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Speaker: The Honourable Jobie Nutarak, M.L.A.

Legislative Assembly of Nunavut

Speaker

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(Tununiq)

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(Akulliq)

Peter Kattuk
(Hudson Bay)

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(Pangnirtung)

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(Amittuq)
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Minister Responsible for
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**Iqaluit, Nunavut
Tuesday April 26, 2005**

Members Present:

Hon. Leona Aglukkaq, Hon. Olayuk Akesuk, Mr. James Arreak, Hon. Levinia Brown, Mr. Tagak Curley, Mr. Joe Allan Evyagotailak, Mr. Peter Kattuk, Mr. Steve Mapsalak, Mr. Patterk Netser, Hon. Jobie Nutarak, Hon. Paul Okalik, Mr. Keith Peterson, Hon. Edward Picco, Hon. David Simailak, Hon. Louis Tapardjuk, Mr. Hunter Tootoo.

Item 1: Opening Prayer

Speaker (interpretation): I would like to ask Mr. Curley to say the opening prayer.

>>*Prayer*

Speaker (interpretation): Welcome and good afternoon. I have received the following letter addressed to Hon. Jobie Nutarak, Speaker: "I wish to advise that I recommend to the Legislative Assembly of Nunavut the passage of the following Bills during the Second Session of the Legislative Assembly: Bill 16, Supplementary Appropriation (Capital) Act 1, 2005-2006, Bill 17, Supplementary Appropriation Operations and Maintenance Act 1, 2005-2006. Thank you. Signed by Ann Mikidjuk Hanson, Commissioner of Nunavut."

Returning to the orders of the day. Item 2. Ministers' Statements. Ms. Aglukkaq.

Item 2: Ministers' Statements

Minister's Statement 100 – 2(2): Minister Kilabuk Absent from the House

Hon. Leona Aglukkaq: Thank you, Mr. Speaker, and welcome back everyone. I would like to inform the House that Minister. Kilabuk will be absent from the house today. Thank you.

Speaker (interpretation): Thank you. Ministers' Statements. Mr. Picco.

Minister's Statement 101 – 2(2): Education Week 2005

Hon. Ed Picco (interpretation): Thank you, Mr. Speaker, and welcome everyone. (interpretation ends) Mr. Speaker, I am very pleased to announce that the Department of Education is celebrating education this week until Friday the 29th. The theme this year is '*Education is the Key to Your Future*'.

Nunavutmiut young and old are affected by education, whether they are in a licensed daycare or at a school or on the land or at home. Mr. Speaker, not only trained educators are to be recognized this week - sisters, brothers, fathers, and mothers are teachers in life.

Mr. Speaker, the Department of Education is working together with our partners in learning to build an environment that is accessible and meaningful to learners of all ages. We want to inspire learners and educators alike.

Education is the engine of our economy, promoting personal and community wellbeing. It's a key priority for our government. Mr. Speaker, we are beginning a fundamental shift in all aspects of education here in Nunavut and that shift began in a large measure last month with the passage of the budget.

Mr. Speaker, lifelong learning begins at home, it's found at work and at play. This week, join with me in celebrating education across Nunavut. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Thank you. Ministers' Statements. Mr. Akesuk.

Minister's Statement 102 – 2(2): Wildlife Act Regulations

Hon. Olayuk Akesuk (interpretation): Thank you, Mr. Speaker. I am very pleased to be back in the House, and I would also like to acknowledge the community of Cape Dorset and Kimmirut.

Mr. Speaker, I am please to announce that the draft Wildlife Act Regulations have been completed and are ready for discussion and consultation with Nunavummiut.

(interpretation ends) The Nunavut Wildlife Legislation working group has been working on this project since the new Wildlife Act was passed in December of 2003. Representatives from Nunavut Tunngavik Incorporated and the Nunavut Wildlife Management Board and the Government of Nunavut have worked with executive members of each of the Regional Wildlife Organizations to bring forward the drafted regulations for review.

These regulations have been designed to meet the needs of Inuit harvesters and of all Nunavummiut, and are compliant with the spirit and intent of the Nunavut Land Claims Agreement. I believe they serve and promote long-term, economic, social, and cultural interests of Inuit harvesters, and avoid unnecessary interference in the exercise of the Inuit right to harvest wildlife. At the same time, these regulations ensure that a balanced approach is taken and our wildlife is managed in a sustainable way.

I would like to thank the working group for their outstanding efforts and many hours they have put into creating a draft regulation. A few policy subjects remain outstanding and will be resolved after we hear from Nunavummiut. Then again, the working group has made a real contribution to wildlife management in Nunavut, and I applaud their hard work.

Consultations at both the community and regional levels are an important next step in the process of regulatory development. Those consultations will be scheduled as soon as the translated documents are completed and have been provided to all interested parties.

I encourage Members of the House to take part in the consultation and to work with their Hunters and Trappers Organizations and to bring any comments or issues forward at that time.

Mr. Speaker, the new Nunavut Wildlife Act is the most modern wildlife legislation in Canada, unique because of its recognition of co-management principles under which this government operates. The Government of Nunavut will be meeting our commitment to bring the new Wildlife Act into force on July 9, 2005. Thank you, Mr. Speaker.

>> *Applause*

Speaker (interpretation): Ministers' Statements. Mr. Simailak.

Minister's Statement 103 – 2(2): Nunavut Prospectors' Program

Hon. David Simailak: Thank you, Mr. Speaker. It gives me great pleasure to announce that the Nunavut Prospectors' Program has been renewed for another five years. This program reaffirms our commitment to the development of a strong and vibrant mining industry in Nunavut along with building the capacity of Nunavummiut to be effective and meaningful participants within the mining industry.

The intent of this program is to train Nunavummiut to be able to be effective prospectors and provide important financial assistance to carry out prospecting activities. The independent community based prospector is a critical link in building a strong and vibrant mining industry.

Over the past five years of the Nunavut Prospectors' Program, our department has delivered an "Introduction to Mineral Prospecting Course" in every community in Nunavut with a total of over four hundred graduates. This past summer the course was delivered in eight communities with a total of fifty three graduates.

To be eligible for financial assistance under the Nunavut Prospectors' Program, a person must be a resident of Nunavut, have a valid prospector's license, be an experienced prospector, or be a graduate from the "Introduction to Mineral Prospecting Course" provided by my department.

In addition to the renewal of the program, I am pleased to announce that the maximum contribution allowed has increased from five thousand to eight thousand per year to better reflect the cost of prospecting in Nunavut.

This past year, twenty four prospectors received financial assistance for a total of twenty

five projects. In addition, one prospector received additional funding due to outstanding findings.

With the continuation of this program we can look forward increased participation of Nunavummiut in the mining industry with increasing success. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Thank you. Ministers' Statements. Mr. Akesuk.

Minister's Statement 104 – 2(2): Resident Deputy Workers' Advisor

Hon. Olayuk Akesuk: Thank you, Mr. Speaker. Mr. Speaker, during the last session of this Legislature I advised that the Workers' Compensation Board, having heard our concerns, set aside resources for Nunavut Deputy Workers' Advisor.

A request for proposal was released on February 28 and closed with no submissions. So, the request for proposal has been reissued with a closing date of April 29. The RFP, in short, requests that the Deputy Workers' Advisor be a resident of Nunavut and be able to provide services in Inuktitut for Nunavut residents.

Again, I encourage Nunavummiut to apply for this position.

In the interim, a toll-free number has been established for our Nunavut workers requiring the assistance of the workers' advisor. This number allows our Nunavut workers to leave messages in Inuktitut thereby making this initial process for them easier. For the record, the toll-free number is 1-866-727-3830. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Thank you. Ministers' Statements. Item 3. Members' Statements. Mr. Tootoo.

Item 3: Members' Statements

Member's Statement 271 - 2(2): Skating Under the Northern Lights

Mr. Tootoo: Thank you, Mr. Speaker. Welcome back to our beautiful capital city to all the members. I rise today to praise the residents of Iqaluit who organized the recent 'Skating Under the Northern Lights' event.

This spectacular performance was made possible by the Iqaluit Figure Skating Club and was held here in Iqaluit earlier this month. I hope that the spectators who went to see this event enjoyed it as much as I did.

The coaches for this event were Jennifer Billard, Kim Sokach, Rae-Lynne Patterson, Nikki Smith, Maria O'Hearn, Shauna O'Hearn, Amy White and Amber Jackson

The volunteers were, Sherry MacNeil-Mulak, Lori Hoffe, Linda Moore, Leigh Genge, Kerry Wright, Jennifer and Al Hayward, Eric Kan, Laura Hepditch, Mark Thompson, Brad Sokach, Elayne Wyatt and Heather Omilgoitok.

Mr. Speaker, skaters Kristy Wyatt, Miranda Kirk, Andrea Omilgoitok, Eden Tootoo and Sarah Ali performed very impressive solos during the event. In fact, all the skaters are extremely talented and they should all feel very proud of themselves. I encourage them to continue their efforts in this sport.

Mr. Speaker, I've been watching some of these kids, the youngest ones are four years old to thirteen. It's just amazing to see how they've improved over the years; I'd like to give a fine salute to the great dedication and coaching of the figure skating club.

I also like to send out a special thank you goes to the sponsors who make events such as this event possible; North mart, Fantasy Palace and the Astro Theatre.

Mr. Speaker, at this time I'd like ask all Members to join me in saluting the people who made this occasion possible and the young athletes who participated in it. Thank you, Mr. Speaker.

>>*Applause*

Speaker (interpretation): Thank you. Members' Statements. Mr. Peterson.

Member's Statement 272 - 2(2): Nunavut Arctic College Kitikmeot Graduates

Mr. Peterson: Koana, Uqaqti. Mr. Speaker, I am pleased to rise today to inform the House about the Nunavut Arctic College Kitikmeot Campus Graduation and Student Recognition Ceremonies held in Cambridge Bay on April 12, 2005.

Mr. Speaker, graduation ceremonies are always happy occasions where families and friends come out to witness hardworking students receive their diplomas and awards. I witnessed many tears of happiness.

It is always an honour and privilege as MLA to be invited to speak to the graduates on behalf of the Legislative Assembly and as one of the leaders in our communities.

There were twenty eight graduates from the Human Resources I Certificate Program; the Human Services II Diploma Program; the Inuinnaqtun Language & Culture Certificate Program; and Adult Basic Education.

Mr. Speaker, the valedictorian speeches by the students were quite touching and heartfelt. They thanked their instructors for teaching and supporting them; they spoke about the

support they had from their families and communities and they spoke about their dreams for the future.

The graduation ceremonies were highlighted by the presentation of awards to students in each program for academic achievement and most improved student. Mr. Speaker, it must have been a difficult selection process.

Nunavut Arctic College is a vital educational institution for the people and communities of Nunavut, as demonstrated by the personal achievements of the 2005 Kitikmeot Campus graduating class.

The work of our Standing Committee during its upcoming public consultations on Nunavut Arctic College will provide Members of the Legislative Assembly with valuable public input that will enable us to make decisions to make the college a stronger post-secondary institution.

Mr. Speaker, I also would like to take this opportunity to encourage the Standing Committee to come to Cambridge Bay to hold a public hearing in our community. Koana, Uqaqi.

>>*Applause*

Speaker (interpretation): Thank you. Members' Statements. Mr. Evyagotailak.

Member's Statement 273 - 2(2): Official Opening of the Healing Centre

Mr. Evyagotailak (interpretation): Thank you, Mr. Speaker. I rise today to tell the House about the very successful official opening of the Kugluktuk Ilavut Healing Centre earlier this month.

The opening of the Ilavut Centre was a cause for celebration. For many years, the residents of the Kitikmeot have been calling for a facility at home.

(Interpretation ends) A facility where offenders can heal, be close to home and be prepared to successfully re-enter our communities. As the MLA for Kugluktuk I have been vocal in my support for this facility.

Mr. Speaker, close to one hundred residents of the community took part in the opening ceremonies and festivities. We were very pleased that the Premier and Minister of Justice took the time to be with us.

I also want to thank the government for being sensitive to the concerns of the community with respect to issues of public safety.

Mr. Speaker, a number of offenders has already been moved to the healing centre. Many residents of Kugluktuk will be working at the Ilavut Centre. I know that Helen and her

staff are fully committed to the job ahead and I want to assure them as my support. Thank you, Mr. Speaker.

>>*Applause*

Speaker (interpretation): Thank you. Members' Statements. Ms. Aglukkaq.

Member's Statement 274 - 2(2): Nattilingmeot Graduates

Hon. Leona Aglukkaq: Thank you, Mr. Speaker. I, too, would like to recognize graduates from the Nattilikmeot area today. After three years, on Tuesday April 19, I had the opportunity and the pleasure to attend the graduation for the students of the certification program in Inuit Childcare Services which took place in Taloyoak.

As we have always mentioned, Mr. Speaker, continuing education and improving our skills are important ways to increase employment opportunities for Nunavummiut and for the betterment of our communities.

I would like to congratulate Vaha Pauloosie, Jennifer Karoo, and Lyn Kanguaq of Taloyoak; and Maggie Iqujuittuq and Sheila Arnaittuq of Kuugaarjuk on their graduation. I would also like to thank Carmen Fillop for her efforts in the delivery of the program in Taloyoak and she was also the person that delivered the program I believe in Gjoa Haven and other communities in the past. Thank you, Mr. Speaker.

>>*Applause*

Speaker (interpretation): Thank you. Members' Statements. Mr. Netser.

Member's Statement 275 - 2(2): Coral Harbour Road to the Airport

Mr. Netser: Thank you, Mr. Speaker. I rise today to speak on the issue of great concern in Coral Harbour. Earlier this year, I rose in the House to praise the work of volunteers in ensuring that a medical evacuation flight could land at the airport.

Mr. Speaker, as members know, the road to Coral Harbour's airport is probably one of the longest, if not the longest, in all of Nunavut. The length of the road in combination with the trucks handling heavy snowfalls and accumulation this year has led to significant problems.

Mr. Speaker, the hamlet has been overwhelmed by the amount of snow removal that is required and the snow removal budget was not adequate to deal with the snowfall. The hamlet, however, has received some assistance from the Department of Economic Development and Transportation; this support has not been enough.

