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LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES
DEBATES

67th. Session

8th Assembly

Official Report

FRIDAY, MARCH 30, 1979

pages 1093 to 1146

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

LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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YELLOWKNIFE, NORTHWEST TERRITORIES

FRIDAY, MARCH 30, 1979

MEMBERS PRESENT

Mr. Steen, Mr. Stewart, Mr. Lafferty, Mr. Lyall, Hon. Tom Butters, 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, Mr. Remnant advises me that in order to overcome some of the problems we had yesterday with respect to the translating equipment the channels have been changed. English is on four and the Inuktitut is on six and five is a direct sounding, what is being said on the floor. So, if you would like to note down, four is English, five is from the floor and six is Inuktitut.

Item 2, questions and returns.

ITEM NO. 2: QUESTIONS AND RETURNS

Are there any returns? Hon. Arnold McCallum.

Further Return To Question W78-67: COPE Land Claims And Return To Question W85-67: COPE Boundaries

HON. ARNOLD McCALLUM: Mr. Speaker, on Wednesday, March 28th and again on Thursday, March 29th, Mr. Lyall asked that I table with this Assembly the maps which this administration has received from the Office of Native Claims showing the proposed COPE, Committee for Original Peoples Entitlement, 7(1)(b)(ii) land selections. On Wednesday, March 28th, I initially advised Mr. Lyall that I felt that I could make these maps available. As I recognize the land claims of COPE are of vital interest to all of us in the Northwest Territories and most particularly to those northerners represented by the Honourable Members Mr. Steen, Mr. Lyall, Hon. Tom Butters and Mr. Fraser and I felt that much useful advice and comment could be provided by this Assembly on the proposed selections that COPE had put forward to the Minister.

Mr. Speaker, yesterday, March 29th, I received a telex from the Minister of Indian and Northern Affairs, commenting directly on my intention to make these maps available to this Assembly. I would like to read the text of that telex: "Re your telex of the 27th of March, the map submitted by COPE showing the proposed 7(1)(b)(ii) land selections are confidential and can not be tabled in the Legislative Assembly. While the COPE agreement in principle is a public document, all matters which are under negotiation are confidential until released by mutual agreement of both negotiators. The land selections shown in these maps are subject to negotiation and therefore can not be made public at this time. Under the agreement in principle COPE was obliged to put their position forward before March 31st. There has been a period of two months to review and negotiate changes that would reflect territorial and federal interests. The COPE position was received on March 16th, the deadline for negotiating this element is May 16th."

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As Hon. Hugh Faulkner has explained it in his telex to the Deputy Commissioner, "We are awaiting the Government of the Northwest Territories input with regard to current and future land interests which territorial and local governments may have within the local region. However, this does not require the release of any details pertaining to COPE's proposed selections. Although I recognize the eventual need for public information it would be totally inappropriate to reveal matters which are under negotiation. I trust that we shall receive the Government of the Northwest Territories views on COPE's land proposal as quickly as possible." Signed Hugh J. Faulkner, Minister of Indian and Northern Affairs.

Mr. Speaker, I recognize that that presents a difficulty and I now have to go back on what I said on Wednesday, the 28th, when I indicated to the Members and to the Assembly that I felt I would be able to table these particular maps. However, the situation is of course now, that we can not. I do not particularly like that decision, however, the decision is there and so I must beg then the Member's forgiveness for having indicated that I would.

MR. SPEAKER: Mr. Lyall.

Question W92-67: Obtaining Maps Against Government Wishes

MR. LYALL: Mr. Speaker, how then are the people of the Northwest Territories to know what the hell is going on, Mr. Minister, if the federal government always keeps everything secret from the people of the Northwest Territories as to what COPE is doing? Mr. Minister, I would like to ask you what does the Minister think will happen if you went against the wishes of the federal government and made those maps available?

Return To Question W92-67: Obtaining Maps Against Government Wishes

HON. ARNOLD McCALLUM: Mr. Speaker, as the Members will appreciate the Government of the Northwest Territories is not a full partner in land claims negotiations and we participate along with the federal government in these. It would seem to me, and that is an opinion, that that limited, if we were to do that, that limited participation that we have now would be in jeopardy. I do not know what else would happen, maybe they could take some action against me, I am not sure. The situation is as Members are aware, we are only there with an agreement, a memorandum of understanding, that again Members know that we are attempting to have changed to give us the same kind of participation that the Yukon government has. We have been unsuccessful in getting that kind of participation but nevertheless I think it is one that we have to have accorded to us so that we can then look after the interests of all the people.

I appreciate very much the remarks of the Member and I know how frustrating that is not only to Mr. Lyall but of course to Mr. Steen, Mr. Fraser and Hon. Tom Butters' constituents because they are the ones who are at the present time being affected. We would hope to be able to use Local Government resources to go to those communities and ask for the concerns people have of those areas but we will not be able to use the maps in so doing, we would want their concerns and to bring them forward to the government, and the concerns of this Assembly as regards those lands and make those concerns known to the Office of Native Claims.

MR. SPEAKER: Mr. Lyall, I think we are stretching the Rules a bit. This item is written questions.

MR. LYALL: Mr. Speaker, I have everything written down.

---Laughter

MR. SPEAKER: As you know we normally complete returns. Are there any more returns? Hon. Tom Butters.

HON. TOM BUTTERS: Mr. Speaker, I have two returns that I referred to yesterday, one regarding the Cree-Chip Construction Company and the other regarding the Northwest Territories tourism study.

Return To Question W74-67: Cree-Chip Construction Company

First in response to Question W74-67 asked by Mr. Nickerson on March 28th, we are advised by the Department of Indian and Northern Affairs, Indian and Inuit affairs branch, Alberta region, that this private company, the Cree-Chip Construction Company received funding from the federal Department of Indian and Northern Affairs and is currently in the process of being wound up. We are advised that the necessary documentation is under review by the Justice department. Once the assets have been realized, payment will be made to the creditors, with secured creditors taking preferred positions as is normal business practice.

Return To Question W80-67: N.W.T. Tourism Study

The second return is to Question W80-67 asked by Mr. Nickerson on March 28th. The Northwest Territories tourism study is being directed by a steering committee consisting of representatives of the Travel Industry Association, regional tourism groups, private businessmen and involved government agencies and is chaired by the assistant director of Economic Development and Tourism. A final decision on the selection of the consultant will be taken by the Executive Committee. As a result of its review of the 14 proposals originally submitted and five more detailed proposals presented by firms on a short list, the steering committee has determined that no northern firm has the necessary expertise in tourism planning to undertake this study alone. However, the steering committee has emphasized to the consultants that the involvement of northern expertise throughout the study is crucial to a successful plan and it is expected that a northern firm or firms will be involved in the study either in a joint venture arrangement or by some other form of association with the project. You may be assured that the steering committee and the administration will take the necessary steps to ensure significant participation by northern firms in this contract.

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

Question W90-67: Office Of Native Claims Meetings With Communities

MR. LYALL: Mr. Speaker, is the Minister aware of the fact that the people in the Office of Native Claims have been having meetings in places such as Fort McPherson and Fort Franklin, I think, to find out those people's feelings on 7(1)(b)(ii) COPE land selections? Does the Minister know if these people from the Office of Native Claims are also keeping the maps secret from the people that they are having meetings with?

Return To Question W90-67: Office Of Native Claims Meetings With Communities

HON. ARNOLD McCALLUM: Mr. Speaker, I am aware of meetings that have been held. I am not sure whether I can comment on whether the maps are being held from those people, but I would suggest that that is absolutely correct, that they are getting feedback from people in various communities as to their concerns of the various lands within the Western Arctic region. The maps are drawn indicating what COPE wants. Now we intend, in our government, to talk to these people in the communities as well. The Office of Native Claims is in getting the concerns of the people as to what they would like and to express their concern about why they need that particular land and to give the reasons. Once we receive that material, then we will be putting forth that particular position to the Office of Native Claims, making them aware of how we feel and in this way continue our participation, our limited participation in the land claims that are going on, negotiations that are presently under way.

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

Question W91-67: Land Claims Selection Maps

MR. LYALL: Mr. Speaker, then on behalf of the people of Coppermine, Cambridge Bay, on behalf of those people, I would very strongly urge the Minister to obtain the 7(1)(b)(ii) COPE land claims selection maps. Would the Minister do that?

MR. SPEAKER: Hon. Arnold McCallum.

Return To Question W91-67: Land Claims Selection Maps

HON. ARNOLD McCALLUM: Mr. Speaker, I again have to refer to the instructions that we received in terms of this from the Minister of Indian Affairs and Northern Development, from the Hon. Hugh Faulkner, that these maps are not to be made public. These maps simply show the selections made by the Committee for Original Peoples Entitlement. We have been instructed not to release maps to the public. We would continue to pursue and hopefully have that changed. I do not agree with it but at the present time there is not much we can do. If the Member is asking me to push for the release of these maps, then I intend to continue to do that.

MR. SPEAKER: Mr. Lyall.

MR. LYALL: Mr. Speaker, I should hope that the Honourable Member would not go back on his word, what he just said, as he did the last time when I asked him the question to produce those maps of the COPE land selections.

MR. SPEAKER: Mr. Lyall, that was not a question. That was a statement. I can not permit you to ask that, nor indeed to express those sorts of feelings.

Item 3, oral questions: Mr. Nickerson.

ITEM NO. 3: ORAL QUESTIONS

Question 093-67: Unanswered Questions

MR. NICKERSON: Mr. Speaker, does the government intend to reply this session to the following questions which were asked several weeks ago and to which no reply has been received: Question W21-67, dealing with requests by CNT for social insurance numbers before they will install telephones; Question W58-67, concerning territorial representation on the various provincial/territorial boundary commissions and Question W69-67 concerning the refusal of the Minister responsible for intergovernmental affairs, federal/provincial relations office, to produce for our benefit the paper prepared by his office and entitled "Political Development in the Northwest Territories"?

MR. SPEAKER: Deputy Commissioner Parker.

Return To Question 093-67: Unanswered Questions.

DEPUTY COMMISSIONER PARKER: Mr. Speaker, I believe we have not had a response from CNT with regard to Question W21-67 and, therefore, we can not respond. If we do receive an answer in the next while as a courtesy to former Members we will distribute the answer.

With regard to the matter of territorial representation on provincial boundaries commissions I regret that we are in the same position there and unfortunately we are in a similar position on Question W69-67. I have not seen any response to the rather urgent request that we made to be given a copy of that paper for release.

MR. SPEAKER: Item 3, oral questions. Mr. Steen.

Question 094-67: Gravel Supplies, Tuktoyaktuk

MR. STEEN: Mr. Speaker, I would like to ask the Minister responsible for land claims whether the problem about gravel supplies at Tuktoyaktuk has been resolved.

MR. SPEAKER: Hon. Arnold McCallum.

Return To Question 094-67: Gravel Supplies, Tuktoyaktuk

HON. ARNOLD McCALLUM: Mr. Speaker, it is my understanding that the problem has not yet been resolved. The Honourable Member's motion of yesterday has been referred to the committee of the whole for discussion. I would suggest that when that does occur that that kind of discussion does take place. It may be possible to get the regional director from the Department of Indian Affairs and Northern Development here as a witness during that time but it is my understanding that the issue has not been resolved as yet, although we think there is a possibility it will be very soon.

MR. SPEAKER: Mr. Steen.

Question 095-67: Mr. Ganske As Witness

MR. STEEN: Mr. Speaker, a supplementary question, can we have any indication as to having some guarantee that we can have Mr. Ganske appear before us when this motion is discussed?

Return To Question 095-67: Mr. Ganske As Witness

HON. ARNOLD McCALLUM: Mr. Speaker, I am not sure whether it would be Mr. Ganske or whether it would be Mr. Hornal, the regional director. We would attempt to pursue that, if that is indeed the request but we would try to make an effort to have somebody from there here during that time. I am not sure who it would be.

MR. SPEAKER: Oral questions.

Item 5, reports of standing and special committees.

Item 6, notices of motion. Mr. Nickerson.

ITEM NO. 6: NOTICES OF MOTION

Notice Of Motion 33-67: Establishment Of Members' Services Board

MR. NICKERSON: Mr. Speaker, I give notice that today, the 30th of March, upon the unanimous consent of the Legislature, I will introduce a motion dealing with the establishment of a Members' services board.

MR. SPEAKER: Further notices of motion?

Item 7, motions for the production of papers.

Item 8, motions.

ITEM NO. 8: MOTIONS

Motion 32-67, Hon. Arnold McCallum.

Motion 32-67: Proposed Amendments To The Rules Of The Legislative Assembly

HON. ARNOLD McCALLUM: Mr. Speaker:

WHEREAS experience with the Rules of this Assembly during the life of the current Assembly has proven the inadequacy of certain provisions;

AND WHEREAS it is desirable to make certain changes prior to the election of the ninth Legislative Assembly of the Northwest Territories;

NOW THEREFORE, I move that the proposed amendments to the Rules of this Assembly attached as Appendix A be adopted.

MR. SPEAKER: Moved by Hon. Arnold McCallum. Is there a seconder? Mr. Whitford. Discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Hon. Tom Butters.

HON. TOM BUTTERS: Is the mover to speak on this one, sir?

MR. SPEAKER: Hon. Arnold McCallum, you do have the right to speak first and as well, of course, the right to wind up. Do you wish to speak first?

HON. ARNOLD McCALLUM: Yes, Mr. Speaker, I would like to make some brief comments. The motion of course, Mr. Speaker, comes as a result of the findings of the standing committee of this Assembly on Rules and regulations and the committee, Mr. Speaker, has been meeting for some time discussing various changes to Rules. Those changes of course are in Appendix A as I indicated and there are, in all, 15 changes. The committee by and large in all of these recommendations were of unanimous agreement that these changes were to proceed.

Seating The Deputy And Commissioner In The Assembly

However, on one particular change, change 3 and the repeal of Rule 11A, the present Rule 11A reads: "The Commissioner and the Deputy Commissioner shall be seated with the Members in the Assembly chamber and may participate in debate in the Assembly or in the committee of the whole but shall not be entitled to vote on any question."

The change that the committee recommended and I must point out, Mr. Speaker, that this was not of unanimous agreement among the Members of the committee, the change of course, is to have that Rule repealed which in effect, of course, would not have the Commissioner nor the Deputy Commissioner seated in the Assembly chamber and participating in debate, or in committee of the whole.

As I indicated, the Members of the committee were not in agreement with this and there was a concern with this particular Rule. I would indicate though, Mr. Speaker, that all other changes that the committee came up with have been endorsed by all Members of the committee. Now, with this particular recommendation, recommendation number 3, the repeal of Rule 11A, it was not of unanimous consent among the Members and it may well be that Members would wish to speak on this particular recommendation. These Rules, Mr. Speaker, are, we believe

necessary, they are mostly housekeeping Rules to streamline the operation of the Assembly and sessions and I think that, by and large, they should meet with the approval of all Members.

MR. SPEAKER: Is there further discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Mr. Stewart.

MR. STEWART: Mr. Speaker, I am sorry I had not seen this particular motion, but as the mover has suggested there has not been unanimous agreement that the Commissioner, that his chair be removed from the Assembly, that it probably should remain, or it is some of our opinions, that the chair should probably remain at least in committee so the Commissioner could be fully advised of what is transpiring in the Assembly or in the Legislature. It is my opinion that with a new Legislative Assembly coming in that it should be their right if they decide to remove the chair and that we should not do something that they may find that they can not live with or because of circumstances would prefer to have the Commissioner here and then be in the embarrassing position of having to turn around and reverse this order and invite that person back in.

Motion 32-67, Amended

I think we should strike this particular section and I have no objections to the rest of it but this section should be stricken and I would so move, and this is my problem and I want to make sure I am right, is it recommendation 3 that Rule 11A is repealed or is it number 2, subsection (9)? That is my problem at the moment, I can not find my copy of the Rules.

