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Strategic Planning Workshop  
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# *Part One*

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FORT SMITH STRATEGIC PLANNING WORKSHOP  
APRIL 11-14, 1994  
WORKING PAPERS AND OVERHEAD SUMMARIES

PART ONE: INTRODUCTION

The Legislative Assembly Caucus met in Fort Smith from April 11-14, 1994 for the third of its Strategic Planning Workshops. Other Workshops were held in Fort Providence and Cambridge Bay in April and October 1993 respectively.

The primary purpose of the Workshops is to provide Members with opportunities to review a wide range of issues in a less formal setting and to make recommendations early in the planning or policy process on how these matters should be addressed by Cabinet of the Legislative Assembly.

As with the Fort Providence and Cambridge Bay sessions, the focus of the Fort Smith Workshop was on the operation of consensus government and division of the Northwest Territories.

While Caucus has kept the public informed about its Workshops through press conferences, communiques and reports to the Legislative Assembly, it has also established the practice of releasing working papers and overhead summaries used by Members during the Workshops.

This third volume contains documents from the Fort Smith Strategic Planning Workshop. It includes overhead summaries and working papers relating to the following subjects:

- \* updates on Nunavut/western claims and self government issues;
- \* updates on the Nunavut Implementation Commission and Constitutional Development Steering Committee;
- \* a **report** from the Special Joint Committee on Division;
- \* The GNWT administrations approach to planning for and implementing division;
- \* processes for establishing eastern and western constituency boundaries prior to division;
- \* education, human resources and training issues;
- \* election of the Premier; and
- \* recall of M. L.A.'s

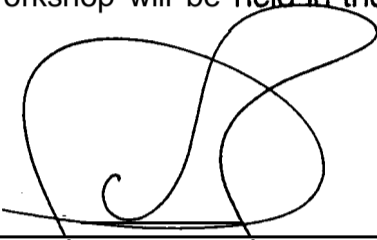
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Some issues, including those relating to the operation and accountability of Standing Committees and the report of the Electoral Boundaries Commission have been referred for further consideration and eventually will be considered in the fall 1994 Legislative Assembly Session. Documents on these matters will be made available when they are addressed by the Assembly.

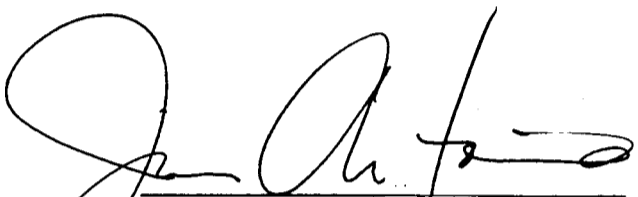
Finally, the three Strategic Planning Workshops held to date were organized by a small committee of the Premier, Ministers and Members known as the Reshaping Northern Government Working Group. As the Working Group no longer exists because it has completed its mandate, responsibility for organizing future Strategic Planning Workshops and following up on previous Workshops has been assigned to the Special Joint Committee on Division.

The Special Joint Committee is expected to report this summer on whether a fourth Workshop will be held in the fall of 1994.



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Hon. John Todd, M.L.A.  
Co-Chair  
Special Joint Committee  
on Division



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Mr. Jim Antoine, M.L.A.  
Co-Chair  
Special Joint Committee  
on Division

June, 1994

Contact: Mr. David Hamilton  
Clerk, Legislative Assembly  
Ph: (403) 669-2299  
Fx: (403) 920-4735

***Post Workshop Press Conference Remarks  
by Hon. Nellie Cournoyea and  
Mr. Fred E. Koe, MLA, April 18, 1994***

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***Legislative Assembly of the Northwest Territories***

***Third Strategic Planning Workshop***

***April 11-14, 1994***

***Fort Smith, Northwest Territories***

***Introduction and Background***

In April 1993, the Legislative Assembly's Caucus convened its first Strategic Planning Workshop in Fort Providence.

The Workshop's primary objective was to provide MLAs with an informal setting where they could address priority policy issues, including those matters relating to creation of two new territories and the operation of consensus government.

Since then, follow-up Workshops have been held in Cambridge Bay, and most recently, Fort Smith.

***Objectives of Fort Smith Workshop***

In keeping with the themes and objectives of other sessions, the Fort Smith Strategic Planning Workshop agenda included a number of items relating to division of the Northwest Territories and operation of consensus government.

Some of the agenda items related to follow-up on issues which were considered at our Fort Providence and Cambridge Bay Workshops, while others, including the issue of electing the Premier at large and recall of MLAs were proposed for consideration at the Fort Smith session.

***Update on Aboriginal Claims and Self Government Issues***

First, because of the significance of Aboriginal claims and self government issues to the future of two new territories, Members were provided with updates on these two matters.

April, 1994

Members devoted considerable attention to the results of DIAND Minister Irwin's recent consultations on how the Aboriginal self government could be implemented in the Northwest Territories and the consequences for public government in both the east and the west.

#### ***Update on NIC and CDSC Processes***

Members were also provided with updates on the work of the Nunavut Implementation Commission (NIC) and Constitutional Development Steering Committee.

There was a general consensus that the Assembly's Special Joint Committee on Division should develop a productive working relationship with NIC to avoid overlap and duplication of effort.

With respect to the CDCS process, Members received encouraging reports on the federal government's commitment to participate in and provide funding for a Constitutional Conference in the fall of 1994.

#### ***Preparation for Division by Assembly and GNWT***

Following from these developments, both the GNWT and Assembly have taken steps to deal with what could be termed their operational obligations to implement division of the Northwest Territories.

Caucus was provided with reports on the establishment and activities of the Assembly's Special Joint Committee on Division and the GNWT administration's structure to plan for and implement division.

#### ***Preparations for 1995-1999 Elections***

Next, Members were briefed on work of the Electoral Boundaries Commission which will be making recommendations on adjustments to electoral ridings in both the east and west to conform to the boundary which will divide the Northwest Territories.

It is expected that the Commission will provide its final report to the Assembly during the fall 1994 session and that legislation will be presented to revise electoral districts in time for the 1995 Territorial General Election.

April, 1994



Members concluded that the issue of making recommendations for electoral districts in two new territories in time for the 1999 elections should be referred to the Special Joint Committee.

### ***Accountability of Standing Committees***

The first of a number of issues relating to the operation of consensus government dealt with the operation and accountability of Standing Committees.

A report prepared by an internal working group of Members who chair Committees of the House made a number of recommendations to improve the operation and accountability of these Committees.

Their report was referred to the Standing Committee on Rules, Procedures and Privileges for further review and preparation of recommendations for tabling in the House during our October session.

### ***Election of Premier and Recall of MLAs***

Two additional items were considered under this accountability category.

The first included a discussion on the merits of electing the Northwest Territories Premier at large.

Members expressed a wide range of views on how this measure could improve accountability of the Assembly, the GNWT and individual MLAs.

However, because making decisions on electing the Premier at large would have significant implications for the model, structure and operation of government in two new territories, Members agreed that the issue should be referred, without recommendation, to the Nunavut Implementation Commission and Western Constitutional Process for further review.

Second, Members debated the issue of accountability in terms of whether measures should be taken to allow constituents to "recall" their Member of the Legislative Assembly.

While the discussion did not result in a specific recommendation on this matter, Members felt that the accountability of MLAs, including the range of measures which could be implemented to improve accountability, should be referred to the Standing Committee on Rules, Procedures and Privileges for further study.

We note that Yellowknife Centre MLA, Mr. Brian Lewis, who recommended these items be included on the Fort Smith Workshop agenda, was satisfied with the discussion and the decisions of Members.

If you have questions on these two issues, we will try to provide an overview of Members' comments and concerns about the election of Premier at large and recall; however, you are encouraged to speak directly to Mr. Lewis and individual Members if you want more detail.

### ***Date and Location of Next Workshop***

Finally, the Reshaping Northern Government Working Group, which has been organizing and managing the Workshops, has completed its mandate and will be disbanded.

Members agreed that if it is possible to develop a workable and worthwhile agenda, primarily on division issues, then another Workshop should be held in the Keewatin Region immediately after the Royal Tour in late August.

A recommendation on this matter will be made by the Special Joint Committee on Division, which has been mandated to organize future Workshops, by the end of June.

### ***Conclusion***

This concludes our overview of the Fort Smith Workshop deliberations.

*Thank you.*

April, 1994

# *Part Two*

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*Claims/Division Implementation Issues*

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## Claims and Self-Government Negotiations/Implementation

### Topic:

*Status Report on NWT Claims and Self-Government Initiatives*

### Nunavut

- Process of implementing the claim and Nunavut continues.

### Western NWT

All Aboriginal groups noted below, with the exception of the Deh Cho and Treaty 8 Dene, are participants in the western constitutional development process.

- **Inuvialuit:** IRC is continuing to focus on development of a regional public government proposal with the Gwich'in.
- **Gwich'in:** The Gwich'in claim is in the second year of implementation. They are also proposing self-government negotiations as well as the regional model with the Inuvialuit.
- **Sahtu:** The settlement legislation has been tabled in the House of Commons. The Sahtu have received funds to prepare for self-government negotiations.
- **Dogrib:** Comprehensive claims negotiations began in February, 1994. The DIAND Minister has agreed that self-government should be included in the land claim process.

### *Aboriginal Claims and Constitutional Development Issues*

- **Deh Cho:** No land claims negotiations are taking place. The Tribal Council has passed a motion asking the federal government to establish a new territory which would encompass the Deh Cho region. A detailed proposal has been presented to the DIAND Minister.
- **NWT Treaty 8 Dene:** The NWT Treaty 8 Dene have entered into treaty negotiations with the federal government and a tripartite process respecting transfer of responsibility for delivery of programs and services to their membership.
- **Metis Nation:** The Metis Nation has approached the Minister for DIAND requesting negotiations begin for a comprehensive land claim agreement, including self-government outside of the Sahtu and Gwich'in regions.

# ***Claims and Self-Government Negotiations/Implementation***

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## ***Topic:***

Status Report on NWT Aboriginal Claims and Self-Government Negotiations and Implementation

## ***Nunavut:***

Nunavut claim settlement implementation is underway. Appointments have been made, or are about to be made to the boards. One outstanding appointment is that of Chairperson of the Wildlife Management Board.

## ***Western NWT:***

## ***Inuvialuit***

IRC continues to focus on the development of a regional public government proposal with the Gwich'in region. As well, under section 4.3 of the Inuvialuit Final Agreement, IRC is seeking the right to negotiate self-government agreements; these would be the same as the Gwich'in and Sahtu self-government agreements. IRC continues to participate in the CDSC process.

## ***Gwich'in***

The Gwich'in claim is in the second year of implementation. There have been appointments to the Enrolment Board, the Arbitration Panel, the Interim Land Use Planning Board and the Renewable Resource Board. The following boards will have appointments made by December 1994: Environmental Impact Review Board, Land and Water Board, Land Use Planning Board and Surface Rights Board. Renewable Resource Councils appointments have yet to be made. With respect to self-government, the Gwich'in have received funds to prepare for negotiations. They have submitted a proposal, which DIAND has agreed to consider. The Gwich'in propose to negotiate self-government at the community level in addition to the regional government initiative and participating in the CDSC process.

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### ***Sahtu***

The Sahtu settlement legislation was tabled in the House of Commons on the 2nd of March, 1994. It is expected that the settlement legislation will be passed within one month of tabling. The implementation period will begin immediately upon the legislation being enacted. The Sahtu have received funds from DIAND to begin preparation for negotiations of self-government agreements. The Sahtu Tribal Council is a participant in the CDSC process.

### ***Dogrib***

*The* Dogrib Treaty 11 Council began formal negotiations of a comprehensive land claim in February of 1994. To date, only the Protocol Agreement and the Interim Protection Provisions have been discussed. The Dogrib Treaty 11 Council has requested that a surface and subsurface land withdrawal be put into place until land selection is completed. The federal government has rejected this proposal and the Minister for DIAND has told the Council to discuss this issue with the mining industry. Other outstanding issues include land quantum, boundaries of the settlement area (including the inclusion or exclusion of Great Slave Lake), land selection in relation to Treaty 8 Dene treaty negotiations in the same area, and the makeup of the co-management regimes. The Council is seeking self-government through the claims process, including the recognition of the inherent right to self-government.

### ***Deh Cho***

*The* Deh Cho Tribal Council is not seeking to negotiate either a comprehensive claim or treaty entitlement. The Council has passed a motion asking the federal government to establish a new territory, to be known as "Denendeh" which would encompass the Deh Cho region. A detailed proposal has been presented to DIAND Minister Irwin. The Council has withdrawn from the CDSC.



***NWT Treaty 8 Dene***

*The NWT Treaty 8 Dene* have entered into treaty negotiations with the federal government under the specific claims policy. The Treaty 8 Dene are seeking an avenue for co-management of lands and resources. A motion was passed to create a treaty committee to pursue the implementation of treaties. The Treaty 8 Dene are contemplating the transfer of programs and services through a parallel process involving the GNWT and DIAND. A trilateral process and terms of reference for the transfer of programs and services have been established. The Treaty 8 Dene have withdrawn from the CDSC and will be considering self-government at a later date.

***Metis Nation***

The Metis Nation recently approached the Minister for DIAND requesting negotiation of a comprehensive claim. This applies to Metis outside of the Sahtu and Gwich'in regions. The Minister has agreed to enter into discussions with the Metis Nation to seek ways to meet their goals and objectives.

## ***Creation of Nunavut***

### **Topic:**

*Nunavut Implementation Commission*

### **Factors:**

- The 10 member Nunavut Implementation Commission was established in December 1993 and has met to begin its work.
- . A number of sub-committees have been established by the Commission to address issues set out in their mandate.

### **Mandate:**

- The Nunavut Implementation Commission provides advice to the federal government, the Government of the Northwest Territories and the Nunavut Tunngavik on the creation of Nunavut.
- . Advice is to be provided on:
  - . process to choose a capital;
  - administrative design of and process for the election of the first Nunavut government;
  - the timetable and arrangements for delivery of services;
  - . design and funding for training;
  - . principles and criteria for division of debts and assets; and
  - infrastructure requirements.

## *Division Implementation Iss*

### **Issues:**

- The Nunavut Implementation Commission, the GNWT and the Special Joint Committee may wish to determine how they will deal with their respective responsibilities and identify any areas for cooperation.
- The Minister of DIAND must return to Cabinet in March 1995 to provide additional details on the work requirements and costs of creating Nunavut. The federal government has encouraged the Nunavut Implementation Commission to make recommendations on major issues this year to allow time to develop the Cabinet document by March 1995. The short timeframe provided to the Nunavut Implementation Commission to make recommendations on major issues should be reviewed.

## ***Western Constitutional Development***

### **Topic:**

*Constitutional Development Steering Committee (CDSC) Process*

### **Factors:**

- The CDSC was established by political leaders of the western NWT with a mandate to design, implement and guide the process of developing a constitution and structure of government for a western territory.
- CDSC is composed of elected leaders appointed by Aboriginal organizations, tax-based municipalities and women's organizations. It also includes all western MLAs. The Deh Cho and Treaty 8 Tribal Councils have withdrawn their participation in the CDSC process.
- The CDSC'S current workplan calls for completion of a number of research papers, public consultations over the summer of 1994, and a constitutional conference in the fall of 1994. A second conference is contemplated for the spring of 1995 for drafting a constitution and developing a ratification process.
- Assuming the constitution is ratified, a western implementation commission would be established in 1996.

## *Division Implementation Issues*

### **Issues:**

- One of the crucial requirements for success of the western constitutional process is federal funding and involvement.
- Discussions are still ongoing with the federal government to determine the level of federal funding which will be provided.
- Federal involvement must indicate fundamental and clear parameters concerning what will and will not be acceptable for a western constitution and structure of government.