Mr. Speaker, on April 6, another frightening situation arose; a patient who was scheduled for a medical evacuation spent two hours in transit to the airport because of dangerous road conditions. The drive to the airport normally takes less than 20-minutes.

When I arrived in Iqaluit yesterday, I thought about how lucky the people landing in Iqaluit are; the airport here is within walking distance from town. Two-and-a-half minutes after stepping off the plane, you can be in a coffee shop.

Mr. Speaker, I have written two letters to the minister responsible for this issue and to date I have had no response. Minister Simailak confirmed to me that he landed in Coral Harbour yesterday he saw the snow over there and he knows what we have been talking about or we have been saying. Maybe, Mr. Speaker, he will respond to my letter now.

I will be directing issues on this question to the Minister of Community and Government Services when he appears. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Thank you. Members' Statements. Mr. Curley.

Member's Statement 276 - 2(2): Same Sex Marriage

Mr. Curley (interpretation): Thank you, Mr. Speaker. First of all, I send my condolences to the residents of Pangnirtung for their loss of two elders. I would like to thank Mr. Kilabuk, who was very receptive when I was there.

Mr. Speaker, I rise today to acknowledge that a lot of Nunavummiut were surprised when our Member of Parliament voted in support of same-sex marriage. A lot of people were very surprised and there have been a number of comments on the radio; there have also been several petitions.

In fact, in Rankin Inlet, there were over seven hundred signatures in the petition urging our Member of Parliament that a marriage is between a man and a woman.

Mr. Speaker, many Nunavummiut have stated that the Prime Minister's support towards this is not acceptable to us because traditional marriage must be recognized, it should not be compared with other marriages.

If there is a non-confidence vote in Ottawa then we might have an election soon. If the vote is to happen I urge all Nunavummiut to vote someone who will support a marriage between a man and a woman. So I am urging all the members to support the new government. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Thank you. Members' Statements. Mr. Arreak.

Member's Statement 277 - 2(2): RCMP Emergency Responses

Mr. Arreak (interpretation): Thank you, Mr. Speaker. Before I start, I would like to congratulate the new Commissioner, Ann Mikidjuk-Hanson. I congratulate her on her new position as a Commissioner.

>>Applause

I rise today in regards to the RCMP emergency responses. When there is an emergency in the communities, particularly in the smaller communities, they will call only if it is a real emergency within the communities. When they call to the number, it takes a long time to get a response. They have to call Iqaluit and once they call Iqaluit, whoever answers the phone cannot speak Inuktitut anyway. This is not acceptable to the people of Nunavut.

There definitely needs to be improvements because we often hear that the RCMP better co-operation with Nunavummiut and that they want to be able to work closer together to assist the communities or the people.

If there was a real life or death situation, there might have been a death already with a system that we have right now. So, I urge the members and the communities that they have request to have direct access to the local detachment. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Thank you. Members' Statements. Ms. Brown.

Member's Statement 278 - 2(2): Pakallak Time in Rankin Inlet

Hon. Levinia Brown (interpretation): Thank you, Mr. Speaker. Welcome everyone, it is nice to see you again. I envy the people who have nice tans. I haven't gone out fishing so I didn't get a tan. In Rankin Inlet there is a particular time during Hamlet Days and it is called *Pakallak*, Debbie Pilakapsi was the one who named it. What an appropriate name it is and I wish them to have fun.

I am sure that there are many visitors in Rankin Inlet. I envy them for being there. Unfortunately, I cannot be there due to this sitting. I wish the Mayor and the Councillors the best for putting aside a date to celebrate such an occasion. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Thank you. Members' Statements. Mr. Picco.

Member's Statement 279 - 2(2): Toonik Tyme Activities

Hon. Ed Picco: Thank you, Mr. Speaker. Toonik Tyme began over forty years ago. This annual celebration has become nationally and internationally well known. This year's activities are among the best attended ever. The opening ceremonies, featuring Inuk singer and Juno Award winner, Elisapee Isaac, had a standing room only crowd, enthralled by her performance in Inuktitut, English and French.

Iqaluit's Fear Factor competition again was held in front of a packed house. Traditional games, activities for the kids and a giant bingo were also well attended. The highlight for many was the annual senior men's hockey tournament, which draws teams from across Nunavut and Northern Quebec. The games were played to sold out crowds almost every game. The championship game, featuring Rankin Inlet and Kuujuak, was packed solid. I was cheering for Area six.

Toonik Tyme is a result of many volunteers. I would like to take this opportunity to thank the City of Iqaluit, businesses, volunteers and the people of Iqaluit for another successful Toonik Tyme.

I would also be remised if I didn't mention the golf game, the highlight of Toonik Tyme every year. The golf game included the Mayor Sheutiapik, Premier Okalik, Mr. Tootoo and me, I competed again this year. A film crew followed us around the ice. My putt in the fifth hole not only enthralled the camera crew from England, but brought Mr. Tootoo and Mr. Okalik to their feet for a standing ovation. So I thank Mr. Tootoo and Mr. Okalik for that.

The Toonik Tyme is a special event. We look forward to Toonik Tyme in 2006. I also want to take this opportunity to congratulate the Honorary Toonik this year, Mr. Dick Smith. Mr. Dick Smith is a long time educator, teacher and volunteer. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Thank you. Members' Statements. Mr. Kattuk.

Member's Statement 280 - 2(2): Sanikiluaq Festivities

Mr. Kattuk (interpretation): Thank you, Mr. Speaker. I don't think I had brought this up before in the Chambers of the Assembly but I fully support Mr. Arreak's statement, that is also the case in our community. For the residents of Sanikiluaq a lot of time the teams are invited to other communities such as Povingnituk in March 23, they were invited to go there until March 28. They won during the competitions.

There were two people who won the first place in the sculpture making event. The seven miles marathon, Winnie Arragutainnaq, third place. Basket making, Annie Imiqqutailak, second place and Anne Imiqqutalilak third. She won the two. For carving, Jimmy Iqaluk,

second and third, again, was Jim Iqaluk. For ice sculpture, Joe Saniki Imiqqutailak, one hundred dollar prize; they also have tea boiling contests for the men. Harry Saala won first place and the second in womens, Caroline Tookalook Jr.

There were also a hockey tournaments in Kuujuaraapik for ages of thirty and up. The Sanikiluaq team placed second place, we were happy with that.

Mr. Speaker, I would like to seek unanimous consent to conclude my Member's Statement.

Speaker (interpretation): Thank you. The Members is seeking unanimous consent to conclude his statement. Are there any nays? There are no nays. Please proceed. Mr. Kattuk.

Mr. Kattuk (interpretation): Thank you my colleagues. The Sanikiluaq team was in second place during the hockey game. There was also floor hockey and basketball, they all won first place in those categories. That is where they stood last month during the tournaments. They did really good even though it was in another community. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Thank you. Members' Statements. Mr. Tapardjuk.

Member's Statement 281 - 2(2): Nunavut Quest

Hon. Louis Tapardjuk (interpretation): Thank you, Mr. Speaker. I would like to recognize that in Nunavut we have different types of dogs. Every year there is a dog race in Nunavut called the Nunavut Quest. There was a race from Pond Inlet to Hall Beach. From my constituency there was Solomon Qanatsiaq of Hall Beach came in first, Teeman Avingaq of Igloolik was second, and Sam Anguiliannuk from Hall Beach came in third practicing the traditional dog races. This is a good promotion of how we used to travel, of how our ancestors used to travel and I am proud of them for that and am happy for them on their victories. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Members' Statements. Orders of the day. Item 4. Returns to Oral Questions. Item 5. Recognition of Visitors in the Gallery. Mr. Arreak.

Item 5: Recognition of Visitors in the Gallery

Mr. Arreak (interpretation): Thank you, Mr. Speaker. I am happy to recognize Jason Palluq from Clyde River, he also entered the dog race from Arctic Bay to close to our community. He came quite a long ways from Arctic Bay, my constituency assistant, Gary Ipeelie. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Welcome to the assembly. Recognition of visitors in the gallery. Mr. Curley.

Mr. Curley (interpretation): Thank you, Mr. Speaker. I rise today to recognize Sandy Kusugak. Welcome. I know that you have been working with the Nunavut elections.

>>Applause

Speaker (interpretation): Recognition of visitors in the gallery. Returning to the orders of the day. Item 6. Oral Questions. Member for Iqaluit Centre. Mr. Tootoo.

Item 6: Oral Questions

Question 349 – 2(2): Complaints in the Workplace

Mr. Tootoo: Thank you, Mr. Speaker. My question is for the Minister responsible for Human Resources. As we know from time to time, employees working for the government may become aware of wrongdoing in the workplace. As everyone knows, it is not an easy thing for an employee to handle this kind of situation, especially when the wrongdoing is done by the employee's supervisor, superior, or relative; it is a very small territory and everyone knows everyone.

I would like to ask the minister if he could explain to this House what a Government of Nunavut employee can do if he or she becomes aware of a wrongdoing in the workplace and what policy protects our whistleblowers from retribution. Thank you, Mr. Speaker.

Speaker (interpretation): Minister of Human Resources. Mr. Tapardjuk.

Hon. Louis Tapardjuk (interpretation): Thank you, Mr. Speaker. With regard to the question asked by the member in the event of a wrongdoing, we have a policy in place that emphasizes co-operation among employees.

The Department of Human Resources works with various departments on this policy, as well as with the Nunavut Employees' Union and with the teachers' union. We work with these organizations when dealing with workplace issues. We usually review who has done wrong and screen the employees.

At the moment we are still screening and reviewing the policy process, how we could better improve the workplace in the departments, and what types of problems they are encountering with the employees in the Government of Nunavut. At the same time, we're looking at how we could improve all the problems pertaining to the policies, rules, and regulations within our own departments.

We're trying to come up with ways to improve and how to appeal or make complaints in regard to this. But at the same time, Mr. Speaker, they usually have different cases or different complaints. We usually review each case separately; not one has the same complaint or problems that arise within employees. Thank you, Mr. Speaker.

Speaker (interpretation): First supplementary, Mr. Tootoo.

Mr. Tootoo: Thank you, Mr. Speaker. I know in the business plan it talked about reviewing these policies, as the minister indicated, and trying to find ways to improve it.

But, given the policy that is in place right now, say an employee working in a department in a management level or officer level or anybody encounters something that they feel is a wrongdoing in the workplace, whether it be a conflict of interest or workplace harassment or threat or anything like that.

What's the process that they are to follow? Who do they report it to, and once a management person becomes aware of some kind of a situation, whatever it is, do they have an obligation to follow forward on that? Thank you, Mr. Speaker.

Speaker (interpretation): Mr. Tapardjuk.

Hon. Louis Tapardjuk (interpretation): There are three types of problem areas. For example, if something arises from the policy and an employee had a problem, that can be reviewed. Or, if something arises with management, what we call group grievances where more than one employee comes across the same problem, that is something we can review.

However, if there was a problem among employees, and there are a variety of scenarios that may arise, there are procedures in place for the Nunavut Employees' Union and the teachers' union members. In that event, the employee would make the grievance first with the immediate supervisor. If that person doesn't have authority then it is usually given out to the departments. They can also be reviewed.

They are all in place but we are also tied under the Nunavut Employees' Union, the collective agreement that came into place. In the agreement that we had agreed to, we have to abide by the union employees regarding their rules and policies under the collective agreement. Thank you, Mr. Speaker.

Speaker (interpretation): Your second supplementary, Mr. Tootoo.

Mr. Tootoo: Thank you, Mr. Speaker. The Minister indicated that they review and screen them, and it gets reported to the manager or supervisor. What if, in a case, it is the manager or supervisor or someone that works above the individual that witnesses or wants to lodge a complaint that is involved in it? Who do they go to? Where do they turn?

In some cases they are excluded employees that aren't members of the union. Who do these people turn to if they feel that there is a wrongdoing or whatever has gone on within the department or that they know of? Who do they report it to? Is there an obligation for a manager to follow up on such a complaint? Thank you, Mr. Speaker.

Speaker (interpretation): Minister Tapardjuk.

Hon. Louis Tapardjuk (interpretation): Thank you, Mr. Speaker. It is well defined and they are identified in each of the departments: Health and Social Services; Education; Environment. They usually deal with these problems under Human Resources. It is our role to provide support for them, whether it is under appeals; it is all laid out in the procedures, if it is the minister, that minister also has the deputy minister, the deputy minister also has assistants. So, it all goes down the hierarchy.

If you were to follow all these employee categories, because you are going to be following them, you would be able to go up the hierarchy to one manager or supervisor. In each of the departments, if there is a complaint or any type of problem arising from the employees it is our role to provide them with full support. It is all laid out in the human resources procedures and policies; it is written about when it is the manager or supervisor.

Speaker (interpretation): Your last supplementary, Mr. Tootoo.

Mr. Tootoo: Thank you, Mr. Speaker. The Minister indicated that it is all laid out in the human resources policy. Does it say in there who you have to get a hold of? Also, the Minister mentioned earlier, as did I, that we know from their business plans that the department is working on developing or revising a number of policies including the policies on conflict of interest, anti-harassment, code of conduct, and language incentive policy.

My question is this, when will the department develop a clear policy to protect departmental whistleblowers who try and report wrongdoings, and that is basically the integrity of their positions, of the public's trust in them to manage and spend the public money properly. Thank you, Mr. Speaker.

Speaker (interpretation): Minister Tapardjuk.

Hon. Louis Tapardjuk (interpretation): Thank you, Mr. Speaker. I can't tell you exactly when they are going to be completed at this time, but we are currently reviewing the policies. I am not sure how I can say whistleblower in Inuktitut. We are reviewing the policies but we have to take a holistic approach. It has to be Nunavut-made because we are looking at regulations that are geared towards the people of Nunavut.

Mr. Speaker, I can't tell you exactly when those are going to be reviewed, when they are going to be implemented. Once we get everything organized and finished, we will inform you. It will probably be after this session. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Oral Questions. The Member for Cambridge Bay. Mr. Peterson.