HON. ARNOLD McCALLUM: As a point of clarification, to clarify it for the Member recommendation 3 is the repeal of Rule 11A of the Rules of the Legislative Assembly.

MR. STEWART: My motion would be that recommendation 3 to remove Rule 11A is repealed, that should be stricken from this motion and I would so move.

MR. SPEAKER: Mr. Stewart, that would have to be an amendment to the motion that is on the floor. The motion on the floor of course is that Appendix A be adopted. What you are doing is by way of an amendment to the motion moving that recommendation 3 of Appendix A not be included, in other words, Rule 11A not be repealed. Is that correct?

MR. STEWART: That is my wish, Mr. Speaker.

MR. SPEAKER: On that amendment then, is there discussion? Mr. Nickerson.

MR. NICKERSON: Not really on the amendment, Mr. Speaker, but I would like to move that this matter be referred to committee of the whole.

MR. SPEAKER: I am not sure we can accept that, if it is an amendment to the amendment. I will have to look. The problem I have, gentlemen, is that we must debate one motion at a time and I am inclined to view that we must complete the debate of the amendment that has been proposed and if it were to fail I suppose then a motion could be accepted to refer to committee of the whole but I do not see how once an amendment is accepted that we can do anything at this point but dispose of it.

HON. TOM BUTTERS: A point of order. My understanding of the Rules is that a motion to refer always takes precedence over a motion on the floor, whether it is an amendment or not.

MR. SPEAKER: We are going to have to take a five minute recess until I look at the relevant Rules. Mr. Stewart.

Amendment Withdrawn

MR. STEWART: Inasmuch as my motion has not had a seconder, I will withdraw my motion.

MR. SPEAKER: You will withdraw your amendment. Well, if you have withdrawn your amendment I assume, Mr. Nickerson, you want to put a motion to refer to committee of the whole, do you?

MR. NICKERSON: No.

MR. STEWART: That is rather dirty pool, Mr. Speaker.

MR. SPEAKER: We are back discussing the motion. Is there any further discussion on the motion? Just so that everyone is clear on just what happened, Mr. Stewart put an amendment which he then withdrew. Mr. Nickerson now is not prepared to put a motion to refer to committee of the whole. That being so, we are back to discussing the main motion. Mr. Lyall.

Further Amendment To Motion 32-67.

MR. LYALL: Mr. Speaker, I so move that we go into committee of the whole to discuss this motion.

MR. SPEAKER: Is there a seconder? Mr. Fraser. On the question of discussing this motion in committee of the whole?

SOME HON. MEMBERS: Question.

Amendment Carried

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

---Carried

It would have to obviously go on the order paper for today as this is the last day.

Mr. Nickerson, you gave notice of a motion which you planned to move today. a motion concerning the Members. What was it?

MR. NICKERSON: A motion concerning the Members' services board, Mr. Speaker. This motion is being placed before the Assembly by the Legislature and it is not my motion and I understand the motion has not yet been prepared. Maybe it could be stocd down for a while, Mr. Speaker.

MR. SPEAKER: In that you need unanimous consent in any case whenever it is prepared you could rise and seek to move back to the Item 8, motions.

Item 9, tabling of documents. Hon. Arnold McCallum.

ITEM NO. 9: TABLING OF DOCUMENTS.

HON. ARNOLD McCALLUM: Mr. Speaker, in keeping with the theme of this session I am very pleased to table the following:

Tabled Document 37-67: A statement of the Hon. Roméo LeBlanc, Minister of Fisheries and Oceans on Management of Fisheries in Western Arctic. The minister is responding favourably to the concept of integrated renewable resource management in the Western Arctic. Hon. Roméo LeBlanc has agreed to a management scheme that will see this government become his agent for the purposes of administering the Fisheries Act in the COPE land settlement area on the implementation of the settlement legislation. The statement reads as follows:

"The Minister of Fisheries and Oceans, the Hon. Roméo LeBlanc and the Commissioner of the Northwest Territories, Mr. S.M. Hodgson have reached an understanding on an arrangement whereby the Government of the Northwest Territories will administer and manage the fisheries resources within the Committee for Original Peoples Entitlement land settlement area in the Northwest Territories.

This arrangement will help to fulfil a proposal under the COPE agreement in principle for an integrated result of the management of wildlife and the co-ordination of legislative authorities. Both officials feel that the best interests of the resource harvesters in the COPE area will be served under the arrangement. The responsibility and authority under the Fisheries Act for coastal and inland fisheries in the Northwest Territories remains with the Minister of Fisheries and Oceans, as does research and inspection. The operational details of the arrangement are to be discussed and finalized jointly over the next several months."

I would invite Members, the Minister of Indian Affairs and Northern Development and Hon. C.M. Drury to join me in expressing our sincere appreciation to the Hon. Roméo LeBlanc.

---Applause

MR. SPEAKER: Item 9, tabling of documents. Hon. Tom Butters.

HON. TOM BUTTERS: Mr. Speaker, I wish to table the following:

Tabled Document 38-67: General Development Agreement, Northwest Territories, that will be signed on the 4th, and,

Tabled Document 39-67: Canada/Northwest Territories Interim Subsidiary Agreement on Community Economic Development that will be signed under that agreement. I also wish to table:

Tabled Document 40-67: Report of the Business Advisory Committee on the Recommendations of the Hay River Conference. I regret I could not table them earlier but they were just ready on this date.

MR. SPEAKER: Tabling of documents.

Item 10, consideration in committee of the whole of bills, recommendations to the Legislature and other matters.

ITEM NO. 10: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS, RECOMMENDATIONS TO THE LEGISLATURE AND OTHER MATTERS

Appreciating that we have as a result of the previous action this afternoon put Motion 32-67 into committee of the whole, what is your wish in terms of the order of dealing with these matters? Hon. Arnold McCallum.

HON. ARNOLD McCALLUM: Mr. Speaker, I would suggest that we deal with the outstanding bills first, and then deal with Tabled Document 30-67, the Baffin Regional Council. From there possibly we could go back to the motion that has been made, Motion 31-67, Hamlet of Tuktoyaktuk Boundaries, by the Honourable Mr. Steen and then Motion 32-67, to change the Rules of the Assembly, and that is for openers.

Bill 5-67, To Die On The Order Paper.

MR. SPEAKER: Of the bills, which one do you want to deal with first? I take it that Bill 5-67 you are going to let die on the order paper.

HON. ARNOLD McCALLUM: Mr. Speaker, you will recall when I tabled this bill or introduced it for reading there was some debate on it and there were requests made by Members to look into other acts of this government in terms of contracts. Upon doing that we had come up with a great number of concerns that were raised that we found gave us difficulty and as such the administration will not be putting forth Bill 5-67.

MR. SPEAKER: Bill 5-67 you are going to permit to die on the order paper. Which of the remaining four bills do you wish to deal with first? Does it matter?

HON. ARNOLD McCALLUM: Mr. Speaker, I would like to deal with the Bill 21-67, Financial Agreement Ordinance (Amendment), 1979, and the Bill 20-67, Appropriation Ordinance (Amendment), 1979-80, before the others.

MR. SPEAKER: As they are of a similar financial nature, unless there is any objection, I would propose to put them together into committee of the whole. This House therefore will resolve into committee of the whole to consider Bills 20-67 and 21-67, with Mr. Lyall in the chair.

MR. LYALL: Yes, Mr. Speaker.

---Legislative Assembly resolved into committee of the whole for consideration of Bill 20-67, Appropriation Ordinance (Amendment), 1979-80 and Bill 21-67, Financial Agreement Ordinance (Amendment), 1979, with Mr. Lyall in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 20-67, APPROPRIATION ORDINANCE (AMENDMENT), 1979-80 AND BILL 21-67, FINANCIAL AGREEMENT ORDINANCE (AMENDMENT), 1979

THE CHAIRMAN (Mr. Lyall): The committee will come to order. Bill 20-67, An Ordinance to Amend the Appropriation Ordinance, 1979-80, comments of a general nature. Deputy Commissioner Parker.

DEPUTY COMMISSIONER PARKER: Mr. Chairman, perhaps I could just advise that this bill comes forward as a result of the exercise which the administration found it necessary to go through to reduce the over-all size of the budget, since we were forced to accept a cut in our grant. Therefore, between the time of passing the main estimates and the resumption of the session we have gone through the exercise of identifying those areas where funds could be taken and this was not an easy exercise because it is never pleasant reducing budgets, but we have done this and now are presenting to you the correct figures in every case. Hon. Arnold McCallum has for distribution the identification of the various reductions.

THE CHAIRMAN (Mr. Lyall): Thank you, Deputy Commissioner Parker. Comments of a general nature? Shall we go clause by clause?

---Agreed

Clause 1. Agreed?

---Agreed

Clause 2. Agreed?

---Agreed

Clause 3. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Shall I report the bill ready for third reading? Agreed?

---Agreed

Then I direct your attention to Bill 21-67, An Ordinance to Amend the Financial Agreement Ordinance, 1979. Clause 1. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Shall I report the bill ready for third reading? Agreed?

---Agreed

Short and sweet.

HON. ARNOLD McCALLUM: You get all the lucky ones.

THE CHAIRMAN (Mr. Lyall): I wonder where is Mr. Speaker.

HON. ARNOLD McCALLUM: If you holler loud enough, he might hear.

THE CHAIRMAN (Mr. Lyall): Mr. Sergeant-at-Arms, would you go look for Mr. Speaker, please?

SOME HON. MEMBER: He is here.

MR. SPEAKER: Mr. Lyall.

Report Of The Committee Of The Whole Of Bill 20-67, Appropriation Ordinance (Amendment), 1979-80 and Bill 21-67, Financial Agreement Ordinance (Amendment), 1979

MR. LYALL: Mr. Speaker, your committee has been studying Bill 20-67, An Ordinance to Amend the Appropriation Ordinance, 1979-80, and I would now like to inform you it is ready for third reading.

Also, Mr. Speaker, your committee has been studying Bill 21-67, An Ordinance to Amend the Financial Agreement Ordinance, 1979, and would now like to report it is ready for third reading.

MR. SPEAKER: Hon. Arnold McCallum.

HON. ARNOLD McCALLUM: Mr. Speaker, may I suggest now we deal with Bill 18-67, Council Ordinance, and upon completion of that one Bill 19-67, Legal Profession Ordinance.

MR. SPEAKER: This House will resolve into committee of the whole for consideration of Bill 18-67, An Ordinance to Amend the Council Ordinance, with Mr. Lyall in the chair.

---Legislative Assembly resolved into committee of the whole for consideration of Bill 18-67, Council Ordinance, with Mr. Lyall in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 18-67, COUNCIL ORDINANCE

THE CHAIRMAN (Mr. Lyall): This committee will come to order. I direct your attention to Bill 18-67, An Ordinance to Amend the Council Ordinance. Comments of a general nature? Shall we go clause by clause then? Hon. Arnold McCallum.

Motion To Delete Section 22 And Amend Section 23, Bill 18-67

HON. ARNOLD McCALLUM: Mr. Chairman, I would just like to have you note that within this bill on page six there is section 22, that particular section, I am not sure whether it is noted by all Members or not but that section should be deleted from the bill and I would so move the deletion of that clause.

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

MR. NICKERSON: Would there not also be a consequential amendment to section 23?

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

HON. ARNOLD McCALLUM: That is correct. The consequential change there would be to delete section 22 in the second line of section 23. Mr. Chairman, I would just briefly like to say that in terms of this particular bill I think again Members know that the bill puts into legislation now, as with a number of other jurisdictions, the existence of an Executive Committee. I think that is the point on which those two clauses, two new clauses that go into the Council Ordinance are most significant. I think Members should again pay heed to the significance that we now have an Executive Committee by legislation, not any more on the direction, or, if you like, the whim of a federal minister. Again it is another step and it keeps the theme that this particular session has had of acquiring from the federal government steps toward responsible government for the Government of the Northwest Territories and this Assembly.

The other sections within the bill, Mr. Chairman, deal primarily with indemnities and allowances for the Assembly and, of course, we have the authority and power to do that now but the most significant part, as I indicated, is the fact that we now have an Executive Committee legislated, as do many of the other provinces. Again I want to underline that particular step that we are now taking and have Members recognize that it is a step toward a more responsible government by this Assembly and for the Government of the Northwest Territories. Thank you.

THE CHAIRMAN (Mr. Lyall): Thank you, Hon. Arnold McCallum. I would like comments of a general nature on the motion to delete section 22 and the consequential amendment to section 23. To the motion, Mr. Nickerson.

Motion To Amend Section 16.8(1), Bill 18-67

MR. NICKERSON: A technicality. I believe there would also be another consequential amendment to clause 3. Maybe we could dispose of that at the same time.

Motions To Delete Section 22 And Amend Sections 23 and 16.8(1), Carried

THE CHAIRMAN (Mr. Lyall): Yes. I would like to direct your attention to page one of clause 3, the first line, 16.8(1), definition of "year", "...to 22..."

That "22" would be changed to "21". Comments of a general nature to the motion. Question. All in favour of the motion? Any opposed? The motion is carried.

---Carried

Clause 1. Comments of a general nature? Mr. Nickerson.

MR. NICKERSON: I have a comment directed specifically to clause 1, Mr. Chairman. I do not want to repeat everything that the Hon. Arnold McCallum said but I think it is very significant that for the first time we are recognizing the existence of the Executive Committee which we hope shortly will probably be styled the Executive Council as is the case in the provinces. Reference is being made to this in legislation and it is getting the stature that it deserves and I am very pleased to see this development take place.

THE CHAIRMAN (Mr. Lyall): Thank you, Mr. Nickerson. Clause 1. Agreed?

---Agreed

Clause 2. Agreed?

---Agreed

Clause 3 as amended. Agreed?

---Agreed

Clause 4. Agreed?

---Agreed

Clause 5. Agreed?

---Agreed

Clause 6. Agreed?

---Agreed

Clause 7. Agreed?

Clause 7, As Amended, Agreed

MR. STEWART: It now reads "22 and 23"; 22 should be taken out there.

THE CHAIRMAN (Mr. Lyall): Clause 7 as amended. Agreed?

---Agreed

Clause 8. Agreed?

---Agreed

Clause 9. Agreed?

---Agreed

The bill as a whole. Agreed? Shall I report it ready for third reading?

MR. NICKERSON: Whoa! I wonder if I could be advised, Mr. Chairman, whether under the Council Ordinance people who were Members but whose term of office expires as Members' term of office will tomorrow, whether they will still be collecting indemnities until the time of the next territorial election? Is that in fact the case?

THE CHAIRMAN (Mr. Lyall): Would the Sergeant-at-Arms go and see if he can find the Clerk? Just for the record clause 7, when we deleted number 22, then number 23 became number 22. That is just for clarification. Is it agreed?

---Agreed

MR. NICKERSON: Would you repeat your question to the Clerk?

Indemnities Of Members After The Life Of The Assembly

MR. NICKERSON: The question which I asked, Mr. Chairman, was that under the present Council Ordinance, or as the Council Ordinance might be if amended by the legislation before us, would it be that people who have ceased to become Members of the Legislature, as we will do on Saturday night, will they in fact continue to receive indemnities until the time of the next territorial general election?

CLERK OF THE HOUSE (Mr. Remnant): Yes, Mr. Chairman, that is correct.

THE CHAIRMAN (Mr. Lyall): Thank you, Mr. Clerk. Mr. Nickerson.

MR. NICKERSON: I would like to speak to this particular issue. I do not think that this is the type of leadership that Members of the Legislature should take in financial matters at all. Now, there are two reasons. My first one is that it seems likely that there will be a five or six month period between now and the calling of the next territorial general election and this would seem to indicate that public expenditures of the order of \$100,000, or nearly that amount, would be involved in paying the indemnities of Members of this Assembly while they are not doing anything and when by virtue of law they have no authority to do anything anyway. It does not seem to make very much sense and it would seem to be a very sizeable expenditure of public funds without the public getting any benefit whatsoever from it.