# ***Creation of Nunavut***

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## ***Topic:***

Nunavut Implementation Commission

## ***Factors:***

- . A ten member Nunavut Implementation Commission has been established by the *Nunavut Act* to advise the federal government, the GNWT and Nunavut Tunngavik (the parties) about a wide range of issues for the establishment of a Nunavut government in April 1999.
- . The members of the Commission were appointed in December 1993 from nominations put forward by the parties and a head office has been setup in Iqaluit.
- . The Commission has met three times since December and plans its next meeting in mid-April in Cambridge Bay.
- . To date the Commission's work has focused on briefings and administrative matters including the establishment of a number of sub-committees.

## ***Mandate:***

- The mandate of the Commission is to advise the Government of Canada, the Government of the Northwest Territories and Nunavut Tunngavik on the establishment of Nunavut.
- The matters on which the Commission will advise the parties are:
  - . the timetable for the assumption of responsibility for the delivery of services;
  - the process for the first election of the members of the Assembly, including the number of members and the establishment of electoral districts;
  - . the design and funding of training programs;
  - . the process for determining the location of the seat of government;
  - the *principles and criteria* for the equitable division of assets and liabilities;
  - . the new public works necessitated by the establishment of Nunavut and the scheduling of the construction of the works;

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- the administrative design of the first Nunavut government;
- the arrangements for delivery of programs and services where the responsibility for delivery by Nunavut is to be phased in.
- Other matters can be referred to the Commission with the consent of the parties.

***Issues:***

1. The GNWT and the Special Joint Committee on Division have an interest in the issues set out in the mandate of the Nunavut Implementation Commission. The GNWT and the Special Joint Committee will also be required to respond to the recommendations of the Nunavut Implementation Commission.
2. The Nunavut Implementation Commission is only required to take the interests of Nunavut into consideration in making their recommendations. The GNWT and the Special Joint Committee on Division mandate includes the interests of both new territories, east and west.
3. The GNWT, the Special Joint Committee on Division and the Nunavut Implementation Commission may wish to determine how they will deal with their respective responsibilities and identify possible areas of cooperation to ensure effective and timely planning for the creation of Nunavut.
4. The Minister, DIAND, has an obligation to return to Cabinet in March 1995 to provide additional detailed information on the work requirements and costs for the creation of Nunavut. DIAND has indicated that this document would focus on the infrastructure costs, administrative design and costs of the Nunavut government, and the location and establishment of a seat of government.
5. The Nunavut Implementation Commission has been encouraged by the federal government to address the infrastructure, administrative design and location of a capital as a priority and provide advice on them by the end of this year (1994) to allow time to for them to develop the Cabinet document by March 1995.
6. The proposed March 1995 Cabinet date should be reviewed to decide if there is adequate time to address the research and make recommendations on the major issues. If this Cabinet schedule is not changed, the GNWT will also be under pressure from the federal government to respond immediately to any recommendations of the Nunavut Implementation Commission to allow time for the preparation of the Cabinet document.

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# ***Western Constitutional Development***

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## ***Topic:***

Constitutional Development Steering Committee (CDSC) Update

## ***Factors:***

- The CDSC was established by the political leaders of the western NWT with a mandate “to design, implement and guide the process of developing a constitution and structure of government for the western territory, including how substantive decisions on the constitution will be made and how a final proposal will be formally ratified. Substantive decisions on the character and content of the proposed constitution will NOT be taken by this committee.” (See attached Draft Principles to Guide the Western Constitutional Process.)
- The 23 member CDSC is composed of elected leaders appointed by eight organizations as follows:
  - . 5 members from the Aboriginal Organizations – one each from the Inuvialuit, Gwich’in, Sahtu, Dogrib and Metis;
  - 3 members from the Association of Western Tax-based Municipalities on behalf of non-aboriginal residents;
  - 1 member representing jointly the Native Women’s Association and the Status of Women’s Council; and
  - . 14 members from the Legislative Assembly – the Western Caucus.
- The Deh Cho and NWT Treaty 8 Tribal Councils have withdrawn their participation but are invited to rejoin or observe the process at any time and are each eligible to appoint one member.
- The CDSC has agreed to a set of principles and a workplan to guide the development of a constitution and structure of government for the Western NWT. The workplan calls for the immediate completion of initial research papers which the member organizations have been preparing over the last year.
- These papers, along with public consultations over the summer and deliberations of the CDSC, will give rise to major themes and issues to be discussed at a first Constitutional Conference in the Fall of ’94.

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- A second more detailed and specific conference in the Spring of '95 will provide direction for the drafting and ratification process for a new constitution and structure of government. (See attached timetable.)
- Assuming the constitution is ratified, a western implementation commission will be established to develop an implementation plan to prepare for division in 1999.

**Issues:**

- One of the crucial requirements for success of the Western constitutional process is federal funding and involvement.
- Though the Government of Canada must maintain its policy that a Northern government is to be developed by Northerners, it must also indicate fundamental and clear parameters concerning what will and will not be acceptable for a constitution and structure of government.
- From 1990 until now, the GNWT has funded all major western constitutional development activities -including the boundary plebiscite, the cost of division study, the Bourque Commission and current CDSC research.
- In the East, once the decision was made to establish Nunavut, the federal government assumed its responsibility by passing the *Nunavut Act*, being involved through the Nunavut Steering Committee, and participating in and funding the Nunavut Implementation Commission (\$3 M per year for five years).
- The CDSC requested \$2.8 M funding from DIAND for 1994/95. This amount would fund the process to the conclusion of the second constitutional conference.
- During a meeting with the CDSC on March 18, DIAND Minister Irwin indicated support for the process and that the federal government would provide funding. The amount of funding offered is currently under review by both governments.
- The CDSC and the GNWT will make further representations to the federal government in order to ensure they understand the importance, implications and complexity of the CDSC process and the need for them to properly fund the exercise.

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***Draft Principles to Guide the Western Constitutional Process***

1. **The** Constitutional Development Steering Committee (CDSC) is working towards establishing an innovative constitution and structure of government for a western territory.
2. The new government will represent and serve all residents of the western territory.
3. There will be community, central and regional government institutions.
4. The constitution of the western territory will be consistent with the Constitution of Canada including the Charter of Rights and Freedoms.
5. The constitution of the western territory will recognize and affirm, and accommodate to the maximum extent possible, existing Aboriginal and Treaty rights, including modern Treaties and Aboriginal peoples' inherent right of self-government.
6. The new system of government will include Aboriginal government institutions as well as public government institutions.
7. The new government will recognize self-government agreements negotiated by Aboriginal peoples and Canada.
8. A division of powers will be developed with a view to allowing authority to be exercised by the level of government which is able to deliver a service most efficiently and effectively.
9. Based on public involvement and direction and the support of Aboriginal governments and the Legislative Assembly, the CDSC will continue to guide the constitutional process to its conclusion.
10. The public will be involved through information distribution, community meetings, regional workshops and constitutional conferences, and residents of the western territory will have the opportunity to ratify a final constitutional package.
11. The CDSC is committed to having a new constitution and structure of government for the western territory in place for the division of the Northwest Territories planned for 1999.
12. The Federal government will enact legislation to implement the territorial constitution and Aboriginal self-government agreements and, therefore, it must be involved in the western constitutional process.

Approved by the Constitutional Development Steering Committee on December 6, 1993

***Timetable***

1. First Constitutional Conference - Fall '94
2. Second Constitutional Conference - Spring '95
3. Ratification of Constitutional Proposal - Fall '95
4. Establishment of Western Implementation Commission - 1996

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## **Report on the Establishment and Activities of the Special Joint Committee on Division**

### **Background:**

- Special Joint Committee has met to choose Co-Chairs (Minister Todd and Mr. Antoine), Deputy Chairs (Minister Pollard and Mr. Allooloo), and consider other operational matters.
- A letter outlining the Committee's mandate and membership has been widely circulated to participants in the division process.
- Cooperation and consultation with the Division Review Secretariat and Committee have been ongoing at the staff level and plans are underway for meetings with Nunavut Implementation staff and the Chief Commissioner.
- Committee has begun consideration of recommendations on matters which should be concluded during the term of the current Executive Council and Assembly and establishment of independent special project panels.

## *Division Implementation Issues*

### **Factors:**

- In developing these recommendations, the Special Committee has taken or will be taking the following into consideration:
  - workplan/objectives of Nunavut Implementation Commission;
  - future direction of western constitutional process;
  - federal Cabinet's March 1995 decisions on funding division;
  - workplan for GNWT'S Division Review Committee;
  - role of Cabinet, Standing Committees and Caucuses;
  - timing of next territorial election; and
  - what the Committee can expect to accomplish during its term.

**Proposed Recommendations for the Current Term:**

- Without suggesting that all of the issues noted below are not worthy of thorough consideration, the following is a prioritized list of proposed recommendations:
  - federal decision making on funding division;
  - . medium and long term formula financing arrangements;
  - infrastructure requirements for two new territories;
  - education, training and human resource development for public sector employment opportunities;
  - economic strategy for securing pre/post division related business opportunities;
    - . administrative structures for eastern/western governments;
    - . division of assets and liabilities;
  - joint delivery of programs and services after division;
  - mandate and timing of appointment of Nunavut Interim Commissioner; and
  - legislation, regulations and agreements prior to and after division.

**Proposed Recommendations on Independent Special Project Panels:**

- . The Committee expects to have some recommendations on panels during the Fort Smith Workshop.

**Other Recommendations Required by the Committee's Terms of Reference:**

- . Once recommendations for the current term have been finalized, the Committee will be in a position to make recommendations on other matters required by its Terms of Reference.

# ***Report on the Establishment and Activities of the Special Joint Committee on Division***

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## ***Background:***

- Since the establishment of the Special Joint Committee on Division (SJCD) on February 25, 1994, the Committee has met to consider a number of issues relating to its operation and mandate.
- As required by its Terms of Reference, the Committee has chosen Co-Chairs to represent the east and west, Cabinet and the Assembly. The Co-Chairs are Minister Todd and Mr. Antoine. Deputy Chairs, chosen according to the same criteria, are Mr. Allooloo and Minister Pollard.
- In keeping with the direction to establish a small support staff, a full time researcher will be hired in the near future and terms are being developed for part time reassignment of GNWT officials. Mr. Hamilton will serve as the Committee Clerk.
- A letter describing the Special Committee's mandate has been widely circulated to all other participants in the division process, including the Nunavut Implementation Commission, Nunavut Tunngavik, regional Inuit Associations, western Aboriginal organizations and members of the Constitutional Development Steering Committee, federal Ministers and provincial governments.
- Cooperation and consultation with the Division Review Committee and Secretariat has been ongoing at the staff level to reduce overlap and duplication. Plans are underway to have Committee staff meet with their Nunavut Implementation Commission counterparts for similar purposes and to begin arrangements for a meeting between the Committee Co-Chairs and the Chief Commissioner.
- Finally, the Committee has begun consideration of recommendations which its Terms of Reference require by April 30, 1994. These include:
  - matters which should be addressed and concluded during the terms of the current Executive Council and Assembly;
  - matters which should be initiated by the current Executive Council and Assembly and concluded by their successors;
  - matters to be dealt with by the 13th Assembly but which require recommendations from the current Executive Council and Assembly;

- matters which should be the exclusive responsibility of the next Executive Council and Assembly; and
- the establishment of independent special project panels to provide advice on division issues, with particular attention to division of assets and liabilities.

***Factors:***

- At this stage in its deliberations, the Committee is only prepared to report on matters which should be addressed and concluded during the term of the current Executive Council and Assembly.
- . Among other things, the Special Committee has or will be taking the following into consideration in developing these recommendations:
  - the workplan and objectives of the Nunavut Implementation Commission;
  - the future direction of the western constitutional development process;
  - the federal Cabinet's March 1995 decision making deadline on funding for division;
  - the workplan and schedule of the GNWT administration's Division Review Committee;
  - the ongoing role of the Executive Council, Standing Committees and Caucuses in decision making on division issues;
  - the timing of the next territorial general election; and
  - what the Special Committee can reasonably expect to achieve during the remainder of its term.

***Proposed Recommendations for the Current Term:***

- While sometime remains for the Special Committee to further consider this matter, it has reached some conclusions on its priorities for the remainder of this term.
- Without suggesting that all of the issues noted below are not deserving of thorough consideration, the following is a prioritized listing of proposed recommendations to pursue during the next eighteen months:
  - the federal government's decisions on funding division, including recovery of GNWT start up and incremental costs;

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- medium and long term formula funding arrangements for two new territories;
- infrastructure requirements for two new territories;
- education, training and human resource programs relating to public sector employment opportunities;
- an economic strategy for securing economic opportunities for northern business during and after creation of two new territories;
- administrative structures for new governments in both the east and the west;
- division of assets and liabilities;
- programs and services which could be jointly delivered after division;
- the timing for the appointment of a Nunavut Interim Commissioner and the position's mandate; and
- legislation, regulations, agreements and other legal instruments leading up to and following division.

***Proposed Recommendations on Independent Special Project Panels***

- The Special Committee will be considering and hopefully finalizing proposed recommendations on panels during the Fort Smith Strategic Planning Workshop.

***Other Recommendations Required by the Committee's Terms of Reference***

- The Special Committee believes that once it has confirmed the priorities for the current term, it will be in a better position to make recommendations on other matters as required by the Committee's Terms of Reference.

## ***GNWT Administration's Approach to Planning for and Implementation of Division***

### ***Topic:***

The GNWT has formed the Division Review Committee (DRC) to prepare for its legislative, regulatory, administrative and financial responsibilities relating to the creation of two new Territories, while maintaining continuity in the delivery of programs and services.

### ***Factors:***

#### *Administrative*

- The DRC (and three Subcommittees) will coordinate, advise and provide objective information on GNWT administrative and organizational matters pertaining to the creation of two Territories and, interact at the bureaucratic level with other organizations involved in division. The DRC reports to Cabinet and provides support services to the Special Joint Committee on Division.

#### *Infrastructure*

- The Subcommittee will review and provide information on the main infrastructure issues related to the creation of two new Territories.

#### *Human Resource Planning*

- The Subcommittee will develop recommendations on human resource planning and development issues related to the creation of two new Territories and maximize the recruitment of affirmative action candidates for government positions.

## *Division Implementation Is*

### *Financial*

- The Subcommittee will provide information and advice on financial and fiscal issues related to the creation of two new Territories (such as analysis of Intergovernmental Agreements; division of assets and liabilities; new Territories' expenditure needs; and a new funding formula for each Territory).

### **Issues:**

The DRC has identified the following key issues which require clarification in order for the creation of two new Territories to progress smoothly.

- Clarification of roles of NIC, NTI, CDSC
- Need for information campaign
- Design of Government - Centralized vs Decentralized
- Cost of creation of two Territories.
- Process for choosing the Capital of Nunavut
- Timeframes
- Business Incentive Policy
- Appointment of an Interim Commissioner

# ***GATW Administration 's Approach to Planning for and Implementation of Division***

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## ***Topic:***

The GNWT has formed the Division Review Committee (DRC) to prepare for its legislative, regulatory, administrative and financial responsibilities relating to the creation of two new Territories, while maintaining continuity in the delivery of programs and services.