Question 350 – 2(2): Cambridge Bay Health Centre

Mr. Peterson: Thank you, Mr. Speaker. My question is for the Minister of Health. The existing community health centre in Cambridge Bay has been evacuated twice this year, most recently less than two weeks ago. The residents are asking me, as their MLA, when the new Kitikmeot health facility will be opened. The new health facility includes a public health facility.

My question for the Minister is, can she give me a firm date for the opening of the new facility that I can actually communicate to my constituents? Thank you, Mr. Speaker.

Speaker (interpretation): The Minister of Health. Ms. Brown.

Hon. Levinia Brown (interpretation): Thank you, Mr. Speaker. I would also like to thank the Member for bringing this issue up. I have been informed that the Cambridge Bay health centre will be open and operational by this summer, in 2005. Thank you, Mr. Speaker.

Speaker (interpretation): Your first supplementary. Mr. Peterson.

Mr. Peterson: Thank you, Mr. Speaker. I thank the Minister for that response. I had heard July or August; I am not sure, but the Minister said this summer. I will follow up on that detail.

Mr. Speaker, there have also been varying reports that the new facility will be fully operational within nine months and other reports that it might take as long as three years to become fully operational. Can the Minister tell me when the new health facility will be fully operational in delivering all the programs and services for which it's being designed? Thank you, Mr. Speaker.

Speaker (interpretation): Minister Brown.

Hon. Levinia Brown (interpretation): Thank you, Mr. Speaker. In regard to the new health centre, the new facility will be opening this summer, in 2005. His question was when it was going to be fully operational. I understand your question, but from what I have heard it is going to be phased in from year one, and then year two, the birthing centre will probably be opened. I don't have the information in front of me but it is going to become operational in phases. It will probably take two or three years before it is fully operational. There is the birthing centre and the other phases that will be following after the opening of the facility. Thank you, Mr. Speaker.

Speaker (interpretation): Your second supplementary. Mr. Peterson.

Mr. Peterson: Thank you, Mr. Speaker. I thank the Minister for that response. In light of the Minister's response I am wondering, can the Minister commit her staff, whether it is headquarters staff or regional staff, to undertake a regional tour, meet with hamlet councils and the general public to provide them with information about the new facility and answer their questions in terms of the programs and services that will be delivered; how it will be phased in, whether they will still have to go to Yellowknife and Edmonton, how the medical ambulances will work, and other such things that affect people in the Kitikmeot. Thank you, Mr. Speaker.

Speaker (interpretation): Minister Brown.

Hon. Levinia Brown (interpretation): Thank you, Mr. Speaker. In regard to your question, I can direct my staff to do so. We can also use the staff that are working in the communities to provide information in regard to the number of beds that will be available. There will be a kitchen centre, a laboratory, an X-ray room, and a birthing centre. There is also going to be a rehabilitation service available in that facility.

I can direct my staff to hold public meetings in Cambridge Bay and in the Kitikmeot region. Thank you, Mr. Speaker.

Speaker (interpretation): Your last supplementary. Mr. Peterson.

Mr. Peterson: Thank you, Mr. Speaker. Again, I thank the Minister for those reassuring comments. I know it is going to probably provide many benefits to the Kitikmeot, but people would like to know about it. They'd like to talk to your senior officials so they could understand it better.

My final supplementary, I would like to ask the Minister what her plans are, what the departments plans are for the old health facility. The reason I ask that is because the hamlet council in Cambridge Bay is interested in that facility. Thank you, Mr. Speaker.

Speaker (interpretation): Minister Brown.

Hon. Levinia Brown (interpretation): Thank you, Mr. Speaker. Of course we would like to know what is going to be happening with that facility, and the public out there would also like to know what is going to be happening with the old building and what services and programs will be available in the new facility.

To add to my previous answer, there will still be some patients that will be sent out to Yellowknife or to Edmonton. Those services are going to be available but the new facility will be a benefit, not only to Cambridge Bay but also to the whole Kitikmeot region. I am sure that there is going to be a huge improvement and I am sure that it will increase the number of employment opportunities that are available in that region.

In response to your question, if this facility is not going to be used by the Department of Health, it will be turned over to the Government of Nunavut, as it is a Government of Nunavut facility. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Oral Questions. The Member for Uqqurmiut, Mr. Arreak.

Question 351 – 2(2): Wildlife Act Regulations

Mr. Arreak (interpretation): Thank you, Mr. Speaker. I have a question for the Minister of Environment. In the Minister's Statement, he stated that they are going to be drafting resolutions to the new Wildlife Act. When are the translated copies going to be made available?

Speaker (interpretation): The Minister of Environment. Minister Akesuk.

Hon. Olayuk Akesuk (interpretation): Thank you, Mr. Speaker. The Inuktitut copies will be completed this week. Once they are completed we will make them available. They are almost completed with the translations. Thank you.

Speaker (interpretation): Your first supplementary. Mr. Arreak.

Mr. Arreak (interpretation): Thank you, Mr. Speaker. As the Minister stated, the Inuktitut copies will be completed this week. We only have two months before the implementation, is there going to be enough time to consult the communities and also the affected parties? Thank you, Mr. Speaker.

Speaker (interpretation): Minister Akesuk.

Hon. Olayuk Akesuk (interpretation): We'll do all that we can to complete the regulations and also to consult with the people of Nunavut about their ideas and concerns for this Act. We have until July 9 to complete the whole process.

We will work closely with the Nunavut Wildlife Management Board, Nunavut Tunngavik Incorporated and the RWOs, and other stakeholders. We'll do all that we can to make sure that we consult with the people of Nunavut. I can't say whether two month is long enough but the process is going very well and we will make sure that the information goes out there.

If we don't have enough time, then we will do all that we can to complete a lot of the work before July 9. Thank you, Mr. Speaker.

Speaker (interpretation): Your second supplementary. Mr. Arreak.

Mr. Arreak (interpretation): Thank you, Mr. Speaker. I can tell you right away that two months is going to be too short if you are going to do a complete the consultation process.

Now that the translations are almost completed, why is it that it took so long and gave us such a short time to consult with the people? Is it possible to postpone the completion process to ensure that the people of Nunavut are aware of the regulations? Thank you, Mr. Speaker.

Speaker (interpretation): Minister Akesuk.

Hon. Olayuk Akesuk (interpretation): Thank you, Mr. Speaker. As I stated earlier, maybe I didn't make myself clear, if we are not able to consult properly with the people of Nunavut, the stakeholders and the birthright organizations, then we will then decide at that point if we have to extend the consulting process. We'd like to complete the whole process and make sure the information goes out there before consultations. If we need to, we'll change the plan so we'll be able to do this process.

Speaker (interpretation): Thank you. Oral Questions. The Member for Nanulik. Mr. Netser.

Question 352 – 2(2): Chesterfield Inlet Docking Facility

Mr. Netser (interpretation): Thank you, Mr. Speaker. When the government is drafting regulations they have to make sure that there is enough time for a proper consultation process with the people of Nunavut. I agree completely with my colleague that July 9 is way too short.

My question is to the Minister of Transportation is, at our meeting in March I asked a question regarding Chesterfield Inlet that they are requesting a docking facility be built. We would like a status report on that.

Speaker (interpretation): Thank you. The Minister for Transportation. Minister Simailak.

Hon. David Simailak (interpretation): Thank you, Mr. Speaker. I have not had a response yet from Fisheries and Oceans in regards to the monies that we have requested. I will be meeting with the Minister and I will be asking this question directly. I will probably have this information for you by tomorrow. Thank you, Mr. Speaker.

Speaker (interpretation): Your first supplementary. Mr. Netser.

Mr. Netser (interpretation): Thank you, Mr. Speaker. Can I attend the meeting? Thank you, Mr. Speaker.

Speaker (interpretation): Minister Simailak.

Hon. David Simailak (interpretation): Thank you, Mr. Speaker. I will have to deny your request at this time. Thank you, Mr. Speaker.

Speaker (interpretation): Your second supplementary. Mr. Netser.

Mr. Netser (interpretation): I would like to be in your presence when you're meeting with the federal minister as Chesterfield Inlet has been waiting patiently for their request for a proper docking facility. Thank you, Mr. Speaker.

Speaker (interpretation): I didn't hear a question. Oral Questions. The Member for Rankin Inlet North. Mr. Curley.

Question 353 – 2(2): Plastic Surgeons' Certificates or Qualifications

Mr. Curley (interpretation): Thank you, Mr. Speaker. I would like to pose a question. An increasing number of people in the Kivalliq are reaching old age, although some are not quite there yet.

Many of them have to have surgery performed on their hands. In the south, this condition is believed to be caused from typing too much, but in the North, Inuit tend to do a lot of sewing, and so when they experience problems with their hands, they have to be operated on.

There were two charters out of the Kivalliq this past winter to Churchill. Much of the surgery is done by plastic surgeons. Perhaps the Minister can investigate this matter. Some cannot even close their hands after the nerves in their hands have been cut. A few are actually in their thirties.

Can the Minister find out whether the surgeons' certifications are adequate when they have such an impact on the nerves in the patients' hands? I would be really pleased to hear from the Minister on this. Thank you.

Speaker (interpretation): Minister responsible for Health. Ms. Brown.

Hon. Levinia Brown (interpretation): Thank you, Mr. Speaker. Thank you also to my colleague, for raising this issue.

I can consult with the Chief Medical Officer who is here and have him provide a report with respect to the qualifications of the surgeons in question. I will get back to the member on this once I have received the information he is asking for. Thank you, Mr. Speaker.

Speaker (interpretation): First supplementary. Mr. Curley.

Mr. Curley (interpretation): Thank you, Mr. Speaker. I just wanted to add further that many of these patients experience a great deal of pain. A local anaesthetic is used to freeze the area to be operated on; they are then operated on with a lot of pain.

I would like to urge the Minister that once the surgeons have been reviewed... I believe a large group of patients are to be sent out this month, on April 29. I have been told by

more than one individual, as well as through correspondence, so I want to urge the Minister to check into this issue as quickly as possible. Many of these people are very scared to undergo such an operation and many feel they have no other choice available to them. People in the Kivalliq have no choice now but to turn to you, the Minister, for help on this.

Speaker (interpretation): Ms. Brown.

Hon. Levinia Brown (interpretation): Thank you, Mr. Speaker, and thank you, my colleague, for expressing his sincerest concern on this issue. I will inquire into this right away and make some phone calls, as the date the patients are set to travel is close at hand. I will try to follow up on this as diligently as I can. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Oral Questions. Member for Hudson Bay. Mr. Kattuk.

Question 354 – 2(2): RCMP Response Time

Mr. Kattuk (interpretation): Thank you, Mr. Speaker. I would like to ask a question regarding the RCMP, which my colleague mentioned earlier to the Minister of Justice.

This is an issue that is often raised in my constituency. People are talking about a worst-case scenario where a person might get killed before they get an appropriate response. The RCMP response time is too long and I have raised this question a number of times. Why are they taking so long to respond to an emergency?

Speaker (interpretation): The Minister of Justice. Minister Okalik.

Hon. Paul Okalik (interpretation): Thank you, Mr. Speaker. I would like to first welcome my constituents. Yes, when they receive a call, they have to respond right away. I have been told that they need a bilingual person to answer the phone. What I request is that if they don't reach a bilingual person, then I want them to inform me.

I would appreciate it if you can let me know if they are not following what they are supposed to be following. We want to go through that system because we don't want to endanger anyone, they have to investigate. The hamlet councils in the communities try to make improvements on this as well. I would like to hear more suggestions on this. Thank you, Mr. Speaker.

Speaker (interpretation): Your first supplementary. Mr. Kattuk.

Mr. Kattuk (interpretation): Thank you, Mr. Speaker. For us older people, we know that we have to try and get along in our communities, but with people who are coming to the community, visitors, there are a lot of confrontations or disagreements among people.

The minister mentioned that he would like to hear the concerns. Ever since the creation of the Nunavut Legislative Assembly this has been brought up over and over again. We don't know how else to say it.

I would like to ask the minister about the RCMP policy. I wonder if the minister can table what the procedures are for the RCMP so we will have an idea what procedure they have to follow when they receive a call from a community. What kind of policies or procedures does the RCMP have? I would like to see that policy or procedure before I can respond correctly to my constituents, especially to the people who don't know English enough to communicate understandably, and when they do speak in Inuktitut, the response they get is in English.

So, that is why I am asking if the minister can produce a policy or regulation that the RCMP have to follow. Thank you, Mr. Speaker.

Speaker (interpretation): Minister Okalik.

Hon. Paul Okalik (interpretation): Thank you, Mr. Speaker. I can produce the procedures and the policies that they have to follow, if they are available. Yes, I will be able to table them this week. I agree that this has been a concern for quite some time.

I believe that there are four Inuit who can speak Inuktitut who usually respond to the calls, for a few years now. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Oral Questions. The Member for Iqaluit Centre. Mr. Tootoo.

Question 355 – 2(2): Contaminated Gravel Pit in Iqaluit

Mr. Tootoo: Mr. Speaker, my question is for the Minister responsible for Environment. Earlier this year, I asked a question to the Minister of Community and Government Services in relation to the gravel pit here in Iqaluit. Contractors were worried that they would not be able to take out gravel and fill from that site due to the contaminated ground.

I understand that recently the city put out a memo to the business community, the contractors, in regard to that. And since then, there has been a meeting at which I understand the Minister's staff were in attendance. There were commitments made for the city that, for this year, they would be able to extract gravel and pit-run, and that's out of the site this year. But I understand that has just been a commitment.

Talking to a number of contractors in the city, if projects are not going to go ahead, many contractors have a significant investment to make in supplies and materials to come up on the sea lift for those projects, and if they are not going to go ahead, all that stuff is going to be sitting there for a year.

Will the minister provide me with an update where his department is at on it, and will the city get a commitment in writing, from whether it be a joint agreement between INAC and Department of Environment, to allow them to extract gravel out of that pit this year? Thank you, Mr. Speaker.

Mr. Speaker (interpretation): Minister of Environment. Mr. Akesuk.