The second reason is that if Members, or previous Members, continue to collect an indemnity when they are not Members of the Legislature it puts them, or gives them an unfair advantage over any competitors in the next general election. This is something we have been careful to avoid with respect to the payment of constituency allowances. Our constituency allowances cease three months prior to the expiry of the Legislature so that Members are not able to use those constituency allowances for election purposes. I think the same should apply with respect to Members' indemnities.

THE CHAIRMAN (Mr. Lyall): Thank you, Mr. Nickerson. The bill as a whole. Is it agreed?

---Agreed

Will I report it ready for third reading?

---Agreed

MR. SPEAKER: Mr. Lyall.

Report Of The Committee Of The Whole Of Bill 18-67, Council Ordinance

MR. LYALL: Mr. Speaker, your committee has been studying Bill 18-67, An Ordinance to Amend the Council Ordinance and would now like to report it ready for third reading with the deletion of section 22 of clause 7 and with consequential amendments.

MR. SPEAKER: Bill 19-67, Legal Profession Ordinance. This House will resolve into committee of the whole for consideration of Bill 19-67, Legal Profession Ordinance, with Mr. Stewart in the chair.

---Legislative Assembly resolved into committee of the whole for consideration of Bill 19-67, Legal Profession Ordinance, with Mr. Stewart in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 19-67, LEGAL PROFESSION ORDINANCE

THE CHAIRMAN (Mr. Stewart): The committee will come to order to study Bill 19-67, An Ordinance to Amend the Legal Profession Ordinance. Are there any witnesses to be called or are there any statements to be made by the Executive?

HON. ARNOLD McCALLUM: Mr. Chairman, as I indicated in the reading of the statement of purpose for this bill it is a very short amendment to the present ordinance and it is simply the removal of the form of an accountant's certificate so as to allow an amended form to be established and then be prescribed by the regulations. I have nothing more than that, the schedule of the form is there for Members and other than that, Mr. Chairman, it should not present any real problem and I do not think it would be necessary to have a witness and also, I do not have one.

THE CHAIRMAN (Mr. Stewart): Thank you. As chairman of the legislation committee, Mr. Lyall, have you any comments relative to Bill 19-67?

MR. LYALL: Mr. Chairman, the committee met and discussed this bill and really I have nothing to report, Mr. Chairman. It was just the wish of our committee to have it come before this Assembly. I would say it is now ready to go clause by clause.

THE CHAIRMAN (Mr. Stewart): Thank you. Are there any comments of a general nature relative to Bill 19-67? Are you ready for clause by clause? Clause 1. Agreed?

---Agreed

Clause 2. Agreed?

---Agreed

Clause 3. Agreed?

---Agreed

Clause 4. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Shall I report Bill 19-67 ready for third reading?

---Agreed

MR. SPEAKER: Mr. Stewart.

Report Of The Committee Of The Whole Of Bill 19-67, Legal Profession Ordinance

MR. STEWART: Mr. Speaker, your committee has been studying Bill 19-67, An Ordinance To Amend the Legal Profession Ordinance and I wish to report at this time that it is now ready for third reading.

MR. SPEAKER: Hon. Arnold McCallum, it would seem that all of the bills have been dealt with that are on the order paper. As I understood your previous comments you would now like to deal with Motion 31-67, Hamlet of Tuktoyaktuk Boundaries, is that correct?

HON. ARNOLD McCALLUM: Mr. Speaker, I think I suggested we would deal with Tabled Document 30-67, Constitution of the Baffin Regional Council first and then Motion 31-67, Hamlet of Tuktoyaktuk Boundaries and then Motion 32-67, the Proposed Amendments to the Rules of the Assembly.

MR. SPEAKER: This House will therefore resolve into committee of the whole for consideration of Tabled Document 30-67, Constitution of the Baffin Regional Council, with Mr. Lyall in the chair.

---Legislative Assembly resolved into committee of the whole for consideration of Tabled Document 30-67, Constitution of the Baffin Regional Council, with Mr. Lyall in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER TABLED DOCUMENT 30-67, CONSTITUTION OF THE BAFFIN REGIONAL COUNCIL

THE CHAIRMAN (Mr. Lyall): The committee will come to order. We will take Tabled Document 30-67, tabled March 28th, 1979, Constitution of the Baffin Regional Council, as amended at the fourth session, Cape Dorset, Northwest Territories, March 20th to 23rd, 1979. Are there any comments of a general nature? Mr. Pudluk.

MR. PUDLUK: Mr. Chairman, before we go on I would like to invite the witnesses, as there might be questions or comments and that would make it easier for me, to invite the witnesses in. They are the same two people who are still available to be witnesses.

THE CHAIRMAN (Mr. Lyall): Is it the wish of this Assembly that we invite the two witnesses in?

---Agreed

MR. FRASER: Mr. Chairman, I do not seem to have a copy of Bill 30-67.

HON. ARNOLD McCALLUM: It is Tabled Document 30-67.

THE CHAIRMAN (Mr. Lyall): Tabled Document 30-67, Mr. Fraser. Shall we invite the two witnesses to come in?

---Agreed

Would the Pages let them in the Assembly please? Would the witnesses like to make a brief comment before we have comments of a general nature?

MR. IVVALU: Very brief comments, Mr. Chairman. Our constitution of the Baffin Regional Council, this constitution was drawn up...

THE CHAIRMAN (Mr. Lyall): Could you get a bit closer to your mike so we could get better sound?

MR. IVVALU: Thank you, Mr. Chairman. Just a very brief comment and I would like to say that the Baffin Regional Council constitution was drawn up after the founding convention of the Baffin Regional Council and I would just like to say that the executive committee of the Baffin Regional Council drew up the constitution and it was approved by the Baffin Regional Council as a whole, and of course I expect some questions from the Members of this Assembly and I will do my best to answer the questions any of the Members may have. Thank you, Mr. Chairman.

THE CHAIRMAN (Mr. Lyall): Thank you, Mr. Ivvalu. Are there any questions of a general nature or comments? Hon. Arnold McCallum.

Ongoing Discussions With Baffin Regional Council

HON. ARNOLD McCALLUM: Mr. Chairman, perhaps it would be proper for me to indicate to Members the discussions which have been ongoing with the Baffin Regional Council through the Department of Local Government. We have found that our discussions, both the discussions with headquarters people and the members of Baffin Regional Council, as well as the Local Government personnel from the regional administration area in Frobisher Bay, to be very productive and I think the witnesses would concur that there have been very worth-while meetings and we seem to be moving together and have a commonality as to what the goals would be and I would consider those meetings to be very good meetings.

I think there may be, as I indicated very briefly yesterday or referred very briefly yesterday to them, some minor concerns of the department, the government, in view of the Direction for the 1980's paper that this Assembly has approved. I think as well that members of the Baffin Regional Council realize that there are some aspects of their constitution that may have to be revised to remove elements that would tend to be counter to what we have as an Assembly approved in the Local Government paper and indeed in the constitutional position we took yesterday.

I think they would agree as well, that is the members of the Baffin Regional Council, that the concept of an authority, the basic concept of the authority of the council, the Baffin Regional Council must come from the community level of government. I think then it is essential that we discuss these things now when we have these people here, the two members of the Baffin Regional Council, because I do not think it would be in the best interests of all concerned were they to return to the Baffin without having this kind of open discussion with them. They have been attempting to approach this Assembly and Members in an attempt to come to grips with the situation on their concerns in the East. I think the discussions we will have with them will be very positive and I think conducted in an attitude of goodwill among all particular Members. I think it is most appropriate we do have them and get into various aspects of their constitution.

I simply make those general remarks, Mr. Chairman, to indicate to Members that the department has been in close contact with the Baffin Regional Council, both as I said from headquarters and from the regional administration and I think both of the witnesses have indicated that in their comments yesterday.

THE CHAIRMAN (Mr. Lyall): Thank you, Hon. Arnold McCallum. Comments of a general nature. Mr. Steen.

Similarity To N.W.T. Association Of Municipalities

MR. STEEN: Mr. Chairman, just a little bit of curiosity has been aroused in my mind pertaining to the Baffin Regional Council. It seems to me that the Baffin Regional Council is very similar to the Northwest Territories Association of Municipalities and the question that arises in my mind is they seem to be doing exactly the same thing as the Association of Municipalities. The communities form the voice of all their communities through the Baffin Regional Council, which the Association of Municipalities also does. The question in my mind is how does the Association of Municipalities view this? Do they see any conflict of their mandate to represent communities or what are the feelings of the municipalities? Perhaps the Minister of Local Government might be able to answer that question, Mr. Chairman.

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

HON. ARNOLD McCALLUM: Mr. Chairman, I would simply make the comment that does simply reiterate what was said yesterday by the witnesses, that they have in fact held discussions with the Association of Municipalities and in fact have called upon the executive director of that organization to be a resource person for them in the development of their constitution. I think they made mention of Mr. Nind in their comments, that they had held discussions with him. I would take it from that that their relationship has been very amicable. I do not think there is any concern of the association, at least to my knowledge there is not.

THE CHAIRMAN (Mr. Lyall): Thank you, Hon. Arnold McCallum. Comments of a general nature. Mr. Nickerson.

MR. NICKERSON: Is it proposed, Mr. Chairman, that this constitution will be binding on the Baffin region communities?

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

MR. IVVALU: The answer to that question is very simple. Yes.

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

Effect Of Constitution On Baffin Region Communities

MR. NICKERSON: Is there any way in law, Mr. Chairman, that this constitution can be binding on the members, on Baffin region communities? That is a question of the Legal Advisor, Mr. Chairman.

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

LEGAL ADVISOR (Ms. Flieger): Mr. Chairman, could I consider that question for a few minutes, please?

THE CHAIRMAN (Mr. Lyall): Yes. Any other questions? Comments of a general nature. Hon. Arnold McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, I was just going to comment on Mr. Nickerson's question. If the Baffin Regional Council had legal status, I guess they would then have some authority, but I think that at the present time under structure, point 3 they use the phrase "...may be required to attend meetings..." I think that may be where the difficulty is. I would suggest respectfully that they do not have that kind of authority to, if you like, subpoena people until they become a legal entity. That would be a comment that I would make. I think again this would be an area where the delegates themselves in meetings that they have had, at least with the department, recognize that there may be some concern there. I think that may be a fair statement on my part.

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

LEGAL ADVISOR (Ms. Flieger): Mr. Chairman, as I understand the question, it relates to the effect that this constitution would have on a municipality, a hamlet or a municipality, that did not choose to participate in the Baffin Regional Council. It is my opinion that this constitution in itself could not have any binding effect on such a municipality or community.

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

Decentralizing Powers And Responsibilities

MR. STEWART: Thank you, Mr. Chairman. Basically my question has already been answered. However, point 6 under aims and objectives which reads "to be an agency to which the government could decentralize powers and responsibilities." Is there any particular form of government you are referring to here or would that include municipal governments, territorial and/or federal governments?

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

MR. IVVALU: I would ask my friend here to answer that question.

MR. ALLOOLOO: Mr. Chairman, in that respect our constitution, point 6, means it is for the territorial government and possibly the federal government.

THE CHAIRMAN (Mr. Lyall): Thank you, Mr. Allooloo. Mr. Stewart, does that answer your question?

MR. STEWART: Yes, thank you.

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

HON. ARNOLD McCALLUM: I wonder if I could comment since point 6 of the constitution of the Baffin Regional Council has been raised under its aims and objectives. This particular clause again may cause some concern in relation to the position that this Assembly has taken as regards -- indeed the government, the administration in regard to decentralization of administrative matters. We have as a government, of course, decentralized because there are regional administrative centres. Point 6 suggests that the Government of the Northwest Territories could decentralize these powers and responsibilities to the Baffin Regional Council. However, the decentralization of administrative powers that is now the policy of the government is to do this to administrative centres such as Frobisher, the regions, to Smith, to Inuvik, to Rankin.

Devolution To Municipal Forms Of Government

The idea of the transfer of program delivery powers and responsibilities, it has been the policy of the government to devolve those powers to municipal forms of government, that is, the city, the town. We have the example, of course, in Frobisher Bay of the devolution of social services, the delivery program. I think again the witnesses would agree that this may, this particular section is one that would again be the subject of further discussions among the government and themselves.

MR. ALLOOLOO: Yes.

THE CHAIRMAN (Mr. Lyall): Thank you, Hon. Arnold McCallum. Any more comments of a general nature? Mr. Pearson.

MR. PEARSON: Well, now that the time has gone by and things have calmed down a bit I would like to put the question I tried to put yesterday and was unfairly jumped on. In fact because of that it has been necessary to hold these men here an additional 24 hours. It is ridiculous, but anyway the question is, this Assembly passed with one dissenting vote a constitutional development paper, part 29 that says that no...

HON. ARNOLD McCALLUM: On a point of order.

THE CHAIRMAN (Mr. Lyall): Mr. Pearson, would you speak closer to your mike so we can hear you?

HON. ARNOLD McCALLUM: On a point of order. I do not think it is a correct statement of the Member to say that the position of this Assembly on constitutional development passed with one dissenting vote. I think if you go back in it, that is not so. Mr. Pearson did not agree with sections. I think there were two or three sections that Mr. Pearson had some concern with but not the paper. As I recall the paper was adopted as the position of this House, unanimously, of the Members who were present at that time. I think if you check the record that is so.

THE CHAIRMAN (Mr. Lyall): Thank you.

MR. PEARSON: The Members who were present. Perhaps Hon. Arnold McCallum has a point. Part 29, Mr. Chairman, the one I am referring to...

THE CHAIRMAN (Mr. Lyall): Mr. Pearson, we are not discussing the constitutional development position of this Assembly. We are discussing the Baffin Regional Council's constitution.

MR. PEARSON: What the hell do you think I am talking about?

THE CHAIRMAN (Mr. Lyall): I do not know. Half the time you do not know what you are talking about, I do not think.

MR. PEARSON: Do I get the floor, Mr. Chairman, or must I listen to you?

THE CHAIRMAN (Mr. Lyall): If you wish to listen to me I will speak, but go ahead if you wish to speak.

MR. PEARSON: It is the last day. Thank God! To the witnesses I would like to ask them what their views are of part 29 that states categorically that this Legislative Assembly only recognizes three levels of government, the federal, the territorial and the municipal and not a fourth level.

THE CHAIRMAN (Mr. Lyall): Mr. Ivvalu or Mr. Alloofoo.

Baffin Regional Council's Reason For Existence

MR. ALLOOFOO: In your part 29 you mentioned three levels of government, territorial, federal and local. We are the Baffin Regional Council and we are existing because of the people who demanded us to exist and if the House decides that they will not recognize us I do not think we could stop, if the people of the Baffin region want us to be the Baffin Regional Council. We are working for people and we are willing to work with the other organizations and the government councils, territorial Assembly and government and other organizations in our region.

THE CHAIRMAN (Mr. Lyall): Thank you, Mr. Alloofoo. Mr. Nickerson.

MR. PEARSON: Mr. Chairman, I wonder on a point of order if we could get the correct names of the witnesses, Mr. Alloofoo and Mr. Ivvalu.

THE CHAIRMAN (Mr. Lyall): Mr. Pearson, would you repeat that?

MR. PEARSON: It is Mr. Alloofoo and he is the gentleman in the blue suit and Mr. Ivvalu is the gentleman in the blue shirt.

THE CHAIRMAN (Mr. Lyall): Thank you, Mr. Pearson. Mr. Nickerson.

MR. NICKERSON: Although this is not referred to in the Tabled Document 30-67, does the Baffin Regional Council seek legislative powers?

THE CHAIRMAN (Mr. Lyall): Go ahead, Mr. Alloofoo.

Legislative Powers Of Baffin Regional Council

MR. ALLOOFOO: Mr. Chairman, this was demanded by the local councils, to give the Baffin Regional Council legislative power.

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

MR. NICKERSON: So, the Baffin Regional Council wants to have the authority to pass laws, is that correct?

