wells.

A Benefit To The Businesses In The North

Now, Mr. Chairman, due to the economy in the valley, if this clause was to stay in they would possibly lose some of the outfitters who are now operating in the valley. The season is for only three months and I maintain if they want to stay then for the full 12 months then they should keep the season open for 12 months which is impossible. The rest of the time they would have nothing to do if they stayed in the valley and after the three months was over, if they were going to reside in the valley they would either have to go on unemployment insurance or welfare to keep alive because there is no work in the valley, Mr. Chairman. I realize their point in applying for a change in the regulations but most of them have to go south to work in industry so they can keep their big game outfitters camp going in the summer months.

I was talking to one of the outfitters from Fort Nelson who has a business in Fort Nelson and he is employing people from Fort Liard, Northwest Territories, to work in Fort Nelson but, with all due respect, Mr. Chairman, if this clause was to be deleted from the regulations it would be a benefit not only to the outfitters but to the businesses in the North, Mr. Chairman. Thank you.

THE CHAIRMAN (Mr. Nickerson): Thank you. Is there any other Member who wishes to speak? Hon. David Searle.

HON. DAVID SEARLE: Mr. Chairman, I wonder if we could hear from the Executive whose regulations these are, or someone on behalf of them, as to why it was seen necessary to put such a restriction in the regulations. I must say that it surprises me to see it there and there must be some reason for it and I suppose it is for us to decide whether that reasoning is a valid one or not. So, my question, before we get into this would be to ask why it is there and then maybe suggest that we hear from Mr. Moynihan after he has heard that explanation.

THE CHAIRMAN (Mr. Nickerson): Hon. Peter Ernerk, do you wish to respond to that?

Outfitters Should Make Longer Commitments To The N.W.T.

HON. PETER ERNERK: Well, Mr. Chairman, I have a number of points which I should bring before the committee with respect to the Northwest Territories outfitters. I would like to indicate to you that we are prepared to take any direction from this committee. However, I think that before we make any decision I should bring to you a number of points that might be of interest to you.

My understanding with respect to this program, that is with respect to the Northwest Territories outfitters program is that during the consultation carried out with the various hunters' and trappers' associations and the Game Advisory Council of the Northwest Territories, in developing the Wildlife Ordinance it was clearly expressed that the Northwest Territories outfitters should become residents in the Northwest Territories and be willing to make longer commitments to the Northwest Territories or, to the North in general.

I am also informed that out of the eight outfitters who are operating now in the Northwest Territories, three are now residing in the Northwest Territories. They are in Norman Wells, and two from Hay River. Also I am told that some outfitters fly into their areas from points such as Fort Nelson, British Columbia and conduct their operations and depart from the Northwest Territories without really doing any business or making personal contact with anyone in the Northwest Territories. They bring in their own guides and their own supplies. Again, the Honourable Member, Mr. Fraser might have a current view on this so I would be open to any suggestions or any comments which you might like to have later on with respect to this matter.

Of Great Concern To Local People

The harvest of big game in the Northwest Territories is a matter that touches people deeply and there is an expressed desire among hunters and trappers to become more aware and involved in operations such as big game outfitting projects. I have also learned that when problems or complaints arise with outfitters there is no one with whom a discussion can take place if the outfitters live in the provinces outside of the Northwest Territories.

I have been made to understand that sometimes this causes some frustration to the local people. The proposed wildlife regulations will provide a two year period for outfitters to find and establish a residence in the Northwest Territories. Until that time and until they establish the two years residency required by the Wildlife Ordinance they will continue to be licensed as non-resident outfitters.

I would like to indicate to this committee that the Government of the Northwest Territories fully supports the outfitting industry and the wildlife division of the Department of Natural and Cultural Affairs has indicated this to the outfitting industry. If the outfitters now which are licensed decide to sell out rather than comply with the residency requirement then the industry will not certainly collapse. We have already received inquiries from persons who wish to obtain outfitting areas in the Northwest Territories who really have no difficulty, or who have no problem accepting the Northwest Territories requirements, that is to say the residency requirements. We feel that if the outfitters live in the Northwest Territories they will develop a better rapport with the native people, eliminating much of the mistrust that now exists and perhaps promoting greater involvement of native people in their operations as guides and support staff. Now, I am made to understand that the provinces in southern Canada are moving into this direction and just to sort of give you an example they are providing an opportunity to residents first by way of passing legislation. That is about all I have to say at this point, Mr. Chairman, by way of explanation as the department sees it at this point.

THE CHAIRMAN (Mr. Nickerson): Thank you very much, Mr. Minister. Hon. David Searle.

Non-residents Will Lose Their Outfitters Licence

HON. DAVID SEARLE: I understand then that there are people who have been licensed as outfitters in the past who, unless they become resident will lose that licence. Is that correct, Mr. Chairman?

THE CHAIRMAN (Mr. Nickerson): Hon. Peter Ernerk.

HON. PETER ERNERK: Excuse me, I was talking to my director behind me here. Could I have the question again?

HON. DAVID SEARLE: The question is this: I take it from reading these regulations that we have in existence outfitters who are licensed and have been licensed in years past who are not residents in the sense of being here on a year-round basis who will lose their outfitters licence if they do not become year-round residents as a result of this, is that correct?

HON. PETER ERNERK: I understand the question and I am told that this will be after the two year period of residency in the Northwest Territories, yes.

Breach Of Civil Liberties

HON. DAVID SEARLE: Mr. Chairman, we were just listening earlier today to a very stern and I thought good speech from the Hon. Arnold McCallum which was very much against the Balkanization of the Northwest Territories. It seems to me that this is the sort of regulation which we are all turning thumbs down on when the province of Quebec more and more ties everything, all rights and privileges to being a resident of that province. I am wondering if this sort of regulation does not breach our civil liberties and indeed the bill of rights which, as I understand it, says that anyone may engage in earning a living anywhere in Canada subject to certain conditions and qualifications of fairness.

I must say that if you are going to do this with outfitters what about the sports fishing camps, are they next? I do not think there is a single person engaged in the sports fishing camps of Great Bear Lake or Great Slave Lake who is an owner who can truly be said to be a resident of this territory except for the two or three months in the summer. Are we going to take Mr. Warren Plummer's lodges and licences away from him? I thought we were engaged in trying to stimulate economic activity here. I would certainly hope that the provinces would not reciprocate and deny me for instance the right to practise law in Alberta if I so chose, or the Yukon Territory where I am currently licensed, or Mr. Stewart who may own a farm across the border in Alberta and are we going to get the province of Alberta saying that he could not farm in Alberta unless he resides there? I must say that I am shocked by this kind of regulation. I raised the legitimate question as to its constitutionality, number one, but even if by some strange twist of a demented mind, and I am not accusing the Honourable Minister, he has just given an answer for this, but if such a regulation could be legal then I think it is for us to decide whether it should be legal, whether we want to do this sort of thing, because I can assure you that this is very much a two-way street.

Restriction Of Freedom

For my part I must say that I think that any Canadian should be able to own property anywhere he wants in Canada, he should be able to engage in any business and profession subject to meeting the qualifications as to competence anywhere in Canada and that these types of requirements of residence which obviously say that -- you can not to my mind be resident in more places than one at any one time, but they would certainly tend to Balkanize the country and preclude the freedom of movement and the very valid principle of freedom of trade. I should tell you that the courts in interpreting documents that tend to restrict ones freedom to engage in trade view with the same restrictive covenance which I suppose you might compare in a way, and they are certainly very diligent to strike them down unless they meet certain qualifications. I think it is safe to say therefore that generally speaking there is a golden thread that runs through democratic societies which encourages the freedom of trade, the freedom to earn your living wherever you want. Mr. Chairman, I have expressed my view as to the rightness of the regulation. Possibly you could seek the view of our Legal Advisor as to the legality of it.

THE CHAIRMAN (Mr. Nickerson): Madam Legal Advisor, are you prepared at this time to give us an opinion as to the constitutionality of such a regulation?

LEGAL ADVISOR (Ms. Flieger): Mr. Chairman, to give that opinion I would have to examine the Wildlife Ordinance itself to see whether the power to enact this regulation is to be found in the ordinance. I am not prepared to do that immediately, but I will prepare an opinion.

THE CHAIRMAN (Mr. Nickerson): Thank you very much, Madam Legal Advisor. Hon. David Searle, would you require such an opinion, or was your request more of a rhetorical nature?

HON. DAVID SEARLE: Sir, I think that in the absence of that opinion we may take the next step which is to seek Members' views as to the propriety of it, assuming that you can do it and leave, depending upon what we then come up with, move the question of whether we can or can not do it as the next step. It may become irrelevant to have that opinion, but in other words, if Members thought that this was a terribly good idea, then I think they should have the legal opinion.

THE CHAIRMAN (Mr. Nickerson): Thank you very much, Hon. David Searle. Maybe the Legal Advisor could work at that while we do as suggested, continue the discussion. Hon. Peter Ernerk, I believe you wished to say a few more words.