## ***Factors:***

- The DRC is a committee of Deputy Ministers reporting to Cabinet and is responsible within the GNWT administration for the overall coordination of the planning and implementation of division. The DRC (through its three Subcommittees) will undertake technical analysis and information gathering on matters relating to government programs, government organization, fiscal arrangements, assets and liabilities, intergovernmental and interterritorial agreements, infrastructure requirements and education and training. The DRC will also develop and make recommendations to Cabinet on operational policy as it relates to division and the frameworks which departments and agencies will use in preparing and implementing their operational plans.
- The DRC serves as a single point of contact on division issues within the GNWT for the staff of advisory agencies, Nunavut Tunngavik Inc. and the Federal Government. The DRC also provides consistent advice to GNWT departments and agencies and provides support services to the Special Joint Committee on Division.
- The DRC is participating in a joint Technical Working Group on Infrastructure with the Federal Government and Nunavut Tunngavik Inc. The DRC will advise on GNWT positions on Planning and Investment and Construction Strategies related to the construction of new facilities.
- The DRC will develop a Human Resources master plan for the new eastern and western Territories and identify related staffing levels and training needs.
- The DRC has developed a database of existing intergovernmental agreements and will implement a process to maintain current data and consider the legal ramifications of the agreements.
- DRC will also develop options and recommend methods for allocating assets and liabilities and federal funding to each new Territory.

April, 1994

## ***Issues:***

- Clarification of the roles of the Nunavut Implementation Commission, Nunavut Tunngavik Inc. and the Constitutional Development Steering Committee on the creation of two Territories is required to reduce overlap and duplication of effort.
- There is an urgent need for an information campaign to provide for an open exchange of information between all parties involved in the creation of two Territories.
- The NIC will be advising the GNWT, the Federal Government and NTI on the design of the new government and the process of selecting the capital of Nunavut, among other issues. It is important to have this information early in the process to allow for the required planning and development of infrastructure and human resources. Early advice will reduce the costs of providing estimates on all communities and the cost of basing planning on the assumption of a government design that may not be used.
- The Federal Government has made reference to the limited funding available for the creation of the Territories, however, the amount has not been identified.
- The Federal Government has imposed the deadline for a Federal Cabinet submission to request full funding for the transition period for the creation of Nunavut of March 31, 1995.
- The Federal Government has not agreed to use the Business Incentive Policy to develop the cost of infrastructure development in the North.
- The Federal Government plans to appoint an Interim Commissioner of Nunavut to:
  - recruit the staff of the Nunavut administration;
  - negotiate the arrangements for program delivery;
  - negotiate intergovernmental agreements (e.g. funding);
  - represent Nunavut interests in the division of assets and liabilities of the GNWT;
  - monitor the GNWT, devolution and land claims activities;
  - establish the administration for Territorial courts; and
  - establish systems and processes for HQ operations.

April, 1994

## *Options for 1995-1999 Constituency Boundary Processes*

### *Factors:*

- The electoral boundaries within Nunavut and within the western territory will have to be revised prior to the 1999 territorial elections.

### *Considerations and Options:*

#### Western Territory

- . Unless the *NWT Act* is amended, the electoral districts and number of members will be determined by the *NWT Act* and territorial electoral legislation.
- . It is premature to strike a boundary commission for the western territory prior to some conclusions on its future political and constitutional makeup.
- The Special Joint Committee on Division should monitor the situation in the western territory with a view to making recommendations to the 13th Assembly.

## *Division Implementation Issues*

### Nunavut

- Under the Nunavut Act, the Governor in Council will set out the number of members (no less than 10) as well as the description and names of the electoral districts for the first Nunavut election.
- The Nunavut Implementation Commission is to advise on the process for the first election, including the number of members and the establishment of electoral districts.
- A Nunavut Boundaries Commission could be established through the *Electoral Boundaries Commission Act, NWT* now or by the next Legislative Assembly. Because of the mandate of the Nunavut Implementation Commission, a boundary commission should not be established prior to consultation with the Commission in order to avoid duplications of effort.
- Through consultation with the Nunavut Implementation Commission, it may be determined that a Nunavut Boundary Commission is unnecessary.
- The preferred option would be agreement that one Nunavut Boundary Commission would be established to meet the needs of the Nunavut Implementation Commission and the Legislative Assembly.

# ***Options for 1995-1999 Constituency Boundary Processes***

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## ***Factors:***

- The last territorial election for the Northwest Territories as it is currently constituted will take place in the fall of 1995.
- . The boundaries for the 1995 territorial election have been adjusted to reflect the division boundary between Nunavut and the western territory.
- The electoral boundaries within Nunavut and within the western territory will require adjustments prior to the 1999 elections for the two new territories.
- Although there are no implications for the 1999 territorial elections, the federal electoral boundaries need to be revised to provide for the election of one federal member of Parliament for Nunavut and one member for the western territory. The boundary revisions were initiated but have been postponed until after the next federal election in 1998. As a consequence, it is unlikely that federal boundaries will be changed prior to the first election of two territorial governments, resulting in an overlap in responsibilities of the federal MPs from the Western territory and Nunavut.

## ***Mechanisms and Responsibilities:***

- The *Electoral District Boundaries Commission Act, NWT* provides for the establishment of an Electoral District Boundaries Commission comprised of a chairperson (Judge of the NWT Supreme Court or the NWT Court of Appeal) and two persons appointed by the Commissioner on the recommendation of the Legislative Assembly.
- . The Commission reviews the area, boundaries, name and representation of all existing electoral districts.
- Although the existing Boundary Commission could be given the responsibility to review the requirements and revisions for both Nunavut and the western territory, it is more advisable to establish separate Boundary Commissions because of the different requirements of and timing for each territory.



### *Western Territory*

- . It would be premature to strike a Boundary Commission prior to some conclusions being reached on the political and constitutional future of the western territory.
- For the purposes of the 1999 election, unless there are amendments to the *NWT Act*, the electoral districts and number of members would be governed by the *NWT Act* and territorial electoral legislation. For example, the *NWT Act* provides for a minimum of 15 members, while at present, there are only 14 western members. One new electoral district and member would have to be added for the 1999 territorial election.
- A final determination of the membership and electoral districts for the western territory will be influenced by the deliberations of the Constitutional Development Steering Committee, the development of a western constitution and establishment of any self-government arrangements.
- As a caution, if conclusions have not been reached in time to determine new boundaries for the western territory, the election will be based on the status quo with any necessary adjustments to reflect the provisions of the *NWT Act*.

### *Nunavut*

- The 1999 territorial election in Nunavut will be governed by the *Nunavut Act* and to a lesser extent territorial electoral legislation, with particular attention to the following considerations:
  - The Governor in Council will, by order, set out the number of members to be elected in the first Nunavut election. There can be no less than 10 members for the first election.
  - The Governor in Council will, by order, describe and name the electoral districts.
  - The writs for the election will be issued on the instruction of the Commissioner.
  - All laws in force in the present NWT, including any laws relating to territorial elections, apply to Nunavut after April 1, 1999 until the Nunavut Legislative Assembly repeals, amends or renders them inoperable.

April, 1994

- For future elections, the Nunavut Legislative Assembly can make laws with respect to the number of members and for describing and naming the electoral districts.
- In determining the number of members and the name and description of the electoral districts, the Legislative Assembly has the option to use the provisions of the *Electoral District Boundaries Commission Act, NWT* to establish a Nunavut Boundaries Commission and make recommendations with respect to Nunavut. This could be done at any time, either by the current Legislative Assembly or the next Assembly.
- . The *Nunavut Act* also provides the Nunavut Implementation Commission with a mandate to make recommendations on the process for the first election of the members of the Nunavut Assembly, including the number of members and the establishment of electoral districts.
- There should be coordination of the activities of the Legislative Assembly and the Nunavut Implementation Commission in making recommendations with respect to the first Nunavut election.
- The Special Joint Committee on Division could act on behalf of the Legislative Assembly to ensure the coordination of such activities.

### ***Options:***

- . Although there is the option to use the current Boundaries Commission to review boundaries for Nunavut and the western territory, this course of action is not recommended because of different requirements and timing for the establishment of Electoral Boundary Commissions.
- The considerations of electoral boundaries for the western territory should wait until some conclusions have been reached on the political and constitutional makeup of the western territory. It is likely that this would not occur within the mandate of this Assembly. This issue could be monitored by the Special Joint Committee on Division and recommendations provided for the next Assembly.
- A Nunavut Boundary Commission could be established either by this Assembly or more preferably as a recommendation to the future Assembly to review the electoral district of Nunavut for the 1999 territorial election. Minor modifications to the *Electoral District Boundaries Commission Act, NWT* would be required to provide for a Nunavut Electoral Boundaries Commission.

- Because of the mandate of the Nunavut Implementation Commission, a Nunavut Boundary Commission should not be established prior to consultation with the Commission.
- . As a result of consultation with the Nunavut Implementation Commission, it maybe determined that it is unnecessary to establish a Boundary Commission as it would result in duplication of effort.
- The preferred option would be for the Legislative Assembly and the Nunavut Implementation Commission to agree that one Nunavut Boundary Commission be established to meet the needs of both organizations.

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***Education/Human Resources/Training Issues***

## ***Western/Nunavut Claims Implementation Training***

### **Factors:**

- Four final agreements have been negotiated in the NWT the Gwich'in, Inuvialuit, Nunavut and Sahtu Final Agreements.
- . The GNWT has a specific responsibility in the Nunavut Final Agreement (NFA) to participate on the NITC.
- . The GNWT through the Arctic College provides training programs for clients. The Gwich'in, Sahtu and Inuvialuit may contract with the Arctic College for services.

### **Issues:**

- . There will be an on-going need for skilled staff to coordinate implementation of land claim agreements.
- GNWT resources for staff training and development are limited.
- There is a need to clarify responsibility for implementation training.

# ***Western/Nunavut Land Claims Implementation Training Initiatives***

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## ***Factors:***

### ***Training Clauses in Final Land Claims Agreements***

Four final agreements have been negotiated. The training clauses are as follows.

#### ***Nunavut Final Agreement***

##### **Article 23.3.1- Inuit Labour Force Analysis**

- A detailed Labour Force Analysis of the Nunavut Settlement Area will be prepared to determine the availability, interest, and preparedness of Inuit for government employment.

##### **Article 23.4.1- Inuit Employment Plans**

- Inuit Employment Plans will be prepared by each government organization to increase and maintain the employment of Inuit at a representative level.

##### **Article 23.5.1- Pre-Employment Training Plans**

- Government and the Designated Inuit Organization will develop and implement pre-employment training plans to provide some Inuit with the skills to qualify for government employment.

##### **Article 23.6.1- Support Measures for Training Initiatives**

- The Designated Inuit Organization, with assistance from government, will take a primary role in establishing support measures to enhance all the training activities designed to promote Inuit employment in government.

##### **Article 23.7.1- Review, Monitoring, and Compliance of Inuit Employment Plans**

- An independent review of Inuit Employment Plans and all other training activities designed to promote Inuit employment in government, will be undertaken at 5 year intervals commencing 5 years after the ratification of the Agreement.

***Nunavut Implementation Training Commission***

***The NITC*** has a specific responsibility in the Nunavut Final Agreement (NFA) to participate on the NITC.

The NITC's role is to ensure fullest possible Inuit participation in and direction of the implementation of the Nunavut Land Claims agreement by coordinating and planning the provision of training funding and services to designated Inuit organizations charged with implementing the Agreement.

Training trust funds operations of the NITC, the Training Study, the development and implementation of the training plan, and training within DIOs.

The Implementation Fund pays for designing and establishing the DIOs; the Training Trust pays for training within them.

NITC and Implementation Training Trust members:

Wilfred Wilcox	(Kitikmeot)	Chair
Jose Kusugak	(Keewatin)	Vice-Chair
Leena Evic-Twerdin	(NTI)	Sec./Treasurer
Mary Wilman	(Baffin)	Trustee
Dennis Lyall	(Nunavut Trust)	Trustee
Fred Nowicki	(Canada)	Trustee
Conrad Pilon	(GNWT)	Trustee

\*Jose Kusugak is new president of NTL

***NITC Activities and Actions***

***Implementation of Nunavut Training Trust***

Implementation Training Trust received \$13M from Canada October 6, 1993.

Funds being invested under agreement with Nunavut Trust. NITC Trustee maintains final control over the Trust and will be represented on the Nunavut Trust Investment Committee.

***Inuit Implementation Training Study***

Implementation Study (by Organizational Development Consultant Group) begun with initial results and recommendations scheduled for early May, 1994.

Study to identify positions required to implement Agreement including identifying: functions, skills, knowledge, qualifications and training required.

April, 1994

### ***Implementation Training Plan***

Preliminary work is underway to draft a plan. As implementation training needs of the Inuit Organizations and Institutes of Public Government are known, they will be incorporated in framework of plan.

Discussions with Arctic College on their involvement in implementation of Training Plan. NITC and Arctic College also examining methods for participation in development of strategic plan for post-secondary education needs of Nunavut.

Initial drafts of plan to be reviewed with the Implementation Panel in summer, 1994.

Training areas required for management and administration of Inuit owned lands might be started prior to completion of training plan. Training would be incorporated within the total operations of the plan.

### ***Inuit Labour Force Analysis***

Analysis of Inuit Labour Force of Nunavut begun (by Federal - Human Resource Department - Yellowknife, and Territorial - Education, Culture and Employment Department).

Results of analysis to be incorporated in Training Study and Implementation Training Plan as available.

### ***Inuit Employment in Government***

NITC has established informal liaison with the NIC Personnel. NITC Board wants more formal relationship to ensure effective and efficient support of participant activities in training and human resources development activities. This will be in keeping with recommendations from Nunavut Leaders Meeting held in Rankin Inlet in January, 1994.

### ***Institutes of Public Government and Transition Teams***

Division Review Committee has been established and will work with DIO and RIO to provide appropriate levels of transition.

### ***Arctic College Initiatives***

The GNWT through the Arctic College provides training programs for clients. The Gwich'in, Sahtu and Inuvialuit and other land claims groups may contract with the Arctic College for services.

Arctic College, the Gwich'in Tribal Council and the University of Lethbridge are program partners in the development of an aboriginal management training program based on the needs identified within the Claim. The program commenced January, 1994 and will be delivered in 3 phases.

April, 1994



Arctic College, the Gwich'in Tribal Council, Inuvialuit Game Council and the Science Institute are program partners in the work underway to develop a Natural Resources Management Program.

Arctic College is delivering certificate and/or diploma programs in Management Studies at each campus.

Arctic College and MACA currently developing a Community Lands Administration Program. The pilot will be delivered at a Nunavut Campus with a follow-up program at one of the college campuses in the Western Arctic.

MACA will coordinate comprehensive training strategy for a Community Land Administration. Call for proposals for strategy development was advertised week of March 28, 1994.

## ***Issues:***

### ***Western Claims Implementation Training***

Coordination of training efforts and communication amongst claimant groups, government and other partners would increase the effectiveness of training initiatives in the Western Arctic.

### ***Nunavut Final Agreement***

Under the terms of the Agreement, each Government Department and Agency which will be active within Nunavut is required to develop and have in place, no later than July 9, 1996, an Inuit Employment Plan.

Employment plans need to identify pre-employment training required and support measures that will enable them to meet their goals and objectives.

NITC has a participant role to play with government as plans are prepared. However, the lead role and funding of such plans is the responsibility of the Federal and Territorial Governments.

It is crucial that governments immediately undertake development of planning for these employment and training plans. Plans will need to be integrated within the Implementation Training Plan to ensure effective use of training dollars and resources.

Government training planning and services should occur to meet implementation activities and to ensure productive use of limited training and human resource development dollars.

April, 1994

Schedule 3 of Implementation Contract discusses establishment and mandates of various institutes of Public Government. As each institute to achieve and maintain employment of Inuit at representative level, training requirements should be included in the Implementation Training Plan.