Hon. Olayuk Akesuk (interpretation): Thank you, Mr. Speaker. Yes, we have started working on this, as a territorial government, with WCB and INAC and environment agencies in Canada. I can give the member a response as to what the status is at this time, once I get all the information. Thank you.

Mr. Speaker (interpretation): First supplementary. Mr. Tootoo

Mr. Tootoo: Thank you, Mr. Speaker. Can the minister confirm that there was a commitment made by departmental officials, to the city, to allow them to extract from the pit this year? Thank you.

Mr. Speaker (interpretation): Minister Akesuk.

Hon. Olayuk Akesuk: Once I get the latest information in front of me, I will let the MLA for Iqaluit Centre know whether there was a commitment or not. I will let him know as soon as I get the information. Thank you, Mr. Speaker.

Mr. Speaker (interpretation): Second supplementary. Mr. Tootoo.

Mr. Tootoo: Thank you, Mr. Speaker. Maybe while the Minister's staff is looking into it, it's also my understanding that the city realizes this is not solely a GN responsibility; it's also a federal responsibility, which is why INAC is involved.

Their understanding was that there would be a tripartite communication on ways to resolve this issue so that the projects would not be delayed and that they would be able to extract from the pit this year.

Can the Minister also ask the staff to look into and let us know how many meetings have taken place with all three parties involved? Thank you, Mr. Speaker.

Mr. Speaker (interpretation): Minister Akesuk.

Hon. Olayuk Akesuk (interpretation): Thank you, Mr. Speaker. Yes, I will check into this. I will find out what progress has been made and if there have been any meetings between those three agencies. As we stated earlier, the GN is not the only one who is responsible, there is also INAC. Yes, I will keep the member informed as to what has been happening. Thank you, Mr. Speaker.

Speaker (interpretation): Your last supplementary. Mr. Tootoo.

Mr. Tootoo: Thank you, Mr. Speaker. I know that from the city council's point of view, they recognize that there is a contamination problem there; it is an old dump. I was trying to think of a better word for it, but it's just a dump.

Mr. Speaker, that sight was a federal sight when the US military were here, and the federal government, that was their dump site. As we are seeing in a lot of the DEW line sites and the clean ups that are going on, it is the federal government that is putting the money into remediation and cleaning up those sites.

In this case, the city is of the view of that they are not willing to spend city of Iqaluit tax dollars, that the residents of the city pay, to clean up someone else's mess. Given that, will the minister ensure that the city will not have to use tax payers' money to clean up this mess that was put there by the federal government and other people beyond the city of Iqaluit? Thank you, Mr. Speaker.

Speaker (interpretation): Minister Akesuk

Hon. Olayuk Akesuk: Thank you, Mr. Speaker. Yes, I will look into that. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Oral Questions. Member for Uqqurmiut. Mr. Arreak

Question 356 – 2(2): Replacement of Qikiqtarjuaq Terminal Building

Mr. Arreak(interpretation): Thank you, Mr. Speaker. I would like to address the Minister of Transportation; I have raised this question before. The community of Qikiqtarjuaq is close to the national park, and the terminal is too small for the community. The size of the airport terminal is about eight by sixteen. I think that would go against the fire marshal codes, especially when it's a public place. When will that terminal be replaced? Thank you, Mr. Speaker.

Speaker (interpretation): Minister of Transportation, Minister Simailak

Hon. David Simailak (interpretation): Thank you, Mr. Speaker. At this time, the federal government has indicated three of those currently being worked on are almost completed, in Pond Inlet, Coral Harbour, and Gjoa Haven. After they complete those, they don't want to look at another, but after those are completed we will be requesting funding for other communities to replace their terminals. Once those are complete, we will be asking the federal government for additional funding. At this time, we cannot say when that will be. First, we have to request funding for that work. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Oral Questions. Mr. Curley

Question 357 – 2(2): Relocation of the President’s Office to Iqaluit

Mr. Curley (interpretation): Thank you, Mr. Speaker. I would like to address Minister Ed Picco. (interpretation ends) Mr. Speaker, I apologize for lack of notice. The issue of the Arctic College is not a new one, so I’m sure it is quite familiar. The Footprints report recommended that the Arctic College management staff and the president be located in Arviat. And as a result, prior to 1999 the Arctic College’s management staff was located in Rankin Inlet, once the recommendations were approved by the first Assembly, Arctic College moved to Arviat.

Now, Mr. Speaker, my question to the Minister is, why has the Minister decided to relocate the president’s office to Iqaluit?

Speaker (interpretation): Minister of Education, Mr. Picco.

Hon. Ed Picco: Thank you, Mr. Speaker. As the member is aware, I believe that this is generally and widely known, and it has been mentioned in this House before; there were issues, logistic as well as administrative and financial issues, at Nunavut Arctic College. And we believed at the time that it would be expedient of the government to bring the president of the college to Iqaluit.

I believe at the time we said it was for ten months, to be able to ascertain what needs to be accomplished. That follows up on the report that was just recently completed and tabled in the Assembly, the recommendations that have been brought forward by the independent consultant on the external review of the college.

So, those are the reasons for this temporary location of the president’s office to Iqaluit. Thank you, Mr. Speaker.

Speaker (interpretation): Your first supplementary. Mr. Curley.

Mr. Curley: Thank you, Mr. Speaker. We are well aware of the management report prepared by the consultant, but many are appalled that the report had not been submitted to the board of directors.

Would the Minister direct the Arctic College president to distribute that report to the directorate if they have not received it; and if not, the question is, why did the president not distribute that report to the directors, including the chairman of the board? Thank you.

Speaker (interpretation): Mr. Picco.

Hon. Ed Picco: Thank you, Mr. Speaker. The report was commissioned by myself along with the Chairman of the Board of Governors of Nunavut Arctic College, Mr. Leonard, and, indeed, Mr. Leonard has been given a copy because I gave him a copy personally.

At the same time, as part of the review committee that was involved in the independent consultation, which included the senior people from the Department of Education, as well as Nunavut Tunngavik Incorporated were also involved in that, the recommendations from the report went to the board of governors of the college, were endorsed, and are being implemented. Thank you, Mr. Speaker.

Speaker (interpretation): Your second supplementary. Mr. Curley.

Mr. Curley: Mr. Speaker, my second question is, the consultant's report did indicate that there were serious financial management problems with Arctic College; why, then, would the president of Arctic College be allowed to stay in a hotel for the next ten months incurring costs and all that, when in fact the Minister and the previous Cabinet decided that the best location was Arviat instead of Rankin Inlet?

So, could you explain to us how a savings was accrued or earned by having the president stay at one of the hotels in town?

Speaker (interpretation): Mr. Picco.

Hon. Ed Picco: Thank you, Mr. Speaker. The member is incorrect, the president of the college is actually in a staff unit; I believe it's at The Governor building in Iqaluit.

The financial issues at the college included a \$1.3 million rebasement of the college budget, which was brought forward by the FMB and to the members of this House, which has gone forward. And the position of bursar has been appointed, which is still based in Arviat and doing a very good job, I might add.

So, I hope that clarifies the Member's question. Thank you, Mr. Speaker.

Speaker (interpretation): Your last supplementary, Mr. Curley.

Mr. Curley: Thank you. There were occasions during the winter session that the president was staying at one of the hotels that we stayed in.

So, my question is, if there's a problem with the location in Arviat for the office of the president, why not reconsider and move the position of the president's office to Rankin Inlet instead of Iqaluit? Thank you.

Speaker (interpretation): Minister Picco.

Hon. Ed Picco: Thank you, Mr. Speaker. As I said earlier, the whole process was to deal with some of the logistic, administrative, as well as the financial issues of Nunavut Arctic College. We believe that there was some opportunity in having the president of the college closer at hand to the largest organ of that body, and that largest organ of the body, of course, is Nunatta Campus.

We are working on that right now. The president has made a pretty big difference with reviewing some of those issues. We have the report and so on. Over the next several months we'll review the operations and the issues with the temporary location of the president and see where we go from there. Again, it was a move temporarily done, based on some of the continuing factors that have been discussed inside the Assembly. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Oral Questions. The Member for Cambridge Bay. Mr. Peterson.

Question 358 – 2(2): Cambridge Bay Special Needs and Counsellor Positions

Mr. Peterson: Thank you, Mr. Speaker. My question is for the Minister of Education. I would like to commend the Minister for his announcement earlier in his Minister's Statement on Education Week 2005 complimenting all the educators across Nunavut. They do a great job for our young people and some people our age and maybe older. I have noticed some older students at Nunavut Arctic College continuing their education.

On that theme, I would like to ask the Minister if he could tell me, for the benefit of my constituents who keep raising this concern with me, whether Cambridge Bay will be getting new funding this year for a full-time student counsellor and special needs instructors. Thank you, Mr. Speaker.

Speaker (interpretation): The Minister of Education. Minister Picco.

Hon. Ed Picco: Thank you, Mr. Speaker. It is Education Week, and I would hope to be in the position on Thursday to make some announcements with regard to the allocation of resources and staffing across Nunavut.

I can at this time confirm to the member that five new positions have been allocated to Cambridge Bay. It is based on the new formula that we have put in place where the standard PTR, pupil-teacher ratio, in Nunavut, across the board, as part of the fundamental shift that this government is doing in education across the board, will be one in twenty. I can confirm that there will be five new positions going to Cambridge Bay, which includes for the first time a fully funded counsellor position for the school. Thank you, Mr. Speaker.

Speaker (interpretation): Your first supplementary, Mr. Peterson.

Mr. Peterson: Thank you, Mr. Speaker. That is indeed great news for the community of Cambridge Bay and the high school. I thank the minister for that good news.

I am also wondering: we have some special needs students in our high school that need assistance as well. Would one of those five positions be a special needs instructor? Thank you, Mr. Speaker.

Speaker (interpretation): Minister Picco.

Hon. Ed Picco: Thank you, Mr. Speaker. I am in the process right now of drafting letters to each chair of each DEA in each community in Nunavut, including the member's community of Cambridge Bay, outlining the new positions. Again, we give the DEA an opportunity, based on the number of allocations and the positions, to be able to redistribute them in the community, so the DEA has that opportunity.

I can confirm for the member again that in those new five positions allocated to Cambridge Bay, the position in question is also one of those new positions going to the community.

I hope to be in the position on Thursday to make an announcement giving an overview for all Nunavummiut of what the positions are and where they are going. Thank you, Mr. Speaker.

Speaker (interpretation): Your second supplementary, Mr. Peterson.

Mr. Peterson: Thank you, Mr. Speaker. Again, I thank the Minister for those words, the good news. One of the overriding concerns in my community, I am sure it is the same in other communities, is the issue of housing and the allocation of housing for Government of Nunavut positions, including teachers.

I am wondering if the minister could assure us that when these positions are allocated under the budget, the new formula, that housing will be available for the positions or will be able to be secured for the positions so that we actually have an opportunity to hire people to work in our school when those positions are available. Thank you, Mr. Speaker.

Speaker (interpretation): Mr. Picco.

Hon. Ed Picco: Thank you, Mr. Speaker. The five positions that we just spoke about, and the member makes a good point, we would hope that the allocations of those positions, they would actually be able to be filled from within Cambridge Bay itself. As an example, the position of counsellor, I would hope that that position would be a local hire within Cambridge Bay. Mr. Speaker, I would suggest to you that special needs assistants and language specialists, those types of positions, would also be hired locally, within Cambridge Bay.

One of the bases of the allocations that we did was to bring the pupil teacher ratio across Nunavut to one in twenty, that's one teacher per twenty students. That's phase three of this phasing in approach that we talked about. And also, on the allocation of resources, we want to make sure that the staff housing, as the member has talked about, is in place, and that's one of the other items.

I would hope, in these positions that we've talked about in Cambridge Bay, that they would be able to be filled locally. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Oral Questions. Mr. Tootoo.

Question 359 – 2(2): Increase in Tuition Fees

Mr. Tootoo: Thank you, Mr. Speaker. My question, too, is for the Minister of Education. Before I get into my question, I just want to clarify for the Minister, he had said earlier that he had tabled that report on the college in the House. In actuality, he didn't table the report, he tabled the executive summary and I would really like him to table the report itself. I'm sure there would be some interesting reading to be had there. I don't know if that's an indication that he plans on tabling that.

Mr. Speaker, another one of the recommendations in that report, and I asked the Minister about it on March 16, was the increase in tuition fees. At that time he had indicated that it would be a hypothetical situation because he couldn't determine whether the budget had been passed or not.

Recently, there was an article in one of the northern papers identifying that same issue of tuition fee increases. I would just like to ask the Minister if he could confirm whether a budget has been approved and accepted by the board of governors that would increase the tuition fees for the college. Thank you, Mr. Speaker.

Speaker (interpretation): Minister of Education. Mr. Picco.

Hon. Ed Picco: Thank you, Mr. Speaker. I stand corrected, one of the few times in this Assembly.

Mr. Speaker, first of all, on the budget for the college, I appreciate the Member's question. The issue with the college's budget, as the Member knows has come up through the Auditor General's report on the review on the college budget, is to look at the issues around the current deficit that's within the college. That's a result of medical travel, charge-backs, and other associated costs to the college.

Part of the work of the board of governors is to review the budget that's in place, which has passed, as the member has just said, and look at opportunities for increasing the revenue stream of the college. One of the recommendations that came forward was to look at tuition amounts, to see if that was an opportunity, within the current college budget framework, to be increased.

There has been no confirmation on that at the present time. Any increase in tuition has an impact on the FANS budget because the majority of our students' costs, like tuition, are covered under the FANS, so there has to be a parallel increases in FANS if there was an increase in the tuition side from the college.

However, the college has moved forward, for example, has increased their administration charges to outside agencies and so on, when we facilitate third party courses, I believe of

10 percent. That would increase some of the revenue flow to the college to address some of the issues around the deficit. The other issues are still pending review. Thank you, Mr. Speaker.

Speaker (interpretation): Your first supplementary. Mr. Tootoo.

Mr. Tootoo: Thank you, Mr. Speaker. As the Minister indicated, he said that the budget was approved. Is he saying, then, that he doesn't know if that approved budget does include increased tuition fees? Thank you, Mr. Speaker.