Wishes Of The Local People

HON. PETER ERNERK: Mr. Chairman, just to sort of re-emphasize the first one or two statements that I indicated to this Assembly with respect to residency in the Northwest Territories. The government, as you fully realize, took the comments of the local people I indicated, those of the Game Advisory Council of the Northwest Territories, as well as local hunters' and trappers' associations in the Northwest Territories. We are quite open to any suggestions, but one thing perhaps we did all along was to try and concentrate on the local peoples' wishes. We may be ahead of our time at this point, but again let me just indicate to you that we are quite prepared to take on the wishes of this committee in terms of changes or whatever you might like to see as a result of this discussion this afternoon. I just wanted to indicate that to you, Mr. Chairman.

THE CHAIRMAN (Mr. Nickerson): Thank you very much, Mr. Minister. Mr. Stewart.

MR. STEWART: Mr. Chairman, I presume that inasmuch as we are dealing with this particular subject we do not have to restrict ourselves to debate on the motion itself. Is that correct?

THE CHAIRMAN (Mr. Nickerson): Try it and we will see how it goes.

Licences Issued On A One Year Basis

MR. STEWART: Actually I tabled a document on January 26th, Tabled Document 12-67: A letter relative to outfitter's licences, where it is pointed out that the licences are only issued on a one year basis and makes the operation of a business pretty near impossible inasmuch as the banks and so on will not approve any loans or any assistance financially on the basis of a one year licence. This part is in the regulations. I understand wildlife services is looking at changing it, although it has not been changed at this time. It was suggested that if you are going to govern this type of an operation this closely by issuing only a one year licence, that the capital investment is going to be so restricted that we are going to be running second rate outfitters camps in the territories and, of course, I do not think this is desirable either.

One suggestion, of course, is the licences be issued at least on a ten year basis subject to cancellation for any breach of the Wildlife Ordinance to protect the area from people who want to break the law. I think that this whole section is very badly put together from a businessman's point of view and I support too the position that Hon. David Searle has expressed, that restrictions basically just to territorial residents is too restrictive at this particular time. It is obvious that these areas came up and I presume were filled by outsiders because there were not enough people in the territories at that particular time interested in doing anything with them. These people now have an investment and wildlife services is prepared to take them away within two years if they do not meet the resident requirement.

The matter of the fishing lodges, of course, is as Hon. David Searle has expressed. They are not only owned by people outside of the territories, but in some instances by American citizens and not even Canadians. We have a great variance in almost the same type of field between fishing and big game hunting within our own territory.

Review Of The Wildlife Ordinance Needed

What I would really like to see is a good look at this whole ordinance and get the game people back in here and straighten this out because it is going to affect greatly the economic conditions in the valley. For some of the larger groups that are bringing in the most tourists, big game hunters, they are not actually residents of the Northwest Territories at the present time.

I understand the hunters' and trappers' associations have expressed an opinion on this. Really hunters' and trappers' associations, with all due respect, are engaged in an entirely different occupation. It has really nothing to do with the big game resource per se. Although in their own field certainly I think their recommendations should be looked at, but in a matter such as this I am not too sure that a decision should be made on their advice without going further afield and getting advice from other people. Thank you, Mr. Chairman.

THE CHAIRMAN (Mr. Nickerson): Hon. Peter Ernerk, have you the latest information?

HON. PETER ERNERK: Mr. Chairman, while I am reading this letter, I just got into it a few seconds ago, perhaps somebody else may wish to make some statements.

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

Local People Applying For Big Game Hunters' Licences

HON. DAVID SEARLE: I am wondering, Mr. Chairman, if there is anything that prohibits local people from applying for big game hunters' licences, something that would disqualify them which has necessitated the disqualification of other people? In other words, if it is the position of local people to get involved, this is what the Game Advisory people think, local people want to get involved in outfitting, why do they not just get involved in outfitting? What is to prohibit them? Why do we have to disenfranchise in fact, existing outfitters who do not happen to live here year round to create an opportunity for local people? I take it that is the reason behind this but my question then is why can they not just apply and get licensed as outfitters and compete with the so-called outsiders?

THE CHAIRMAN (Mr. Nickerson): Madam Legal Advisor, are you aware of any impediment in the ordinance or proposed regulations which would prevent local people from applying for outfitters licences?

LEGAL ADVISOR (Ms. Flieger): Mr. Chairman, I have just looked at the ordinance and I see nothing there that deals with who may apply for an outfitters licence. I am not familiar with the regulations. The only part of the regulations that I have seen is this section 40. The ordinance itself, in answer to the question, the ordinance itself does not appear to prohibit any particular person from applying.

THE CHAIRMAN (Mr. Nickerson): Thank you. Mr. Deputy Commissioner.

DEPUTY COMMISSIONER PARKER: Mr. Chairman, clearly there is no impediment in the law for local people to enter outfitting. As I understand it, there is only a certain number of good areas for outfitting or let us say there is a restricted number of really good areas and of course the competition for them would be fairly keen. Generally speaking the residents of the Northwest Territories do not find themselves in the kind of financial condition or as advanced in their training in business matters as many people are from outside, so what the Minister has been saying is that in general this Assembly has asked that northern residents be given the very best and first opportunities to take up these endeavours and to get into business.

The Minister has said clearly that perhaps in the formulation of these regulations the mark has been overstepped and we have gone too far. I heard him say just a few minutes ago that if the direction of this committee was that this regulation be changed, that it is not appropriate, that the advice that he had taken or his colleagues had taken earlier was inappropriate, then he was certainly prepared to go along with the wishes of the Assembly. I would think that is a very good and proper move for him to make. Certainly it would have the support of the other Members of the Executive Committee I am sure.

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

MR. FRASER: Mr. Chairman, I wonder if we could hear from the witness?

THE CHAIRMAN (Mr. Nickerson): I think it would be an opportune time. Can your question wait until we have heard from the witness, Hon. David Searle?

Protection Of Existing Investments

HON. DAVID SEARLE: Well, Mr. Chairman, I think not. It is not really a question either, but I think it is a statement, that in most legislation when we are dealing with licences, generally speaking if you are going to make a dramatic change people write in grandfather clauses. In other words, you know, they will say persons having had a licence as of a certain date will continue to have that licence and automatically it will be renewed because of the investment they have had in the area, etc. Then, if you changed the rules of the game for the future, then at least you are not changing the rules to make it impossible to comply with for people who are already committed and have been there in the past. You know, this legislation does not even do that. It seems to me that I would criticize it on two bases. One, if you are going to do something like this, you should at least put a grandfather clause in there to protect existing people, existing investments and then, give in your two year notice or whatever for new outfitters.

THE CHAIRMAN (Mr. Nickerson): Thank you. Perhaps it would be possible to hear from the witness Mr. Moynihan at the present time who has been waiting very patiently and I understand he has a presentation to make and perhaps he would be good enough to give it to us now.

Some N.W.T. Outfitters Willing To Comply

MR. MOYNIHAN: Thank you, Mr. Chairman. The Northwest Territories Outfitters Association does note that there are many problems that have to be faced with regard to the operation of outfitting, both for hunting and for other forms of recreation and we are willing to sit down and work out any of these problems with the people of the areas. However, originally outfitters from outside the areas, outside the Northwest Territories, were asked to come up here and develop the outfitting areas as they are now known. There were no people within the Northwest Territories who were qualified to do so. Outfitting is a seasonal business and in most cases the outfitters are farmers or ranchers and they have mortgaged their ranches and used them to support and develop their outfitter areas at quite an expense. Most of these areas today would run you in the neighbourhood of \$100,000 to \$250,000.

If we had known that we would have had to become residents, perhaps half of the outfitters could have complied and the other half would not have. We have asked, with regard to new regulations, that new outfitters applying for an area should be required to become residents of the Northwest Territories and we feel that this is a fair thing to do. However, those who were told they were not required to do so are now going to lose their areas.

It was also noted that some of our members in the southern regions are doing business outside the Northwest Territories. However, this is only because facilities are not available at Fort Simpson, especially transportation for our clients. There are only two flights a week into Fort Simpson and if we could solve this problem all the outfitters would gladly operate and do their business within the Northwest Territories. We intend to spend much of our time developing our areas for further recreation so that we can run perhaps six months of the year instead of three and we have also approached the Department of Economic Development and Tourism and talked to Mr. Witty regarding employing one or two native people and training them as guides and getting more involved with the native people. We just feel that the outfitters now, who came up here under the existing regulations, if they were forced to sell their homes and move up here now with no land claims settled, there are no leases available for horses, there is no agricultural land, we have to go outside our areas to promote our business, to winter horses and get supplies which are not available here and we just do not feel that we could comply with the new proposed regulations.