To ensure training requirements are incorporated in Implementation Training Plan, discussions must begin with Transitions Teams charged with establishing named Institutes of Public Government. Delays in start up of discussions of training needs will hinder the development of the Implementation Training Plan.

April, 1994

# ***Public Government Education, Training and Human Resources Initiatives***

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## **Topic:**

*Youth - Preparation for a Career*

## **Factors:**

- Young people make up 22% of the labour force and 40% of the unemployed.
- Level of education and where they live are the two main factors that affect their ability to find jobs.
- As many as 1,000 new young people will enter the labour market every year in the 1990s -- and more than 1,500 by the year 2010.
- Participation is also increasing in Grades 10, 11 and 12, largely as the result of extending senior secondary grades into the communities. In 1989 about 40% of all students obtained at least a Grade 10 or higher. In 1993 over 80% of all students have attained Grade 10 or higher.
- Number of students who successfully completed at least one high school course in a year has doubled from 1984 to 1992.
- After showing little to no improvement in graduation rates since the 1970s we are beginning to see improvements. The graduation rate is currently about 23% and conservatively we expect by the year 2005 the rate should increase to over 40%.

**Issues:**

- Despite recent successes, about 75% of young people currently leave school before finishing Grade 12.
- Many young people face barriers that prevent them from participating in education, training or work -- these include low self-esteem, the need for child care or housing, or a lack of career planning or job search skills.
- There is a need for increased career development, a lifelong process with decision points throughout one's life. It links family, personal, education and employment goals so that individuals can make wise life choices.
- Starting in September 1995, each Grade 9 student in the NWT will develop a career plan with assistance from teachers and parents. These career plans will identify interests and will help students make informed choices about their senior secondary school courses, so that they have as many employment and education options as possible when graduating from Grade 12.
- Over the next year, Education, Culture and Employment staff will also examine a variety of ways to introduce career development into existing curricula during the foundation years of kindergarten to Grade 9.
- Career Centres in each region hold events such as career fairs and post-secondary information sessions each year.
- Education, Culture and Employment at headquarters and through Career Centres are developing innovative ways to improve career counseling in the smaller communities.
- All schools now have computers and modems to access the north of 60 bulletin board system and internet. Portable computers will be available for use by community residents through regional Career Centres. They will provide information on the labour market, interactive programs to help with career and educational planning, and a database of national scholarships.

## ***Public Government Education, Training and Human Resources Initiatives***

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### ***Topic:***

*Management Careers in the Public Service*

### ***Factors:***

- Management training in the public service will be based on competencies. Competencies in the areas of thinking, leading and managing, effective interaction and taking action have proven to be effective for training management in other jurisdictions in Canada.
  - Thinking: knowing, deciding and strategic thinking
  - Leading and Managing: team leadership, teamwork and cooperation, and developing others
  - Effective interaction: interpersonal understanding, organizational awareness, impact and influence, and communication
  - Taking action: information seeking, seizing the initiative and achievement orientation

## *Claims/Division, Training and Human Resources Issues*

- Senior management training components were piloted in Fort Smith last fall. Twelve affirmative action candidates began on a part-time basis. The program ranges from one to three years.
  - On-going senior management training will be offered through the Public Service Career Training Program on a full or part-time basis in 1994-95. (Sixty to 70 part-time trainees could be supported.)
  - The training will be based on the competencies identified above and will involve on-the-job training and coursework.
- A Senior Management Orientation Program will be introduced in 1994-95 which will be mandatory for all existing and newly hired Hay Plan managers.
  - . The orientation will take 12 days. It will be based on the competencies identified above, will reinforce a GNWT corporate culture, and will help to develop a network of contacts for managers.
  - The target date for the first two orientations is June, 1994.

### **Issues:**

- As of December, 1993, there were 399 managers in the public service and of these 48 were aboriginal -1270.
- . 75% of the executive and officer level positions in Nunavut are expected to be filled through local aboriginal hire.
- . Additional resources will be required to dramatically increase the number of aboriginal managers by 1999.

## ***Public Government Education, Training and Human Resources Initiatives***

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### **Topic:**

*A sub-committee of the Division Review Committee has been established to develop a human resource plan for the new eastern and western Territories. The GNWT is also developing an improved process for human resource planning.*

### **Factors:**

- The Human Resource Development Sub-Committee of the Division Review Committee has been established to:
  1. To develop a human resources master plan for the new eastern and western Territories by April, 1995.
  2. To identify staffing levels related to the establishment of two new Territories by July, 1995.
  3. To identify existing and required education training programs for new structures by January, 1996.
  4. To develop cost estimates by April, 1996.
  5. To address labour relations issues (such as making transitional arrangements for the new Public Service Act) by April, 1996.

## *Claims/Division, Training and Human Resources Issues*

- To improve the human resource planning process a Corporate Steering Committee representing all GNWT departments and agencies, the UNW and the NWTTA, and chaired by Education, Culture and Employment and the Financial Management Board Secretariat will review and develop:
  - policies,
  - databases and information systems,
  - training and development programs required by staff in the public service, and
  - monitoring and evaluation mechanisms necessary for effective human resource planning.
- . Some of the areas being reviewed to improve human resource planning strategies in government are:
  - . Management Development Programs
  - Orientation
  - . Career Counseling and Career Pathing
  - . Mentoring, Bridging and Internship
  - Succession Planning
  - Performance Appraisals



*Claims/Division, Training and Human Resources*

- The GNWT has recently announced two government-wide training initiatives to address issues identified by the Special Committee on Health and Social Services.
  - A formal orientation program with cross-cultural training will be mandatory for all new employees within their first six months of employment.  
Education, Culture and Employment with other partners, including the Interdepartmental Committee on Traditional Knowledge and cultural organizations, will be developing this program.
- The GNWT recognizes the need for an employee assistance program for all staff. With the involvement of unions, other employers and organizations, several pilot employee assistance programs could be piloted in 1995-96.
- The Financial Management Board Secretariat and the Department of Social Services will take the lead role in this initiative.

# ***Information on Education and Training for Adults***

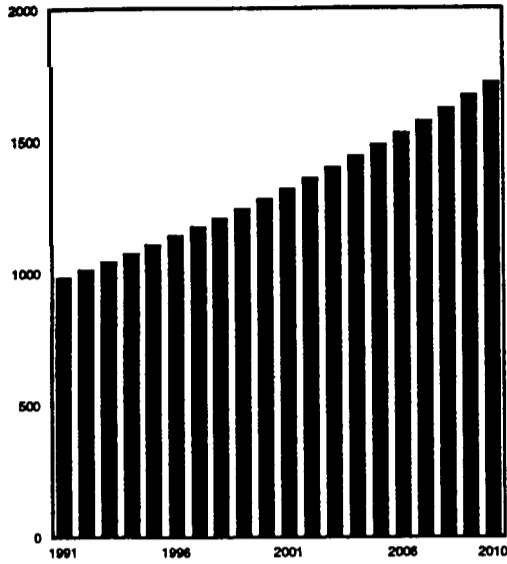
***April, 1994***



April, 1994  
53

# Context: Program Demand

**Number of 15 year olds**  
1991 to 2010

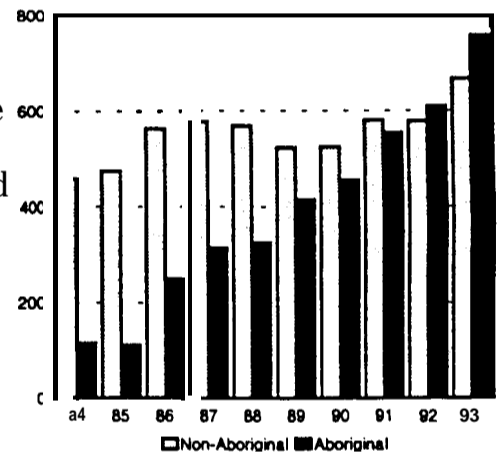


Census Pop Estimates/ECE projection

Population growth means there will be more people using our programs and services. The N.W.T. has a very young, and quickly growing population. The number of 15 year olds will increase from 980 in 1991 to more than 1700 in 2010.

The increase in demand can be much higher than the increase in population. In Student Financial Assistance, for example, the number of Aboriginal students using the program increased by 25% a year (on average) for the last ten years. The numbers are expected to continue growing at about 10% a year. (including both Aboriginal and Non Aboriginal students).

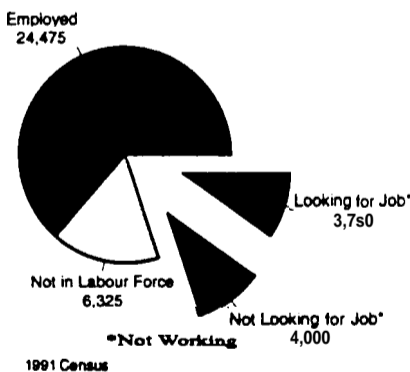
**Student Financial Assistance Recipients**  
By Ethnicity 1984/85 to 1993/94



Department of Education, Culture & Employment

## Labour Force Status

Population 15 Years and Older



1991 Census

The potential for use of our programs and services is very large. It includes unemployed people, those out of the labour force temporarily, people making the transition from education or training to work, and some people who are already employed.

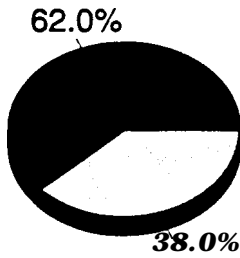
April, 1994

# Jobs and Income

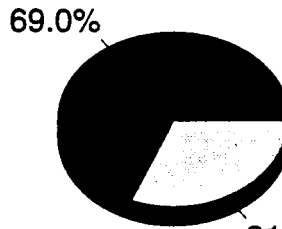
**Adult Population**



**Jobs**



**Income**



■ Non Aboriginal  
□ Aboriginal

Labour Force Survey, Revenue Canada, Harvester Survey

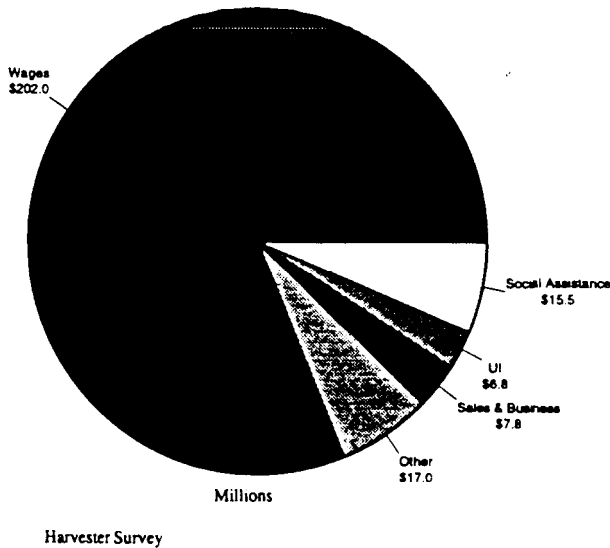
Aborigine people make up 56% of the adult population in the N.W.T. They hold 38% of the jobs and earn 31% of the income.

Aboriginal people of the N.W.T. do not have equal access to the jobs and income of the N.W.T. This is because more of the jobs are in the larger communities like Yellowknife, Hay River, Fort Smith and Inuvik. Most of the Aboriginal people live in the smaller communities. Education and training also limits Aboriginal peoples' job access. Many of the jobs of the N.W.T. require high levels of formal education.

In June 1991, the unemployment rate was 3.9% for Non Aboriginal people, and 25% for Aboriginal people.

Between 20% and 30% of the people in the N.W.T. live in poverty.

## Aboriginal Household Income Sources



Although unemployment is high, most people find some work during the year, and salaries are the most important source of income to Aboriginal households.

81% of total income for Aboriginal households is from wages and salaries. 6% is from social assistance.

More than 60% of all Aboriginal people work in the wage sector at some point during the year.

# Role of Education

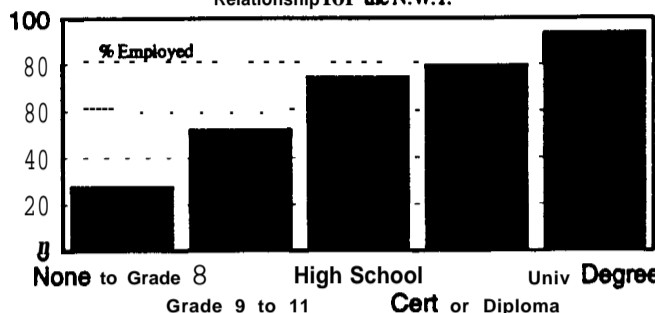
Education gives people choices. It increases the number of jobs that a person can do, and the training and further education that is available. Education also makes people more mobile, so they can choose any type of career they want.

A **higher** level of schooling increases the chance of being employed in the N.W.T. Only one in three people with a Grade 8 or less is employed, while almost everyone with a university degree is employed.

Even in the small communities, unemployment is much lower than average for people who have more than a Grade 9 education.

## Employment and Schooling

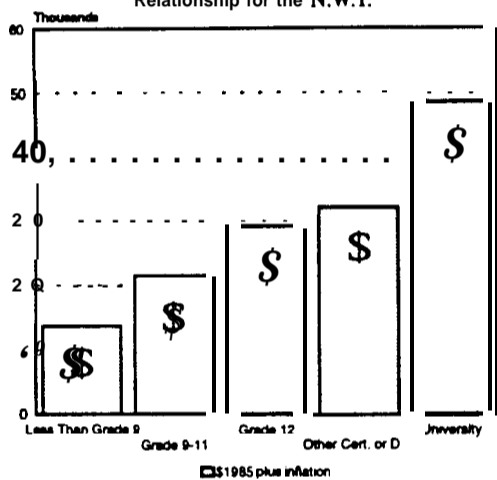
Relationship for the N.W.T.



Labour Force Survey 1989

## Education and Income

Relationship for the N.W.T.



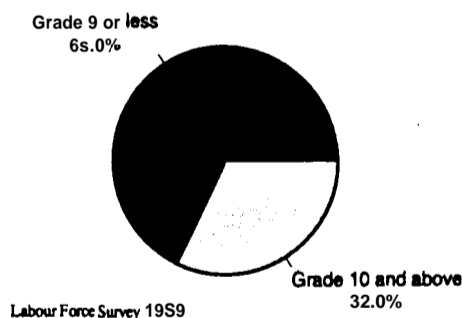
Census 1989

Earnings increase with education. In 1994, people with a Grade 8 or less will make about \$13,000 a year, on average. Most of them will work seasonally, not all year. The average increases with every level of schooling, and is \$48,000 for people with university degrees.

Most people who are unemployed have a low level of formal education. More than 2/3 of the people who are unemployed have a Grade 9 education or less. Very few of the jobs in the N.W.T. require a Grade 9 or less (about 10% of all jobs). The N.W.T. uses a highly skilled labour force. 70% of jobs are filled by people with certificates or diplomas, including high school diplomas, or university degrees.

There is also a shortage of training opportunities for people with a Grade 9 or less.