Speaker (interpretation): Mr. Picco.

Hon. Ed Picco: Thank you, Mr. Speaker. No, Mr. Speaker; I didn't say that. What I said was that the budget has been approved by the board of governors of the college, which is inclusive of revenue increases or revenue stream increases for the college to address the issues around the deficit that the member, the standing committee, and the House are aware of.

That also includes increases in outside fee charges and structure, and I said that increases in tuition have also got to include the impact on FANS because those costs on tuition are covered directly out of FANS.

So, for example, the cost to a student would be negligible, negated, and mitigated, because if there was an increase to tuition costs, those costs are completely covered, as the Member knows, by FANS. So, we have to look at the FANS side of things because we would also have to increase that budget. That's what the Minister has said. Thank you, Mr. Speaker.

Speaker (interpretation): Your second supplementary. Mr. Tootoo.

Mr. Tootoo: Thank you, Mr. Speaker. I would like to thank the Minister for clarifying his earlier comments.

He said it is pending review, who is reviewing it? Is it the department or the college and the department, and the Financial Management Board would have to agree to that before it got put into place or not? Maybe if you could just explain that process, who is reviewing it and when they plan on having the review finished. Thank you, Mr. Speaker.

Speaker (interpretation): Mr. Picco.

Hon. Ed Picco: Thank you, Mr. Speaker. As I said earlier, we have increased, for example, the administration fee cost. That has been implemented within this current budget.

The issues around the other areas, and we talked about that during the budget debate on the college and the Department of Education in general, we are putting together a funding

allocation model for the college. That is being worked on right now by the college and senior staff; it is being reviewed, and in consultation with the Department of Education they are looking at opportunities with the new funding allocation model.

And so at that time, I would hope it would be ready this fall for presentation. And any type of new funding allocation model, for example, would have to be brought forward, not only to the House and to the members but also to the FMB, by course. Thank you, Mr. Speaker.

Speaker (interpretation): Your last supplementary. Mr. Tootoo.

Mr. Tootoo: Thank you, Mr. Speaker. Of course, I understand what the Minister is saying, where anything that has to do with money goes to the FMB for approval.

Again, I asked specifically about the increase in tuition fees which would directly impact the FANS budget in the Department of Education. The Minister went on to talk about the new funding allocation model rather than the increase in tuition fees.

So, my question for the Minister is, instead of increasing tuition fees, which is basically just going to come from the FANS, which would result in a FANS increase, would they, instead of doing that, look at just addressing that in this new funding allocation model?

Wouldn't that be a heck of a lot simpler than jacking up the tuition fees and then having to jack up the FANS budget just for it to go to the same place, rather than dealing with it directly in the formula that would be there all of the time? Thank you, Mr. Speaker.

Speaker (interpretation): Mr. Picco.

Hon. Ed Picco: Thank you, Mr. Speaker. That's what we are attempting to do with the new funding allocation model. And if I can, very quickly, just go back, in 1999 the funding model that was in place for the college has continued up to 2004; it was based on historic numbers that were put in place by the Government of the Northwest Territories when both colleges separated. So, it's not based on the realistic costs to run 23 learning centres and 3 campuses across Nunavut. That's what the funding allocation model is in place for.

The Members sits on a committee that reviewed the Auditor General's report, and said, "Is there a way of looking at increasing your revenue stream outside of strictly government, for the college?", so we have done that. We have increased the administration fees, as I've just said, to do that.

However, the member is correct. In Nunavut, where in another jurisdiction, tuition plays a large part in the amount of money that a college or a university receives, that money usually does not come directly from a government; in our case, it does. That's why I said any impact on an increase in tuition would have an impact on FANS, and that's why it's pending within the funding formula model.

The Member is correct in saying that, and that's why I am suggesting to the member that I would hopefully be in a position this fall to be able to bring forward that formula, which would also look at some of the issues around financing and revenue stream for the college.

I must say that with the new bursar in place at the college, the financial controller, we have done a lot of good work with board of governors and the bursar and actually getting those costs under control. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Question period is now over. Returning to the Orders of the Day. Item 7. Item 8. Returns to Written Questions. Mr. Clerk.

Item 7: Returns to Written Questions

Return to Written Question 025 – 2(2): Drug and Alcohol Rehabilitation Programs and Cost

Return to Written Question 026 – 2(2): Status of Decentralization

Return to Written Question 027 – 2(2): Elders' Centre Floor Renovations

Return to Written Question 028 – 2(2): Performance Bonuses, Settlements and Termination Pay for 2003-2004

Return to Written Question 029 – 2(2): Departmental Expenditures and Variance Reporting Requirements

Return to Written Question 030 – 2(2): Child Welfare Practices in Nunavut

Clerk: Thank you, Mr. Speaker. I am tabling the responses to Written Questions 25, 26, 27, 28, 29 and 30 that were filed with the Office of the Clerk. Thank you.

Speaker (interpretation): Thank you. Returns to Written Questions. Item 9. Replies to Opening Address. Item 10. Petitions. Item 11. Reports of Standing and Special Committees. Item 12. Reports of Committees on the Review of Bills. Item 13. Tabling of Documents.

Item 13: Tabled Documents

Tabled Document 116 – 2(2): Statutory Requirements for Tabling of Reports and Other Documents in the Legislative Assembly of Nunavut

Tabled Document 117 – 2(2): Annual Report of the Integrity Commissioner for the Year Ending March 31, 2004

Tabled Document 118 – 2(2): Annual Report of the Languages Commissioner for the Year Ending March 31, 2004

Speaker (interpretation): Today, I wish to table the Table of Statutory Tabling Requirements. This list is regularly updated by the Legislative Assembly, and tracks the status of legally required tabling requirements for Government annual reports, financial

statements and other documents. The current version of this document indicates what documents have been tabled as of April 26, 2005.

I trust that all Members will find this useful in monitoring the timely production and tabling of legally-required documents in this House. Thank you.

Members, I wish to table the annual report of the Integrity Commissioner for the year ending March 31, 2004.

Members, I wish to table the annual report of the Languages Commissioner for the year ending March 31, 2004.

Speaker (interpretation): Tabling of Documents. Ms. Brown.

Tabled Document 119 – 2(2): Return to Oral Question 133 – 2(2): Core Funding for Iisqaqivik Society

Tabled Document 120 – 2(2): Return to Oral Question 55 – 2(2): Status of the Kugluktuk Women’s Shelter

Hon. Levinia Brown (interpretation): Thank you, Mr. Speaker. I wish to table the following documents: Oral Question 133 – 2(2) and Oral Question 55 – 2(2). Thank you, Mr. Speaker.

Speaker (interpretation): Please hand the documents to the Clerk. Item 14. Notice of Motions. Item 15. Notices of Motions for First Reading of Bills. Mr. Okalik.

Item 15: Notices of Motions for First Reading of Bills

Bill 18 – Powers of Attorney Act – Notice

Hon. Paul Okalik: Thank you, Mr. Speaker. I give notice that on Thursday, April 28, 2005 that Bill 18: Powers of Attorney Act will be read for first time. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Notices of Motions for First Reading of Bills. Item 16. Motions Item 17. First Reading of Bills. Item 18. Second Reading of Bills. Item 19. Consideration in Committee of the Whole of Bills and Other Matters. Tabled Document 58 – 2(2), Tabled Document 100 – 2(2), Tabled Document 101 – 2(2), Tabled Document 102 – 2(2). With Mr. Netser as the Chairman. We will take a 20-minute break before we resume. Thank you.

Sergeant-at-arms.

>>*House recessed at 15:24 and resumed at 15:49*

Item 19: Consideration in Committee of the Whole of Bills and Other Matters

Chairman (Mr. Netser) (interpretation): Thank you. We have Tabled Document 58 – 2(2), Tabled Document 100 – 2(2), Tabled Document 101 – 2(2), and Tabled Document 102 – 2(2). What is the wish of the Committee? Mr. Peterson.

Mr. Peterson: Thank you, Mr. Chairman. We wish to deal with Tabled Document 58 – 2(2): The Report of the Chief Electoral Officer and request that Ms. Sandy Kusugak and her support staff be seated at the Witness Table. Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Peterson. Ms. Kusugak, please go up to the Witness Table. Thank you. Welcome Ms. Sandy Kusugak. For the record, please introduce your staff.

Ms. Kusugak: Good afternoon, Mr. Chairman. I have with me today Mr. Patrick Orr, who is the legal counsel for Elections Nunavut and was also the drafter of the Nunavut Elections Act.

Chairman (interpretation): Welcome, Mr. Patrick Orr. According to Rule 77(1), you have 10-minutes to speak, but I don't have anyone on my list at this time. Do you wish to proceed? Ms. Kusugak.

Ms. Kusugak: I had prepared an oral version of an opening statement if you would like.

Chairman (interpretation): Please proceed.

Ms. Kusugak: Mr. Chairman and Honourable Members, thank you for the opportunity to meet with you today to review my report.

I think you will have to know that I was eager to get here and to have this review; so eager in fact that I dragged the Honourable Member for Baker Lake onto a twin otter with me yesterday and five-and-a-half hours later, we were here. As he said, we probably would have been in London, England trying to land on a plane.

So for anybody that's yearning for the good old days, I suggest a really long trip on a twin otter with the diesel fumes and the sound of the engine will kind of cure you of nostalgia; be happy that we have got the transportation we do most of the time.

We provided you with electronic copies of the report today in addition to the paper versions you pretty well had before. I believe everybody has the CD today. We have the reports available in Inuktitut, of course, and in English as we give you an additional copy today. French is available upon request and we are still waiting, unfortunately, for the Inuinnaqtun version and we will notify you when that becomes available.

The last time I met with the Committee of the Whole, as many members will remember, was October of 2002 when the *Nunavut Elections Act* was in process when we were in Pangnirtung.

Since that time, of course, we have conducted the elections and the report I give you today. It's my first as the Chief Electoral Officer and it's the first report of work done under that *Nunavut Elections Act*.

Patrick Orr, our legal counsel has been our counsel throughout, was in Rankin Inlet for Election Day, has since been an active participant in the development of the Enforcement Protocol, and in giving us advice day-to-day as we work through sort of the kinks of using a new *Elections Act*.

Today, I would like to draw your attention to some specific aspects of the report.

The main body of the report is set out on page two out of nineteen in the English version and two to twenty one in the Inuktitut version, and it pretty well gives the order of the events as they took place as we set up the office and conducted the election. It gives an indication of the nature and variety of the activities our office is concerned with.

But in particular, I would like to draw the Members' attention to sections G, H, and I in the appendices at the back. Section G deals with policy and administrative issues that voters, candidates or election officials brought to my attention or that were apparent as we administered the elections.

A number of concerns in that appendix relate to the timing of the last election, and I would hope that you would consider that in the coming time for the next election. We had weather issues arising from a mid winter election, I think we were astoundingly lucky with the weather. If we've had the same kind of winter that we've had this year, we would have had extreme difficulties in administering the election properly, because the number of storms we've had this year have made things very difficult.

In addition the timing of the last election provided administrative problems with our returning officers setting up their election offices just before the Christmas period. It was difficult to get Northwestel people in to do the telephones in the right amount of time; our communities were scaling down, if you want to call that, the Christmas period, and it was rather difficult to get the information out about nomination process and etc, and to actually get the offices physically open, sometimes people were on holidays or otherwise busy.

Section eight to the appendix consists of suggested amendments to the Nunavut Elections Act, and that's a required part of my report; this deals with matters that can only be resolved through legislation. Some of them are very small matters to change wording to make it correct, others will involve issues or suggest resolution of the issues that were apparent during the election.

Section I has only four parts, four paragraphs, and this concerns the status of four outstanding recommendations of the Ajauqiit committee from the last assembly.

We're prepared to discuss any of these items obviously today in what ever degree of details the members wish.

Our work in the near future is going to include work to revive the Plebiscite Act, and to modernize it, it definitely will work with the Elections Act that we have now, and I don't think it really serves the purposes for the Assembly.

We will also be working to support the work of the Electoral Boundaries Commission. Running the Boundaries Commission does not come under the preview of our office, we did however provide mapping services for the Boundaries Commission, we'll provide office space for them at our office and will draft the Bill resulting from the Boundaries Commission that will be appointed.

In addition, we've been having discussion with Community and Government Services, as to working with them on the revision of the Local Authorities Elections Act, where we would be the referral point for elections. This would again relate to the Ajautiit committee desire to sort of harmonize elections procedures when there's no need to have them different.

We have also been establishing a working group of people involved with election; those with NTI, with Community Government, with any of the regional associations that are interested to see how we can work together for everybody's mutual advantage.

This was a recommendation from the Ajautiit committee, found in appendix I, and we will see if we are able to offer these other agencies services, perhaps we will offer them training services, perhaps we would be a reference point for them.

Our ability to actually administer elections for them will be inhibited somewhat by the timing of everybody's elections, and by the requirement for our office to be election ready at all times. Our ability to support municipal and Nunavut Tunngavik Incorporated elections is constrained by those.

A solution to this dilemma possibly would be to have a permanent or fixed election date. It might be something that the members would wish to consider. Some of the provinces in Canada are moving in that direction. The Northwest Territories has indicated that that is what they are about to do, if it influences that at all.

Certainly I am prepared discuss matters generally speaking in our office if that is of interest to the members as well as the information that is contained in the report. I think when we discuss Boundaries Commission, if people has questions of that nature, I prefer Patrick, our legal counsel, to answer them because I don't like to appear to have any desire to influence that. Having been a member of the previous Boundaries Commission, I may have more opinions than I want to have on that issue. Thank you, very much.

Chairman (interpretation): Thank you, Ms. Kusugak. Are there any general comments? You have ten minutes for general comments. I don't have anyone on my list so we can go

on to questions if you have any questions. She welcomes any comments; she took long trip to come here. Mr. Tootoo.

Mr. Tootoo: Thank you, Mr. Chairman. I understand that Ms. Kusugak took the long route to get here. I think, as you mentioned earlier today, she was accompanied by the Minister of Transportation, who saw first hand as a result of that long trip, the snow in your community.