There are three outfitters in the last two years who have sold their areas because they were afraid of the new proposed regulations and the existing outfitters are afraid that if these regulations go through all at once, about four or five areas will be for sale and they will not realize the value of their areas. Of the three outfitters who are residing here, one has moved out of the Northwest Territories because of domestic problems and one other tried to winter horses in Norman Wells this winter and it has been a financial blunder. He says if he has to do that again he just can not operate.

Matters Concerning All Should Be Worked Out

There are outfitters who will come into the area and comply with the new regulations. We have several interested people, I have myself. They are from Alaska and outside the area and they could comply. One wants to come in and not use horses at all, just fly on top of the mountains and land an airplane and hunt sheep that way. We do not think this is the answer. We would much rather sit down with the native people and work out matters that concern us all and operate the way we are now. We feel that we could not comply and do a good job in the outfitter areas under the new residency clause.

THE CHAIRMAN (Mr. Nickerson): Thank you very much. Mr. Lafferty.

MR. LAFFERTY: Mr. Chairman, I would just like to ask several questions of the witness, Mr. Moynihan, and then no doubt I will want to talk to the motion later on. Would I be permitted to ask questions of Mr. Moynihan?

THE CHAIRMAN (Mr. Nickerson): You are permitted to just ask questions of the Chair, Mr. Lafferty.

MR. LAFFERTY: Mr. Chairman, I hear the witness saying that they are willing to train native people as guides and I wonder if the witness can tell this House if the Northwest Territories Outfitters Association will go to the length of training native people in the business aspects of being an outfitter.

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

MR. MOYNIHAN: Mr. Chairman, we would be pleased to do so. Generally guiding is the primary condition that any outfitter starts under. They would have to spend generally three to five years working in the field before any guide would consider being an outfitter. We would be pleased to undertake this, and it has always been in the past that any outfitter selling his area had to advertise it in the Northwest Territories, and Northwest Territories residents were always given the first opportunity to buy an outfitter area.

THE CHAIRMAN (Mr. Nickerson): Thank you very much, Mr. Moynihan. Mr. Lafferty, I notice that it is coffee time and so I would propose to adjourn the committee for 15 minutes for coffee. You will be the first speaker when we return. The committee stands recessed for 15 minutes.

---SHORT RECESS

THE CHAIRMAN (Mr. Nickerson): The committee will please come to order after adjournment. Mr. Lafferty.

MR. LAFFERTY: Thank you, Mr. Chairman. Again listening to the remarks of the witness, Mr. Chairman, I gather that he is indicating to the committee that there are no facilities available in Fort Simpson. I wonder if Mr. Moynihan can tell me if he has approached the village council of Fort Simpson?

Problems Of Operating Out Of The Fort Simpson Area

MR. MOYNIHAN: Mr. Chairman, we have approached the land use with regard to grazing horses and working out operations within the Fort Simpson area. The major problem for the outfitters who would work out of the Fort Simpson area would be the commercial airlines coming in and out of Fort Simpson. The present schedules of commercial airlines would not allow outfitters to operate out of Fort Simpson.

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

MR. LAFFERTY: Well, I was talking specifically here about the availability of land or hay, produce, facilities where they can have their hay supplies and so on. So far as the schedule goes I understand that Pacific Western Airlines' scheduling is changing quite often but there are other scheduled flights into Fort Simpson and we have a plane practically every day into Fort Simpson connecting with Whitehorse, Yellowknife, Edmonton and Fort Nelson, with the exception of one day a week. I wonder if Mr. Moynihan is talking about the inconvenience of getting in and out of Fort Simpson.

MR. MOYNIHAN: Would you repeat that last part of your question, please?

MR. LAFFERTY: Yes, Mr. Moynihan. As you said the Pacific Western Airlines schedule does not meet your requirement but there are scheduled flights out of Fort Simpson connecting Whitehorse, Yellowknife, Edmonton and all points I suppose, including Fort Nelson, and there are scheduled flights out of Fort Simpson practically every day of the week to Fort Nelson, there are two flights a week; to Whitehorse, two flights a week; to Yellowknife, there are four flights a week. So, I gather that Pacific Western Airlines' scheduling is what you are talking about.

THE CHAIRMAN (Mr. Nickerson): If you would care to elaborate on your problem with Pacific Western Airlines' scheduling, Mr. Moynihan.

MR. MOYNIHAN: Yes, basically the way an outfitter would operate with the commercial airlines would be that new clients would arrive one day, they would be flown into the camp and the past clients would be flown back out. This is the way we do it in Norman Wells. The clients stay one night at the lodge and return home on the commercial flight the next day after obtaining export permits and having their trophies crated and things that are needed to be looked after. There are two flights into Fort Simpson at the present time, one I believe is on a Wednesday and the other is on a Saturday. The Saturday flight would mean that clients coming out of the areas would have to wait until the following Wednesday to get out of Fort Simpson unless he chartered a different flight out. We need to operate out of the area and you need basically to have two days where flights are coming and going.

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

Availability Of Services At Fort Simpson

MR. LAFFERTY: Mr. Chairman, the comments of the witness are quite correct and it is because of this reason, Mr. Chairman, that the hunters' and trappers' association and the committee set up for economic reform in the community of

Fort Simpson have studied quite at length the feasibility of operating a resident big game outfitter right out of Fort Simpson. In those discussions they have found that there are a lot of available hay fields which are tied up by native people. My first question was that. Did Mr. Moynihan go to the village council or the village chairman seeking any information as to the availability of services at Fort Simpson, lands, or the availability of land to grow hay, such as having some local person growing it and you people buying it, or simply asking them what the chances are of living in the community and operating out of the community?

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

MR. MOYNIHAN: We have not gone directly to Fort Simpson. The Department of Natural and Cultural Affairs and the Department of Economic Development have looked into these possibilities and at present are studying the possibilities of raising feed and wintering horses there. We are definitely open to suggestions and we would, of course, be very grateful to any improvement that we could get on wintering horses or feed. We would be definitely interested in it. The biggest problem in wintering at Fort Simpson that I could see is that in most cases the horses would have to be barged down the Mackenzie River and then trailed into the outfitter areas. This could work going in but some outfitters have tried this and in one case when he came back out of the area the barges were no longer running and he had to sit on the side of the Mackenzie River for two months until it froze up and then get his horses back out to Fort Simpson. The only way we could possibly reliably get our horses to Fort Simpson would be to trail them west out of the Canol road to Ross River and then transport them all the way around to Grande Prairie and then back up to Fort Simpson which at present I can not see economically possible. If we can find any way to better or run our operations cheaper, we sure will do it.

THE CHAIRMAN (Mr. Nickerson): Have you completed, Mr. Lafferty?

The Idea Of Having A Resident Big Game Outfitter In Fort Simpson

MR. LAFFERTY: No, Mr. Chairman, I am completely aware of that because that too was discussed at the village of Fort Simpson but I am not talking, Mr. Chairman, of the idea of having a resident big game outfitter in Fort Simpson who is operating out of Norman Wells or Fort Wrigley. I am talking about a resident big game outfitter at Fort Simpson who is going to conduct that kind of activity in the mountainous regions back of Fort Simpson, in the Nahanni Butte. As we very well know, our background, you can go cross-country in the course of two days from Fort Simpson because I remember very well other people doing it.

Mr. Chairman, that leads me to another question. What is the greatest difficulty that Mr. Moynihan himself finds with the legislation that is coming into existence and that legislation so far as I am concerned is the wish of the majority of the people in the Mackenzie? If there are any difficulties, what are those difficulties that he foresees in the future?

THE CHAIRMAN (Mr. Nickerson): I think it would be asking him to repeat what he already said but maybe you care to do that Mr. Moynihan.

Chosen Profession

MR. MOYNIHAN: Mr. Chairman, I would like to elaborate a little on my own behalf. I have three children who are all going to school. One has just started high school and if I were to move up here it would be a major change for my children. If I was not out there and did not have any children or they were just starting school, I think that that would be easier to do. If they were finished school, I think it would be easier for me to do so. These were things that I would have to consider as a new outfitter starting up but I was told I did not have to consider them when I did start up. If I had to, I might have not ever have come up here.

The other thing is that I chose this profession because I like it and if I came up here and operated for three months of the year, would I be then expected to go on welfare for the other nine months of the year or draw unemployment insurance? I would probably have to go back to Alberta or British Columbia to find employment. Right now my ranching is backing my operation. To date I have put everything I have made back into the outfitting operation here to build it up. I think I could quite honestly say that I am probably in the hole to date and just at the point where I think I might make something out of it.

THE CHAIRMAN (Mr. Nickerson): Thank you.

MR. LAFFERTY: Mr. Chairman, I wanted to hear that from Mr. Moynihan so my answer was quite correct in the sense that I directed it specifically at Mr. Moynihan rather than all the outfitters in the Northwest Territories because some of them I am familiar with. Thank you.

THE CHAIRMAN (Mr. Nickerson): Thank you, Mr. Lafferty. Other Members? Hon. Peter Ernerk.