## Education Level of Unemployed People



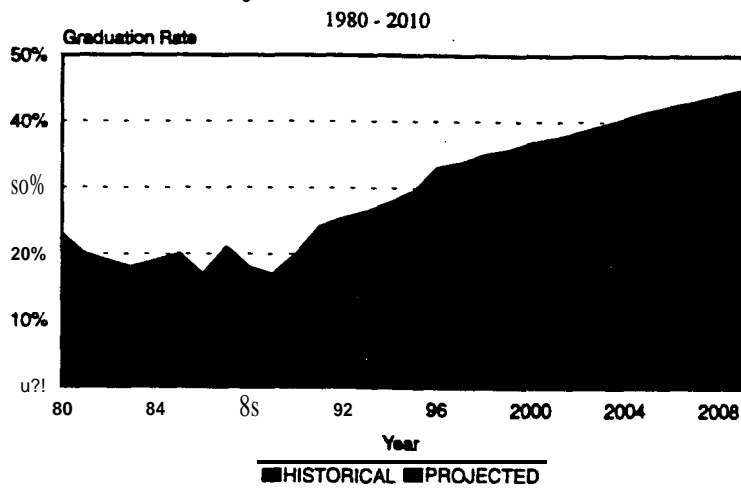
Labour Force Survey 1989

# Education Indicators - Youth

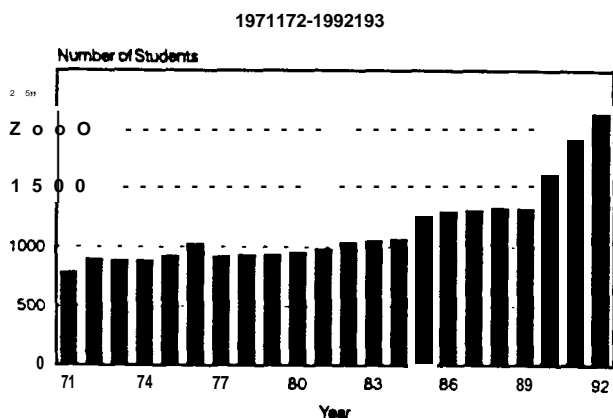
“ “ “ -

The Secondary School Graduation Rate is a measure of the proportion of youth in the territory who successfully complete the graduation requirements of secondary school. The present rate is approximately 25%. It is expected to continue to increase as the students who began in the school system in the early 1980s, when changes were first introduced, begin to reach the Grade 12 level. The projection shown represents a conservative estimate of the rate of increase.

## Secondary School Graduation Rate



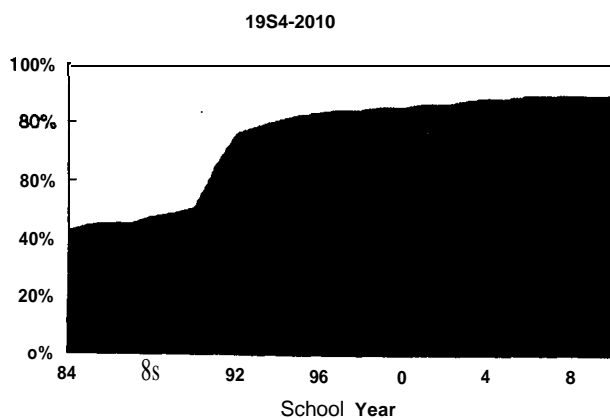
## Number of Students Who Successfully Complete Secondary School Courses



The enrolment at the secondary school level has increased considerably in recent years as a result of grade extensions and overall system improvements. There has also been a significant increase in the number of students who are successfully completing courses at the secondary school level. The number of students taking and passing at least one secondary course has more than doubled in the past ten years.

There continues to be a high dropout rate as the majority of students leave school before completing graduation requirements. In the past, however, most students left school without ever attending high school grades. Students in the N.W.T. are now approaching the national rate of secondary school participation. Over 80% of N.W.T. students are attaining at least some secondary schooling.

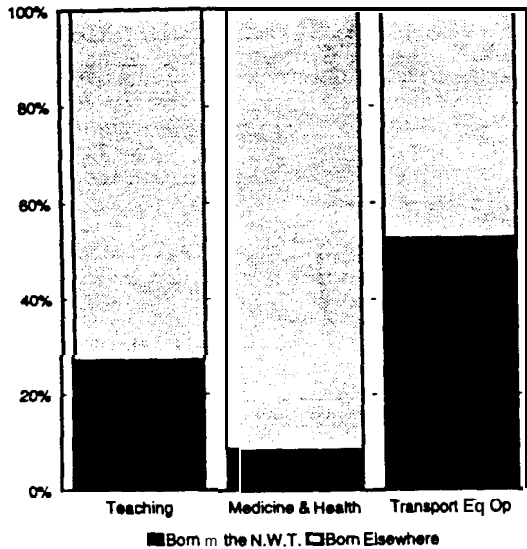
## High School Participation Rate



# Opportunities

With education and training, Aboriginal people can access more of the jobs in the N.W.T.

## Employment By Place of Birth



Labour Force Survey 1989

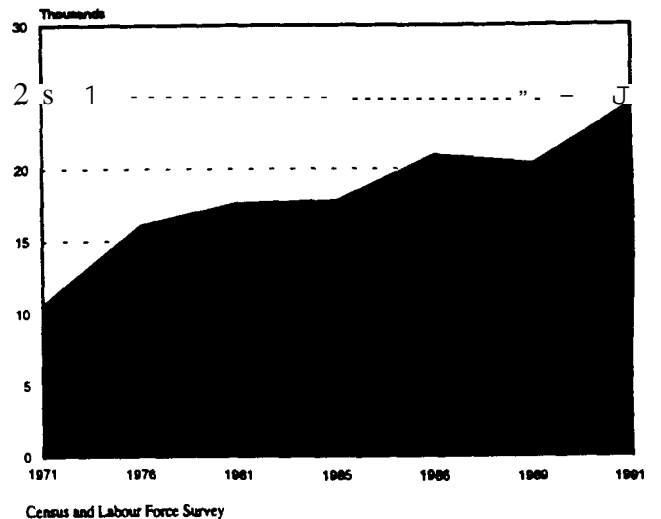
The Non Aboriginal population of the N.W.T. is highly mobile. There is significant opportunity to replace Southern workers with Northern workers, but it depends on Northerners having the required skills. 3000 people come to the N.W.T. every year for jobs.

The G.N.W.T. wants its workforce to represent the population.

Employment is still growing.

The Community Transfer Initiative, the settlement of land claims and self government can all bring more jobs to the smaller communities.

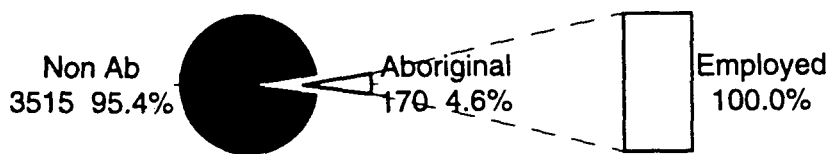
## Employment 1971 to 1991



Census and Labour Force Survey

## University Degrees .

Aboriginal and Non Aboriginal

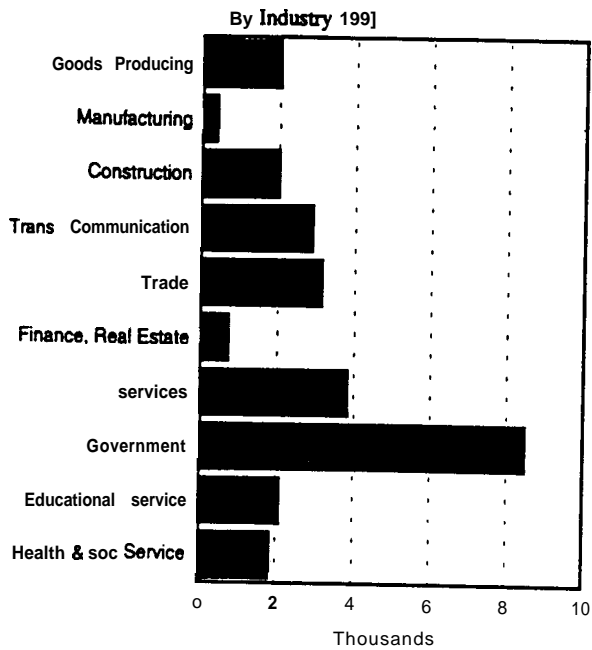


Labour Force Survey 1989

The greatest opportunity to replace Southern workers exists at the highest skill levels.

# Work: Industry & Occupation

## Experienced Labour Force



Every industry group contains many different types of jobs. For example, the construction industry employs trades people, managers, clerical workers and accountants.

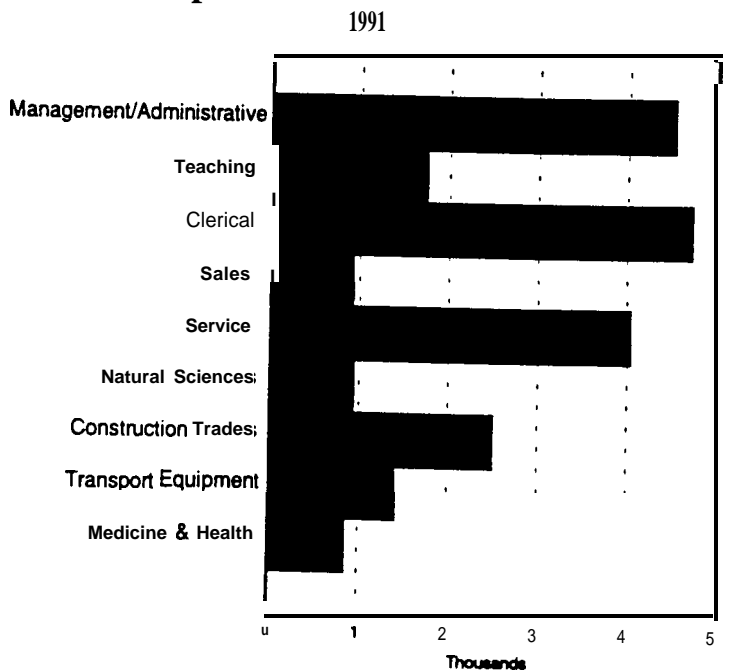
Government is the major employer of the N. W.T.. The G. N.W.T. directly employs 25% of all N.W.T. workers. Overall government employment is 40 % of the total.

Since 1971, Clerical, Management/Administrative and Service have been the largest occupational groups. Employment in these jobs are expected to remain high.

In addition to being the largest employer in the N. W. T., the G. N.W.T. employs and trains people whose skills are required by other employers.

Some jobs, such as Teaching and Health related occupations, are expected to continue to grow with the population of the N.W.T.

## Largest Occupational Groups Experienced Labour Force



April, 1994



# The Labour Market of the NWT

Level of Education	Number of Jobs	Chance of Having a Job	Type of Jobs
<b>Grade 8 or Less</b> Unemployment is very high	3,395	33%	Clerks, Sales People, Construction Laborers, Truck Drivers, Service Workers, Wait Staff, Food Preparation.  Average Pay: \$13,516
<b>Grade 9 - 11</b> Unemployment is high	3,970	53%	Administrators, Clerks, Sales People, Construction Laborers, Truck Drivers, Service Workers.  Average Pay: \$21,206
<b>High School Diploma</b> Unemployment is lower than average once you have work experience	5,190	78%	Managers, Administrators, Clerks, Secretaries, Bookkeepers, Service Workers, Salespeople.  Average Pay: \$28,702
<b>Certificate or Diploma, Trades, College Education</b> Unemployment is low for those with a High School Diploma as well. Wages are also higher.	8,485	84%	Managers, Administrators, Carpenters Plumbers, Welders, Secretaries, Bookkeepers, RCMP, Park Wardens, Fire Fighters, Child Care Workers, Language Specialists, Teachers Aids, Community Health Representatives.  Average Pay: \$31,810
<b>University Degree</b> Unemployment is very low. Most people not working have chosen not to.	3,520	93%	Managers, Teachers, Lawyers, Social Workers, Psychologists, Biologists, Geologists, Engineers, Architects, Doctors, Nurses, Dietitians, Pharmacists, Laboratory Technologists.  Average Pay: \$48,434

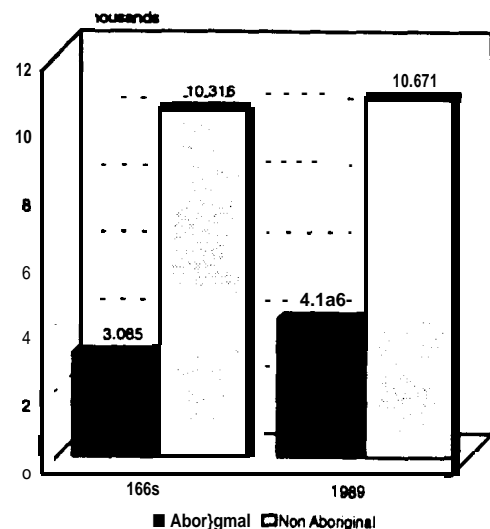
# Employment Growth - Western Arctic

Employment in the Western Arctic grew by 10 percent between January 1985 and January 1989 (an increase of 1,376 jobs).

The growth was much stronger for Aboriginal people, whose employment grew by 33%. This changed the representation of Aboriginal people in the labour market. Over the four year period, Aboriginal peoples total employment increased from 23% to 28%.

This access to job growth means that Aboriginal people are the major beneficiaries of job growth in the Western Arctic, accessing 1,000 more jobs, out of total job growth of 1,376. The situation was much less positive in the Eastern Arctic (See *Employment Growth - Eastern Arctic*).

Western Arctic Employment  
1985 to 1989



- \* Overall growth was 1090.
- \* The number of jobs held by Aboriginal people increased by 33%.
- \* The number of jobs held by Non-Aboriginal people increased by 3%.

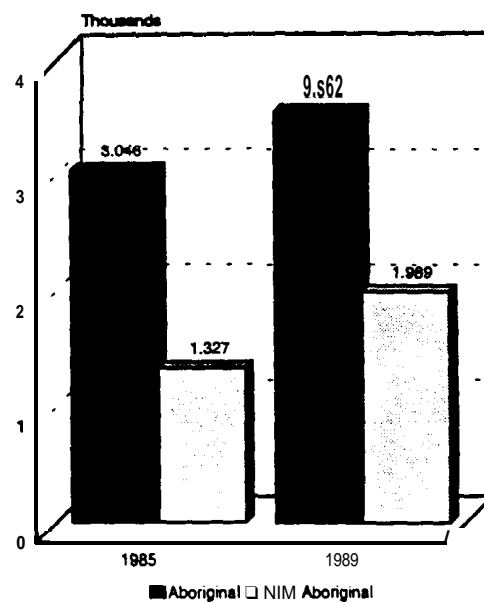
Employment growth can continue for Aboriginal people despite a stagnant labour market, where overall employment growth is very low, or not increasing at all. This will happen when more Aboriginal people have the education and skills to access jobs that are currently filled through in-migrants from the South.

# Employment Growth - Eastern Arctic

Employment growth in the Eastern Arctic was very high between January 1985 and January 1989, at 28% (an increase of 1,178 jobs).

Aboriginal peoples' employment grew by almost as much as Non Aboriginal when measured in absolute numbers, (516 more jobs held by Aboriginal people and 662 more jobs held by Non Aboriginal people). But the growth rate for Non Aboriginal people was 50%, compared to only 17% for Aboriginal. This indicates increasing reliance on labour from the South. (There were fewer than 60 unemployed Non Aboriginal people in the Eastern Arctic in 1985.)

Eastern Arctic Employment  
1985 to 1989



- \* Overall growth was 28%
- \* The number of jobs held by Aboriginal people increased by 17%
- \* The number of jobs held by Non Aboriginal people increased by 50%

The creation of Nunavut will mean significant job growth for the Eastern Arctic. Jobs will be created, and access to existing jobs should also be increased through such changes as making Inuktitut the official language. Based on the '85 to '89 experience, planning is needed if Inuit people are to be the main beneficiaries of the job growth.