I would like to welcome Ms. Kusugak and Mr. Orr to the Assembly. I know that their job, the CEOs job, especially during election time, is not always a fun one. As we all know as elected members that there is always someone that wants to complain about something at one point.

I tip my hat to Ms. Kusugak and her staff for doing the best that they could with the resources that they had available. I think that they did a good job.

One of the things that this report allows us to take a look at is we all make changes or make decisions, or make regulations or make rules based on assumptions, or best educated guesses, or informed decisions based on having information. I know that there were a number of new initiatives, especially in the ways of voting this time around. This report gives us and the CEO an opportunity to evaluate how those decisions, whether they were good or identify any of the problems as a result of that. I think that it is a very important process to be able to look at that.

My first question is that there were some new voting initiatives that were brought forward. As a member of the last Standing Committee to make some of those recommendations, based on the consultations that we did and concerns that we heard from people throughout the territory, now that we have actually gone through a process that we have implemented and lived through that practice I would just like to ask if it was successful. Do they recommend any changes, or anything to be concerned about with some of the new voting options that were put forward in the last general election? Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Tootoo. Ms. Kusugak.

Ms. Kusugak: We found that the voting provisions that were made, and again, that came from so many sources. We were able to take the community consultations, which the Ajauqtiit Committee boiled into the recommendations of David Hamilton, the former CEO, and then I was able to talk to my colleagues across Canada about things that they were doing and thought were good, and put those together in the Act, so it's a benefit of a whole lot of peoples' wisdoms.

In general, we received a very positive response particularly with the mobile voting. Our people that were at home that were unable to get out of the house were extremely happy with it; we received many compliments.

The mobile poll voting, the Deputy Returning Officer can, according to a schedule, take the ballot around to the homes of people who are unable to go to the polls. And that was really popular, except with the one person who wanted to have a mobile poll because they were out of gas that morning, and I said, "Hmm, that's kind of probably the limit."

But the special balloting worked extremely well for our students, for the people on vacation, and for people that are in jail. Those were the primary targets for special balloting.

We were able to use the people at Financial Assistance for Nunavut Students to promote the process of special balloting; they certainly didn't give us peoples' addresses or contact them directly, but we sent them our information all electronically and they sent it out to all of the students that received financial assistance. So we know we are at least in contact with most of those. The same went for the people that were in jail, so we know the information got out to them.

One problem we did have was Canada Post regulations that have come into force since 9/11, as we are famously calling it. Canada Post requires that Express Post packages must be in the post office for eight hours plus the length of the flight they are about to have.

So when we spent the weekend preparing special ballots and dealing with it right up to the moment because of course in Nunavut, with our weather and transportation, etc..., we really want to move very quickly to ensure that special ballots get to the voter and get back to us in the time required. We discovered that even though we had them into the post office the very first thing on Monday morning that they were going to have to sit there until Wednesday before they moved to Iqaluit or going west.

So I am hoping that we can work with Canada Post to change this because if we are to offer this service to people, then we have to have reasonable expectation that if they act promptly that they can expect that their ballot gets back to us some time.

I did, on more than a couple of occasions, when I discovered that was their policy, I took the ballots immediately to the airline, just had them sent that way, and they did go the same day.

So either way, we will have to have a change in procedure or I guess we have to consider whether it's wise to offer people the service if we don't think that their ballots will get back in time to be counted if we are not able to change the policy with Canada Post or have some special dispensation for Elections Nunavut mailed during an election, etc.... So that's something we will work with on them.

Chairman: Thank you, Ms. Kusugak. Mr. Tootoo.

Mr. Tootoo: Thank you, Mr. Chairman. That's good to hear that some of the work of the last Committee and the last Assembly did, and that there was good feedback from Nunavummiut on some of those things.

So I think one of the important things to remember with any election, you want to try and maximize the participation. It would be great if we get one hundred percent minus the guy that ran out of gas on his way down with his snowmobile, those ones you can't help deal with it.

The whole thing of educating the public and the importance of how they can get out and vote is great. One of the other recommendations that were made in the last Assembly to try and address one of the issues that was a problem and that was enumeration that was to move towards a permanent voters list.

Maybe I can just get some comments on that transition. Is the first time that we have gone with a permanent voters list? How that worked and any things that we may need to tweak to address some areas of concern within that whole process and how well it worked this time around. Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Tootoo. Ms. Kusugak.

Ms. Kusugak: Overall the registration process worked well. We still have a number of people, although we show them the section in the Act that really indicates that the voter information is used for electoral purposes, are still convinced somehow that the list will be used to make jury lists. I don't know beyond that what we can say to people to convince them.

We have used the municipal elections as an opportunity to update the voters list. We have set up tables at their elections in order to take in any changes and new registrations. We are also, with the broadband coming on any day, any hour, our returning officer will be using the laptops that they have as part of their jobs to update the voters list in there for their constituencies on our web based system. They have not done that before, we did all the data entry at headquarters previously.

As soon as the broadband is activated then we get them trained and on this and they will be doing that as a matter of course. In the discussion about community government, as we said, talking about working together with them. One of the things that is possible is that we will be able to produce the voters list for the municipality. In small communities perhaps that is not an issue for the municipality, but in the larger ones it certainly is.

I know that the City of Iqaluit is very interested in having a relationship with us so that we can help produce their voters list. We could produce materials for them, etc. It will reduce the amount of duplication of effort and should make things a little more efficient.

Other than that we are going to use our web based system as a learning opportunity for our Returning Officers. We will also be able to get information through agreements from Motor Vehicles, as people update their vehicle registration, their personal drivers licenses, they will be able to have a check box that will allow them to also provide information to Elections Nunavut.

One of the interesting things that is happening in a number of provinces across the country is that they are having a one stop shop place to change contact information. Primarily this is working online, but it can work any other way too through normal mail or fax, residents can go online and update their healthcare information, update their motor vehicles, etc., to give those new address or name change information to those agencies. They can pick and choose.

I think that would be probably in Nunavut where we have people to update their name changes, etc, this might be something that we consider, it would be a way to look at the future.

Chairman: Thank you, Ms. Kusugak. Mr. Tootoo.

Mr. Tootoo: Thank you, Mr. Chairman. I know Ms. Kusugak touched on it a little bit and I know that it was something that, again, that the standing committee, the last time around, had recommended, and that was having not so much just elections, but at that time of year when elections would happen.

And I know she also mentioned that other jurisdictions in Canada are looking at that now as well, and I am sure all members are aware, in British Columbia, they have the date of their elections is now fixed by law and the public knows long in advance that when the next election is going to be.

Maybe just to get an idea from your perspective as the Chief Electoral Officer, what would be some of the advantages and disadvantages of adopting that type of approach here in Nunavut? Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Tootoo. Ms. Kusugak.

Ms. Kusugak: Well, as an administrator, I think I can only see the advantages. I am sure there are disadvantages to other people.

If we were to be a reference point or to help out Nunavut Tunngavik Incorporated or the municipalities in their elections, then we need to be able to stagger the times for those; they would also have to commit to specific times for their elections.

We are a small office and we can't have the peaks of activity happening at the same time. It requires a long time to prepare for an election even in our small jurisdiction and a long time to do the recovery work on it.

We would know, for instance, when our returning officers need to be available; if some of them needed to be seconded from other kinds of jobs, we would be able to make those preparations. We can contract with the municipalities or whoever for providing office space for the returning officers; we would know what specific amount of time we would need. It's the same with the polling places.

So we could create our documents well in advance; the dates would be on them, we could work slowly and build the information. We would also know more clearly of when we would be freer to help the other organizations and what kind of work we could do for them.

Chairman: Thank you, Ms. Kusugak. Mr. Tootoo.

Mr. Tootoo: Does she have some more to add to that?

Chairman: Ms. Kusugak.

Ms. Kusugak: Sorry, I was just going to say that Mr. Orr could speak to the legal part of that issue about, if you wish.

Chairman: Okay. Mr. Orr.

Mr. Orr: Thank you, Mr. Chairman. There are two issues from the legal point of view. The first is section 17 of the Nunavut Act requires that the commissioner is the one who can dissolve the Legislative Assembly after consultation with the Assembly to have a fixed date in statute might require some change to the Nunavut Act to allow it to be done.

An alternative would be to have it to set up that kind of a customary thing that there's basically a contention of the House that a certain date be chosen and not have it actually enshrined in statute.

The other thing, of course, is there are triggers in the Nunavut Elections Act that are for financing purposes that when the date of an election is known, the pre-election expense period starts to run.

We would have to accommodate that because if you knew four years in advance of what the election date for it, you would basically have a pre-election period of four years. So you would have to make some kind of an accommodation for that. Thank you.

Chairman: Thank you, Mr. Orr. Mr. Tootoo.

Mr. Tootoo: Thank you, Mr. Chairman. Mr. Orr, I thank him for that; that's something, I have never heard of pre-election expenses and any thought on how we may look at trying to address that issue. Thank you, Mr. Chairman.

Chairman: Thank you. Mr. Orr.

Mr. Orr: Thank you. Off the cuff, I can think of two ways to do it, the first is to choose an arbitrary period of time, perhaps six months or so before the fixed Election Day for the pre-election expense period to run and adjust the amount of the pre-elections expenses as required.

The alternative would be to have the whole pre-election expense provisions applied to the whole time that the members sit, and then add more sophisticated provisions dealing with contributions to the Member while sitting as a Member, adjusting the levels of what's allowed and what's not allowed.

This is something that I think, if I can refer to the Gomery Inquiry, there might be issues coming out of that inquiry dealing with special situations the Government of Canada's facing, of course with it's facing the same by any means what Nunavut is facing, but there might be recommendations for how to deal with financing concerns during the sitting of the members, we might want to look at that. Thank you, Mr. Chairman.

Chairman: Thank you Mr. Orr, Mr. Tootoo.

Mr. Tootoo: Thank you, Mr. Chairman. Mr. Chairman the other area that Mr. Orr talked about in regards to the Nunavut act, would it be necessary if there was consensus, an agreement or a custom, or what ever you want to call it, just to say one of the first things the Assembly decides is when the next election is going to be, setting a time for it, now granting anything can happen between that date and the day you make a decision and when that day finally comes.

If that was the way in which the Assembly chose to pursue that, if it does chose to pursue that, would that type of thing require an amendment to the Nunavut act or would that basically it's still in consultation with the Assembly and the executive council to the Commissioner. We know how hard it is to amend the policies at the territorial level, never mind the federal level, who knows, there could be an election next week called but then the things that go down there with the Gomery Inquiry. Maybe just get some comments on that idea. Thank you, Mr. Chairman.

Chairman: Thank you Mr. Tootoo, Mr. Orr.

Mr. Orr: In my opinion, in dealing with this by way of convention gives you the most flexibility, and would not require any amendment to the Nunavut Act, there are provision in the Nunavut Act, the disallowance of territorial legislation by the federal government that have not used, conventionally that are not used, constitutionally speaking convention can vary written statutory provisions, and I think that may be the best way to go in the beginning.

So basically a convention adopted by the house with consultation with the commissioner and it's a way of practice, it would not require an amendment, it would give you more flexibility. Thank you

Chairman: Thank you. Mr. Tootoo

Mr. Tootoo: Thank you, Mr. Chairman. Thank you, Mr. Orr. You know that old saying that there is more than one way to skin a cat, look for the easiest way to do something.

Mr. Chairman, my next question is for the chief electoral officer, Ms. Kusugak, in appendix I, they talked about some recommendations that were made by the first Assembly, that Elections Nunavut should work with in consultation with the Department of Education to ensure elections as part of the curriculum for elementary and high school students.

I know when we met five years ago with Mr. Kingsley and other people at Elections Canada, they had booklets that went out, they had in Inuktitut on a program that could be delivered and used by teachers in schools.

I am just wondering if they are looking at maybe adopting or utilizing that same material or developing something new. I know that the Minister of Education is always saying that we are entering into a fundamental shift in the way that education is delivered in the territory. If our goal is to try and maximize participation down the road in an election, which is the ultimate goal of any election and democratic process to educate the young people on the importance of it and how it works and different information about the whole process.

That will help us achieve that down the road. We won't see the results right now but that will be something that will happen down the road. So I am just wondering if we can get some comments from you on that any plans or ideas that you have on pursuing that? Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Tootoo. Ms. Kusugak.

Ms. Kusugak: A number of you know I started life in Nunavut as a teacher, so this is something that is important to me as well. I know that the discussions that I have had with people in education have been so far we need to set aside a time to talk about this and to talk about this and to plan it out. And that's really two or three sentences as far as we have gotten so far. It's certainly on my agenda, certainly on theirs, they always have a lot of issues that they are dealing with.

We will be setting aside a time to come up with a plan and a timeline for seeing what they offer at the moment in terms of civics. What part we could play in helping them to develop materials. What part they would play. Where the materials are, etc.

Some of the provinces in the country do a great deal of work with the students in helping them to develop student council elections. I just got some materials from Quebec the other day. Quebec is very active in this regard.

So we could examine the materials that have been developed already in the country and look at what education has so far, and try and make a plan for developing it. That is really the most basic discussions that we have had so far.

Chairman: Thank you. Mr. Tootoo, your time is up at the moment. If you have any more questions, they will be at the chair's discretion, I will put your name down for a few more questions. Mr. Peterson.

Mr. Peterson: Thank you, Mr. Chairman. Welcome Ms. Kusugak and Mr. Orr to the witness table. It is good to see you here to answer some of our questions or concerns. I think a lot of Nunavummiut would like to hear us plan for the next election.

I recall when I looked at the Elections Act, going through it and I am not a lawyer, most of us in Nunavut aren't, it was quite a complicated document to go through. And then you had to cross reference different sections. Just thinking back now it was quite an ordeal to wade through it and actually know what they are looking for.

I asked a couple of questions that I had at that time. I don't think I had clear answers on them, I am wondering if you could answer them for me now. On the day of the election it says that the nominations close at two pm. How do you ensure that it is two pm that is considered like a central location like Greenwich Mean Time instead of local time? People's clocks can be five minutes off. I know in Cambridge Bay our siren is supposed to ring twelve o'clock, but will ring ten to eleven minutes early because it has lost time. We have to reset it every few months. Some of us that are watching via CBC time, which is very accurate. You might well see other clocks in the community hanging on walls that are five or ten minutes out.