A Ten Year Licence For The Outfitters

HON. PETER ERNERK: Mr. Chairman, I now have some information with respect to the renewability of the licence. With respect to Lloyd Bruner's letter to Mr. Stewart, Mr. Bruner indicates "I believe the outfitters licence should be issued no later than March". What we are saying is this could be a ten year operation under certain conditions and there are three of them here as we see them at the moment. They are residents of the Northwest Territories, providing they follow or obey the Wildlife Ordinance as well as the regulations, they maintain their qualifications as outfitters in the Northwest Territories. The other point which Mr. Bruner raised is that he indicates I believe that the outfitters licence should be issued no later than March of each year. I am advised that this is really no difficulty but it would simply be an administrative change.

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

MR. STEWART: Thank you, Mr. Chairman. I wonder if I could have the assurance of the Minister that the ten year licence for the outfitter would be given to them in such a form that they could take it to the bank? I understand they are prepared in theory to say "Okay, you have got a ten year licence but issue a licence every year based on his performance". That still does not do a thing for you when you go to the banker. He wants to see something that would indicate you have a ten year licence and if you could incorporate that in some manner so that he has a collateral of a sort to take to his bank, then I think we can accommodate the whole situation. That is the big point.

THE CHAIRMAN (Mr. Nickerson): Hon. Peter Ernerk.

HON. PETER ERNERK: Mr. Chairman, this is something that I along with my officials would have to look into and find out what we can do in that area. I can not assure Mr. Stewart at this point.

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

Residency In The N.W.T.

MR. FRASER: I am not talking to the motion. It seems that we are not talking to the motion at all. I think he is talking about something else, but I would like to clarify one thing that he said on those recommendations. The first thing I think he said and correct me if I am wrong, Mr. Minister, but you said a ten year licence would be looked into providing you were resident in the Northwest Territories. That goes right back to square one again. Is that right? Did you say that?

THE CHAIRMAN (Mr. Nickerson): Hon. Peter Ernerk.

HON. PETER ERNERK: Mr. Chairman, this was only based on the assumption of the fact that the regulations would be passed.

MR. FRASER: Thank you, Mr. Chairman. I take it then that if this motion goes through they do not have to be a resident to get a ten year licence, is that right?

HON. PETER ERNERK: Mr. Chairman, let me indicate to the Members of this committee again is that only providing the new regulations, the draft regulations are accepted by the Executive Committee and this committee itself, this Assembly. As I indicated earlier to the Members, if there are to be some changes made, whether it is with respect to the issuing of licences to big game outfitters or whether a two year residency period then we will do whatever you might ask us to do. This is all really I could say to this committee. Excuse me -- I really do not have to go back to my earlier comments and try to explain the whole situation again.

THE CHAIRMAN (Mr. Nickerson): Thank you very much, Hon. Peter Ernerk. Mr. Pearson.

Participation Of Native People

MR. PEARSON: I am just listening, Mr. Chairman, trying to decide in my own mind the kind of approach we should be taking to this dilemma that exists, but my mind is getting made up for me. My attitudes are developing very quickly when I listened to Mr. Moynihan and his views that moving into the Northwest Territories would be a terrible thing for him. He would have to come here with his kids and his kids are in school. My God, what a terrible place to have to go and take your family! Really, the place is not as bad as all that. It is certainly good enough for Mr. Moynihan and people like him to do business in the North. You know, we all have to make sacrifices.

I can see and appreciate the concern of people like this outfit who are presently ensconced in the North, who have investments which they are concerned about and to sort of change action in midstream certainly would impose a lot of hardships on such an organization, but for the life of me I can not see why we in the North should be handing over opportunities such as this to southern based companies. I understand that before these game hunting outfitters -- no prompting from the audience, please -- before these game outfitters became established this government actually went South and recruited, went looking for organizations that would come into the North and establish facilities in this worth-while enterprise. Surely there are people in the North. Mr. Moynihan says in a very condescending way "We do hope in time to be able to get a couple of Indians trained to work with us". What kind of attitude is that? Surely they should be given priority. Surely in the areas in which they have hunted and trapped for a long time -- I will not use the old phrase that has been coined -- they have been there a long time and I would think and hope people like you and outfits like yours will be giving them every opportunity to learn to become participants, to become partners, to become owners of such facilities.

New Outfitters Should Be Resident Of The N.W.T.

They should provide that kind of service to northern Canadians so we do not have to call on imported people from southern Canada who are reluctant to come North and bring their kids. I mean, my God! Really, let us be realistic. I would say that people like Mr. Moynihan have made an investment and there is not very much -- you can not expect to kick them out, but I would certainly suggest that any new outfitters should be resident companies, resident in the Northwest Territories. There are provinces in Canada now where foreigners and people can not go and buy land in those provinces unless they are resident there. The Maritimes have had a history of that problem with Americans who have gone in there and bought up thousands and thousands of acres of prime land and people are getting worried about that. I think that we should really consider this from a long range point of view for the development of industry and what little industry there is in the Northwest Territories, what few opportunities there are in the Northwest Territories, and with all respect to Mr. Moynihan for his initiative and guts to come and open a business, there must be something in it for northerners, opportunity for northerners, real ones and not token ones.

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

HON. DAVID SEARLE: Mr. Chairman, really, meaning no disrespect to my friend that is the worst pile of hogwash I have ever heard. Now, let us accept for the moment that Mr. Pearson for argument sake is right that there is this responsibility to educate, bring in and make partners, because the outfitters business lends itself to that, well surely so too does the store business!

MR. PEARSON: Exactly.

THE CHAIRMAN (Mr. Nickerson): I do not think I need ...

HON. DAVID SEARLE: Yes. We have Mr. Nick Sibbeston at Fort Simpson.

THE CHAIRMAN (Mr. Nickerson): Could we have some order here? Do you wish to continue, Hon. David Searle, or have you said your piece?

HON. DAVID SEARLE: Mr. Chairman, I have been here 32 years and I do not think that the witness should be treated in that manner.

Uneconomical To Live In The N.W.T.

MR. MOYNIHAN: If I can answer, Mr. Chairman, to the things that were just brought up regarding myself personally and other things, my wife and children all come to the Northwest Territories every summer and the happiest moments of our lives have been spent in the Northwest Territories. We came here because we loved the outdoors and right now my children cry every time I mention having to sell my area. My daughter says if we sell she will kill herself, things like that, they love it so much but right now it is not, we are not encouraged to move up here, we have no place we can buy land and develop. We are not encouraged at all.

Rather than imposing regulations on the outfitters we feel that if we are encouraged to move up here, and if we can find areas near Fort Simpson to winter horses and raise hay, if there is encouragement we will readily accept it. We love the outdoors and that is why we are here. An outfitter does not go in the mountains strictly for money, there are some things you do not do for money and I resent the fact that you say we do not want to be here, because we love it here but it is just uneconomical at the present.

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

MR. FRASER: Mr. Chairman, would I wind up the debate if I spoke now? Unless someone else wants to speak...

THE CHAIRMAN (Mr. Nickerson): I will give you the opportunity to wind up the debate but there may be other Members who wish to speak before that winding up takes place.

MR. FRASER: Thank you, Mr. Chairman.

THE CHAIRMAN (Mr. Nickerson): Do any other Members wish to speak? Mr. Pearson, on a point of clarification.

MR. PEARSON: When I used the word "partners" I did not necessarily mean in the literal sense but in the philosophical sense, but it is not a bad idea, even so in the economic sense.

Native People Are Given First Opportunity

MR. MOYNIHAN: Mr. Chairman, the natives and the people of the Northwest Territories have always been given the first opportunity to be the outfitters. When Mr. Perry Linton sold out a few years ago the natives were given the first consideration. They had applications in for the area and the government was going to finance them and it just fell through because they did not feel they were qualified. They have always been given the first opportunity and we do concur that they should be given the first opportunity. If I decide to sell my area or anyone decides to sell their area we agree that natives should be given the first opportunity. As it is right now anyone -- if I was forced out or any other outfitter was forced out it would mean that people from the United States or Alaska or somewhere else would simply come in here and buy the area and move here and the people who have been dealing in the outfitter areas, they would simply buy them and send somebody here and working out legal terms to make a resident. It would not solve the problem of dealing with the native people.

We have to sit down and work these problems out, we realize it, but putting up technicalities will not solve the problem. We have even said if we came up here could we live in our area but wildlife services does not want us to live in our areas, they do not want us to live in Yellowknife, they want us to live along the Mackenzie River, the settlements, so we can talk to the native people and maybe that is where we should be but they are telling us they do not want us in our areas, we can not run a business if we are in our areas and things like that. It is just not economical to do it the way it is now.

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

MR. WHITFORD: Mr. Chairman, my only concern is that the outfitters who are presently in existence now, I feel they should stay because they are set up or organized, but I am concerned about the future as to people in the territories wanting to start up. That point came across from Mr. Pearson and I would have agreed with that. Maybe the witness could answer as to whether or not, if the outfitters as of now, and again I say, if they could have stayed in the territories, would that be okay?