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

MR. ALLOOFOO: Yes, Mr. Chairman, within their jurisdiction.

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

MR. NICKERSON: A question of the Legal Advisor, Mr. Chairman. That would be...

THE CHAIRMAN (Mr. Lyall): Just one moment, Mr. Nickerson, while we locate our Legal Advisor. Hon. Peter Ernerk.

HON. PETER ERNERK: Mr. Chairman, I want to ask this question in Inuktitut. Mr. Chairman, Mr. Nickerson asked in this manner, and as I seem to understand it. I have given this much thought on the Baffin Regional Council's constitution and it was honoured by the Commissioner in Cape Dorset. I seem to understand the question but I would like it clarified. I would like to ask the Baffin Regional Council, do you think that yourselves, you would be able to have legislative powers, and that is like the Northwest Territories Assembly, its legislative powers? Do you think that you yourselves can make different ordinances, say, perhaps for education or game? Do you think that you would be able to make these type of ordinances?

THE CHAIRMAN (Mr. Lyall): Mr. Ivvalu, I want you to maybe answer Mr. Nickerson's question first and then you can answer Hon. Peter Ernerk. Mr. Nickerson, could you just repeat your question on the legal matter to the Legal Advisor?

Law-making Authority Of Baffin Regional Council

MR. NICKERSON: The question results from a reply given by the witnesses that the Baffin Regional Council seeks legislative powers. The question of the Legal Advisor is that this organization as constituted at present, does that have any law-making authority?

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

LEGAL ADVISOR (Ms. Flieger): Mr. Chairman, in my opinion, no, it does not have any law-making authority or power.

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

MR. ALLOOFOO: Mr. Chairman, we realize that there was no such thing as regional government in the Northwest Territories. Therefore, we asked the Commissioner of the Northwest Territories to recognize our constitution and in that same motion we made a motion to be recognized by the territorial Assembly.

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

MR. STEWART: I am having a great deal of difficulty in understanding your constitution and understanding the statements you are making relative to it because I do not see anywhere in your constitution where you are really asking for legislative authority, to make laws. I see it rather as a group somewhat similar to the Association of Municipalities where you act on behalf of municipalities who may wish to group together, who may wish certain types of things that are within the Education Ordinance that you want put in place in your area, a grouping of money to do certain things that you put priorities on, as a group of communities that are all within the structure...

THE CHAIRMAN (Mr. Lyall): Could you get closer to your mike so we can hear you?

Comparison With The Association Of Municipalities

MR. STEWART: Sorry. Your organization, as I see your constitution, and having been a member of the Association of Municipalities, there has been in many instances a great similarity between the two organizations, but certainly the Association of Municipalities does not have any legislative authority to actually pass laws. What they can do however and which I would read from your presentation, from your constitution, they can act as a catalyst if you like on behalf of the municipalities in your area to undertake certain works for which money may be available in education or other fields and to be spent on your priorities, representing the communities. It is actually community money you would be spending but it would not be a case where you have budgets of your own, and even your own constitution does not indicate anywhere that I can read in it that that is what you are to do. I am really confused, either the constitution is not right or my understanding of what you are saying is not right or else the two views are incompatible because they just do not meld together. At least I can not understand them and I am trying very hard to.

THE CHAIRMAN (Mr. Lyall): Thank you, Mr. Stewart. Comments of a general nature. Mr. Pearson.

MR. PEARSON: Just to respond to Mr. Stewart, the Baffin Regional Council does have its own budget and operates to a point like a municipal association in the same way that the Girl Guides do really. The Baffin Regional Council represents all of the communities whereas that the Association of Municipalities only represents organized communities. The Baffin Regional Council deals with areas and matters which are far beyond the scope of the Association of Municipalities, it deals with education and the lifestyles within the communities in far more detail than the Association of Municipalities.

THE CHAIRMAN (Mr. Lyall): Would you get closer to your mike? Every time that you turn your head when you speak, we can not hear you.

An Essential And Useful Form Of Government In The Region

MR. PEARSON: So, I suggest to Members that the Baffin Regional Council does seek legislative powers and legislative responsibilities and wants those responsibilities and feels that it is an essential and useful form of government in that region. I think we are running into, obviously, an area of conflict with part 29 of the recent paper on constitutional development. It is true to say that it is a fledgling organization but it is rapidly gaining impetus, it is certainly gaining respect and interest of the people in the Baffin region and it is taking on responsibilities that are of an important nature and is performing a useful function.

THE CHAIRMAN (Mr. Lyall): Hon. Arnold McCallum. I have Hon. Tom Butters and then Mr. Stewart.

HON. ARNOLD McCALLUM: Mr. Chairman, I am not sure whether we have a difficulty here in identifying, or in coming together in interpretation of what is meant by various terms but it is my understanding from officials of my department, when they met with the Baffin Regional Council representatives, including both witnesses as recently as today, that the witnesses indicated at that meeting that they did not seek legislative power. I wonder if the witnesses would comment on that.

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

MR. IVVALU: Mr. Chairman, I would just like to go back a little, back to the question by Mr. Nickerson, if the Baffin Regional Council is seeking legislative power and my colleague answered the question with a straight yes. I would just like to say or make a little correction on that. Like Hon. Arnold McCallum just mentioned it is true at present that the Baffin Regional Council is not seeking full legislative power.

Council Seeks Involvement In Development Of The Region.

It does seek more involvement in the development of the region, the Baffin region and they want to be involved in decision making as a decision-making body. For instance, on decentralization of powers from here to Frobisher Bay. There was a motion last year by the Baffin Regional Council, as I understand it and they wanted to have a recreation director posted in Frobisher Bay and I believe that that is what Natural and Cultural Affairs did. So that is an example where the Baffin Regional Council is not at this time anyway seeking full legislative power. We just want to have more involvement in the government programs in the region. I hope I make myself clear. Thank you.

THE CHAIRMAN (Mr. Lyall): Thank you, Mr. Ivvalu. That is what a lot of Members I think were seeking to hear because the way I at least read this paper what you are really doing at the present time is just that. Hon. Arnold McCallum, would you like to comment?

HON. ARNOLD McCALLUM: Mr. Chairman, I would just want to continue on. I think that it may be of use and I am sure the witnesses would respond favourably to this if this House commented upon certain of the provisions, the aims and objectives, for example. If we were to comment upon those then they would have a feeling for what we consider those aims and objectives of the Baffin Regional Council to be and the way in which they are written so that they could then go back to the Baffin Regional Council and discuss them further with other members. For example, in the aims and objectives of the Baffin Regional Council, one, "to act as a forum for the discussion of all matters of concern to the people of the Baffin region and to improve communication among the communities." Nobody can possibly argue with that. You know, in my judgment I think we should obviously indicate that particular comment to the witnesses. That is precisely what I understand the Baffin Regional Council is wanting to do in one instance.

Community Services And Government Services To Communities

The second aim or objective: "to improve community services and government services to communities." Again it is very difficult to argue against that particular aim. However, when you come down to others we should now indicate, for example, in point 4 where it says "to set priorities for government services and programs in response to the needs of communities." It may be that within this particular one some Members may have some concern. They may not. Maybe, rather than to say they set the priorities, they recommend the priorities. That is my term. That may not be the term of others. Others may not disagree.

When you come down, for example, to point 5 "to negotiate with the territorial government during the preparation of budgets for communities and government departments in the Baffin region and to assist the government in the allocation of capital funds to communities." In my judgment again here that may imply more than actually the Baffin Regional Council wants. It certainly implies in my judgment again more than an advisory role of the Baffin Regional Council, but I indicated in my opening remarks that it is my understanding from my officials of the department and the witnesses that these were some of the things that they were prepared to sit down and continue a discussion, a dialogue, so that we could then come together and they would know the wishes of this House in relation to the aims and objectives.

It may be within the structure, for example, as I indicated point 3, under structure, may be a concern as well. Having people required to attend those meetings, I think again this was a particular clause whereby the representatives and the witnesses who are here were ready to sit down and discuss with the Department of Local Government at a future date and continue those, to reconcile the differences that obviously are there.

A Major Point Of Difference

I think one of the major difficulties that we may have and I think that we should indicate to the witnesses would be point 6 of the aims and objectives, to which I referred in my earlier remarks as well, that is, the concept of decentralizing powers and the devolution of responsibilities to the Baffin Regional Council. I indicated that at the present time it is the policy of the Government of the Northwest Territories to decentralize to administrative regions. Our regions are not government in and by themselves. We have said that. Our position on constitutional government says that. They are administrative centres. We devolve as one government to another government, the municipal government. Again I think these are areas where the witnesses have indicated to department officials that they are willing to sit down and discuss further. I think we should then indicate to the witnesses how we feel about various clauses within the constitution as they have proposed to us.

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

HON. TOM BUTTERS: Mr. Chairman, one of the questions which the witnesses have asked and are asking of this House is whether this House recognizes the Baffin Regional Council. I do not know how the recognition will be phrased by motion at the completion of this discussion but there is no argument that this House does recognize the Baffin Regional Council. In looking at our estimates that we passed just four weeks ago we approved \$155,000 for this body and what could be more effective recognition than saying "Here is \$155,000, take it and go and do your thing in the Eastern Arctic"? It is interesting to note that the appropriation for the previous year which is the current one was only \$58,000, so in a period of restraint we have the budget for the Baffin Regional Council, more than doubled. I would say that this is an indication of the value that this House puts on the work of this body and the recognition of the important service its members are providing to the communities they live in and which they serve.

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

MR. STEWART: I would like to suggest to the Chair that we break for coffee. It is obvious we are not going to get done...

THE CHAIRMAN (Mr. Lyall): I was going to call coffee break in exactly three minutes. We have three more minutes for discussion. Mr. Nickerson.

Meaning Of The Commissioner Signing The Constitution <

MR. NICKERSON: I must apologize, Mr. Chairman. During this discussion several references have been made to the fact that the Commissioner signed this constitution. What does the act of signing of this constitution mean to the witnesses?

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

MR. ALLOOLOO: Mr. Chairman, it means to us that the Commissioner of the Northwest Territories recognizes our constitution and our way of doing things.

THE CHAIRMAN (Mr. Lyall): Thank you, Mr. Allooloo. Mr. Nickerson.

MR. NICKERSON: The problem that I have, Mr. Chairman, is that this organization has no standing in law whatsoever. It is not a body that can sue or be sued. Although Hon. Tom Butters made reference to the expenditure, to us voting money for the use of the Baffin Regional Council, it is my understanding that that money was voted for our regional administration and what happens is that bills are submitted to the regional organization of the Government of the Northwest Territories in Frobisher Bay and the cheques are actually signed by the territorial treasurer, or someone acting on his behalf. So in fact the Baffin Regional Council is not writing its own cheques out and is not spending its own money. That is the way I have been told that the system works. So the problem that I have is that the Commissioner by signing the document can not give legal recognition to it and can not give legal recognition to the Baffin Regional Council. The Commissioner has absolutely no authority other than that delegated to him by law and if this organization wants to become of the nature of an association of municipalities and wants to become an organization that is recognized in law, then it must take certain steps to do that. It must become incorporated under the Societies Ordinance as is the case with the Association of Municipalities, or it must seek its own special legislation from this House. That is the problem I have, Mr. Chairman. To me it would seem that the fact that the Commissioner signs a piece of paper might be symbolic in some way in that it symbolizes his personal approval of the way things are happening, but it certainly has no legal stature whatsoever.

THE CHAIRMAN (Mr. Lyall): Thank you, Mr. Nickerson. In view of the hour we will break for coffee for 15 minutes.

---SHORT RECESS

THE CHAIRMAN (Mr. Lyall): The Chair recognizes a quorum and calls the committee back to order. Mr. Ivvalu, I think you indicated you wanted to speak before we broke for coffee.

MR. IVVALU: Yes, Mr. Chairman. I would just like to say a few words with regard to our proposals to have this Assembly approve or recognize our constitution. Just like I said, and just like Hon. Arnold McCallum said, the Baffin Regional Council presently is not seeking full legislative powers. Now, we are merely asking this Assembly to recognize our constitution and to help develop and to help the people in the Baffin region get involved in government affairs. I myself believe very strongly that the only time anyone from government, or any organization, can help the Inuit people, or the people in the Northwest Territories as a whole, in our case we are talking about the people in the Baffin region, is when you have a body which is formed by those people. For that reason Mr. Chairman, I think the Assembly here should not have to worry about what would happen if they approved of our constitution because the Baffin Regional Council only wants to help the people in the Baffin region.

Since we are not seeking full legislative power, merely involvement, the involvement in government programs and other things in the Baffin region, I can see no problem in this Assembly approving our constitution, Mr. Chairman.

THE CHAIRMAN (Mr. Lyall): Thank you very much, Mr. Ivvalu. Hon. Arnold McCallum.

Position Of Assembly Regarding Regional Government.

HON. ARNOLD McCALLUM: I think that as Hon. Tom Butters has indicated, we do recognize regional councils. In the back-up material to our position on constitutional development we went into some detail as to the rationale of the stand we took that was indicated in part 29. That back-up material can be found in our document on pages 76 to 78 and 80 and 82. I think we went into some detail there outlining the position of the Legislative Assembly regarding regional government. I personally have no quarrel with what the witness has just indicated and said now, that the objective of the Baffin Regional Council is to become more involved in communications and to help in trying to improve community services, government services to communities. I indicated earlier some concerns I had with the choice of phrases or words within the constitution but I know, having heard the witnesses indicate to us that they are prepared to sit down and discuss that and work out new wording for it.

I think we can, if we want to do it by formal motion, we can indicate that we do recognize the Baffin Regional Council along the lines we have indicated in our position paper. I think there may be some Members who think of the Baffin Regional Council as being more than it is and we have the statements of the speaker and a member of the Baffin Regional Council that are opposed to that kind of view. I think that the department, the government, would have no quarrel, in fact the Assembly would have no quarrel with the formation of regional councils such as the Baffin Regional Council along the lines we have put out which are similar, I suggest to Members, to those that the witnesses themselves have indicated. I do not know how we can bring this to a close, if indeed it must be now but I personally would not have that much difficulty, if any, listening to what the Members have to say about the regional council and the aims and objectives because I think they follow along what we have suggested.

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

Motion To Receive Constitution Of Baffin Regional Council And Recognize Its Aspirations

MR. NICKERSON: In order to bring this discussion to a conclusion within a reasonable time limit, Mr. Chairman, I would move the following motion. I move that this committee receives Tabled Document 30-67 entitled "Constitution of the Baffin Regional Council" and extends to the Baffin Regional Council our recognition of its legitimate aspirations.

THE CHAIRMAN (Mr. Lyall): Thank you, Mr. Nickerson. To the motion.

SOME HON. MEMBERS: Question.

Motion Carried

THE CHAIRMAN (Mr. Lyall): The question. The question being called. All in favour of the motion? Eight. Any opposed? The motion is carried.

---Carried

Shall I report then that we have discussed Tabled Document 30-67? Agreed?

---Agreed

I would like to thank Mr. Ivvalu and Mr. Allooooloo for being very informative to this Assembly. Thank you very much.

---Applause

MR. SPEAKER: Mr. Lyall.

Report Of The Committee Of The Whole Of Tabled Document 30-67, Constitution Of The Baffin Regional Council

MR. LYALL: Mr. Speaker, your committee has been discussing Tabled Document 30-67 and in conclusion we had a motion passed, "I move that this committee receives Tabled Document 30-67 entitled 'Constitution of the Baffin Regional Council' and extends to the Baffin Regional Council our recognition of its legitimate aspirations."

MR. SPEAKER: Thank you, Mr. Lyall. This House will resolve into committee of the whole for consideration of Motion 31-67, Hamlet of Tuktoyaktuk Boundaries. I assume that Mr. Steen does not want to take the chair on that. Mr. Stewart, will you take the chair?

MR. STEWART: I suppose so, although I wish to raise Mr. Steen one Indian reservation for one gravel pit, but I suppose so.