How do you ensure that it is two pm, the time of two pm that you want it to be closed, as opposed to people going by their watches or some other time? How do you ensure that? Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Peterson. Ms. Kusugak.

Ms. Kusugak: The time is local time. Of course for those constituencies where there is more than one time zone, the Returning Officer establishes which time they are using and advertises that. We established a time and of course we apply it. Our objective in that is not so much to deny people's ability to standardize so that if people bringing their nominations are in the door by around two o'clock, then we are going to accept them.

There is certainly always the difficulty that clocks are different in all of our communities as we know the electricity varies so that you can have a clock that is set correctly one day and not another.

I would say that my issue is that I would really like to promote people putting their nominations in early so that we don't have this problem. I don't want to discourage people from being nominated but clearly if they wait until one or two minutes to two in their local time, the possibilities are great that they have left something out, or have misread something or one of their nominators is not actually eligible to be a voter and to nominate. There is that difficulty and we would like to clarify it.

I would like to see people really working to get their nominations in at the beginning of the nomination period. For the next election the papers will be available either electronically or on paper very early on. People can actually collect the papers before the nomination period opens. They just can't deliver them and consign them to you until that time.

I don't really know what else to say in that matter. For some people the process of being nominated is tied up with their employment. If they are required to take a leave from the time their nomination is entered, and so it means that they will lose salary dollars the earlier the nomination is entered, which is not very encouraging on the aspects that I care about.

I don't know whether I have really answered your question, Mr. Peterson. I understand the difficulty that you are having. We can give a directive that our Returning Officer regulate their time by CBC. In fact, we did ask them to do that in the last election. Informally we asked them to set their faxes so we knew the fax machines were correct as far as they could. I think that we do our best as imprecise as it is.

Chairman: Thank you. Mr. Peterson.

Mr. Peterson: Thank you, Mr. Chairman. Thank you, Ms. Kusugak. I know when something is tendered for contracts I think Public Works has a date and time clock. They set it everyday. It just eliminates any uncertainties, any ambiguities, any potential for someone accusing the department of accepting contracts or tender documents after a specified time. It seems to me that the two pm for elections, unless you set your clock on that day your election time, not what's on your watch or what everyone else thinks, it's two pm set by elections people, synchronized to a very accurate source, and that's what everybody should go by. I'm sure that would eliminate a lot of ambiguities and inconsistencies or potential challenges by candidates that maybe the elections officers or the returning officers were showing favouritism to candidates who were coming in late. I'm not sure how you do that, but battery operated clocks on the wall could be a real problem.

You made a comment about the nomination papers and that raised another question for me. How does a returning officer determine or ensure that a candidate and or a nominator under the nomination papers is an eligible voter in Nunavut when they come in. What information does the returning officer use to make a determination. Thank you, Mr. Chairman.

Chairman: Thank you Mr. Peterson. Ms. Kusugak.

Ms. Kusugak: By in large if the person is eligible to be a voter, they're eligible to be a candidate, unless they've broken an elections law. That pretty well covers everybody except for people who would know, like the Member of Parliament and the judges and etc, there's a few people that can't run as candidates.

Registering to vote itself would be the main process you would use to determine somebody's eligibility as a candidate. Of course you can be a candidate in any constituency in Nunavut despite the place where you reside. That's the basics.

Chairman: Ms. Kusugak when you finish would you either say thank you or Mr. Chairman, so we know when to go to the next question. Mr. Peterson.

Mr. Peterson: Thank you, Mr. Chairman. Thank you Ms. Kusugak, I know when I went in with my nomination papers, the returning officer flipped through the first couple of pages and she challenged me on two of my nominators who have lived previously in Kugluktuk but lived in Cambridge Bay at the time they nominated me. I knew that they lived in Cambridge Bay for twelve months preceding the closing nomination.

I didn't have a problem, but she challenged me, I actually had sixty or seventy people nominate me, so I had more than enough nominators. It's those individuals that move in and out of territory for work or education, it's hard to establish when they actually begin their twelve month residency requirement, especially if they are off to work. You're still a resident of Nunavut, but not if you're working and your family lives in Edmonton or Yellowknife or wherever, and then you come back and you haven't been there for twelve months, you put your name down as a nominator. How does the returning officer determine if they're eligible or not, that's I'm curious about that. Thank you, Mr. Chairman.

Chairman: Thank you Mr. Peterson. Ms. Kusugak.

Ms. Kusugak: I think Mr. Orr would like to respond.

Chairman: Mr. Orr.

Mr. Orr: Thank you, Mr. Chairman. The way the Act is set up is listed in section seventy five of the Act, the Returning Officer is obliged to refuse the candidacy whether the Returning Officer is aware that a person is not eligible to be a candidate, or the nomination papers are not available.

The Returning Officer is fulfilling a statutory function in asking questions about residency requirements for nominators. Of course the Returning Officer can only refuse it if the Returning Officer knows or is aware that a person isn't a resident. So I see the questioning function is part of the process. The actual refusal can only be done if the Returning Officer is actually aware that the candidate is not eligible, or the nomination papers are not properly filed.

I think that because residency is an even more difficult issue. The Returning Officer is still obliged to ask these questions, only if they are satisfied that there is a problem can they refuse a nomination. Thank you.

Chairman: Thank you. Mr. Peterson.

Mr. Peterson: Thank you, Mr. Chairman. Thank you, Mr. Orr. I guess when it becomes a problem for the candidate is after they filed their papers the candidates' scrutineers go in there and they review, then if they see that the nominators are ineligible and they can prove that they are ineligible and if you only have fifteen nominators and that one person is disqualified, then the candidate is disqualified. It is in the best interest of the candidate to come in there with fifteen, then another fifteen, or another thirty, or another one hundred so that the chances are better that they won't be disqualified.

I want to ask about Election Day. On election day in my riding of Cambridge Bay, the very first person that showed up was an elder, Joe Tadjuk. He likes to walk every day. It must have taken half an hour to get to the polling station. And then he was told that he had to go home to get some information to prove that he was who he was and that he lived in a certain house. Everybody in the town knows where Joe Tadjuk lives.

It happened to a number of elders. They had to be taken home because they were filling in their paperwork at the polling station. We all knew who they were, where they lived. Again this is a small town, we all know everybody. Why would that happen, especially to an elder? Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Peterson. Some people become so stupid and still manage to breathe. Ms. Kusugak.

Ms. Kusugak: I might say to begin with that training issues are something that we deal with on an ongoing basis and that our Deputy Returning Officers, by in large, try hard to do a good job. They really work one day out of every few years. They are trained often over the phone if the constituency is one made up of several communities. It is not an easy thing to be trained for a one day job. I think most of us would not like to be judged on average in what we did on our first day on the job. It is however the way elections work and people are responsible for the details and for conducting elections fairly.

I am suspecting that people were overzealous, is all I can guess. For voters who are not registered, not on the voters list, when they come to vote, if the Deputy Returning Officer, themselves, after the person has signed their registration or signed to vote, if they are not known to that person, the election official can ask them to give some kind of identification to prove that they live where they say they live. They are who they say they are.

It was never our intention that people's grannies be asked to prove that they are Nunavummiut. People sometimes just misinterpret what they are asked to do. I regret that that would be the case, but I believe that's one of the issues we're hoping to address through working with other agencies that deliver elections.

If people work for a number of elections, then they work more often, then the procedures become more ingrained in them etc. And also it speaks to making complimentary procedures that work for all our elections.

I do understand that it is an issue, other people that run elections in Canada, they bring people into a room, and they do there training centrally, actually quite often they're retired people, that have been bureaucrat or managers and etc, and they work in every single election.

It is not the case for us; we often have people that work for one election and never work for another one.

Sometimes we have people that like the work, and make sure they're there every time, it's a very varied situation.

I would just say that I'm sorry that that happened, and I'm glad to know about it and we'll work hard to make sure it doesn't happen again but again in three or four years, we are likely to be dealing with many new people at the polls.

Chairman: Thank you Ms. Kusugak. Mr. Peterson.

Mr. Peterson: Thank you, Mr. Chairman. Thank you, Ms. Kusugak. I must compliment the officials in Cambridge Bay. I think they did a remarkable job in reading the results, there were no spoiled ballots. You usually you get a couple of spoiled ballots. The folks and elders in Cambridge Bay are very patient and understanding. They went home and got all their information and came back, they participated, they were very happy about that. I'm sure they're happy that they got the results that they voted for.

The other incident that occurred during the election in my riding concerns Bathurst Inlet and Umingmaktok. On the night of the election, the Bathurst folks were able to get their votes in but the folks in Umingmaktok were unable to.

Their snowmobile broke down enroute or something happened there. How do you deal with a situation like that, where people have actually cast a ballot, but they didn't get them into a polling station at Cambridge Bay before the election closed? Thank you, Mr. Chairman.

Chairman: Thank you Mr. Peterson. Ms. Kusugak.

Ms. Kusugak: Actually Bathurst and Umingmaktok were places where people were able to vote by emergency methods, the returning officer from Cambridge Bay has lived there for a number of years, was able to send out information. Sometimes it's very handy living in small communities, she had been working part time at the post office and knew when the mail bags were going to Bathurst and Umingmaktok and sent the people there a lot of information. As well, she sent them calling cards for the satellite phones, and a number of people in both of those communities, I understand, were able to vote when they were in Cambridge Bay for other business.

Over the number of days we had voting in the office the returning officer, or the advanced poll, and others took advantage of voting by emergency method, which is via satellite phone. I was unaware that there were people that somehow didn't make it to the polls, there were not that ballots out there, there were not ballots in Bathurst or Umingmaktok, people either voted when they were in Cambridge Bay or they voted by emergency method over the radio and satellite phone, which is the same thing. Thank you.

Chairman: Thank you. Mr. Peterson.

Mr. Peterson: Thank you, Mr. Chairman. Thank you Ms. Kusugak, perhaps my information is incorrect; I heard that some folks in Umingmaktok just didn't get a chance to vote.

On the night of the election, it was a bit troubling for the folks in Cambridge Bay because while I knew the election results around 8:20, nobody else knew the election results. I was over in the CBC radio station, sitting on a little stool. They wanted to interview me about the election results, but we were waiting for your office to declare a victory. An hour and a half went by and I was still sitting on the stool. People weren't aware of where I was, and I couldn't tell anybody. I wish that I could have told folks.

How would you deal with that situation in the future in terms of Cambridge Bay and Kugluktuk, when the results come in, to get election news to the folks as fast as possible? Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Peterson. Ms. Kusugak.

Ms. Kusugak: Thank you, very much for the question actually. There are two sort of issues in that question. One is getting the results out and the other one is producing the results and the other one is communicating them to the public.

Our responsibility is primarily to get the results right and that they will be upheld by any judge or any recount procedure that comes along. We certainly, if there is one thing that we have insisted on with our election officials is that they don't do anything until their numbers balance.

From the time that the numbers balance in Cambridge Bay, or any other community, and they were sent by fax to our office and then sent to CBC in Iqaluit or to the other display places was a minute and a half. We even checked to make sure that nobody had written numbers backwards or made an adding mistake that this was in fact the correct amount, and then it was sent to CBC.

I believe that one of the plans that we have for the next election is that we will run election central, probably from Rankin Inlet in a more central time zone. The broadcasting began in the Eastern time zone and so they had been on the air for what they felt was a long number of hours before they got the results from the West.

I have been talking to my colleagues in the Northwest Territories who are now in one time zone and they said that they were really the same number of hours in getting the results as we were, it is just that they were condensed into one time zone of reporting rather than three.

When I watched the federal election results, it was the same thing. It was between 1:30 and 2:00 in the morning when I stopped checking on the results and they were still polls to be heard from in Nunavut and in the Northwest Territories as well.

Of course what can happen is that anyone can see, when there is an election on, if there is a trend when the counting is being done. People can walk out the door and know that so and so had way more votes than so and so, they are obviously the winner. My job is to produce numbers that add up and to make sure that every single ballot that was there that day is accounted for. That is what the Deputy Returning Officers and the Returning Officers have to do.

We certainly want to produce results as quickly as possible but I think that my main job is to make sure that we got the right one. I would be humiliated if there was a judicial recount and we discovered that there was not through any judgment call, that there was a big difference in the number of ballots that were reported to have been there as opposed to the number that was really there. I think accuracy is my most important role. I do believe that we need to also that the people in Cambridge Bay deserve to know the results of that election.

I think either we hold all elections within the same exact time, in other words beginning at 7 o'clock one place, 8 o'clock another place, 9 o'clock another place and ending at those different times so that everybody stops voting at exactly the same moment then we will have the results in a more compressed timeframe but I think that you would have to decide what is the most important element to you in all that. Is the convenience of voters at the polls or is it the reporting at the end of the day.

I have certainly mulled it over, part of it is again, I'm sure part of it is the training issue and an experience issue and there are a whole lot of factors that contribute to that unhappy result. Thank you

Chairman: Thank you, Ms. Kusugak. Mr. Peterson.

Mr. Peterson: Thank you, Mr. Chairman. I appreciate Ms. Kusugak's problems in resolving that issue. What concerned us in Cambridge Bay was, I knew the results at 8:20, but by 10:00 we still didn't know the results officially. Folks were wondering where were they. That's when the CBC let me sit in the chair there. People were wondering where did Keith go. I don't know how long it takes to count votes and reconciled. I had the results at 8:20 and it seems to me that you folks should have probably been able to have them reconciled and make it official by 9:00 or 9:30.

I'm not sure how you do that, but because we were getting results from other ridings and they weren't taking that long to come in.

I think it's an issue you have to look at very closely in the future. There were phone calls and flurry of e-mails and letters from concerned voters in Cambridge Bay. I'm sure that they hit your desk and hit the desk of the CBC officials fairly quickly there. I was left as a candidate trying to explain what happened. As a candidate, I could have let the secret out but I didn't. I wasn't sure of my position officially whether I could declare myself as a winner knowing the results. I don't know what the penalty is under the Election Act for candidates to declare themselves a winner so everybody knows what's going on.