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

New Outfitters Should Reside In The Territory

MR. MOYNIHAN: In our letter to the superintendent of wildlife services on December 12, we stated that we feel that any new outfitter starting off operations within the territories might be allowed to do so only after agreeing to reside within the territories. However, it is unfair to make

changes to outfitters who were told when buying their areas that they would not be made to become residents in order to hold their areas and gain licences. So, we have recommended that any change of hands, a change of areas should be -- or there should be the requirement that people become residents and we recommend that and then if a person feels, and he knows that that is a requirement he just has to say yes or no. If he says, "My wife needs treatment in Alberta or my children, I want them to go to school and I want to be with my family, I do not want to send my children to a boarding school," or something like that, "We want to live together as a family," then he can turn it down or accept it.

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

MR. WHITFORD: Mr. Chairman, I would agree to that.

THE CHAIRMAN (Mr. Nickerson): Thank you, Mr. Whitford. Mr. Lafferty, you are next on the list.

MR. LAFFERTY: Thank you, Mr. Chairman. Mr. Chairman, there are quite a lot of things being thrown around. One of the first things I would like to mention is the simple fact, and unfortunate as it may be, those of us who are sitting here in the committee are the political representatives of the areas we represent. We are dealing here perhaps with a legal matter as it is implied but I sincerely believe, Mr. Chairman, that it is the court's business whatever the outcome of the legislation, it happens to rest with the court.

Problems And Concerns Of The Native People

The native people in the Northwest Territories are quite concerned in my area at least anyway about game protection and outside hunters. I think it is a simple matter of checking this with wildlife services and there is a rapidly increasing native population in this block, many people who are general hunting licence holders and treaty Indian people. With the rapidly increasing native population in the Northwest Territories, because of the economic conditions presently being experienced, these people are forced to take more game per year and that may result in game decline. I sympathize greatly with Mr. Moynihan but then there are provisions as I understand for people such as Mr. Moynihan where there is two years for them to take residence in the Northwest Territories and I do not know if they can qualify for relocation assistance, I do not know. The fact is that there is a two year period in which they can find some way to move up north.

The other factor that is of great concern is that there are only a few prime places where trophy animals are found and we could not very well have 20 or 25 big game outfitters presumably from all areas of Canada taking out big game outfitters licences for those few places where trophy animals are found. So, this leaves us with many, many questions and no answers. So, Mr. Moynihan, I wonder if you are aware of the types of problems and concerns that the native people find themselves with?

In The Best Interests Of Game Management

MR. MOYNIHAN: Mr. Chairman, I believe the Northwest Territories Outfitters Association is aware of most of these problems. We have tried to support good game management and we do not want, no sport hunter wants the game depleted. They want to keep the quality of trophies up. We do not want to overharvest the areas. If there is a need for more game to be taken by the native people, if our areas must be reduced in the harvest of our animals we are willing to do anything in the best interests of game management and we are open, hoping to develop other forms of game and recreation. We can see in the future in years to come that game hunting, sport hunting might diminish, it might not be so popular and it might be people who want to hike, take pictures and canoe rivers and ski, things like this. We are hoping to develop all forms of recreation, we are not just looking at sport hunting although this is the main issue at hand. We certainly do not want our areas overharvested.

We asked for trophy fees to be initiated and the hunters themselves want to pay for what they like. Hunters and fishermen pay or overpay for the recreation they enjoy. They pay for other parks and stuff we have besides, the money goes into those things, and we want those programs. We asked also that you not be allowed to just fly into a hunting area with a helicopter to get sheep. We were turned down on these things and asked for other regulations. We know that in the Northwest Territories that is the only place where someone can fly in with a helicopter and shoot a sheep and go home and we think this is ridiculous. We have asked for good regulations but have been turned down on this. They say it was restricted too much but the outfitters are not restricted. It will be the people who are coming out of towns with helicopters who would be restricted, not the outfitters and we know of several cases this year where certain people came out with helicopters and shot sheep. It was not the outfitters. There are many things that we know should be taken care of. We also know that a certain biologist recommended a lot of the game changes and he has applied to operate a naturalist camp in three of the outfitter areas and we know that the game changes would enhance his operation and keep the outfitters from operating around his area. We know all these things too.

THE CHAIRMAN (Mr. Nickerson): Thank you very much, Mr. Moynihan. We were getting a little away from the subject under discussion here. Perhaps we could confine ourselves a little bit more closely to the matter under discussion. The next speaker is Hon. Arnold McCallum.

People Who Contribute To The Economy Of The N.W.T.

HON. ARNOLD McCALLUM: Mr. Chairman, I really do not know what the concern is here. I think the Minister, the Hon. Peter Ernerk, has indicated he is willing to take recommendations from this committee and change the regulations. That is my understanding of what he said. We are talking about people who contribute to the economy of the Northwest Territories in a real way. We are talking about Canadians being able to come in and out of the country. We have been going around and around and I do not really believe that it serves any purpose to start distinguishing more. I know that we condemn the federal government. I did today in terms of splitting the area up. We are at fault as well. We continually make references to individuals, to people within the confines of the territories. I personally for my part do not see anything wrong with the place being filled with people because it contributes something to it in a real sense economically, a political and social way, in every way. I think we had better get on with the question.

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

MR. STEWART: Mr. Chairman, to try and conclude this I move that Motion 11-67 be approved.

THE CHAIRMAN (Mr. Nickerson): That is an unusual way of doing it, Mr. Stewart. Maybe I should inquire of the committee whether they are ready for Motion 11-67 to be put to them? Are they agreed?

SOME HON. MEMBERS: Question.

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

MR. FRASER: Mr. Chairman, if I may wind up the debate on this motion with your permission.

THE CHAIRMAN (Mr. Nickerson): You certainly have that permission, Mr. Fraser.

On Contributing Nothing To The N.W.T.

MR. FRASER: Mr. Chairman, just for the record and for the rest of the Members, these regulations that restrict big game outfitters from having to be residents, if this legislation were to stay the way it is, we have a lot of other people who would be involved, Mr. Chairman. We have fishing lodges on Great Bear Lake like Hon. David Searle mentioned that contribute nothing and I mean nothing

to the Northwest Territories. There are some of them who have their homes in the United States and fly right out of the United States and stop in Winnipeg and then go into Great Bear Lake with their own aircraft, their own fishing guides, their own groceries and possibly their own booze, I do not know. But they do not contribute anything to the Northwest Territories. If this regulation went through for the outfitters, it would have to apply to the fishermen.

We can go a little further than the fishermen, Mr. Chairman. A lot of our construction companies that come into the country have their offices in Calgary and Edmonton. They would come under this. They do not reside in the territories. They have a contract for two or three months. Their offices are in Calgary. The money goes back to wherever their office is and this would have to apply to a lot of businesses here who do not have their office or their home in the Northwest Territories. So I would say this is a very important piece of legislation, this regulation that they have put before the big game outfitters. It will probably come up again in the future with other outfitters or other lodges and businesses where they would have to be residents of the territories to operate in the territories. Thank you, Mr. Chairman.

THE CHAIRMAN (Mr. Nickerson): Thank you, Mr. Fraser. The motion upon which we will vote is:

Whereas the financial benefit derived from the activities of outfitters is of great importance to communities in the economically depressed Mackenzie Valley;

And whereas the section dealing with guides and outfitters in Draft 8 of the proposed regulations respecting the management and conservation of wildlife in the Northwest Territories states that "no person shall be eligible to renew an outfitters licence unless he resides in the Northwest Territories prior to his application for renewal of his/outfitters licence";

And whereas implementation of this regulation would effectively prevent outfitters from operating in the North because they would, for a variety of legitimate reasons, find it impractical, if not totally impossible, to maintain permanent residence in the North;

Now therefore, I move that the Commissioner be requested to remove this restriction from the proposed regulations.

Motion 11-67, Carried

Are you ready for the question? All those in favour of the motion please signify. Six. All those of a contrary opinion? Three. The motion is carried.

---Carried

Is it your wish that I report discussion on Motion 11-67 in committee of the whole completed?

---Agreed

Thank you very much, Mr. Moynihan.

MR. MOYNIHAN: Thank you very much for the opportunity to appear here.

MR. SPEAKER: Mr. Nickerson.

Report Of The Committee Of The Whole Of Motion 11-67, Outfitters Licences, Removal Of Residential Requirements

MR. NICKERSON: Mr. Speaker, your committee has been discussing Motion 11-67 and I beg to report that the said motion which I will read out was carried. Whereas the financial benefit derived from the activities of outfitters is of great importance to communities in the economically depressed Mackenzie Valley; and whereas the section dealing with guides and outfitters in Draft 8 of the proposed regulations respecting the management and conservation of wildlife in the Northwest Territories states that "no person shall be eligible to renew an outfitters licence unless he resides in the Northwest Territories prior to his application for renewal of his outfitters licence"; and whereas implementation of this regulation would effectively prevent outfitters from operating in the North because they would, for a variety of legitimate reasons, find it impractical, if not totally impossible, to maintain permanent residence in the North; now therefore, I move that the Commissioner be requested to remove this restriction from the proposed regulations.