---Laughter

MR. SPEAKER: This Assembly will therefore resolve into committee of the whole with Mr. Stewart in the chair.

---Legislative Assembly resolved into committee of the whole for consideration of Motion 31-67, Hamlet Of Tuktoyaktuk Boundaries, with Mr. Stewart in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER MOTION 31-67, HAMLET OF TUKTOYAKTUK BOUNDARIES

THE CHAIRMAN (Mr. Stewart): The committee will come to order to study Motion 31-67 entitled "Hamlet of Tuktoyaktuk Boundaries". This motion was introduced by Mr. Steen. Mr. Steen, would you like to open the remarks?

MR. STEEN: Mr. Chairman, I have a number of Xeroxed copies of a map of the boundaries of Tuktoyaktuk and I thought we should have them distributed to Members before we begin our discussion.

THE CHAIRMAN (Mr. Stewart): Would the Pages assist in the distribution of these papers, please? Mr. Steen.

MR. STEEN: Mr. Chairman, the problem that we have been having in Tuk is the proposed COPE interference with the boundaries that were established by the Commissioner with the council of Tuk some years back. If you look at your map before you, or the copies of the maps before you you will see the square, and the square is the one that the Commissioner with the council had established when the hamlet was first formed.

Now, inside that square you will see more lines within that square and that is the one that COPE is trying to push on to the community. What they really want is the area within that square which is prime development area along the shores of the harbour. COPE wants control of the waters, the harbour, the waterfront and everything within that area. The hamlet of Tuk realizes that what COPE has allowed them, or is trying to impose, the new boundaries, leaves very little left for the community to exercise their authority over. Part of that little line, or part of that area which COPE wants the hamlet to have is already taken up by the Ministry of Transport, that is a large lease which takes up almost one third of the hamlet boundaries. It is leased to the Ministry of Transport. Again there is another area in the same proposed COPE hamlet boundaries, there is another area there which is also taken up by the Department of Defence and it is untouchable. The DEWline in other words has that lease. So, what is left of that little area that COPE wants to give to the people of Tuk is about half; about half of that is what you might call a development area under control of the hamlet. All the rest COPE wants to take.

COPE's Position On Changing The Boundaries

Now, we met with the COPE, Committee for Original Peoples Entitlement, to try and talk to them, to retain the original boundaries but they have refused. In the last meeting we had about three nights ago they flatly refused the community or even to compromise. They told the people there during the meeting that we can change nothing in the agreement in principle because it has already been agreed on in principle. The only time that we would be able to change it would be after the final agreement and I guess all my colleagues here should know how hard it is to change something after it has reached final agreement.

In the agreement in principle we see here the Commissioner's signature and the Commissioner has signed his name to the agreement in principle but he has done that without the consent of a motion, or without the consent of the hamlet councillors of Tuk. There was a motion passed in September as stated in my motion I put yesterday, that in September the community rescinded all other motions to agree to the COPE presentation. COPE has said that in July they had consented with the council but after that there was another motion to rescind the previous motion and the hamlet wanted to retain their boundaries and also to obtain gravel outside the boundaries so that they would not have to go to another body which is outside the community to get permission to do so.

I would like to say that the way COPE has the format of their group of people, is that they told us in a meeting three nights ago we can not operate, we could not take anything outside of those little boundaries that you see there without asking permission from Paulatuk, Sachs Harbour, Holman Island, Aklavik and Inuvik. We would have to ask their permission. Tuk has said it is so close to our community we should be able to handle our own affairs without having to ask another community to do this. Some council members are realizing how little authority they have left, so they are already contemplating resigning from the hamlet council of Tuk because they see no use in having very little authority.

The Undermining Of Local Government In Tuktoyaktuk

This agreement in principle, or this land claim, is undermining the local government aspects of all the things we have been saying. We have been saying in this Legislature that we must strengthen local government, give them more authority, more power and this land claim just does the opposite. It just destroys the hamlet of Tuktoyaktuk. I would like to say that the hamlet of Tuk has stood their ground and everybody else in there has stood up and said to COPE "Well, we are going to handle the problems of our own community". I feel, you know, with the problems in Tuk and the bureaucracy of the COPE people in Inuvik which consists of two advisers from the South -- they are the ones who are dictating to Mr. Sam Raddi what has to be done or what he should do to the community. These people are not elected people. They are just supposed to be advisers, but, as you know, Mr. Raddi can not see very well. Many things pass under his eyes and he can not see them. He can hear. He can hear and that is what he is going by.

I think that the hamlet of Tuk should be supported in their endeavours to run their own show. The people of the Northwest Territories or everybody -- I feel there should be a public outcry to support the people of Tuk. I feel that perhaps we should even enlarge the boundaries even more so that we do not have that same problem again. Perhaps enlarge it in such a way that we will make available to ourselves other gravel pits. Perhaps we should even freeze lands in a 20 mile radius of all communities in the Northwest Territories so as to allow for expansion, community expansion so that we do not have to, or the community does not have to go every time they want to expand or do something, to some organization that does not necessarily represent that particular community. The set-up here in the Western Arctic is that we have to go to those other communities to get permission to expand. So, Mr. Chairman, that is just the opening of the debate. I would like to hear from others who are present.

THE CHAIRMAN (Mr. Stewart): Thank you, Mr. Steen. Motion 31-67. There was some indication that a witness may be required or called. Hon. Arnold McCallum, are you calling any witnesses?

Gravel Supplies Are Involved

HON. ARNOLD McCALLUM: Mr. Chairman, in reply to a question raised by the Member, Mr. Steen, earlier this afternoon concerning the gravel supplies at Tuk, I had indicated at that time that that problem had not been resolved and suggested that when this particular motion came into committee of the whole, the committee may want to have or request the regional director of the Department of Indian Affairs and Northern Development to be present. I gave the Member I think assurance that we would pursue that. I am not sure whether you want the witness in at this time or not. The motion does have implications of gravel, you know, it concerns itself with gravel, so if you want him, yes.

THE CHAIRMAN (Mr. Stewart): Is the regional director here?

HON. ARNOLD McCALLUM: Mr. Chairman, no. The regional director is out of town but Mr. Morison and Mr. Ganske are here from the department.

THE CHAIRMAN (Mr. Stewart): Is it the wish of the committee we call these two witnesses?

---Agreed

Please call Mr. Morison and Mr. Ganske.

HON. ARNOLD McCALLUM: I wonder if I may be allowed to then make a few statements before we ask questions of the witnesses. Perhaps it would be in order, Mr. Chairman, to go back through a little history of this. I know Mr. Steen has as well, but there were some indications that I would want to correct and to allay any thought that the Government of the Northwest Territories was not concerned with the interests of the communities. As Mr. Steen has indicated, the original boundaries were established in 1970 and in late June of 1978 the Government of the Northwest Territories became aware that the federal government and COPE were about to sign an agreement which would reduce the boundaries. Just about two weeks after we heard of this members of the Department of Local Government met with the hamlet council, provided them with information regarding the proposed agreement in principle, and as a result the hamlet council put forth a motion, Motion number 123. That motion indicated that all land within the hamlet boundaries and gravel deposits outside the boundaries needed for hamlet development would be retained by the territorial and federal governments for hamlet control. The COPE representative, at the request of the hamlet council, attended a meeting in July and as a result of assurances given by the COPE representative the hamlet council then rescinded Motion 123 and put forth a motion which Mr. Steen indicated, Motion 129, that moved the three square miles of community lands in COPE's proposal be accepted as presented.

Negotiations With The Federal Government

An official of this department was in Ottawa at this time and was attempting to get the municipal boundaries and gravel deposits protected for the municipality, all municipalities in the Western Arctic. We were using Motion number 123 as a means of illustrating that concern when the telex arrived that presented Motion 129 of the Tuk hamlet. Attempts then to present the negotiators with the logic for the position that was put forth by the latter motion, that is, Motion 129, presented a great problem. There arose from that, of course, in September of 1978, a difficulty about hauling and stockpiling gravel for hamlet use. The hamlet did approve the use, the proposal for the use of gravel but were not able to get a permit without a COPE agreement. Then, of course, the hamlet council moved Motion 169 that the original boundaries in the original Motion 123 be reinstated and a clause added that the hamlet boundaries be extended. About the third week in September the hamlet council wrote the Minister indicating that they were not prepared to accept the three square mile allocation and, as Members know, the COPE agreement in principle was signed on Halloween night, October 31st.

In December of last year the hamlet council of Tuk indicated to the Minister of Indian Affairs and Northern Development that they wished to meet with him and to discuss hamlet boundaries. They wanted the intent of Motion 169 included in the final agreement. As far as I know they have had no reply. When the Association of Municipalities met in February of this year they passed a resolution, Resolution 79-13, that no land claim be allowed to infringe upon the existing municipal boundaries and that no government be allowed to convey land within 20 miles of a municipal boundary without the written consent of the municipality concerned.

Motion By The Town of Inuvik

About a week later the town of Inuvik unanimously passed a motion that reads in part: "Since the majority of voting delegates to the Association of Municipalities conference supported 79-13, that resolution as presented by the hamlet of Tuk, and since that resolution had a direct bearing on municipal services for the town of Inuvik, the council therefore unanimously supports it." We have been as Members well know, very much concerned with the gravel situation and the boundaries as well. We, the Government of the Northwest Territories, did not agree to the three miles. We talked about that I think in the last session. We took the position of the Tuk council but that position was changed and therefore, because we supported the communities we obviously had to then support the changes they proposed.

We have had ongoing discussions with the Office of Native Claims, with the native claims policy committee. We have had discussions many times about all the difficulties that are associated in the Tuk area and other municipalities. We had an indication today of course of a further complication and I refer of course, to the land selections made by COPE. In all of this, Mr. Chairman, I just wanted it to be made known to Members that the Government of the Northwest Territories has supported, will support and is supporting the communities because the communities are the creatures of this government and we will continue to press their particular position and I would trust that Members would agree with that kind of approach.

I am very much concerned, very, very concerned about the possibility of the local government council resigning because as the Honourable Member has indicated before, we have stated time and time again that local government is the backbone of all government and it has to be. We have to continue to keep it going, to devolve more responsibilities to it and as the Member has indicated that has been the theme of all this, whatever we have been doing is along those lines. We can not sit still, we can not sit back and allow those kinds of negotiations being conducted over the top of not only this government, but the communities that are involved. We have to keep their concerns first and foremost in any kinds of discussions and we the government, and I as the Minister responsible on your part for land claims, will continue to press to get our participation as full partners in all this so we can protect the concerns, the goals and aspirations of all our communities.

Land Claims Should Be The Concern Of All

I think we should individually and collectively register that kind of a response to the federal government and as the Member said, as Mr. Steen has indicated, we all have to be concerned. It will not just be within the Western Arctic region, as there are other land claims and it can not continue to go on without the involvement of this government. So, for other Members who are not concerned with land claims now, either in responsibility or in your area, you had better wake up, you had better be concerned because you will be involved at a later time; some time.

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

HON. DAVID SEARLE: Mr. Chairman, I wonder if the witnesses can confirm whether COPE is currently negotiating with Dome/Canmar with a view to charging that company for gravel and other granular materials that might be used in the improvement of the Tuk airstrip?

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

MR. MORISON: The approach that our department has taken on this matter is one of attempting to have Canmar arrange through COPE, and with the agreement of the municipal council of Tuktoyaktuk, use of the gravel for airport purposes. Certainly the company is negotiating and by and large the substance of the negotiation is directed towards assurance that their use of the gravel at this time will not result in an incremental cost to the community for their subsequent gravel needs. As of this morning, in conversation with Mr. Gordon Harrison, the president of Canmar, he finds that their negotiations with COPE are not proceeding as well as he would have liked and they seem to be at somewhat of a stalemate at the present time.

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

HON. DAVID SEARLE: I guess specifically if I may just try again, is it the view of the government that a charge may be levied by COPE, the proceeds of which would come to COPE, for gravel at this time which might be used to repair and maintain the airstrip in Tuk?

Negotiations Between Dome/Canmar And COPE Are Privileged

MR. MORISON: Mr. Chairman, I apologize for our delay in responding to that. The arrangements that are going on between COPE and Canmar are very much -- I would class them as a privileged communication they have going on between themselves. Our particular role is not one of issuing the quarry permit and the attendant land use permit. As I said before the arrangements with which I am familiar are ones where Canmar is attempting to protect the interests of the community in the event that their use of the gravel would result in higher costs to the community. I do not know if I can help Hon. David Searle much beyond that.

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

HON. DAVID SEARLE: It seems to be an unusual situation developing here where Canmar, if I may use Mr. Morison's own words, is attempting to protect the interests of the community, and I assume protect the interests of the community from COPE which I would have thought would have been -- it would have been more concerned with that on the interests of the community and protecting the community from people like Canmar. In other words, something seems to have got twisted around here. I will try it again another way, Mr. Chairman.

If I were interested in the removal of granular material from the gravel pit at Tuk to repair or maintain the airport with and I came to you to get a gravel licence, a licence to remove that gravel and a land use permit as well, are you telling me that I would have to get some kind of approval from COPE before I could provide that municipal service?

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

Resources Falling Within Land Claim Area

MR. MORISON: The approval in principle, which has been entered into by the federal government recognizes that we as the administrators of the resources in the territories consult with COPE on matters of resource use falling within the land claim area. The particular situation here is one of the gravel which falls on the lands which are of a category which would require us to deal with COPE or for whoever wanted to use them and resolving here in the outstanding matter of whether the gravel is being used for governmental purposes or other purposes. So, in all cases where these resources are coming from lands in which COPE has an interest, and it has been recognized by the government, we are required as administrators to consult with them.

Now, in respect to the consultation that the company has had with COPE; our approach to this particular one was one of encouraging the company to deal on a first hand basis with COPE in order to establish a communication that would be effective for this and subsequent resource uses or gravel uses in the area. The opportunity was left open for Canmar to attempt to negotiate a satisfactory arrangement with COPE and, as I said before, Canmar finds themselves in a somewhat stalemated position. It may be better described as an untenable position because if they are to recognize the hamlet's desires in this they will alienate COPE and if they deal in any substantial way with COPE then they alienate the hamlet. So it is a very difficult position for them to be in.

THE CHAIRMAN (Mr. Stewart): Sorry, Mr. Morison, you are going a little too fast and we have to slow down for the interpretation. Hon. Arnold McCallum.

Agreement And Prices Concerning Gravel

HON. ARNOLD McCALLUM: Mr. Chairman, perhaps I could indicate to the Member the understanding that I have about the agreement and the prices and there is a tremendous difference in it, and it may very well be that it is between these two, but it is my understanding that the agreement, that gravel for municipal purposes in Tuk will cost ten cents a cubic yard plus hauling, whereas gravel for other purposes, other government purposes, whatever they may be, is being negotiated at about nine dollars and sixty cents a cubic yard.

THE CHAIRMAN (Mr. Stewart): Plus hauling?

HON. ARNOLD McCALLUM: Plus hauling.

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

HON. DAVID SEARLE: What I do not understand, Mr. Chairman, and perhaps the witnesses can help me, but I notice they are referring to the agreement in principle but surely the lands which have been identified by COPE as those that they definitely want, surely things like royalties or revenue from gravel, the sale of gravel, do not go to COPE until title is vested in them, in those lands. What my problem is with this whole deal is what interest does COPE currently have in lands which they do not yet own? What are they doing talking about a price for a product which they do not own? Particularly, if those prices are correct that Hon. Arnold McCallum mentioned, it seems to me that if that is the price you are fixing on gravel for municipal purposes, that that has to be visited then on the hamlet. It does not seem right. Have I got off track somewhere, Mr. Chairman? I wonder what the witnesses have to say about those comments?