# Employment Growth - NWT

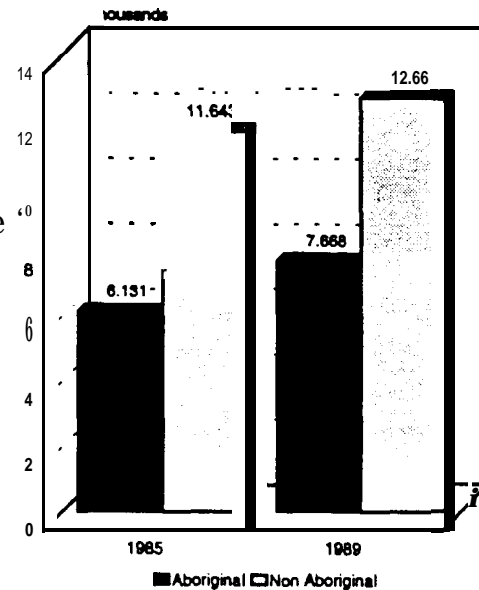
Employment in the N.W.T. grew by 14 percent between January 1985 and January 1989 (an increase of more than 2,500 jobs).

The growth was much stronger for Aboriginal people, whose employment grew by 25%. This changed the representation of Aboriginal people in the labour market, who, over the four year period, went from 34% of total employment to 38% of total employment.

This access to job growth means that Aboriginal people are the major beneficiaries of job growth in the N.W.T., accessing about 1,500 more jobs, out of total job growth of 2,554. The situation was much more positive in the Western Arctic than in the Eastern Arctic. (See Employment Growth - Eastern Arctic and Employment Growth - Western Arctic).

## NWT Employment Levels

1985 to 1989



- \* Overall growth was 14%
- \* The number of jobs held by Aboriginal people increased by 25%
- \* The number of jobs held by Non Aboriginal people increased by 9%

The different experiences of Eastern and Western N. W.T. demonstrate that job growth is not enough to assure the employment situation of Aboriginal people in the N.W.T. will change.

April, 1994

## Northwest Territories

### Population

#### *Census Population*

1991	57,649
1986	52236
<b>percentage change</b>	10.4

#### *Population, by Age and Sex*

	Males	Females
<b>AH Ages</b>	<b>30,055</b>	<b>27,590</b>
0 - 4 years	3,740	3,630
5 - 9 years	3,210	2,975
10 - 14 years	2,725	2,620
15 - 19 years	2,460	2,295
20 - 24 years	2,725	2,665
25 - 29 years	3,070	3,055
30-34 years	2,920	2,660
35-39 years	2,470	2,155
40-44 years	2,110	1,740
45-49 years	1,420	1,125
50-54 years	1,005	865
55-59 years	790	655
60-64 years	550	430
65-74 years	570	435
75 years and over	295	305

### Language

#### *Mother Tongue*

Single responses	56,465
English	31,225
French	1,385
Neither English nor French	23,855
Inuktitut	16,565
Slave	2,275
Dogrib	2,115
Chipewyan	550
Gwich'in	310

### Education

#### *Population 15 Years of Age & Over, by Highest Level of Schooling*

Population 15 years & over	38,555"		
Less than grade 9	10,350	Other non-university with certificate	7,190
Grades 9 to 13 without secondary certificate	7,360	University without degree	2,655
Grades 9 to 13 with secondary certificate	2,920	Without certificate	1,265
Trades certificate or diploma	1,355	With certificate	1,565
Other non-university without certificate	2,635	University with degree	3,665

#### *Postsecondary Qualifications, by Sex*

	Males	Females
<b>Persons with postsecondary qualifications</b>	<b>7,930</b>	<b>5,890</b>
Educational, recreational & counseling services	615	1,230
Fine & applied arts	130	270
Humanities & related fields	320	365
Social sciences & related fields	755	640
Commerce, management & business administration	925	1,650
Agricultural & biological sciences/technologies	325	305
Engineering & applied sciences	340	45
Engineering & applied science technologies & trades	4,085	265
Health professions, sciences & technologies	215	1,015
Mathematics & physical sciences	215	100
No specialization and all other fields	10	

## Labor Force Activity

Population 15 Years of Age & Over, by Labor Force Activity, Age and Sex

	Both Sexes	Males	Females
Population 15 years & over	38,550	20,275	18,275
Labor force	28,230	15,925	12,305
Employed	24,475	13,755	10,720
Unemployed	3,750	2,170	1,585
Not in the labor force	10,325	4,350	5,970
Participation rate	73.2	78.5	67.3
Unemployment rate	13.3	13.6	12.9
Population 15 to 24 years	10,090	5,160	4,935
Labor force	5,675	2,990	2,680
Employed	4,390	2,245	2,145
Unemployed	1,285	745	540
Not in the labor force	4,415	2,165	2,250
Participation rate	56.2	57.9	54.3
Unemployment rate	22.6	24.9	20.1
Population 25 years & over	28,465	15,115	13,340
Labor force	22,550	12,930	9,625
Employed	20,065	11,515	6,570
Unemployed	2,465	1,420	1,050
Not in the labor force	5,910	2,185	3,720
Participation rate	79.2	85.5	72.2
Unemployment rate	10.9	11.0	10.9

Females 15 Years of Age & Over, by Labor Force Activity and Presence of Children at Home

	With Children	Without Children
Females 15 years & over	9,610	8,350
Labor force	6,440	5,580
Employed	5,475	4,970
Unemployed	965	605
Not in the labor force	3,170	2,775
Participation rate	67.0	66.6
Unemployment rate	15.0	10.6

Females 15 Years of Age & Over with Children at Home, by Labor Force Activity and Age of Children

	Under 6 Years Only	Both Under & Over 6 Years	Over 6 Years Only
Females 15 & over with children at home	2,400	2,855	4,360
Labor force	1,575	1,750	3,115
Employed	1,265	1,410	2,800
Unemployed	315	335	315
Not in the labor force	820	1,100	1,245
Participation rate	65.6	61.3	71.4
Unemployment rate	20.0	19.1	10.1

## Industry and Occupation

Labor Force, by Industry (1980 SIC)

Total labor force	26,225	Transportation & storage	1,750
Did not work since January 1990	750	Communication & other utilities	1,140
Worked since January 1990	27,475	Whole-wholesale trade	405
Agricultural & related services	50	Retail trade	2,755
Fishing & trapping	375	Finance & insurance	415
Logging & forestry	190	Real estate operator & insurance agent	315
Mining (incl. milling), quarrying & oil wells	1,415	Business services	850
Manufacturing	375	Government services	8,460
Construction	2,020	Educational services	2,100
		Health & social services	1,655
		Accommodation, food & beverage service	1,420
		Other service industries	1,575

## Industry and Occupation (continued)

### Experienced *Labor Force*, by *Occupation* and Sex

	<b>Males</b>	<b>Femal</b>
Worked since <b>January 1990</b>	15,570	11,910
<b>Managerial, administrative &amp; related fields</b>	2,775	<b>1,745</b>
Natural sciences, <b>engineering &amp; mathematics</b>	795	150
Social sciences & related fields	370	650
Religion	80	30
Teaching & related fields	500	1,245
Medicine & health	<b>150</b>	705
Artistic, literary, recreational & related fields	<b>395</b>	<b>360</b>
Clerical & related fields	1,000	<b>3,725</b>
Sales	430	<b>490</b>
Service	1,790	<b>2,245</b>
Fanning, horticultural & animal husbandry	75	10
Fishing, mapping & related fields	320	25
Forestry & logging	180	10
Mining & quarrying including oil & gas field	580	15
Recessing	180	80
Machining & related fields	155	10
Product fabricating, assembling & repairing	775	<b>130</b>
Construction trades	2,450	50
Transport equipment operating	1,300	110
Material handling & related fields	340	30
Other crafts & equipment operating	245	55
Other occupations	685	50

## Income

### Population 15 Years & Over With Income, by Composition of Income

Employment (%)	<b>90.1</b>
Government transfer payments (%)	7.5
Other income (%)	2.4

### Population 15 Years & Over With Income, by 1990 Income Group and Sex

	<b>Males</b>	<b>Females</b>
Population 15 years & over with income	19,010	16,025
Under \$ 1,000	<b>980</b>	1,325
\$ 1,000 - \$2,999	1,220	1,430
\$3,000 - \$4,999	<b>920</b>	1,185
\$5,000 - \$6,999	830	965
\$7,000 - \$9,999	1,095	1,290
\$10,000 - \$14,999	1,790	1,645
\$15,000 - \$19,999	1,350	1,150
\$20,000 - \$24,999	1,250	1,040
\$25,000 - \$29,999	1,010	985
\$30,000 - \$39,999	<b>2,080</b>	1,990
\$40,000 - \$49,999	1,905	1,380
\$50,000 and over	4,575	1,445
Average income (\$)	31,231	20,816
Median income (\$)	25,024	14,910

### Population 15 Years & Over with Employment Income, by Work Activity and Sex

	<b>Males</b>	<b>Females</b>
Worked full-year, full-time	<b>8,865</b>	<b>5,905</b>
Average employment income (\$)	47,061	35,071
Worked part-year or part-time	7,990	7,260
Average employment income (\$)	15,198	11,762

## Income (continued)

### Private Households, by 1990 Income Group

Private households	16,075		
Under \$10,000	1,140	\$40,000 - \$49,999	1,665
\$10,000 - \$14,999	1,000	\$50,000 - \$59,999	1,505
\$15,000 - \$19,999	965	\$60,000 - \$69,999	1,350
\$20,000 - \$29,999	1,785	\$70,000 and over	4,915
\$30,000 - \$39,999	1,755		
Average income (\$)	55,412		
Median income (\$)	48,126		

## Housing

### Private Households, by Number of Persons Per Household and Type of Household

Total private households	16,075		
Number of persons per household:		Type of household:	
One person	2,900	One-family	11,635
Two persons	3,230	Multiple-family	435
Three persons	2,660	Non-family	3,605
Four or five persons	4,800		
Six or more persons	2,465		
Average number of persons per household	3.5		

### Children At Home, by Age

Total children at home	24,050
Under 6 years of age	7,735
6- 14 years	9,395
15- 17 years	2,370
18-24 years	3,305
25 years and over	1,240

### Lone-Parent Families in Private Households, by Number of Children at Home

	Male Parent	Female Parent
Total lone-parent families	520	1,530
One child	255	740
Two children	140	410
Three or more children	120	375

### Occupied Private Dwellings, by Selected Characteristics and Period of Construction

Total occupied private dwellings	16,075		
Selected Characteristics:		Period of Construction:	
Average of rooms per dwelling	5.3	Before 1946	185
Average of bedrooms per dwelling	2.5	1946 to 1960	945
Average value of dwelling (\$)	112,159	1961 to 1970	3,320
Requiring regular maintenance only	9,095	1971 to 1980	5,495
Requiring minor repairs	4,170	1981 to 1985	2,355
Requiring major repairs	2,815	1986 to 1991	3,775

### Occupied Private Dwellings, by Tenure

Total occupied private dwellings	16,075
Rented	10,960
Owned	5,060
Band housing	55

Note: All figures in census tables are independently random rounded prior to publication. As a result, all numbers end in the digit 0 or 5 and may not sum to the total.



Community Education Profiles

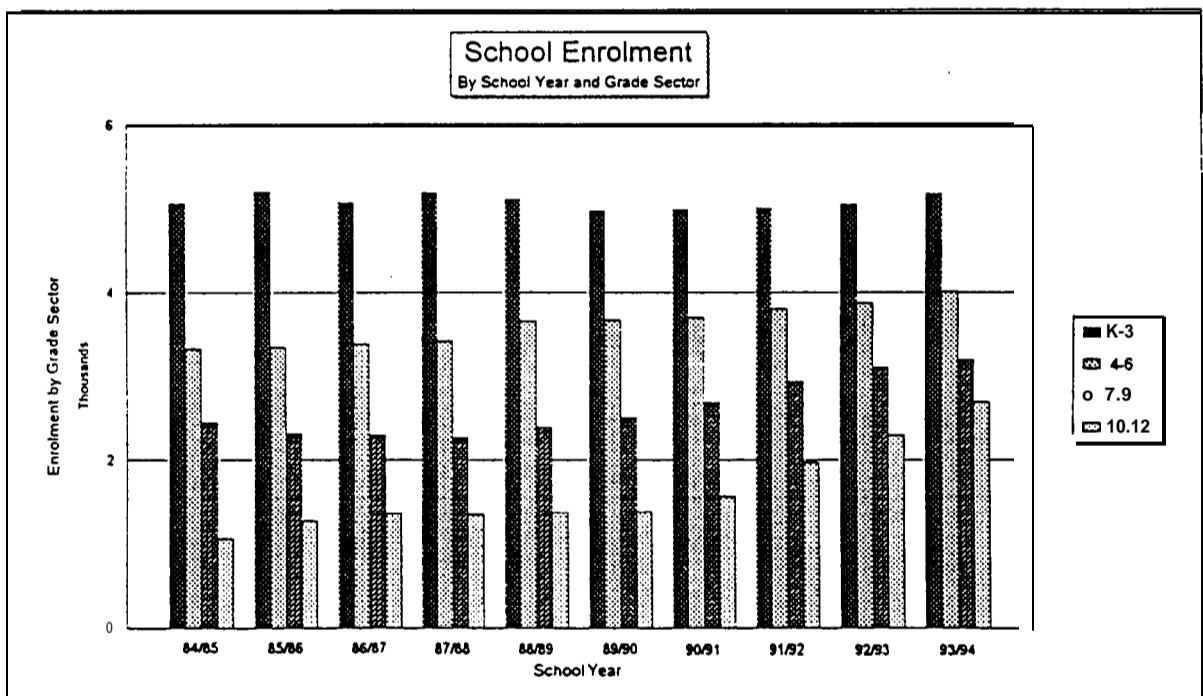
Community NORTHWEST TERRITORIES TOTALS

The student enrolments which are taken on October 31 of each school year determine the funding allocations which schools and school boards receive. Kindergarten students are only counted as half of a student as they only attend half of a school day.

October 31 Enrollments					
GRADE	89/90	90/91	91/92	92/83	93/94
K/2	646	636	722	719	769
1	1629	1523	1453	1619	1600
2	1361	1467	1426	1321	1403
3	1335	1355	1399	1388	1390
4	1355	1306	1313	136s	1407
5	1246	1260	1243	1303	1325
6	1071	1115	1248	1179	1264
7	loss	1038	1038	1245	1149
8	763	932	1001	1023	1102
9	678	714	831	834	943
10	625	696	864	1132	1342
11	426	489	618	645	748
12	331	356	490	519	605
COP	173	216	164	144	38
SPP	49	49	38	33	
<b>TOTALS</b>					
Grand	12757	13202	13908	14492	15111
K-3	4971	4981	5000	5047	5168
4-6	3672	3701	3804	3s70	4016
7-9	2510	2684	2930	3102	3194
10-12	1362	1571	1972	2236	2695
Special	222	265	202	177	38

October 31, 1993 Ethnic Distribution:		
	Students	Proportion
Aboriginal:	11207	74.1%
Non-Aboriginal:	3914	25.9%

Grade 12 Graduates from Community:	
School Year	Graduates
1988/89	196
1989/90	172
1990/91	203
1991/92	221
1992/93	254



***Operation of Consensus Government Issues***

***Discussion Papers prepared by  
Mr. Brian Lewis, M.L.A.,  
Yellowknife Centre.***

***Summary Overheads based on  
Discussion Papers prepared by  
Mr. Brian Lewis, M.L.A.,  
Yellowknife Centre.***



# ***Election of Premier***

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## ***Factors:***

- Immediately after the election of the Premier and Cabinet, the Premier faces enormous challenges.
- First, the Premier must work with an elected Cabinet not with people of her choice. Second, the Premier must quickly outline a list of plans, policies, priorities and programs representing the government's commitment to the public.
- In the absence of party politics, the choice of alternative governments is not offered to the public prior to an election. This issue of public accountability has led during the last six years to discussions about choosing a leader by popular vote, and giving the leader the power to choose her own Cabinet.
- Some believe this process would provide a system of government with a more cohesive Cabinet, clear policy direction, clear authority and a mandate for the Premier to lead with greater public accountability.