MR. SPEAKER: Thank you, Mr. Nickerson. Turning to the orders of the day, consideration in committee of the whole. Do you want now to go to Bill 7-67, Hon. Arnold McCallum?

HON. ARNOLD McCALLUM: Yes, Mr. Speaker.

MR. SPEAKER: Mr. Stewart you were in the chair when we left the matter last, were you not?

MR. STEWART: Yes.

MR. SPEAKER: This House will resolve into committee of the whole for continued consideration of Bill 7-67, Appropriation Ordinance, 1979-80, with Mr. Stewart in the chair.

---Legislative Assembly resolved into committee of the whole for consideration of Bill 7-67, Appropriation Ordinance, 1979-80, with Mr. Stewart in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 7-67, APPROPRIATION ORDINANCE, 1979-80

THE CHAIRMAN (Mr. Stewart): The committee will come to order to continue the study of Bill 7-67.

Department Of Health

I direct your attention to page 10.02, Department of Health, administration. We are still on general comments. Hon. Arnold McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, may I then ask approval of the committee to have Mr. McDermit, the director, come into the chamber or into the meeting?

THE CHAIRMAN (Mr. Stewart): Agreed on calling the witness, Mr. McDermit?

---Agreed

Call your witness, please, Hon. Arnold McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, I would just like, if I may, to go back to the last day that we were discussing the budget for this particular department to make some comments regarding some of the comments that have been raised by some of the Members. On Tuesday the Member from South Baffin, Mr. Pearson,

made a presentation on the need to emphasize prevention and health information promotion. I would simply want to say, Mr. Chairman, that I totally agree with the Member and I would like to indicate to the committee that the department has recognized for some time that this kind of program needs greater emphasis and more support.

MR. PEARSON: Hear, hear!

Acute Care Services

HON. ARNOLD McCALLUM: In the department's Direction for the 1980's we have clearly stated as a major objective to place as equal an emphasis on prevention and promotion as we now have on acute care services. We recognize that the major influence on health conditions in the future will result by developing programs in prevention, promotion and community health. We as well have indicated that we must develop health information that will increase public and professional awareness regarding health topics and issues. We realize that health programs will not be effective unless they are recognized as essential and important in the eyes of the total population toward whom these programs are directed.

Health concerns must be expressed in terms that are simple and that reflect goals that are perceived as achievable. So, Mr. Chairman, I would simply want to say that during the next year we will not only be able to start a health information promotion program; it will be a major undertaking of the department. It is not just a matter of taking information from the South and spreading it throughout the North. Rather, it is a matter of developing a program which is appropriate for the North which will apply to the unique situations and problems that residents experience.

I agree, Mr. Chairman, that our government has not been involved in health information and promotion in the past. Rather in the past it was felt that this responsibility belonged to medical services, Health and Welfare Canada. However, we do not intend to sit idly by any longer. The need is immediate, it is urgent and we intend to become actively involved in this particular area. It is a large field, Mr. Chairman. However, with the approval of the estimates the department will be able to begin our involvement and to commence such a program.

Medication For Chronic Diseases

Mr. Chairman, I would as well like to indicate some comments or direct some comments to that part of the debate on having senior citizens medication costs absorbed by the government. However, what was being referred to there was a chronic disease list. It does not concern the medication for a number of these diseases, or it should not. Not only would I support the idea of doing this but we have considered this matter and I would hope that we would not only support the exclusion of senior citizens from paying for the medication and drugs but that in point of fact we support a senior citizens' pharmacare program because that is what it is, the provision of medically required prescription drugs at no cost to residents in the territories who are 65 years of age or older.

Now, our reasons for recommending the senior citizens' pharmacare program, and I would hope to be able to list a couple; as I indicated the chronic drug list is a list prepared by the federal Health and Welfare, used for statistical purposes and for program review. However, we should note that it is not a list which is suitable as a drug list. For example, the list of conditions refer to several conditions with different intelligence quotients, or different intelligence levels, with different levels of hearing loss, obesity, etc. This Department of Health, the Government of the Northwest Territories has no control over that list because it was developed by the medical services of Health and Welfare Canada. There is no consideration of the cost of prescription drugs

for the conditions on the list, it is just simply a list of conditions. Therefore, Mr. Chairman, there are conditions which may require very expensive medications for varying lengths of time which are not chronic conditions, acute urinary tract infections, other serious infections, and to tie a drug program for senior citizens into the list of chronic conditions I believe requires some review rather than accept it.

Establishment Of A Senior Citizens' Pharmacare Program

Now, there are administrative problems involved as well and in order for a prescription to be approved it would be necessary for the senior citizen to have the prescription approved by the community health nurse to ensure that the prescription is for a condition that is on the chronic disease list. So, Mr. Chairman, if we really want to be of assistance I recommend that we establish a pharmacare program for senior citizens. That is a major policy that this government will have to come to grips with and I fully intend to pursue this. In developing that program it will be necessary for us to meet with various professional associations, the Medical Association, the Pharmaceutical Association, to meet with medical services. We will have to establish what is commonly known as a drug formulary. There are of course monetary changes to our estimates and we would have to then pursue, as was suggested, a means by which we can establish that.

Mr. Chairman, I simply wanted to bring those two comments to the attention of the committee before we get into anything further and before we go into divisions of the department. I would like to say, Mr. Chairman, as well that within the supplementary health program of this government I want to state now that the disease, or medical condition rather, known as diabetes will be included in our supplementary health program and so residents of the Northwest Territories who require the medication, insulin, or some such particular medication, I would ask the citizens of the North who have had to buy that medication as of January first to submit their receipts directly to the director. As we go along we may, of course, make other changes.

THE CHAIRMAN (Mr. Stewart): I take it, Mr. Minister, that that is a nice, soft way of telling us that you will not change the estimates to satisfy the motion that was placed or approved by this House?

HON. ARNOLD McCALLUM: No, that is not a soft, easy way of saying it. The motion directed us to determine, as I recall, funding for it and to come back with it. We are prepared to pursue that and I would hopefully be able to come back to the committee with that information. I as an individual part of the administration will have to bring that to the Executive and hopefully we could discuss that at our meeting tomorrow.

THE CHAIRMAN (Mr. Stewart): Thank you. Then, would that fit on page 10.02, would that be the place where that money would be put, Hon. Arnold McCallum?

HON. ARNOLD McCALLUM: Mr. Chairman, it would undoubtedly come under the activity of supplementary health programs, on page 10.03.

THE CHAIRMAN (Mr. Stewart): If I heard you right, page 10.03?

HON. ARNOLD McCALLUM: Mr. Chairman, it would come under the total department which is page 10.01, this reflects the total budget, but specifically under the activity on page 10.03, the supplementary health program.

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

MR. NICKERSON: My question, Mr. Chairman, is not on the subject of pharmacare for the elderly and maybe you could determine whether that subject has been finished with before I bring up a separate subject.

THE CHAIRMAN (Mr. Stewart): We are still on comments of a general nature so proceed, Mr. Nickerson.

The Fleming Report

MR. NICKERSON: Mr. Chairman, would the Minister of Health release the Fleming Report, to make it public information?

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

HON. ARNOLD McCALLUM: Mr. Chairman, yes. Mr. Chairman, the Member raised this and it seems to me that I did give the Member a copy of that report. Maybe I am wrong.

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

MR. NICKERSON: If I have ever seen this report it has been on a confidential basis. I think it is a worth-while document for all Members to study and I think the public would find it most interesting. On several occasions in the past I have asked that it be made public and when I held the Health portfolio I faced the same problems Hon. Arnold McCallum has faced for some time in that the powers that be would not allow it to be made public and I am most pleased to see that it will now be made public.

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

Voluntary Committee For Educating Rae Residents

MR. WHITFORD: Mr. Chairman, with regard to the tuberculosis problems at Rae, there have been many discussions with the department but I am wondering now, they formed a ladies' committee and they wanted to be a voluntary group that was interested in trying to help to solve the problem of educating the people, especially the elderly people in the community and they were meeting with Mr. Bob McDermit. I was wondering if the Minister was going to be able to assure them that there would be some kinds of funds available that would set them on the right course.

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

HON. ARNOLD McCALLUM: Mr. Chairman, the Member is correct. The director Mr. McDermit of the Department of Health has met with these people concerning that problem. He is further correct that in point of fact it is an educative sort of program that has to be developed. Just prior to the last two questions I indicated that a major thrust of this particular department within the coming year will be to set up such a program, a health information program. That is to be a major role that this department will undertake.