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

MR. MORISON: The dollar figures that are being discussed here are ones which have been generated between COPE and Canmar as a result of their discussions. As I indicated earlier they are more in the form of guarantees to the hamlet

council in the event that gravel which Canmar uses now from a closely available pit results in the community requiring, I think within the next two years, to have to open another pit, or to have to haul gravel from a longer distance and which Canmar is prepared to subsidize the hamlet for that incremental cost. It is really, as I say, more in the form of a guarantee than it is dollars changing hands and the offer is open for a limited period of time. I believe it is two years.

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

Responsibility Of The Government Of Canada

HON. DAVID SEARLE: Mr. Chairman, if the title in this gravel pit has not passed to COPE and if gravel is badly needed by the hamlet, or by Dome/Canmar for improvements of the airstrip, which is what I understand gives rise to this whole thing, and again predicated on the assumption that the title still vests in the Government of Canada, it seems to me to be a bit of a cop-out to say to Dome/Canmar "Go make some deal with COPE". Is there not a responsibility on the Government of Canada for as long as it has title to these, to gravel, to make whatever deal it feels is appropriate and indeed in negotiating this, the negotiations that follow from the agreement in principle to write in guarantees for the existing hamlets so that this intolerable situation, this type of intolerable situation does not occur? Would it not be a federal responsibility to step in and say "It is still our gravel. Here is our price and here is how it is going to be used. We will damned well cover this off in a detailed agreement to make sure it does not happen again"? Can we help by expressing a view that you should do that?

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

MR. MORISON: Mr. Chairman, in response to Hon. David Searle's question I will speak firstly to the matter of why Canmar is involved in dealing with COPE or the hamlet council. It was an approach that we chose to take at this time, to have Canmar become involved, rather than the government to deal only and solely with COPE on this matter because of the need for some effective communication to be established between COPE and any proponent that may come along and COPE, would be wanting to conduct activities in this area. Certainly it has not been new for the government to do that. We encourage the operators to deal on a first hand basis with the communities as we have in the past. We certainly feel the same arrangement would be useful and effective in the future. This is the reason why we took that approach. We do not really view that as a cop-out as you have stated. Rather, we tried that one on and it does not seem to have worked out to everybody's satisfaction as is evidenced by our being here.

I would agree with you that ultimately in the matter of the governmental use of gravel that the government will have to take some action and make the decision over the utilization of what still remains the government's resources. It is the intention of the government to do that and to take some action very soon.

SOME HON. MEMBERS: Hear, hear!

HON. DAVID SEARLE: It was the last ten or 15 words I had been waiting to hear. Thank you. That is exactly the point I wanted to get at. To that end is there anything we can do to help you get there?

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

MR. MORISON: Mr. Chairman, I would not presume to be able to advise Hon. David Searle on any of the means that he or this Assembly might have to bring about their wishes so I will leave that totally to his imagination.

THE CHAIRMAN (Mr. Stewart): That appears to me to be a good note to recognize the clock and call for a coffee break for 15 minutes. Are you agreed?

---Agreed

---SHORT RECESS

THE CHAIRMAN (Mr. Stewart): The Chair recognizes a quorum and calls the committee back to order. When we broke for coffee I had Hon. Tom Butters.

HON. TOM BUTTERS: Mr. Chairman, I will be very brief because I know that other Members wish to comment on this. I would like to go back and just go over the same ground almost but from a slightly different angle to that covered by Hon. Arnold McCallum relative to the involvement of the territorial government in the discussions on choosing class 7(1)(a) lands. Members will recollect that the Northwest Territories land claims secretariat was established by Executive Committee motion on June 22nd in Inuvik. Shortly thereafter there came word, or it was heard, that selection of 7(1)(a) lands was going ahead. This was confirmed and members, officials from this government went to Ottawa and participated in these selections. On July 7th, the 7(1)(a) selections were initialled by the Minister and Mr. Raddi. These were brought back to Yellowknife by our officials from Ottawa and on the 10th, Monday the 10th, two days later I recommended, in my capacity as Executive Member responsible for land claims, that they go into the region and meet with the municipalities. This was granted by the federal government. The stricture put on us was that the meetings were to be in camera. The reason there was an urgency was because we heard at the same time that the selections would be going before cabinet on July 13th, just four days hence. That is what occurred. There was very, very little time for community consultation, but Inuvik, Tuk and Aklavik were consulted on July 10th and 11th and the smaller settlements I think on the 12th and 13th.

Government Position On Sand And Gravel

Just in conclusion I would like to point out that the position of this government regarding sand and gravel is basically this. While the government supports the Inuvialuit entitlement to responsible economic benefits from the ownership of the sand and gravel deposits, at the same time it recognizes that the orderly development of Western Arctic municipalities and communities depends on assured supplies of these materials and the recommendation made by this government to the Government of Canada was that the federal government guarantee a supply of sand and gravel in perpetuity, thus ensuring the continuing development and evolution of Western Arctic communities.

That was the recommendation of the Government of the Northwest Territories to the Government of Canada prior to the signing of the agreement in principle in Sachs Harbour on October 31st.

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

MR. LYALL: Yes. Just to speak very briefly, Mr. Chairman, I think really the people who should be our witnesses should have been the people from the Office of the Native Claims. They are the ones who should be going into places like Tuk, Cambridge Bay and Coppermine when there is a disagreement by the people of those communities. I feel that they are the ones who should be in there to try to get things straight. Mr. Chairman, I have heard from different sources that COPE's selection of lands goes way beyond the Central Arctic region hunting and trapping areas.

Also, Mr. Chairman, I have time and time again stated the people's dissatisfaction with these boundaries. I guess, Mr. Chairman, that the time is very short I guess this afternoon, but my real reason why I have spoken is that the people from the Native Claims Office should be the ones who are trying to get this kind of dispute settled before they get too far. They should have been here knowing that this motion was made the first day this House opened. But, Mr. Chairman, I personally would strongly support Mr. Steen's motion. Thank you, Mr. Chairman.

THE CHAIRMAN (Mr. Stewart): Thank you, Mr. Lyall. Any further comments? Mr. Nickerson.

Map Of Land Selected By COPE Needed For Discussion

MR. NICKERSON: Mr. Chairman, it would seem that it is difficult to discuss this particular subject without having seen the maps, the maps of the land to be selected by the COPE organization which were, earlier on, requested of the Minister by the Honourable Member for the Central Arctic. It would appear that the Minister of Local Government within the Government of the Northwest Territories realizes that it is very difficult to discuss this question without having access to the maps and he said that he would provide them to us. Afterwards with short notice we find out the Minister of Indian Affairs and Northern Development has forbidden the Government of the Northwest Territories to release these important documents which concern members of the public in the Northwest Territories. These maps should be made available to the public. Other people in the Northwest Territories have a sure and legitimate interest in the lands which are to be selected by the COPE organization. The municipalities have an obvious interest.

We see in the case of Tuk, the agreement, if it goes through in its proposed form, that their access to granular materials will be cut off, that they will be held up to ransom by the COPE organization. Now surely that is not what we would like to see happen to the autonomous municipalities of the Northwest Territories. Other people who have legitimate interests in the land to be selected must be surely the other land claimants. The lands in the COPE area have traditionally been used by many other peoples in the Northwest Territories and I am sure that they feel they must have at least an equal claim to parts of those lands as do the people supposedly represented by the COPE organization.

I find it very difficult to understand that on the one hand the Minister in his telex to our Minister of Local Government says that he wants to see the input of the Government of the Northwest Territories into these matters and would like to receive their advice. I do not know whether he is saying that in sincerity at all. If he had been sincere, then surely he would have wanted the Government of the Northwest Territories to receive the advice of this Legislature, representing as it does all the people affected, before the Government of the Northwest Territories could make known their position on these important matters to the Government of Canada.

Application Of The Metis Association

I would like to make reference to the rather peculiar ruling made by the court not long ago concerning the application of the Metis Association. I believe that the ruling was that it was premature at this time for the Metis Association to have anything to do with the preliminary agreement with COPE. The unfortunate thing about it was that, although it is premature now, once the agreement is signed in full, then it will be too late.

So, what is the intention of the Minister regarding the rights or claimed rights of other people in the territories to land that falls within the COPE area? Is he deliberately trying to exclude them from the negotiations? Why is it that the Minister of Indian Affairs and Northern Development wants to act in secret? Surely this is not the proper manner in which the Government of Canada should act. It has occurred to me that the Minister might not be fully aware of the importance that the people of the territories attach to his refusal to let the people here know what is going on. I hope that the Minister will be made aware of the importance we attach to this and that he will not be misled by his departmental officials.

I strongly suspect there are many people within the Department of Indian Affairs and Northern Development in Ottawa, at the policy level, who would like to keep control within that department by themselves for ever and ever. If you read carefully the COPE agreement you will see that you are not really giving anything to anybody. It would appear that in perpetuity the department and departmental officials in Ottawa want to keep their fingers on everything and I would hope that the Minister is aware that this type of thinking might occur within his department and I hope that he would be open with the citizens of the territories and the citizens of Canada and that he would no longer try to keep these important things secret.

SOME HON. MEMBERS: Hear, hear!

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

Format Of COPE Organization

MR. STEEN: Mr. Chairman, just to elaborate a bit more on the motion, it seems that the Committee for Original Peoples Entitlement, the process or the format of their organization is that there are two people from the community of Sachs Harbour, two people from Holman Island, two from Paulatuk, four I believe from Inuvik and two from Aklavik. These people have not got a clue as to what is happening within the Tuk boundary or what is really needed and yet they impose their ideas which overrule the settlement council when it comes to authority within the boundaries.

Now, just to say that this little island that everyone in Tuk and COPE is all roused up about, is within that square that you have there on that map and that little square or that little island had been within the hamlet boundaries at all times before. The people of Tuk view the east side of the Tuk harbour as a potential development area where they can build and in future as the hamlet stands now it will not be able to become a self-supporting hamlet. In other words, it will not be able to support itself unless they are allowed to grow and the jurisdiction remains with the hamlet to allow them to do so. Otherwise, it will prevent the hamlet from becoming a tax based hamlet.

They view the airport in Tuk as a necessary development to allow for larger aircraft to come into Tuk to help bring down the high cost of freight hauling. Now, just to say that a little while ago I mentioned the Commissioner when he signed that agreement in principle, I hope before he leaves the territories that he can clean up this garbage he is leaving behind here. Before he leaves he should clean this up. I have very little else to say without repeating myself, Mr. Chairman.

Motion 31-67, Carried

THE CHAIRMAN (Mr. Stewart): Thank you, Mr. Steen. Motion 31-67. Are you ready for the question? The question being called. All those in favour of the motion? It is unanimous.

---Carried

Shall I report the committee's decision on Motion 31-67, that it has been passed unanimously?

---Agreed

I would like to thank our witnesses, Mr. Morison and Mr. Ganske. Thank you very much, gentlemen.

MR. SPEAKER: Mr. Stewart.

Report Of The Committee Of The Whole Of Motion 31-67, Hamlet Of Tuktoyaktuk Boundaries

MR. STEWART: Mr. Speaker, your committee has been studying Motion 31-67 and I wish to report that this motion was carried unanimously.

MR. SPEAKER: Mr. Nickerson.

MR. NICKERSON: Mr. Speaker, I request unanimous consent to return to Item 8 on the orders of the day.

MR. SPEAKER: Presumably to move the motion you previously gave notice of?

MR. NICKERSON: That is correct.

MR. SPEAKER: Is there any objection? Mr. Lyall.

MR. LYALL: Mr. Speaker, I would like unanimous consent to go back to Item 6.

MR. SPEAKER: I will give you an opportunity to do that as soon as we have finished with Mr. Nickerson's motion.

Item 8, motions. Mr. Nickerson.

REVERT TO ITEM 8: MOTIONS.

MR. NICKERSON: I request unanimous consent to move the motion, notice of which I gave earlier, Mr. Speaker.

MR. SPEAKER: Proceed.

Motion 33-67: Establishment Of Members' Services Board.

MR. NICKERSON: Mr. Speaker:

WHEREAS the increase in membership of the next Assembly will necessitate a means for considering matters of Assembly organization;

NOW THEREFORE, I move that a Members' Services Board be established for aforesaid purpose;

That such a board shall be struck at the first sitting following each general election and shall consist of the Speaker as chairman, an elected Member of the Executive Committee and one other Member of the Assembly;

That the board shall consider and advise on the following:

1. Selection of the Clerk of the Assembly;
2. Recommendation of appropriate salaries for the Clerk, Clerk Assistant, in accordance with salaries of House officers in other jurisdictions;
3. Approval of estimates of the Legislative Assembly vote;
4. Consideration of policy questions concerning matters of the Assembly organization, such as: (a) research service for Members; (b) space allocation; (c) expansion or reduction of staffing; (d) caucus funding; (e) press gallery House rules; (f) seating in the Assembly and (g) production of the debates of the Assembly.

MR. SPEAKER: Is there a seconder? Mr. Pearson. Discussion?

SOME HON. MEMBERS: Question.

Motion 33-67, Carried

MR. SPEAKER: The question being called. All in favour? Contrary? The vote is carried unanimously.

---Carried

Mr. Lyall, you wanted unanimous consent to go back to Item 6, notices of motion.

MR. LYALL: Yes, Mr. Speaker.

MR. SPEAKER: Is there anyone who denies unanimous consent?

MR. PEARSON: Nay.

MR. SPEAKER: Item 10, consideration in committee of the whole of bills, etc.

REVERT TO ITEM NO. 10: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS, RECOMMENDATIONS TO THE LEGISLATURE AND OTHER MATTERS

Proposed Amendments to the Rules of the Legislative Assembly, Motion 32-67, is the next item for study in committee of the whole. Mr. Fraser, can I ask you to chair that committee for the proposed amendments to the Rules?

MR. FRASER: Mr. Speaker, I wanted to debate that particular bill myself. I wonder if we could get one of the Ministers, they have nothing to say about it.

MR. SPEAKER: Mr. Stewart, would you be prepared to chair it then?

MR. STEWART: As long as they promise not to come up with a tie vote, Mr. Speaker.

MR. SPEAKER: This House will resolve into committee of the whole for consideration of Motion 32-67: Proposed Amendments to the Rules of the Legislative Assembly, with Mr. Stewart in the chair.

---Legislative Assembly resolved into committee of the whole for consideration of Motion 32-67, Proposed Amendments to the Rules of the Legislative Assembly, with Mr. Stewart in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER MOTION 32-67, PROPOSED AMENDMENTS TO THE RULES OF THE LEGISLATIVE ASSEMBLY

THE CHAIRMAN (Mr. Stewart): The committee will come to order to study Motion 32-67. This motion was moved by Hon. Arnold McCallum and Hon. Arnold McCallum, have you any opening remarks?

HON. ARNOLD McCALLUM: Mr. Chairman, I do not know whether I am capable of adding much more to this than I had suggested in speaking to the motion. I indicated then in the report of the committee regarding the Rules, indicating that we were of accord, in accord save for one section, that of course being recommendation 3, the repeal of Rule 11A. I have nothing further to add to that.

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

HON. TOM BUTTERS: Mr. Chairman, I served as a Member of the Rules committee and was the dissenting voice in the recommendation to delete recommendation 3. The

item which the committee has recommended be deleted is that "The Commissioner and the Deputy Commissioner shall be seated with the Members in the Assembly chamber and may participate in debate in the Assembly or in the committee of the whole but shall not be entitled to vote on any question."

Now, the history of that Rule goes back to the previous Assembly when we moved from an Assembly which had four appointed Members to a wholly elected Assembly. At that time one of those appointed Members was the Deputy Commissioner and as a full Member of the Assembly he had a vote. The Commissioner, at that time, while having no vote, could speak as he does in this case on the indication of his intention and desire to speak.

The recommendation of the previous Rules committee was that as we were moving to a wholly elected Assembly we should extend to the Commissioner and the Deputy Commissioner courtesy seats in the Assembly, both in formal session and in committee of the whole and this is the reason for the current procedure today and why those seats have remained within this Assembly.

Courtesy Seats, Commissioner And Deputy Commissioner.