## ***Issues:***

- Many members now recognize that strengthening the role of the leader through a popular vote could easily lead to party politics.
- Candidates would need a large territory wide organization, heavy financial support, and a platform appealing to a broad section of the population.
- Inevitably, candidates seeking election to the Assembly would be drawn into one camp or another, especially those seeking a Cabinet post, since an elected leader would be empowered to choose her own Cabinet. This sounds like the first step toward party politics.

## *Operation of GNWT and Legislative Assembly*

- The move toward electing a leader by popular vote also poses other very substantive constitutional problems. For example, taking away the authority to remove the leader and her Cabinet would be a significant departure from the Westminster model of government.
- Another issue is how the elections for leader and the Cabinet would be held? Would they be elected simultaneously in two separate ballots or would there be an initial election for MLAs and a subsequent election for leader for which only MLAs would be eligible?
- Yet another question to be debated is the method by which votes would be tabulated. For example, should the “one person, one vote” approach be adhered to or would there be an electoral college system?
- A fourth factor to consider is the implications of electing the Premier on the system of government for Nunavut. When the present NWT is divided in 1999, some members fear it will be difficult to reverse a process seen as a natural evolution of consensus government. Others argue that this is the perfect time for experimentation.
- The major constitutional question posed by the change in choosing a leader is the loss in power of the Legislative Assembly. How could the Assembly remove a leader with a mandate obtained directly from the people? If the Assembly was empowered to force an election for leader, presumably there would be a requirement for a general election also. This would incline the Assembly less towards forcing an election, thus enhancing the power of the leader.
- The great interest in moving towards a separate election of leader by popular vote that existed a year ago no longer exists. Yet, given the fragile nature of the current system of consensus, most members feel the leader’s mandate must be clarified and strengthened, so the proposal is by no means dead.

• — [REDACTED]

## **Improving Accountability - Models for Electing a Premier**

### **Models:**

*There are two models to choose from if a territorial Premier is to be elected through popular vote.*

#### Model X-Municipal (City) Model

- The first model is based on the municipal (city) system in which the public votes for the mayor and alderman in two separate but simultaneous elections.
- Some of the features include:
  - the candidates for Premier and MLA appear on two separate ballots;
  - the election for Premier and MLA are held on the same day using the same polling station;
  - a person cannot be a candidate for both Premier and MLA;
  - there is no process to limit the number of candidates for Premier;
  - there is no deposit required to be a candidate for Premier;
  - there is no nomination process;
  - qualifications required by candidates for Premier are similar to those for mayor with regard to age, citizenship and residency;
  - the person elected as Premier becomes chief executive officer in the same way a mayor does;
  - the Premier elected at large has no constituency; and
  - the 25th seat currently allowed by the NWT Act but not currently utilized would be filled by the leader.



## Model Y - Modified Consensus

- The second model is a further evolution of the current system in the Legislative Assembly in which there are two successive elections: one to choose MLAs, a later one to elect a Premier.
- Some of the features of Model Y include:
  - nominations for Premier will be limited to MLAs who have already been elected;
  - any MLA can be a leadership candidate in a nomination process conducted by the Territorial Leadership Committee;
  - the Territorial Leadership Committee will confirm a final list of candidates for Premier;
  - the Territorial Leadership Committee will reduce the number of nominations to an agreed upon number;
  - nominees will be requested to make presentations and answer questions from MLAs;
  - if only one MLA is nominated, a presentation and questions are required before the candidate is acclaimed;
  - until a Premier is confirmed by election, “caretaker” or interim arrangements must be made for the executive function of government;
  - the Premier will have the power to choose Ministers after the leadership election;
  - the Assembly retains the mandate to remove the leader through a non-confidence motion of 75% of the Assembly;
  - in the leadership election, the principle of “one person, one vote” should be adhered to, along with a single transferable vote system where voters will rank order their preferences;
  - election grants will be provided to leadership candidates; and
  - other contributions will have strict limits.

## *Operation of GNWT and Legislative Assembly*

### **Conclusions:**

- The weakness of the current system is its lack of accountability. The election of a leader through a territorial wide popular vote will help resolve that question.

The Legislative Assembly of the Northwest Territories has only been a fully elected legislative body since 1975. Prior to that the Assembly was a mix of elected members and members appointed by the Federal government.

By 1986 the commissioner's position had become a ceremonial one. Executive control was placed in the hands of an elected eight member cabinet including a government leader.

The orderly devolution of power has resulted in the creation of a political system about which there has been little public debate. The current system of government is the result of consensus by elected members on how the executive function will operate. As a result, both the premier and cabinet ministers are chosen by all 24 MLAs by secret ballot in the Assembly, in public, in what is called Territorial Leadership Committee.

One obvious strength of this system is that all 24 members are involved in the process. Candidates for premier and ministers give speeches and answer questions in the meeting.

The power and responsibilities assumed by cabinet when it is elected are those given to it by members of the Assembly. In this sense, it is the members' government, not the people's and in theory it should work well. It is under the control of the membership and members can effect change quickly since the cabinet is in a permanent minority that cannot easily impose its will on the 15 so-called ordinary members.

Immediately after the election of premier and cabinet, the leader faces two enormous challenges. First, she must work with an elected cabinet not with people of her choice. Second, she must quickly outline a list of plans, policies, priorities and programs representing the government's commitment to the public. In the absence of party politics the choice of alternative governments is not offered to the public prior to an election. This issue of public accountability has led during the last six years to discussions about choosing a leader by popular vote, and giving the leader the power to choose her own cabinet.

Some believe this process would provide a system of government with a more cohesive cabinet, clear policy direction, clear authority and a mandate for the premier to lead and greater public accountability. In the absence of a party political structure the mechanism for leadership selection and review and the involvement of the public in policy formulation through party affiliation is missing.



In the current territorial system, once the 24 members are elected, decision making proceeds by so-called consensus. It is this great challenge to forge consensus in a permanent minority situation which has led to discussions about ways of strengthening the leader's mandate. Dennis Patterson, former government leader, now sitting as an ordinary member, believes the leader's hand needs to be strengthened: "especially in today's hard times, when tough financial decisions must be made, tough negotiations concluded with unions or an increasingly unsympathetic Federal government. There is not the comfort of the numbers in the government caucus of a party system to provide that stability required to sustain unpopular but necessary measures."

On initial examination the concept of electing a leader by popular vote is very attractive since it involves the public directly in seeking commitments from candidates who, if elected, will be accountable. It avoids following various models of party politics which many aboriginal people find inconsistent with their own tradition of consensus. Of the current 24 members, 17 are of aboriginal descent. Although many of them concede the weakness of the current system, only changes which retain the so-called consensus style are acceptable.

Although the debate on the leadership elections issue was active until the fall of 1993 it has been deflated in recent months. Many members now recognize that strengthening the role of the leader through a popular vote could easily lead to party politics. Candidates would need a large territory wide organization, heavy financial support and a platform appealing to a broad section of the population. Inevitably, candidates seeking election to the Assembly would be drawn into one camp or another, especially those seeking a cabinet post, since an elected leader would be empowered to choose her own cabinet. To many, this sounds like the first step towards party politics.

The move towards electing a leader by popular vote poses other very substantive constitutional problems. Although the Assembly operates by consensus it follows the Westminster-style parliamentary/cabinet system. Despite the lack of cabinet cohesiveness, confusing policy direction and the fragility of a permanent minority government, the system survives. Both premier and cabinet could be easily removed by the Assembly on a confidence motion in the Assembly in the Westminster tradition. The tyranny of the majority contributes greatly to the leader's dauntless task of seeking accommodation through so-called consensus. The power to remove both leader and cabinet by the Assembly is a long-standing tradition. To remove it would be a departure from the Westminster model.

A leader chosen by the people could presumably only be removed by the people and explicit rules would have to be developed to achieve that. The leader's dominance as an MLA elected as leader by popular vote over all other MLAs would provide confidence and authority. The Assembly is less likely to challenge a leader when there is no alternative government in waiting, and the leader has this power to force another election by resigning, especially when the current legislation provides for a four year term for all MLAs.

Another element that has slowed down the process towards direct election of leader in recent months is uncertainty about the process itself. How would the elections for leader and cabinet be held? Would they be held simultaneously in two separate ballots, or would there be an initial election for MLA, and a subsequent election for leader for which only the MLAs would be eligible? At first glance simultaneous but separate elections make most sense in terms of cost and efficiency and avoids the problem of a "caretaker" government. On the other hand limiting candidates to those already elected means that only "serious" candidates would be eligible to run. It would eliminate the complicated questions of candidate nomination by narrowing the field considerably. It means that the most able and experienced politician would not be asked to make a decision about which election to contest. They could contest both. In this way, even though some could lose the election as leader they could remain as MLAs and would not be lost to public service.

Another question which continues to be debated is the method by which votes would be tabulated. Should the "one person, one vote" be adhered to or would there be an electoral college system? For MLAs representing urban ridings, especially the capital city, Yellowknife, the "one person, one vote" would enhance the chances of a leadership candidate from an urban area. Under the current system the majority of MLAs represent rural ridings and by weight of numbers can elect a cabinet favouring rural ridings. Should a leadership election be conducted on the basis of "one person, one vote", urban voters would have the advantage in terms of numbers and potential financial support.

An electoral college system would provide a better means of ensuring that a leader gets broader territorial support. There are several "college" possibilities. They could be communities, constituencies, or regions. The votes would be allocated on a winner take all basis. Whoever wins would get the entire block of votes allocated to that college. Alternatively, a candidate could be allocated electoral college votes on the basis of percentage of the popular vote.

If constituencies are used as "colleges", for example, each one would have a value of 100 points or votes. A candidate receiving 50% of the popular vote would win 50 of the points or votes. The candidates with the largest number of points overall tabulated in constituencies across the territories would be elected leader.

What happens though if no candidate wins 50% of the total number of electoral "points"? The only real solution to ensure that a leader has majority support is to hold another election a week or two later involving only the top two leadership candidates. There are obvious extra expenses and complications in operating a run-off election. Another system for achieving the same result on a single ballot, is the single transferable vote which is used in Australia.

In this system voters indicate their preference by rank ordering the candidates. When no candidate receives a majority of first choices, the candidates with the lowest number of first choices is eliminated.

The eliminated candidate's tally of second choice votes are then redistributed as first choices. While the system avoids the expense of a second election it is complicated.

Another factor which has slowed down the process towards change in electing a leader is the creation of the new territory of Nunavut in 1999. When the present NWT is divided in 1999, some members fear it will be difficult to reverse a process seen as a natural evolution of consensus government. Others argue that this is the perfect time for experimentation. The Inuit would have an opportunity to see whether the new system works and, if it does not, they could easily abandon it as merely an experiment if they do not wish to see it operate within this new territory of Nunavut.

The major constitutional question posed by the change in choosing a leader is the loss in power of the Legislative Assembly. How could the Assembly remove a leader with a mandate obtained directly from the people? If the Assembly was empowered to force an election for leader, presumably there would be a requirement for a general election also. This would incline the Assembly less towards forcing an election thus enhancing the power of the leader.

The current leader, Nellie Cournoyea, (with title *premier* since February 18) agrees, members would object to losing the power to choose its cabinet and premier but believes the change should be made. She says "the benefits, such as accountability and stability would outweigh the objections if the premier receives a clear mandate from the people in a general election. With

some creative thinking, I am sure a process can be found to soften people's concern about a weakened capacity of the Assembly to remove the first minister or cabinet."

Other members feel that the proposed change is just a few short steps from republicanism. The Assembly itself would be unacceptably diminished.

Frustration over the inadequacies of the current system of consensus has led to discussions on strengthening the power of the leader. The great interest in moving towards a separate election of leader by popular vote that existed a year ago no longer exists. The amount of work ahead before the creation of Nunavut in 1999 has convinced members that political experimentation may make too many demands on an already heavy schedule. On the other hand given the fragile nature of the current system of consensus, most members feel the leader's mandate must be clarified and strengthened so the proposal to change is by no means dead.

## ***Improving Accountability (Electing a Premier)***

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There are two models to choose from if a territorial premier is to be elected through popular vote.

The first model is based on the municipal (city) system in which the public votes for the mayor and alderman in two separate but simultaneous elections. The second model is a further evolution of the current system in the Legislative Assembly in which there are two successive elections: one to choose MLAs, a later one to elect a premier.

The two systems will be described together with a commentary on the pros and cons of each system.

### ***Model X-Municipal (City) Model***

- 1) The candidate for premier and MLA appear on two separate ballots.
- 2) The election for premier and MLA are held on the same day using the same polling station.
- 3) A person cannot be a candidate for both premier and MLA.
- 4) There is no process to limit the number of candidates for premier.
- 5) There is no deposit required to be a candidate for premier.
- 6) There is a nomination process. (Currently nominees for mayor require two signatures.)
- 7) Qualifications required by candidates for premier are similar to those for mayor with regard to age, citizenship, and residency.
- 8) The person elected as premier becomes chief executive officer in the same way a mayor does.
- 9) The premier elected at large has no constituency.
- 10) The 25th seat currently allowed by legislation but not currently utilized would be filled by the leader.

### ***Advantages***

- A. The premier would be declared elected at the same time as MLAs.
- B. The premier and cabinet could be sworn into office at the same time and no “caretaker” arrangements are required during the period of the leadership election.
- C. The system is already in place for the municipal (city) election and is well understood.
- D. The system is simple, efficient and frugal.
- E. Because the premier is not elected as an MLAhe/she can concentrate on territory-wide issues without the burdens of serving a constituency.

### ***Disadvantages***

- A. The system will attract candidates who wish to be premier and nothing else.
- B. It is difficult to be nominated at large in such a wide area as the NWT.
- C. The legislature would be enlarged by an extra seat.
- D. The authority of the Legislative Assembly is entirely eliminated.
- E. Following the municipal model, the premier could only be replaced following resignation, death or if found guilty of a criminal offence.

### ***Model Y- Modified Consensus***

- 1) To avoid a public nomination process and the possibility of attracting nominees who are only interested in being premier, nominations for premier will be limited to MLAs who have already been elected in a general election.
- 2) Any MLA could be a leadership candidate and a nomination process is needed in the Territorial Leadership Committee immediately following a general election.
- 3) Candidates for premier must be nominated and seconded in the Territorial Leadership Committee in the Legislative Assembly.
- 4) The Territorial Leadership Committee of all 24 MLAs will play a role in confirming a final list of candidates for premier.
- 5) The Territorial Leadership Committee is the forum to commence the process towards electing a premier.

- 6) By motion the Territorial Leadership Committee consisting of all elected MLAs will reduce the number of nominations to an agreed on number (three, for example) by secret ballot.
- 7) The process to reduce the list of nominations will include speeches by nominees and questioning of nominees by MLAs on their platforms.
- 8) Even if there are only two or three candidates nominated, nominees will still be requested to make speeches and answer questions by MLAs before the list is confirmed.
- 9) If only one MLA is nominated, the nominee is requested to make a speech and answer questions by MLAs before being acclaimed and confirmed as premier by formal motion in the Legislative Assembly.
- 10) When the Territorial Leadership Committee confirms the list of nominations the Legislative Assembly is convened. A speaker is chosen and a formal motion to call a leadership election is made.
- 11) Until a premier is confirmed by an election, "caretaker" or interim arrangements must be made for the executive function of government.
- 12) The premier will have the power to choose his or her cabinet following the leadership election.
- 13) Although the premier's mandate is strengthened through a leadership election by popular vote the legislature retains the power to remove the premier through non-confidence motion in the Assembly.
- 14) To remove the premier through a non-confidence motion would require 75% vote of the Assembly. This means that 17 out of a total of 23 members (excluding the speaker) would be needed to carry a vote of non-confidence motion if they wished to remove the premier from office.
- 15) In the leadership election the principle of "one person, one vote" should be adhered to. To ensure that the leader is not elected by weight of number in the large centres, a single transferable vote system is used. People will be asked to rank order their preferences.
- 16) Each leadership candidate nominated will qualify for an election grant to conduct a campaign.
- 17) Other contributions to a campaign should have strict limits.