At the present time, as the Member knows, medical services of the federal Department of National Health and Welfare are involved in Rae-Edzo. We are trying to accommodate our particular thrust and that of the federal government with the concerns of the people of Rae-Edzo and the availability of the ladies' group, or the group of people there. We are at the present time awaiting a proposal from them. Mr. McDermit in discussions at the health co-ordinating committee meeting, which is a group between this government and the federal government, has discussed it. We will be meeting with the Alcohol and Drug Co-ordinating Council. We believe that our program will be a good one and we hope to be able to get the support from medical services and the alcohol and drug program. It may not be that we are able to acquire the funds that the ladies' group want at first but it will be supported to a great extent by this department.

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

Health Information Centre

MR. WHITFORD: Mr. Chairman, the northern health people at the moment have people going through the community, going into the homes to give people pills for the purpose of protecting them from tuberculosis but a lot of the people are afraid because of things that have been said in the past about pills and what the effect had been on them. I suppose what I am looking for is to know that the Department of Health here now would create a program, a viable program, something like in the third world countries where they explain things. From looking at a movie you can not quite understand what they are saying, but rather than going in there with papers and these kind of things, there should be a place, a building where they can go to express their problems or try to understand these things. That is my greatest concern.

Since the hospital has closed of course, people may not normally go to Edzo or are afraid to go to Edmonton. I hope that the department would consider Yellowknife, or part of the hospital in Yellowknife for these people to go to close to home and have visitors in the hospital at Yellowknife rather than having no one at all at the hospital at Edmonton. This is one of the greater concerns discussed when I was in meetings with them about this.

I think for us tuberculosis has wiped a good part of the nation out, or did a number of years ago in the 1930s and 1940s, and that is why I stress that we have asked over and over again for information, good, solid, understandable information with regard to tuberculosis and what this could do to the people. Those who do not want to go to the hospital or those who in fact, are in the hospital is who I am talking about.

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

HON. ARNOLD McCALLUM: Mr. Chairman, again I want to emphasize that that is exactly what this department is going to do within the next year. We are going to develop a program of health information. We are going to co-ordinate the efforts of National Health and Welfare, our department, with the people involved who the community believe can do the job. We will prepare a program for it. That is to be a major thrust of this department.

Whether we can develop within the proposed expansion of the Stanton Yellowknife hospital the capability, the resources to have these people from Rae-Edzo there or not, we have chronic care facilities planned for that expansion, but, you know, I can simply reiterate what I have said now two or three times about what this department is going to do in relation to a health information program. We will co-ordinate everything. We believe we have the capability of preparing a program that will do that. We would utilize the people who would be able to speak in simple terms, in the language of the people of that community. We are anticipating getting Treasury Board approval for the expansion program within the Stanton Yellowknife hospital. I agree with the Member but I can only reiterate, I can only keep repeating that is exactly what we are going to do.

THE CHAIRMAN (Mr. Stewart): Thank you. Mr. Whitford, have you concluded?

MR. WHITFORD: Yes, Mr. Chairman, only to thank the Minister, Hon. Arnold McCallum, for appointing Mr. Peter Anderson to the hospital board. That is a step in the right direction I think and I am also pleased to see that Mr. Bob McDermit is the new director.

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

Research On Medication

MR. NICKERSON: A technical question, Mr. Chairman, regarding the treatment of tuberculosis. As I understand it, the process of chemotherapy or whatever it is called that people have to go through to completely rid themselves of tuberculosis entails the taking about four times a day or maybe not that much, but at least daily and probably on more than one occasion throughout the day, a whole series of different pills. They are told to take 15 red ones, 23 yellow ones, nine green ones -- maybe I am overexaggerating a bit, but I know it is an awful lot of pills and they have to take them several times a day for a period of many, many months. People do not like to have to take 25 or 30 pills at a time so I wonder if there is any research work being done, I doubt if it is being done in the Northwest Territories, but anywhere in Canada which would enable them to take one pill instead of the 30 or so?

THE CHAIRMAN (Mr. Stewart): That is a smarty question, Hon. Arnold McCallum.

MR. NICKERSON: From talking to people who have been on this course of drugs, Mr. Chairman, I think this is one of the reasons why they have told me they have not been able to keep with the system. It is just a fact that they have to take so many of these pills.

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

HON. ARNOLD McCALLUM: Mr. Chairman, I am advised that there is a daily medication but I am advised that there are only two types of pills usually. The number of pills, of course, that would have to be taken is in relation to the weight of the person, the physique of the person; usually the weight of the person. There is research being done in the South, although I am not that conversant with it, but I am advised there is some research. I do not think that it entails the taking of medication in quite the numbers that the Member has indicated. That is a generalization.

THE CHAIRMAN (Mr. Stewart): Thank you.

HON. ARNOLD McCALLUM: At the present time the medication that is being prescribed is the best available medicine.

THE CHAIRMAN (Mr. Stewart): Mr. Nickerson, anything further?

MR. NICKERSON: No.

THE CHAIRMAN (Mr. Stewart): Mr. Pearson, did you indicate you wished to speak?

MR. PEARSON: No.

Administration, Total O And M, Agreed

THE CHAIRMAN (Mr. Stewart): Page 10.02, total O and M, \$925,000. Agreed?

---Agreed

Administration, Total Capital, Agreed

Total capital, \$7000. Agreed?

---Agreed

Administration, Total Expenditures, Agreed

Total expenditures, \$932,000. Agreed?

---Agreed

I understand we are setting aside page 10.03 for further information from the Minister. Agreed?

---Agreed

N.W.T. Share Of Health Care Services, Total O And M, Agreed

We will then turn our attention to page 10.04. Total O and M, \$1,937,000. Agreed?

---Agreed

N.W.T. Share Of Health Care Services, Total Capital, Agreed

Capital, \$200,000. Agreed?

---Agreed

N.W.T. Share Of Health Care Services, Total Expenditures, Agreed

Total expenditures \$2,137,000. Agreed?

---Agreed

Territorial Hospital Insurance Services, Total O And M, Agreed

I direct your attention to page 10.05, Territorial Hospital Insurance Services. Total O and M, \$17,569,000. Agreed?

---Agreed

Territorial Hospital Insurance Services, Total Capital, Agreed

Total capital, \$1,435,000. Mr. Nickerson.

MR. NICKERSON: I wonder, Mr. Chairman, if we could be given an update on what is happening to the Stanton Yellowknife hospital expansion? I understand that project has now been deferred. I wonder if we could be advised what is now the schedule and what is happening this year?

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

HON. ARNOLD McCALLUM: Mr. Chairman, we have made a proposal for the Stanton Yellowknife hospital expansion, the proposal before going to Treasury Board needs the input of medical services, National Health and Welfare. We have had meetings but we have further meetings scheduled for them at the conclusion of this session. We have been in preliminary discussions with the city of Yellowknife for a suitable site for the expansion. We have been involved with everybody I

think who is concerned with it. I think that it is going on schedule. We hope to be able to bring everything to the point where we can actually begin on this expansion within the year.

THE CHAIRMAN (Mr. Stewart): Total capital, \$1,435,000. Agreed?

---Agreed

Territorial Hospital Insurance Services, Total Expenditures, Agreed

Total expenditures, \$19,004,000. Agreed?

---Agreed

Medicare, Total O And M

Page 10.06, medicare, total O and M, \$3,976,000. Mr. Nickerson.

MR. NICKERSON: What is the reason for the decrease in expenditure in this particular program? I must say that I am very pleased to see it, but it is rather unusual for us to come across a decrease.

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

HON. ARNOLD McCALLUM: I was going to point that out before Mr. Nickerson asked the question. All residents of the territories are eligible for coverage under medicare and it includes payment for doctors' fees for services rendered either at the office, hospital or at home. The utilization increase and population increase that was anticipated for 1978-79 because of the economic conditions within the entire territories of course did not materialize and our 1979-80 budget reflects a slower population increase. Hence not as great an expenditure under this particular activity.

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

MR. NICKERSON: The estimate contained here, Mr. Chairman, does that include funds which would be required if medicare was extended to places such as Tungsten as has been suggested in the paper on single resource industry towns that we have had presented to us?

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

HON. ARNOLD McCALLUM: Mr. Chairman, I would say yes. However, there must be a rider involved in that it does not reflect the presence of a medical practitioner in that particular community, but it does reflect to a great degree, a greater degree the inclusion of the single resource -- plans in terms of that for medicare for those people.

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

System Of Annual Registration

MR. NICKERSON: Another question, Mr. Chairman, on this activity. I understand that the Government of the Northwest Territories intends to implement a system of annual registrations for medicare. On the face of it it might seem that such an exercise would cost quite a bit of money and it might cause difficulties for people who were registered in that program. I wonder if we could be told how this system of annual registration is going to go into effect?

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

HON. ARNOLD McCALLUM: Mr. Chairman, the registration, of course, entails the involvement of all our programs. I have indicated that annual registration, which of course is quite different from a one time registration, and maybe upon review this is going to be a rather difficult, onerous and expensive operation and we would have to, of course, then alter that kind of a review. We would want to use all the resources that we have available, hospitals, nursing stations, etc., to help us get into that kind of registration. Undoubtedly it will be a complex project and a project that very well may be more expensive than we originally anticipated.