My recommendation was that recognizing the evolution of responsible government that is occurring with the establishment of an Executive Committee, that we no longer need to extend to the Commissioner and Deputy Commissioner courtesy seats in the Assembly during formal sessions. As we know it has been the increasing practice for questions raised by Members, both written and oral, to be answered on behalf of the administration by the Ministers responsible for the department and in a number of cases for the other service and program departments also.

So, I agree with the recommendation of the other two Members of the committee that the courtesy seats for the Commissioner and Deputy Commissioner be abolished from formal session. However, in terms of an evolutionary process there would seem to be real value in retaining a courtesy seat in committee of the whole, such as this is, for the Commissioner only, that is retaining one courtesy seat for the Commissioner only. Again the Rule would be that he may not participate in debates or vote but should he wish to speak and raise a question or make a comment, he would be entitled to do so.

The other point being made is that if we remove Rule 11A in its entirety, we are removing this option from the next Assembly, an enlarged Assembly in which there will be many Members who are not familiar with the operation of the House. I think that if we leave the one courtesy seat in the committee of the whole arrangement for the Commissioner and if they find it is onerous, then they can remove it by a simple change in the Rules.

I would also point out that the Commissioner in the four years that we have served I think has only spoken on a dozen or so occasions and those have been at very opportune times in which he has brought to the House wisdom and a point of view which was very valuable to our discussions. I am afraid as well that if you do not leave a seat in the House for the Commissioner there would be no requirement for him to come and sit in the chamber and I doubt that there would be much of an enticement for the Commissioner to sit in the public gallery and listen to our debates. With a seat here I think we can be assured of his attendance and attention and we can be assured that he is receiving full direction from the Members of the Assembly.

Recommendation That Commissioner Have Seat For Committee Of The Whole Discussions.

So my recommendation would be and I will develop a motion to that effect, that one courtesy seat remain in the chamber during committee of the whole discussions for the Commissioner.

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

MR. PEARSON: It is interesting to hear Hon. Tom Butters' comments but I think that the new House, the new Assembly of 22 Members has reached that stage, now, of maturity. We do not need the administration. We do not need the Lieutenant Governor General sitting in amongst this Assembly. I think we can manage on our own. The presence in the past years of the Deputy Commissioner and the Commissioner has been most useful but if leadership is to develop in the Northwest Territories and leadership is to develop amongst the elected representatives, the sooner we get down to doing it, working on our own, the better. It is the responsibility -- perhaps it is the responsibility of the Commissioner or the Deputy Commissioner to take heed of what this Assembly says and does. It is therefore incumbent upon them to come and sit in the gallery and hear what is going on. They do not have to be summoned or forced to do that. I am sure responsible people, such as they are, do not have to be given any courtesies. The Governor General does not get a courtesy seat in the House of Commons. If this Legislature as it is so called, is to develop then it does so like all other Legislatures. If party politics are to develop, 22 representatives of the people of the Northwest Territories are to develop then I think the time has come to cast off the apron strings, no matter how good and how kind and how useful they have been, and to set this thing up on a proper parliamentary basis. The sooner we do that, the better. Time up.

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

New Members Will Need The Commissioner Or Deputy Commissioner.

MR. FRASER: You are so kind, Mr. Chairman. Listening to the comments of the last three speakers, Mr. Chairman, I think that the seat for the Commissioner should be left in the House. We discussed this at the caucus. This newly elected body which wins the next election could be all new Members, none of us are sure of getting back in again. The way the bill reads, that they take the seat of the Commissioner out of the House, who is going to be there to answer the questions if there are all newly elected Members? I am sure the Ministers with portfolios will not have the answers if they are new Members. Therefore, I agree a seat should be left in for the Commissioner or the Deputy Commissioner. If the new elected body wants to take the seat out, let them do it. I do not think it is up to us with an election coming up to take his seat out of the House. Thank you, Mr. Chairman.

THE CHAIRMAN (Mr. Stewart): Thank you, Mr. Fraser. Motion 32-67.
Hon. David Searle.

HON. DAVID SEARLE: Mr. Chairman, we do not appear to be debating any amendment to the motion and, that being so, I suggest we move that the question be put.

THE CHAIRMAN (Mr. Stewart): Thank you, Hon. David Searle. I have other names on my list who have indicated they wish to speak. Are you moving that we put the question or are you suggesting, Hon. David Searle?

HON. DAVID SEARLE: I am being mischievous. We are not debating anything. There is no motion on the floor it seems to me to delete that section, is there?

THE CHAIRMAN (Mr. Stewart): That is correct but it is also open to the speakers. I am hoping someone is going to do something soon and you are not helping me very much at the moment either. Mr. Nickerson.

MR. NICKERSON: Mr. Chairman, I would defer if the Honourable Member for Inuvik wishes to place a motion before the committee.

THE CHAIRMAN (Mr. Stewart): I can not hear a word you said. I am sorry, Mr. Nickerson.

MR. NICKERSON: Mr. Chairman, I believe the Honourable Member for Inuvik wishes to place a motion before the committee. If that is the case, I would willingly defer my comments until that has taken place.

THE CHAIRMAN (Mr. Stewart): Thank you. Hon. Tom Butters, did I see you indicating you wished to say something?

Motion To Amend Motion 32-67, Clause 3, Repealing Rule 11A And Substituting New Rule 11A

HON. TOM BUTTERS: Mr. Chairman, I understand the motion is that the proposed amendments to the Rules of this Assembly attached as Appendix A be adopted. My amendment would be, with the exception that a courtesy provision be provided for a seat in committee of the whole discussions without voting privileges, for the Commissioner only.

THE CHAIRMAN (Mr. Stewart): Thank you, Hon. Tom Butters. Will you have your motion brought forward, please? Would the committee like to go through this section by section? It is not a bill, it is a motion. We do not generally go through a motion section by section but how do you want to handle this? It is an odd way of presentation for this particular type of thing. It is not really something I have come up against before. How do you want to handle it? Do you want to have a general discussion and go through it item by item the same way as you might a bill or do you want to treat it as a normal motion the way we are doing it now?

LEGAL ADVISOR (Ms. Flieger): It is dealer's choice.

THE CHAIRMAN (Mr. Stewart): If there is no comment, I will accept Hon. Tom Butters' motion. To the amendment. I am getting a lot of advice here today, but could I have the amendment, please, Hon. Tom Butters? Hon. Tom Butters, we are just deciphering your writing here. We will be along with you in a moment.

HON. TOM BUTTERS: Mr. Chairman, possibly if the Legal Advisor could look at it, I am sure she is aware of the intent and she could confirm that it achieves the intent that I expressed during my opening remarks.

THE CHAIRMAN (Mr. Stewart): Thank you. I think in view of the confusion I am going to recess for five minutes.

---SHORT RECESS

THE CHAIRMAN (Mr. Stewart): The Chair recognizes a quorum and calls the committee back to order. To try and get this thing back on track, it is my intention to call this clause by clause as if it were a bill and when we get to clause 3 the amendment will be introduced and voted on at that time.

Clause 1. Agreed?

---Agreed

Clause 2. Agreed?

---Agreed

Motion To Amend, Reworded

Clause 3, the amendment reads: "The Commissioner may be seated with the Members during consideration of business in committee of the whole but shall not be entitled to vote on any question," and that will replace the present Rule 11A which is repealed. That is the amendment. To the amendment, clause 3?
Mr. Pearson.

MR. PEARSON: A point of clarification, I think. This is rather confusing. The clause we are voting on now is to allow the Commissioner to remain in the Assembly, is that correct, that will be clause 3?

THE CHAIRMAN (Mr. Stewart): Clause 3 as it now reads prohibits him and removes the authority and that authority is being put back in a different manner than it is in our present Rules in that he does not sit in formal session and instead of two seats there is only one. Basically that is what it says. Hon. David Searle.

HON. DAVID SEARLE: There is some confusion, Mr. Chairman. I take it you are on behalf of the mover of this so-called amendment indicating what that amendment to clause 3 is, are you? Would you read it exactly again, please?

THE CHAIRMAN (Mr. Stewart): Actually, Hon. David Searle, you are absolutely correct, it was an error of the Chair. Rule 11A as repealed stays and then it is substituted by and the "by" is: "The Commissioner may be seated with the Members during consideration of business in committee of the whole but shall not be entitled to vote on any question." That is the amendment to clause 3.
Mr. Nickerson.

MR. NICKERSON: It would have been helpful had that motion been circulated but I could not understand from the way you read it out whether the Commissioner would be entitled to speak on any particular subject in committee of the whole.

THE CHAIRMAN (Mr. Stewart): The intention is yes, he would be entitled to speak but not debate and not vote. Hon. David Searle.

HON. DAVID SEARLE: Mr. Chairman, at the risk of sounding like a pest I wonder if I could ask you to loudly and slowly reread the proposal? What you are saying in clause 3 is, Rule 11A is repealed and the following substituted, are you not?

THE CHAIRMAN (Mr. Stewart): Yes, Hon. David Searle, that is correct.

HON. DAVID SEARLE: Could I ask you once more to read what is being substituted?

THE CHAIRMAN (Mr. Stewart): And the following is being substituted: "That the Commissioner may be seated with the Members during consideration of business in committee of the whole but shall not be entitled to vote on any question."
Hon. David Searle.

Allowing Commissioner To Participate In Debate

HON. DAVID SEARLE: Mr. Chairman, if I may debate the amendment it seems to me that to give him a seat, to give the Commissioner a seat in the Assembly with other Members makes sense only if you permit him to participate in debate. If you are going to take away his right to participate in debate then there does not seem to me to be any justification for giving him a seat in the Assembly itself. He can sit anywhere he wants outside the ropes. In other words, the substitution would make more sense to me, or more logic to me, if the mover of the amendment were arguing, and I take it he is not, that the Commissioner is required inside the ropes in order to provide advice and comment. This amendment does not permit him to do that. Apart from that in the specific proposal, or amendment, it seems to me that the reasoning for having the Commissioner and Deputy Commissioner in this Assembly was a good one. They were granted a seat here at a time, by the last Assembly, at a time when it was not very clear whether we would have Executive Members participating and if so, how many. This particular four year Assembly has been a learning experience for Executive Members at a time when from time to time it made a little bit of sense to have the Commissioner and Deputy Commissioner come to their rescue when they were new and inexperienced. The next Assembly of 22 Members, hopefully if our recommendations are followed that we have made, will have some seven Executive Members and I say to you, as long as you leave your Commissioner and Deputy Commissioner, one or the other or both in the Assembly you will not be forcing those Executive Members to really learn their job and learn it well. They will always be able to let the Commissioner back them up and rescue them.

Now, if that is not bad enough the other thing you do by leaving your Commissioner sitting here is you make sure that you will never from amongst your seven Executive Members develop a single strong leader because as long as your Commissioner sits there he is the leader. It is for those reasons that I personally will vote against the amendment and, putting it in the simplest possible terms, in seeing that this Legislature truly becomes a Legislature which it can not so long as your Commissioner is sitting in here, gentlemen, so cut those apron strings. You must be a little tough on yourself and bite the bullet sometimes if you are really going to be a Legislature instead of just calling yourself one.

SOME HON. MEMBERS: Hear, hear!

THE CHAIRMAN (Mr. Stewart): To the amendment.

SOME HON. MEMBERS: Question.

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

A Step Towards Responsible Government.

MR. NICKERSON: It is my intention to vote against the proposed amendment, Mr. Chairman. I am unable to understand how certain Members could on the one hand support the document that we discussed yesterday or the day before in which we make strong representations that we should become as a provincial Legislature, that we should accept the responsibilities that come with that and then today when we are dealing with something that comes strictly within our jurisdiction, and that we do not have to go to the federal government and we do not have to go to the Commissioner, we do not have to go to anyone else, but it lies strictly within our jurisdiction, somehow we are reluctant to take that step. Surely, if we are serious about what we were saying in our paper on responsible government and the development of government in the Northwest Territories we should seek and take every opportunity where it lies within our power to make the necessary changes ourselves and I strongly support the views taken by my colleague from Yellowknife South that while the Commissioner remains in the Assembly people will always look to him to provide the answers.

The Members of the Executive will not be forced into the position where they have to take the responsibility of answering things on their own account. When it comes to technical details where advice is needed they will, of course, be able to avail themselves of the advice of their senior staff, and this is of course, the way it should be. They have to be the people who are to be responsible to this Assembly and we can not have either the Ministers or the other Members looking to the Commissioner to provide the necessary information. They must be forced to look to the Members of the Executive Committee. Therefore, Mr. Chairman, I will vote against this proposed amendment.

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

MR. FRASER: Now that those two Members are finished campaigning, neither one of them will be in the Assembly for the next sitting and maybe we should get on with the amendment to the motion and take it to a vote and see what happens.

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

SOME HON. MEMBERS: Shame!

Legislature Must Mature

MR. PEARSON: Yes, I think that that is unfair. The view of Mr. Fraser was a little confusing. Earlier he said that we should let the next Assembly decide on this important issue but earlier today of course, Mr. Fraser, along with other Members, approved the stipend for the next Assembly. Why not let them do that too, look after their own salaries? We are arguing an important issue here and I think that it is incumbent upon us that this Assembly approved the development paper yesterday and as very ably pointed out by the gentleman at the end of the table who will remain anonymous, this Legislature has to grow up, it must mature, it must stand on its own feet. The Executive, of which Hon. Tom Butters is a Member, must learn how to cope and do their job without having the Executive chief there, the chairman of the Executive Committee sitting there keeping a watchful eye and making sure they do not step out of line and all the rest of it.

In my view with 22 new Members let us get the thing on the road. It is like throwing someone in the water, sink or swim. Let us get out and do our job and not be afraid of casting off the apron strings but to take the responsibility properly as a proper Legislature, that is what you want to call it, the Legislature of the Northwest Territories. Let us get down to it. I will not vote for the amendment.

Motion To Amend Motion 32-67, Clause 3, Repealing Rule 11A And Substituting New Rule 11A, Carried

THE CHAIRMAN (Mr. Stewart): Thank you, Mr. Pearson. So, clause 3, the amendment reads as follows: "Rule 11A is repealed and the following is substituted therefor: 11A. The Commissioner may be seated with the Members during consideration of business in committee of the whole but shall not be entitled to vote on any question." The question being called.

MR. PEARSON: Could we have a recorded vote, Mr. Chairman?

THE CHAIRMAN (Mr. Stewart): Mr. Clerk, a recorded vote. Mr. Lyall.

MR. LYALL: Mr. Chairman, I believe that what Mr. Pearson is asking for, there is no further debate, is that true?

THE CHAIRMAN (Mr. Stewart): Yes.

MR. LYALL: Thank you, Mr. Chairman.

THE CHAIRMAN (Mr. Stewart): A recorded vote. All those in favour please stand.

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

THE CHAIRMAN (Mr. Stewart): Opposed?

CLERK OF THE HOUSE: Hon. Arnold McCallum, Mr. Pearson, Mr. Kilabuk, Hon. David Searle, Mr. Nickerson.

THE CHAIRMAN (Mr. Stewart): The amendment is carried.

---Carried

Clause 4, daily routine of business. Agreed?

---Agreed

Clause 5, questions. Agreed?

---Agreed

Clause 6, Executive Member to report. Agreed?

---Agreed

Clause 7, notice to the Assembly. Agreed?

---Agreed

Clause 8, Member to specify day to be moved and to read "resolution" portion.
Agreed?

---Agreed

Clause 9. Agreed?

---Agreed

Clause 10. Agreed?

---Agreed

Clause 11, referral back to committee on third reading. Agreed?

---Agreed

Clause 12, number of Members. Agreed?

---Agreed

Clause 13, quorum. Agreed?

---Agreed

Clause 14, removal of Members. Agreed?

---Agreed

Motion 32-67, Carried

Motion 32-67 as amended?

---Carried

Shall I report the matter concluded, or the motion passed, to the Speaker?

---Agreed

MR. SPEAKER: Mr. Stewart.