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### ***Advantages***

- A. The Legislative Assembly would be involved in the nomination of leadership candidates and would have the power to remove the leader.
- B. The leader would have a strong mandate from the people but must still require consensus support for government initiatives from MLAs.
- C. The leader would be fully accountable for the selection of cabinet.
- D. The premier would be difficult to remove except under extraordinary circumstances since 75% vote by MLAs would be required.
- E. The premier is likely to be a well known, experienced individual.
- F. The essential character of the current system of consensus would be retained.

### ***Disadvantages***

- A. The Assembly would lose its power to choose the cabinet.
- B. There would be a period between the general election and the leadership election when “caretaker” arrangements are made.
- C. The government would still be in a minority position and the challenges of operating a consensus system would remain.
- D. The proposal does not advance the cabinet/parliamentary system far enough.

### ***Conclusion***

The weakness of the Canadian parliamentary system is that as few as 1500 Canadians can choose a party leader who has never held public office and that person can become prime minister of Canada. The best recent example is the case of Prime Minister Brian Mulroney. Since there is no party system in the Northwest Territories the choice of premier is left to the 24 MLAs. In this case, though, the candidate must have already won an election as MLA to be a candidate for premier. Under a party system there are mechanisms for leadership review. Under the territorial system, there is a mid-term review of premier and cabinet and in this instance the ordinary members caucus acts like a political party.



Although all MLAs are involved in choosing premier and cabinet only the fifteen ordinary members are involved in the review. The premier and cabinet are also under review every day the legislature is sitting with the added burden of being in a permanent minority situation.

The weakness of the current territorial system is its lack of accountability. No one can judge its effectiveness since the public has never been consulted about the kind of government it wants. The election of a leader through a territorial wide popular vote will help resolve that question. Leadership candidates will be required to put before the public their proposals for good government. The person elected as premier will be empowered to put together a team to deliver the commitment to the public. The only way a public government will get credibility will be to involve the public in the process. This can be done without threatening the essential authority of the Legislative Assembly in a cabinet/parliamentary system. Unless the current system of government is changed to make it accountable to the people it serves it will have limited credibility. A natural evolution of the current consensus system towards a territory-wide election of a premier will reduce the perception held by many people that the current government is not their government. MLAs should recognize the criticism is valid and act to make the necessary changes.

## ***Recall of MLAs***

### ***Factors:***

- . Recall refers to the process whereby constituents of an elected member of a Legislative Assembly are able to remove their member from office prior to the expiry of his/her term.
- The need for recall of MLAs in the Northwest Territories does not stem from the difficulty of serving two masters: the party and the constituency. Recall is needed because there is too little discipline in a consensus style of government.
- . Evidence in support of recall can be found in the seventh annual MacLeans/Decima poll of January 7, 1991. Forty-four percent of the 1500 people polled believed politicians had earned the right to remain in office until the end of their term, while fifty-five percent preferred some form of recall.

### ***Features of Northwest Territories Recall Legislation:***

- Features of NWT Recall Legislation could include the following:
  - process must be initiated by a voter, or “promoter”, whose name **was** on the electoral roll for the election in which the member to be recalled was elected;
  - the promoter must provide the Chief Electoral Officer (CEO) with forms outlining the reasons for recall and the names of 14 other constituents from the previous election who, like the promoter, are eligible to sponsor the measure;
  - both the promoter and member would prepare short 1000 word information papers defending their positions;
  - the CEO provides petition forms to the promoter and supporters who would have to collect 20% of the names of eligible voters from the previous election in order to have an election on recalling the member;

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- the CEO is responsible for costs of producing petition forms and providing voters in the member's riding with the information papers;
- if the CEO determines that a recall election will be held, the promoter and 14 sponsors form a legal body called the Recall Society for the purposes of raising funds to cover the cost of the election;
- the CEO will conduct the election under provisions of the Elections Act;
- where a simple majority of qualified votes are cast against the member in the election, the seat is declared vacant and a by-election called to fill the vacancy;
- until the results of the vote are declared, the member retains full rights and privileges and may run again in the by-election;
- the Recall Society is dissolved following announcement of a by-election or general election; and
- the process of recall cannot begin until six months after a general election.

Recall is a form of “direct democracy”. It refers to the process whereby constituents of an elected member of the Legislative Assembly are able to remove their member from office prior to the expiry of his/her term of office.

Clearly any process which provides for the removal of an MLA must include safeguards that the undertaking to remove a member will not be entered into lightly. An enormous amount of work normally goes into the election of an MLA. No less an effort should be expected if an MLA is to be removed.

There has been a renewed interest in recall in recent years. Much of the interest stems from a growing discontent with discipline imposed by political parties which prevents members from truly representing his or her constituency on many issues. The introduction of recall provisions would have the advantage of acting as a counterweight to party discipline. Members continually toeing the party line would know that eventually they would be subject to recall if they continued to act against voters' wishes.

MLAs who are elected in the Northwest Territories do not have the dual allegiance towards a political party and to their constituents which could be in conflict. If they are in doubt whether they should support a government initiative or not they can simply poll their constituents. The government has no power to impose its will on the fifteen ordinary members.

Since there are no political parties to interfere with the ability of a member in the Northwest Territories legislature to truly represent his or her constituents the question could be asked, why do we need recall in the Northwest Territories? The answer is very simple. Recall is needed because members of the Legislative Assembly of the Northwest Territories are subject to no form of party discipline.

Party discipline goes beyond directing the party members how to vote. In provincial jurisdictions, successful candidates owe their success in elections primarily to the party under whose banner they sought election. Membership in a party entails accepting the party's codes and standards. Members who are elected in the Northwest Territories are elected as individuals. As members of the Legislative Assembly, they are legally bound by conflict of interest provisions and guided by a code of conduct. The breaking of the code leads to no form of punishment or even censure. In the absence of any

constituency association or local party organisation, however, they are technically free to act with none of the constraints imposed on their counterparts elsewhere. One significant power political parties have is the power to expel members from the party caucus. Since members in the provinces are largely elected on a party platform expulsion usually leads to political oblivion unless the member finds a home in another party.

In the Northwest Territories there is only one caucus and that is the full body of 24 elected members. All members belong to the caucus and there is no mechanism to expel a member, nor is there a mechanism to compel a member to participate in caucus meetings. It is a free association of MLAs that meets regularly to deal with matters of mutual concern.

In the Northwest Territories, because candidates run as individuals and are not screened through a tough nomination process, there is a greater likelihood that northern politicians may not have been adequately tested for their suitability for public office. Although a screening process does not always work perfectly in other jurisdictions where parties held nomination meetings, there are mechanisms in place to reduce the risk of electing a candidate who may cause embarrassment to the party at a later date. In recent times, party leaders have rejected locally nominated candidates for this reason. The best known recent case perhaps is rejection by British Columbia premier Mike Harcourt of a nominated NDP candidate because he is a witch.

The need for recall of MLAs in the Northwest Territories does not stem from the difficulty of serving two masters: the party and the constituency. Recall is needed because there is too little discipline in a consensus style of government. In other words, too little discipline is just as bad as too much discipline.

There is a growing public demand to enact recall provisions but the reasons vary. Public disillusionment over the conduct of politicians has led to the drafting of codes of conduct in various orders of government, usually at the party level. These codes, however, do no more than remind members of what the public expects of them. The existence of a code of conduct acts as a constant reminder of the public trust. What happens though when the code of conduct is flouted? In the absence of any form of penalty, public cynicism about politicians becomes even more exaggerated. The 12th Assembly of the Legislative Assembly has recognized the need for a code of conduct for all MLAs because of growing public concern about the behaviour of elected people. The adoption of a code of conduct by the Legislative Assembly of the NWT is the first of its kind in the country. In February, 1994 the Tunngavik Nunavut also adopted a code of conduct. During the 5th

Session of the 12th Assembly the Legislative Assembly also passed a motion of zero tolerance towards violence against women, children, disabled people and the elderly. A similar motion was subsequently passed by the city council of Yellowknife.

The increased attention to the expected behaviour of politicians must be seen in the context of accountability. Politicians in the Northwest Territories are not elected on the basis of a political platform. They can give the public no promises of what they will deliver in terms of programs and services if they are elected, although of course, they can promise to push hard for local issues. In the absence of a platform and a means of implementing it, the member has limited accountability. In territorial elections, all the public is asked to do is to choose a representative to be their voice in the Legislative Assembly. Since the only promise a candidate can make is to be a good representative what happens when a large segment of the population feels betrayed on this basic principle of accountability? It should be clear that the need for recall goes far beyond the issue of divided loyalty between party and constituency. In the Northwest Territories it relates to the overall problem of accountability in a consensus style system of government where there is minimal discipline.

Except in those instances where a member is elected, or chooses to be an independent, no provincially elected MLAs enjoy as much political freedom to act as members of the Legislative Assembly of the Northwest Territories. As a consequence of this, there is no motivation for MLAs to change a system so that limits would be put on their freedom. The threat of recall would limit the autonomy of politicians. Since any changes to the current system of government will be made by the politicians in office, how can they be persuaded to make changes that will make them potentially vulnerable?

Recall has not been in legislation since 1935 when Premier Eberhardt introduced it into the Alberta Legislature where it was short lived. In 1991, however, referendum questions were placed before the people of British Columbia. During the general election, over 80% of the population voted for recall. In response to the referendum results, Social Credit MLA Jack Weisberger introduced a private member's bill (Recall Act) in the British Columbia legislature in November, 1992. The bill is currently tied up in a legislation committee dominated by the NDP. Similar legislation is also being introduced into the Alberta legislature as a private member's bill by Gary Dickson, a Liberal.

Although the direct democracy techniques of petitions, referenda and recall are closely associated with the platform of the Reform Party of Canada, in the two most recent initiatives, the sponsors were members of the Social Credit and Liberal parties. There is clearly a movement that goes beyond party affiliation towards involving citizens more in the democratic process. Recall is one instrument which has widespread public support.

Evidence in support of recall can be found in the seventh annual MacLeans/Decima poll published in January 7, 1991. Although the word recall was not used in the poll there was a majority in favour of some method of removing politicians during their term of office. Forty four percent of the 1500 people polled believed politicians had earned the right to remain in office until the end of their term. One percent had no opinion. Fifty five percent preferred some form of recall.

The British Columbia experience is probably the most instructive in setting out the advantage and disadvantage of recall. When the voters went to the polls on October 17, 1991 they were asked to respond to the following referendum question.

“Should voters be given the right by legislation to vote between elections for the removal of the member of the Legislative Assembly?”

Prior to the election the BC Referendum office circulated to the electorate the pros and cons of recall legislation.

Four advantages of recall were placed before the voters. Recall provides a method for removing a member who does not meet standards for elected office. It encourages ongoing accountability by the elected official. It would encourage the public to keep abreast of political issues. It would help to restore trust in elected people. On the other hand, recall poses four problems. Recall could discourage elected officials from making long-term decisions, or decisions on issues of broad public interest beyond the parochial ones of the constituency. It could also lead to almost complete political inactivity because of fear of controversy. A recall election could also be disruptive and unproductive. Provisions for recall would also have to be accompanied by other changes to the parliamentary system of government.

Having examined the pros and cons of recall in some detail, the voters in British Columbia voted overwhelmingly in favour of it. There is no reason to believe that once people in other parts of Canada fully understand the implications of recall they would vote any differently though not necessarily in such large numbers.

## ***Features of Recall Legislation***

1. The process of recall must be initiated by a voter whose name appears on the electoral roll for the election in which the member to be recalled was elected.
2. The person who initiates the recall process is called a “promoter”, a term used in the Alberta recall legislation of 1935.
3. The promoter’s first step is an application to the Chief Electoral Officer for petition forms. Accompanying the letter requesting the petition forms is an outline of the reasons for recall signed by the promoter and 14 other sponsors, voters whose names appeared on the electoral roll for the election in which the member to be recalled was elected. (The promoter and 14 other sponsors who initiate the process is the same number of voters required by any candidate who seeks nomination for election in a general election.)
4. On receipt of the application the chief electoral officer shall return to the promoter the required number of petition sheets requesting signature, printed name, occupation, phone number, address of petitioner and date the petition is signed.
5. The petition must contain a copy of the reasons for recall which the Chief Electoral Officer causes to be printed at the head of the petition. This must not exceed 500 words.
6. The petition must contain the names of the promoter and 14 other sponsors of the recall.
7. The promoter is required to sign a sworn declaration outlining previous contacts or dealings between the promoter and the member of the Legislative Assembly when recall is being sought, or indicating that there have been no contacts or dealings.
8. No one signing, circulating, publishing or broadcasting the contents of a recall petition shall be liable for defamation except the sponsors and promoter who initiated the process.
9. The member of the Legislative Assembly enjoys full rights and privileges as a member until a majority of votes are cast in a recall election to remove the member.
10. Both the promoter and the member whose recall is being sought will be permitted to file with the Chief Electoral Officer, an information paper not exceeding 1000 words setting out the reasons why or why not the member should be recalled.



11. In order to recall a member a petition would require 20% of the names of eligible voters that appeared on the voters list when the member subject to recall was last elected.
12. The Chief Electoral Officer is responsible for the costs of producing petition forms and providing to each voter in the constituency where recall has been initiated, copies of the two information papers outlining reasons for or against recall.
13. The Chief Electoral Officer must also ensure that copies of the information papers are available at each polling station if a recall election is held.
14. If a petition signed by 20% of valid voters is filed with, and verified by the Chief Electoral Officer, a recall election shall be called.
15. The finding of the Chief Electoral Officer that a petition is or is not qualified may be appealed to the Supreme Court of the NWT whose ruling is final.
16. There are sound reasons why the recall election shall not be held at taxpayer expense. If voters in a constituency have elected a member and then find they have made a mistake other taxpayers should not be asked to pay for the removal of their member.
17. On notification from the Chief Electoral Officer that a recall election will be held the promoter and 14 sponsors of the recall initiative shall form a legal body called the Recall Society. The body will have one goal and that is to raise funds to cover the cost of the recall election.
18. Funds provided the Recall Society will be tax deductible. Any surplus funds collected by the Society will be donated to any qualified non-profit organization within the constituency at the direction of the Society.
19. The recall election will be conducted by the Chief Electoral Officer and the process will be conducted under the provisions of the Elections Act.
20. The ballot will have two marked spaces with equally prominent Yes and No above each space. The voter fills his or her ballot in response to the following question:

“Having read the two information papers regarding the recall election do you vote to remove MLA (Name) from the Legislative Assembly?”
21. Where a simple majority of valid votes are cast in the recall election the seat is declared vacant.
22. The process to fill the vacant seat is the same one normally used for a by-election and will be conducted at public expense.

23. Although a member has been recalled there should be no impediment to the member seeking re-election.
24. A by-election cannot be proceeded with until costs associated with the recall election have been remitted by the Recall Society. Failure to do so could mean a constituency is without a member until the next general election.
25. A recall society is dissolved following announcement of a by-election or a general election.
26. The process of recall cannot begin until six months after a general election.