However, I think it is a project that requires, at this present time, carrying out. We must do it because of the present situation or the situation that has existed for some time. I do not intend to imply an abuse of it. I simply say the intent really is we want to bring it up to date. Hopefully we will be able to carry out this registration, as I indicated, for all health programs. Basically I guess we could say that, especially in the larger communities, individuals will be sent a copy of their current card and if there are any necessary changes, that they would then be returned, the cards would then be returned to the department.

Corrections will be made and the corrected card would then be mailed, and/or as I indicated the utilization in the smaller communities of the resources that are there and hence our records will be corrected. No one however will be denied coverage. The basic end result I guess, is that our statistics which are important within this particular branch of the government will be more accurate and of course up to date.

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

MR. NICKERSON: Of course I recognize the need for a reregistration at the present time. I understand there are about 60,000 people registered out of a population of 46,000, but it would seem to me that annual reregistration might not be needed and maybe we could go to three years or five years. That would be my suggestion.

One thing that a system of annual reregistration would possibly result in is that people who had failed to reregister, and I know the vast majority of people never renew their driver's licences until probably the last hour of the last day, it is a common human failing, especially with something that is used as infrequently as medicare cards, but what happens to somebody who has neglected to renew their medicare card and find themselves in the position where they have to use it right now. Are they to be denied treatment or what will happen to those people?

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

Biennial Registration May Be Considered

HON. ARNOLD McCALLUM: Mr. Chairman, the two points the Member raises, first is that I recognize that notwithstanding the fact that I indicated via a press release that we would have an annual registration, upon review it may very well be that it would be required biennially, or every two years, every three years or maybe even as the Member suggests once every five years. However, as I indicated no one will be denied coverage under this. If we can bring our records more up to date and make them more accurate and we recognize or determine that an individual has not reapplied for his card then we would use the resources that are available to us either the hospital, the doctor, the nurse, the nursing stations, to then contact these people personally and get that card registered, with all corrections if necessary.

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

MR. NICKERSON: I did not have much of an opportunity to say something this afternoon earlier on so I am going to make up for lost time now.

THE CHAIRMAN (Mr. Stewart): You have so much in the bank already you do not really have to make up for lost time, however, Mr. Nickerson ...

MR. NICKERSON: How many other jurisdictions in Canada operate without some form of payment by people who require medical attention? It is my understanding that most provinces, in most of them a certain kind of fee for service is required from people. Are we the only jurisdiction in Canada where everything is entirely free?

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

HON. ARNOLD McCALLUM: Mr. Chairman, I think on Tuesday I talked about the possibility that we may go to a user fee in terms of medication and I have the department officials investigating the possibility of that for prescription fees, paying a portion of it. Now, that is not basically what the Member is talking about but nevertheless it may be the beginning of such a thing. At the present time we are not the only jurisdiction in Canada that is entirely free. I believe there are four provinces in Canada, Saskatchewan for one, and I am not sure whether all or whether two or three of the Atlantic provinces are in the same boat. I am not sure of the number but three or four of them.

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

Suggestion To Pay Five Per Cent Of Medical Bills

MR. NICKERSON: The reason why I brought this up is that I noticed that some four million dollars are expended on this particular activity and just doing a rough calculation, if people were required to pay five per cent of the medical bills, and that obviously would not be hospital bills, just medical bills, you would have enough money there, Mr. Chairman, with which to finance your pharmacare scheme for the elderly, neglecting of course administrative costs.

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

HON. ARNOLD McCALLUM: Mr. Chairman, I felt that that was what the Member was getting at. Mr. Chairman, the collection as the Member has indicated, the administrative problems would be terribly difficult, I think as Saskatchewan has found out, and of course has not become involved with it. It may be that our problems would be even more horrendous because of the distance, etc., that we experience. However, it is a possibility and we will take that under consideration as well.

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

MR. WHITFORD: Mr. Chairman, I have a curiosity question. I know of a group of native people who are going down to Arizona on a trip, a business trip and I am curious. Is the health card good in Arizona if they got sick or something like that?

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

HON. ARNOLD McCALLUM: Mr. Chairman, our particular program will pay the amount of money for whatever services, for that individual to the exact amount it would have cost here. That will not likely suffice in terms of the United States because the situation is expensive there. I would suggest it is more than here.

THE CHAIRMAN (Mr. Stewart): Is it not also a factor that many places in the United States will not accept the card either?

MR. WHITFORD: Exactly.

HON. ARNOLD McCALLUM: Mr. Chairman, that very well may be, they will not accept it but we would pay the bills and reimburse.

THE CHAIRMAN (Mr. Stewart): Well, medicare. Total O and M, \$3,976,000. Mr. Whitford.

MR. WHITFORD: One last question. Does that include say ambulances or whatever, for people of that nature?

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

HON. ARNOLD McCALLUM: Mr. Chairman, as I indicated to the Member that would include the rates as they would be applied here. It would be in the individual's best interest to perhaps take out additional insurance when they are contemplating that if they feel uneasy or if they feel there is any need to get additional coverage. We pay or will pay the equivalent amount for medication, medical services as the individual would be required to pay were they in the Northwest Territories at the time of any particular incident. No charter flights.

THE CHAIRMAN (Mr. Stewart): Are you satisfied, Mr. Whitford?

MR. WHITFORD: One last question. It should then be stated on the form of application for anyone applying for this card that that is what it is.

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

HON. ARNOLD McCALLUM: That kind of information is in the booklets and the paraphernalia that is passed out by the department. We feel that it should be on a card but we feel that giving that information out on the registration of people would suffice.

THE CHAIRMAN (Mr. Stewart): Mr. Nickerson, I understand you have one question you would like to ask.

Move Of School Of Dental Therapy

MR. NICKERSON: I have a question on the school of dental therapy in Fort Smith and I could not find it in the Department of Health but perhaps I could ask that one question, Mr. Chairman. We have been advised from time to time that the Department of National Health and Welfare was thinking of moving the school of dental therapy out of Fort Smith. This was contrary to the wishes of the town of Fort Smith and I believe this House has on occasions unanimously passed resolutions asking that that facility be retained within the Northwest Territories. I wonder if we could be advised, Mr. Chairman, whether or not there is any likelihood of that facility being moved out of the territories in the near future.

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

HON. ARNOLD McCALLUM: Mr. Chairman, the problem, or this particular topic has of course come up on many occasions. I know that Mr. Nickerson as well as other Members have written in support as well as this House in general and have indicated support to retain that facility in the Northwest Territories, specifically in Fort Smith.

There has been some talk by Health and Welfare Canada and by some people associated with that institution to move it out of the territories. At one time I think there was some concern expressed about the movement from Fort Smith into other communities, but that of course has met with some opposition from practising dentists within the communities. At the present time I understand that Health and Welfare Canada are preparing a report on it. We have not as yet received that report but we as a department, we as a government and quite obviously we as a Legislature have been fighting such a move. It has to be remembered of course that this is not a territorial institution. It is located in the territories but it does not come under the Government of the Northwest Territories, rather it comes under Health and Welfare Canada and we have and will do all we can to stop such a move.

Medicare, Total O And M, Agreed

THE CHAIRMAN (Mr. Stewart): Thank you, Mr. Minister. Total O and M, \$3,976,000. Is it agreed?

---Agreed

Medicare, Total Expenditures, Agreed

Total expenditures, \$3,976,000. Agreed?

---Agreed

HON. DAVID SEARLE: I suggest we report progress, Mr. Chairman.

THE CHAIRMAN (Mr. Stewart): That therefore, cleans up Health with the exception of the one page, 10.03, and that has been set aside. Thank you. Shall I report progress?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Mr. Stewart.

Report Of The Committee Of The Whole Of Bill 7-67, Appropriation Ordinance, 1979-80

MR. STEWART: Mr. Speaker, your committee has been studying Bill 7-67, Appropriation Ordinance, 1979-80, and at this time wishes to report progress.

MR. SPEAKER: Gentlemen, there is a meeting of the committee on constitutional development tomorrow morning at 9:30 o'clock in Katimavik A. Are there any other announcements? Mr. Clerk, orders of the day.

ITEM NO. 12: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Remnant): Orders of the day, February 2, 1979, 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. Notices of Motion to Introduce Bills for First Reading
12. Consideration in Committee of the Whole of Bills, Recommendations to the Legislature and Other Matters: Bills 1-67, 9-67, 11-67, 5-67 and 7-67; Proposed Amendments to the Federal Indian Act, Tabled Document 10-67 and Information Item 5-67
13. Orders of the Day

MR. SPEAKER: This House stands adjourned until 1:00 o'clock p.m., February 2, 1979, at the Explorer Hotel.

---ADJOURNMENT

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