Report Of The Committee Of The Whole Of Motion 32-67, Proposed Amendments To
The Rules Of The Legislative Assembly

MR. STEWART: Mr. Speaker, Motion 32-67 has been under consideration by your committee and the motion was passed with the following amendment: Clause 3, Rule 11A is repealed and the following is substituted therefor: "The Commissioner may be seated with the Members during consideration of business in committee of the whole but shall not be entitled to vote on any question." With that one amendment Motion 32-67 has been approved.

MR. SPEAKER: Item 11, third reading of bills.

ITEM NO. 11: THIRD READING OF BILLS

Bill 4-67, Hon. Tom Butters.

Third Reading Of Bill 4-67

HON. TOM BUTTERS: Mr. Speaker, I move that Bill 4-67, An Ordinance Respecting the Provision of Legal Services to Certain Persons, be read for the third time.

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

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All in favour? Down. Contrary? Third reading of Bill 4-67 is carried.

---Carried

Bill 12-67, Hon. Arnold McCallum.

Third Reading Of Bill 12-67.

HON. ARNOLD McCALLUM: I move that Bill 12-67, An Ordinance Respecting the Institute of Chartered Accountants of the Northwest Territories, be read for the third time.

MR. SPEAKER: Is there a seconder? Mr. Evaluarjuk. Discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All in favour? Down. Contrary? Third reading of Bill 12-67 is carried.

---Carried

Bill 15-67, Hon. Arnold McCallum.

Third Reading Of Bill 15-67.

HON. ARNOLD McCALLUM: Mr. Speaker, I move that Bill 15-67, An Ordinance Respecting the Certified General Accountants' Association of the Northwest Territories, be read for the third time.

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

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All in favour? Down. Contrary? Third reading of Bill 15-67 is carried.

---Carried

Bill 18-67, Hon. Tom Butters.

Third Reading Of Bill 18-67.

HON. TOM BUTTERS: Mr. Speaker, I do not remember moving that one, but I move that Bill 18-67, An Ordinance to Amend the Council Ordinance, be read for the third time.

MR. SPEAKER: Is there a seconder? Mr. Pudluk. Discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All in favour? Down. Contrary? Third reading of Bill 18-67 is carried.

---Carried

Bill 19-67, Hon. Arnold McCallum.

Third Reading Of Bill 19-67.

HON. ARNOLD McCallum: I move that Bill 19-67, An Ordinance to Amend the Legal Profession Ordinance, be read for the third time.

MR. SPEAKER: Is there a seconder? Mr. Whitford. Discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All in favour? Down. Contrary?
Third reading of Bill 19-67 is carried.

---Carried

Bill 20-67, Hon. Arnold McCallum.

Third Reading Of Bill 20-67.

HON. ARNOLD McCALLUM: Mr. Speaker, I move that Bill 20-67, An Ordinance to Amend the Appropriation Ordinance, 1979-80, be read for the third time.

MR. SPEAKER: Is there a seconder? Mr. Kilabuk. Discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All in favour? Down. Contrary?
Third reading of Bill 20-67 is carried.

---Carried

Bill 21-67, Hon. Arnold McCallum.

Third Reading Of Bill 21-67.

HON. ARNOLD McCALLUM: Mr. Speaker, I move that Bill 21-67, An Ordinance to Amend the Financial Agreement Ordinance, 1979, be read for the third time.

MR. SPEAKER: Seconder? Mr. Lafferty. Discussion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All in favour? Down. Contrary? Third reading of Bill 21-67 is carried.

---Carried

Mr. Clerk, are those all of the bills?

CLERK OF THE HOUSE: Yes, Mr. Speaker.

MR. SPEAKER: Gentlemen, just before we get into the next two items which involve us calling on the Commissioner I would just like to confirm that the Members' trip to Norman Wells for tomorrow, check-in time is 9:45 a.m. at the main terminal and we will depart at 10 a.m. Lunch will be served on board and we will be starting back here at approximately 4:30 p.m. so we get back here for supertime. Further announcements, Hon. Arnold McCallum?

REVERT TO ITEM NO. 8: MOTIONS

Motion 34-67: Motion Of Appreciation To Assistant Commissioner Mullins

HON. ARNOLD McCALLUM: Mr. Speaker, on a point of privilege, if I may, I would not want to see this House dissolve without making mention and acknowledging the contribution that has been made to the Government of the Northwest Territories and indeed to this Assembly over the past close to four years by the Assistant Commissioner, Mr. Gary Mullins.

---Applause

As we know, Assistant Commissioner Mullins has indicated he is resigning from the Government of the Northwest Territories effective the end of May and it would seem a shame if we did not make some public comment or express our appreciation to him for his great contribution in helping the Government of the Northwest Territories over these past few years and indeed lending a great deal of assistance to individual Members of the House and to the House in general. If I may then, Mr. Speaker, I would propose a vote of appreciation to Assistant Commissioner Mullins.

MR. SPEAKER: Agreed? Is there a seconder? Mr. Whitford. Question?

SOME HON. MEMBERS: Question.

Motion 34-67, Carried

MR. SPEAKER: All in favour? Down. Contrary? The record will show the vote was carried unanimously.

---Carried

May I on your behalf thank Mr. Ed Callas, who has come out for this last part of the session and stepped into the shoes of our Sergeant-at-Arms and served us over these last few days? Thank you very much.

---Applause

Now, Mr. Fraser, did you want to speak?

MR. FRASER: I wonder if I could have unanimous consent to go back to Item 6?

---Agreed

MR. SPEAKER: Is there any "nay"? Item 6, notices of motion. Mr. Fraser.

REVERT TO ITEM NO. 6: NOTICES OF MOTION

Notice Of Motion 35-67: COPE Land Claims

MR. FRASER: Mr. Speaker, I would like to give notice of a motion in regard to the COPE land claims.

MR. SPEAKER: Mr. Fraser, I assume now you want unanimous consent to proceed to Item 8?

MR. FRASER: Yes, Mr. Speaker.

MR. SPEAKER: Item 8, motions. Is there unanimous consent to permit Mr. Fraser to proceed to Item 8?

---Agreed

I hear no "nay", Mr. Fraser. Proceed.

REVERT TO ITEM NO. 8: MOTIONS

Motion 35-67: COPE Land Claims

MR. FRASER: Mr. Speaker:

WHEREAS the Government of Canada and the Committee for Original Peoples Entitlement signed an agreement in principle establishing a Western Arctic region and granting, among other things, exclusive hunting rights within that region;

AND WHEREAS the views of this Assembly, the Dene Nation, the Metis Association of the Northwest Territories, Inuit Tapirisat of Canada and Kitikmeot Inuit Association were not requested during the negotiations leading to the agreement;

AND WHEREAS the members of each of the above bodies have traditional interests in the land, wildlife and other matters covered by the agreement;

NOW THEREFORE, I move that this Assembly recommend to the Commissioner, to the Minister of Indian Affairs and Northern Development and to the Prime Minister that, after consultation among them, they select and appoint a person to inquire into all interests in the Western Arctic region based on traditional use and occupancy, and to recommend appropriate measures to protect those interests for future generations.

MR. SPEAKER: Is there a seconder? Mr. Lya11. Discussion?

SOME HON. MEMBERS: Question.

Motion 35-67, Carried

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

---Carried

Item 12, assent to bills. Mr. Clerk, would you and the Sergeant-at-Arms see if the Commissioner is available to assent to bills? Mr. Fraser, -- just a moment, gentlemen. Is there something further?

MR. FRASER: Just one more short request. Now that we are going to prorogue this evening are we going to get another big bash from the Speaker after we are finished?

MR. SPEAKER: The answer to that is that comes at 7:30 p.m. this evening. I suppose I do not need to remind Members that at 7:30 this evening we do have a dinner for Members where we say goodbye to the Commissioner.

ITEM NO. 12: ASSENT TO BILLS

COMMISSIONER HODGSON: Please be seated. According to the orders of the day, the next item is assent to bills. As Commissioner of the Northwest Territories I assent to Bills 4-67, 12-67, 15-67, 18-67, 19-67, 20-67 and 21-67.

Commissioner's Closing Remarks

Mr. Speaker, Honourable Members, ladies and gentlemen, when I spoke to you on January the 19th it could have been construed that as your term of office would soon be over that this was the reason why I mentioned that we were meeting as colleagues for the last time. Frankly and honestly I knew that shortly after I spoke to you the announcement would be made that I was leaving and that your new Commissioner was to be John Parker. I have not spent much time with you this session because I felt it would be much better if Mr. Parker took over the reins as quickly as he could, since the estimates that you have subsequently passed would, in the final analysis, be his responsibility.

Development Of The N.W.T. Legislature

As I look back over my years of my association with the Northwest Territories that runs just short of 15 years, I must say that it has been the most interesting period of change for the North and certainly most exciting and dynamic for myself, this Council and past Councils. This body which at that time was comprised of a majority of appointed Members usually sat at various locations in Ottawa and once a year, if possible, in some part of the Northwest Territories.

There was no permanent home and as a matter of fact the administration occupied part of a floor in the old Kent Albert building in the then capital of the Northwest Territories, Ottawa.

On receiving my appointment to the Northwest Territories Council, I was shocked when I arrived to find that I was in some kind of a Legislature and that my deliberations and vote influenced, to a degree, the acceptance of programs being proposed for such a vast area of Canada. True, the budget was small and Council's influence or clout was negligible.

The Commissioner's Opening Address was usually a four page presentation based largely on philosophy and/or a specific vision of how things might be. My first Address to this Assembly came after only three of four days of my appointment, but even then I realized that the Commissioner's Address could be turned into a very powerful instrument alerting a variety of sectors, to plans, realities and accomplishments made by the political arm and the administration. When I think back some of my Addresses must have been extremely boring. Nevertheless, I still feel it was important that those events and developments be recorded.

Working Towards Provincehood

During the mid-1970s, particularly during the pipeline hearings, Council and the administration were literally pushed off stage and ignored. As a matter of fact, there were those who not only refused to recognize your existence but denied the right of any political or administrative development. To combat this situation required tremendous concentration, dedication and drive and each successive Assembly has played a major role towards this end. There were those who claimed that the North was in a state of colonialism and that its people were being exploited. Nothing of course could have been further from the truth. No one denies that the Yukon and the territories have yet to reach provincehood but no one has worked more tirelessly towards this end than Members of this Assembly.

Billions of dollars have been poured into the Northwest Territories with very little return to the South and I make no apologies for this. The territories is a developing area and had no alternative but to depend on the rest of the nation to assist its northern people into the twentieth century.

On Tuesday next, we will be releasing our latest Annual Report. Over the years our report has developed into its present format and I might add that it has become a rather expensive document. However, as this is the only major publication produced each year by the administration I think it is worth while ensuring that it be first class. The history of development and achievement has been duly recorded on a year-to-year basis and future historians, researchers and politicians will be able to use the factual information as bench marks when pondering new directions and plans for the future.

You will recall that I mentioned I would be attending the Canada Winter Games at Brandon. I must say I found this experience most enlightening. The games have changed dramatically from what they were when I last attended at Quebec City in 1967, but it brought home to me the reasons why some of us worked so hard to develop the Arctic Winter Games. Athletes from the North in the main have neither the facilities, the coaching, the experience, nor the opportunities to compete with their southern counterparts. The result is that our people are generally far outclassed which at times leads to a certain amount of disillusionment.

Importance Of Arctic Winter Games

From where I sit I think it is much better that we concentrate within our own environment, compete with our northern neighbours. I have always thought that there are two main benefits from the Arctic Winter Games, the first and very important is the playdowns which bring together athletes from across the territories. At one time 99 per cent of these came from the West and the majority from around Great Slave Lake. This is no longer the case and the representation in competition from the territories will continue to expand. The second benefit is the opportunity to compete with people from Alaska and the Yukon. It really does not matter who wins because there are really no losers. As to whether or not we should continue to participate with the rest of the nation is for our sports people and you to decide but I think it is important that you continue to participate on an equal basis in your own games and in your environment.

Now to a more serious subject. I congratulate you in putting together your submission that was recently presented to Mr. Drury. While you may not achieve all of the things you have suggested it was of the utmost importance that your position be recorded. There seems to be a line of thought that change is just around the corner. In reality change is here now and those who fail to see this will soon be left behind.

As we enter the eighties the changes that are taking place will become much more clear and I am convinced that these changes have in the main the support of our people. The tide of southern philosophers trying to impose a system of thoughts and conditions that do not exist in their own areas and under which they themselves would have no intention of living has all but receded. The way is clear therefore for those who wish to take advantage of it to get together and work out the common program that will benefit and integrate the people of the North into a program of participation rather than segregation.

The Powers Of The Office Of Commissioner

There have been a lot of suggestions as to what should happen to the powers of the office of the Commissioner. I am somewhat concerned when I think of the enthusiasm to provide more responsible government to this territory by stripping the powers of the Commissioner to that of a virtual figurehead. You must be very careful through the transition period which will no doubt extend through several years. The Northwest Territories is still a territory and there are those on the outside who would love nothing better than to see the administration leaderless. It would seem to me that you should develop this Assembly into a true Legislature. However you must also concentrate on the present Executive system until political parties that express the opinions of the majority and the minority are formulated. You must therefore continue your dependence upon whoever occupies the Commissioner's post to negotiate with the Government of Canada on your behalf. I might add that in reality Mr. Parker is the only one of you who is assured that he will still be here by the years end. As you know the Commissioner, and only the Commissioner, is the one who decides when the next election will take place.

I have never thought of the Commissioner's office as being anything other than a major pillar in the building of responsible government. All of us, the administration, the Executive Committee, Members of this Assembly and the various municipal leaders, comrades in arms, should use those skills and techniques that are ours to use, to the best of our ability in our drive toward providing a better life for the people of the Northwest Territories.

In a more humorous vein, while you were discussing a few moments ago removing the Commissioner from the seat that you so graciously provided me in the Council chamber I had decided that I was not going to leave and I got a pair of handcuffs and chained myself to my seat. I got a message down to Ottawa and I am pleased to tell you that if you had succeeded Mr. Parker was going to resign and Wally Firth was going to accept as Commissioner and Dave Nickerson was going to be appointed Deputy Commissioner and David Searle, the Assistant Commissioner. I was going to announce the next election on Sunday, June 25th but as Sunday is April 1st, about the only thing that would have been true about that was my fifty-fifth birthday and I can not think of a nicer place to celebrate it than in Fort Smith.

Commissioner's Interest In The North To Continue

A week Sunday I leave the North as Commissioner for the last time. There are those who have said "Why are you leaving at a time when you are probably in better shape politically and administratively than you have ever been?" and in my mind that is the time to leave. If I am to be remembered for anything, I would like to be thought of as a builder rather than an obstruction. You have a good administration who are prepared to work night and day to carry out your decisions. I might add in my new capacity as a member of the International Joint Commission my duties will take me far away from this part of Canada. However, my heart shall always be with you, your deliberations, your problems and your successes, they will always be something that will continue to be of great interest to me.

There will be times when, flushed with success, you will be convinced that you can beat the world, and I found that this is the time when you must guard most against complacency. At other times during periods of frustration you will feel down and discouraged but I have found the remedy for this is to get out on the land, among the people. You will find this to be the greatest tonic of all.

I have enjoyed my association with you and your colleagues on previous Councils. I want to wish John Parker the very best in the coming years and at the same time thank him for his years of service and support. I also want to thank all of you for the years we have worked together. To the staff, at times I have wondered how you would ever get sessions under way let alone finish them but in the main, things have worked out well.

For those of you who decide not to seek re-election I am certain that your constituents have been well served. For the others who will soon be seeking office, either federally or territorially, I wish you the very best and for those who are successful, you carry with you a knowledge and understanding, but even more important, an experience that few Canadians have ever had.

ITEM NO. 14: PROROGATION

With those few words I would now like to say goodbye and God bless and I declare this, the sixty-seventh session of the Council of the Northwest Territories prorogued. Thank you.

---Applause

---PROROGATION

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