That's more of a comment, Mr. Chairman. Thank you

Chairman: Thank you for the comment. Mr. Curley.

Mr. Curley (interpretation): Thank you I would also like to welcome Sandy and Patrick Orr. The question I wanted to raise, I want to ask what they think of where they were given a chance of one week for the elderly, especially the handicapped to vote, this went well with people involved, how does election officials feel about this process because I think that's one of the newer parts where when it's open they can vote within a week. I would like to hear what she thinks.

Chairman: Thank you. Ms. Kusugak.

Ms. Kusugak: Well, the new provisions worked very, very well in the constituencies where I'd say the returning officers were sold on them, because then they communicated them and advertised them the best.

Voting in the office of the returning officer was extremely popular, Iqaluit, Cambridge Bay, many other places, we received a lot of compliments that people could go and vote at their convenience for that long period.

In some communities, there were returning officers that may have been used to the previous election act for many years and rather thought, I wonder why were bothering with this, and didn't advertise those new provisions very much, and as a result they weren't used very much.

The mobile poll, again, was extremely well received and it was used a lot in constituencies where the returning officer made it known.

You know we don't have such a discrepancy as would show up that the number of people that would use the mobile poll, for instance, I'm sure that if we'll pretend to use Rankin Inlet South as an example, I'm sure it would be impossible that Rankin Inlet South would have no people that needed a mobile poll, while Rankin Inlet North had fifty of them. If I get those differences showing up, than I would assume that the process has not been well

advertised within the constituency. And I have noted that in some cases and we will be certainly looking at that as a training issue for next time.

We're also in the process right now of re-appointing or appointing new returning officers, and based on what everyone find when we look through the ballot boxes now and on the way that they responded to things during the elections, some new people will be appointed and in some cases, the previous people will be re-appointed.

Does that answer your question? Thank you.

Chairman (interpretation): Thank you. Mr. Curley.

Mr. Curley: Thank you, Mr. Chairman. I'm wondering if there are any other factors here, my comment really was how popular is a week long...I don't know exactly what you call it, if you call it a mobile polling station if that is what it is, but I didn't realize it wasn't all that available or promoted in some other communities.

I however do know that the press made them good provisions within the election system, I was just asking whether or not this was well received or not. If the larger places like in Iqaluit don't want it, fine, but in places like Rankin Inlet I know it was quite popular. Thank you.

My other question had to do with the compliance agreement, I want to know, step by step exactly how it's determined. I do know that the Integrity Commissioner is responsible for deciding how the compliance agreement should be entered into. My question really is this, how does he actually choose which particular individuals he is going to enter into compliance agreements with. That is the first question. Thank you.

Chairman: Thank you, Mr. Curley. Ms. Kusugak.

Ms. Kusugak: The Integrity Commissioner bases his decision on the seriousness of the offence and... if we can repeat, the nature and gravity of the Act or the admission, the penalty provided for it in the Elections Act, the public interest of justice, and it says any other factor that the Integrity Commissioner may consider relevant.

In this election, I believe compliance agreements were offered to all of the people that the RCMP charged under this election.

Chairman: Thank you. Mr. Curley.

Mr. Curley: Thank you, Mr. Chairman. Hopefully aware that it involves all the reporting requirements that if we're not complied with; financial returns as well as all the other requirements of the post elections stuff.

My point really is, if the compliance agreement were offered to all of the individuals, what were the reasons, that you know, that the other candidates didn't, financially did not

wish to enter into an agreement with because only three did enter into a compliance agreement as far as the report is concerned.

Chairman: Thank you. Mr. Orr, did you want to answer that?

Mr. Orr: Thank you, Mr. Chairman. The report of the Chief Electoral Officer was current on the report at the time the report was made. I have attempted to ascertain how many charges were done, how many compliance agreements were entered into.

I have not been able to get that information from the Department of Justice Canada, I'm not sure if the Integrity Commissioner's report, which was also tabled I believe today, might have that information in it, we have not seen that report.

But I believe that the way the Act was interpreted was that a person had to be charged first before compliance agreement could be offered to them. So if a person was not charged, there was no compliance agreement offered. I believe that a letter went out to everyone making the offer that they are being invited to negotiate a compliance agreement with the Integrity Commissioner.

Once that letter went out there is a process by which there is a request for certain conditions to be complied with, an undertaking to comply with them, and then a successful negotiation of that within a certain period of time. The process is entirely in the hands of the Integrity Commissioner.

Most of that was done after a meeting we had with the Integrity Commissioner and other enforcement officials. We are not actually a party to those negotiations. I am sorry that we can't give you the exact conclusion of all those but we do know that it was at least offered to them to whoever was charged. Thank you.

Chairman: Thank you. Mr. Curley.

Mr. Curley: Thank you. I certainly appreciate the response from the official. The reason I am questioning that is not so much my particular riding, but we do know that there were a lot of reports in the press of how many have been in jeopardy and maybe charged as a result of election infractions.

My point is this is the only probably the most important part of the participation of the people in the election process is democracy in action. We have heavy handed approaches as far as the institutionalized representation. See if we can throw things off with the RCMP, Integrity Commissioner picking on the poor guy. We have no legal aid service bombarded with those requirements. They don't have faxes. They don't have all the avenues that we use the email system.

I am not 100 percent sure that if one letter was sent whether it got there or not in time to get the charges entered. Are we really doing enough to make sure that they do comply?

Chairman: Thank you, Mr. Curley. Ms. Kusugak.

Ms. Kusugak: Thank you. Certainly we looked at, since this election, things that we can do better the next time. We really felt that we worked very hard with all the candidates to assist them to get in their financial information. Our office has a 1-800 number. We certainly can offer great bilingual support.

From the time before voting day we have been contact with the financial agents and the candidates. Shortly after that period we were in contact with them again of what needed to be done. As the end date approached the 60 day period, after the election we were in contact with them again to remind them if they felt that they were going to be late in getting in their financial returns that they needed to get in contact with me to get an extension. Only one person actually did do that and they were granted an extension and got their financial information in. After that time we still contacted people and reminded them to get it in.

When we realized that we are now in the end of May and we were still missing information from 29 candidates and their agents. Then we had felt after registered letters, etc., prior to this that we had no alternative but to follow the Act and to report those cases.

I would like to say that there was nothing in common that we could judge from the candidates and agents that did provide their financial information in time. There was equal numbers of young people and older people and people in large communities and people in small communities and people with what looked like a lot of financial support and a lot of people that didn't were equally seemly able to get the information into us and than not able to do it.

We reduced the requirements; they had been substantial under the previous Elections Act. For an awful lot of people this was down now to one page with just some supporting receipts, etc.

We tried to make it as straight forward as possible so that people that did not have access to somebody with a lot of strong financial background could do it. When we set up the system I said just remember people in very small communities, imagine that there were eight candidates that were trying to run from Grise Fjord and they all needed financial agents. Think of how we can support them best.

We tried to make a situation where somebody that's ever worked in an hamlet office or at the office at the Northern or the Co-op could handle these financial considerations. So we do feel that we provided the backup necessary, we've done a bit of a review. We provide plain language information for the candidates and their agents, I think next time we'll make sure that the agents get their own set of background information that's delivered to them.

We will try to run phone in sessions where they can learn more about what they need to do. I think that we provided a better situation than they had previously, at the same time I think that as my job as the administrator, sort of the defender of the Act, is to make sure that for individuals in Nunavut, if they give money to a campaign, that they know that the money was spent on a candidate's campaign and not for any other frivolous purpose or for their own.

The residents of Nunavut need to have that assurance that the money has been used properly and that I am the only person that is in a position to provide that.

The deadline for providing the financial information is sixty days after the election, and after that our role in, we must give the information than to the RCMP and how they choose to act after that is up to their policy. Thank you.

Chairman: Thank you, Ms. Kusugak. Mr. Curley.

Mr. Curley: Thank you. Thank you for the information Sandy. The sixty days I was just going to get to that, should we consider extending that time, is that time enough to complete the reports and so on, if we can extend other timelines, reporting requirements, should we be considering extending that time or improve the actual requirement, maybe have the local returning officer involved in communicating with those individuals. What more could we do to try and ... I know that you alluded to some but one easy way out is to extend the time to complete the reports. Thank you.

Chairman: Thank you. Ms. Kusugak.

Ms. Kusugak: Yes. I've given some thought to that. As I mentioned, people can ask for an extension, and in some cases, one case, somebody phoned to say they haven't got the bills back from Northwestel and we knew we could include those after that fact.

It's a strain on us as a small office and means that we have to have people employed much longer process of reminding people very often of their obligations beyond a certain point.

I'm not sure that increasing it to ninety days would really help in that process. With the financial agents that we talked to after the election, they said that they felt the time period is one of the questions we asked them about, and they said that they felt it was a reasonable period to get the information in, that they didn't have a problem. Other than that, I believe they said that there was occasionally a telephone bill outstanding but that they found our format easy to deal with and they actually found the support they got from the office, whenever they called about questions was fast and very helpful. Thank you

Chairman: Thank you. Mr. Curley.

Mr. Curley: Thank you. My other question had to do with the reporting requirements of the chief electoral officer to the Assembly.

The act says 180 days, six months to present the report. It actually it took about a year, one year I believe to complete the report, to submit it to the Assembly.

Although you alluded to why, the reasons for this delay, my point is that extending it to nine months to submit a report is really also, have you considered that it's delaying the actual approval of the changes that might be required for the next Assembly.

We are not always sitting twelve months of the year, so if you, in fact, going to be abiding by the wording of the law, nine months, it will actually mean it will be one year and a half before the assembly actually views this. Scheduling assembly legislation and everything else tend to also log jam within this assembly. Is it reasonable that your asking for ninety, or extra three months, or should you consider improving, getting all the complying requirements by using the same tactics that you do for candidates, not submitting their final reports to you. Thank you.

Chairman: Thank you Mr. Curley. Ms. Kusugak.

Ms. Kusugak: I would say that actually looking at the reporting time compared to the other elections offices in Canada, even what we're suggesting is very much in the middle range. I think we hadn't appreciated how long it would be to get the enforcement information in, how long the enforcement process would take and the amount of time that would be consumed with dealing with candidate issues and reporting.

My colleague is suggesting that we could leave out any data about enforcement from the report, and that might be one of the few ways that it could be done in the given time.

I was sure that we would have the results of all of the enforcement questions in good time, and it's not the way it worked out. I was actually quite shocked on how we had to wait for quite a long time before we could publish the candidates' financial returns in the newspapers before we had enough of the other ones in to make it worth spending the \$85,000 that it cost us to put it in the newspaper.

A part of it is a learning experience from our point of view. I can't see that in a future election that we would have all of the information currently required to be in the report assembled under the old time frame. Thank you

Chairman: Thank you. Mr. Curley.

Mr. Curley: Thank you, Mr. Chairman. I also believe that aside from the enforcement itself, because I think that not all of the reporting requirements of your office really has to do with the infractions and what not, they are only part of the requirements. I don't believe that we have the final results of the charges that are being laid. If we do we would wait appeal proceeding to consider appeal process in the court proceedings.

That is not what we are talking about. What we are talking about is once the charges are laid then I am not sure that you are involved with that member then. My point really is whether or not there are ways to improve getting the reporting all the materials in so that the report could be submitted and the Assembly can consider changes that are needed for the next voting season.

The way it is that we might not be dealing with the actual amendment proposals. I don't know when, perhaps in the fall, I am not sure whether we will complete them because I do have some proposals or changes relating to the recount, because recounts, as well as the declaring a candidate a winner. That should be handled by the local Returning Officer. Why could they not say unofficially this is the local result subject to your verification.

Do you actually have to certify them during the election night or later so that the declaration of the winner is it not possible to have it announced locally in local ridings? Thank you.

Chairman: Thank you. Ms. Kusugak.

Ms. Kusugak: Thank you. Yes, it is certainly possible to have it announced locally. The Returning Officer is the person to whom the writ is sent and the person that declares a candidate elected. So they are the ones on whom it finally rests. For communications purposes because we are so far flung, and to give reassurance, etc., and because it is difficult for the Returning Officers, themselves, to get the information from where they live to the media centres then we function that it passes through us centrally, that we confirm their results.

There were in Cambridge Bay I understand from the Returning Officers that there were issues of not balancing with the number of ballots they received and the number of ballots they needed to account for, until very much the end of that election night. That is what the reason there. There was a similar reason in a couple of other constituencies.

Occasionally people certainly have to check their adding, they have to check for every single ballot. Occasionally I have worked in elections long enough to know that for whatever reason people sometimes get a ballot and then they walk out the door with it because there is really no other explanation. I have been personally involved with elections where there has not been an exact balance between the numbers of ballots that were given at the station and the number they were to count at the end of the night. There has been a few and that is the only possible explanation. I just know it happens.

The poor people that work at the polls worry endlessly about this. They are very conscientious and they are people that are very much trying to do a good job in that one or two days where they are working.

Things don't always work out for them. When you are sitting in Rankin Inlet and they are sitting in Resolute Bay, you can only help them so much. You can help with the process

and you can't help them with their immediate problem. There may be no solution for their immediate problem. Someone may have just walked out with the ballot.

It is a difficulty and something that we'll work towards improving all the time. Thank you.

Chairman: Thank you, Ms. Kusugak. Mr. Curley.

Mr. Curley: Thank you. My last point is I really believe we have to address the voters. The voters are not always local Inuit, not many of them wanted to know exactly who the winner is, genuine winner, local winner. The second one is the press, who are we serving, the press or the local voters. That's what I'm trying to get at, there has to be I believe one address for the locals where they know exactly who the winner is rather than waiting to having a member from Cambridge Bay sitting on a small stool for an hour and half.

If we're going to do that again we have to make sure that CBC has a better stool than they have made available to him. I think it's possible to address two, one are the voters locally, one is the press who your office appear to be entertaining more than the local voters, and I really believe that we can do both ways; do a good job locally, announce locally through local radio, who the winner is, the public taking part in celebration instead of waiting for Iqaluit Central to announce. Thank you.

Chairman: Thank you. Did you want to respond to that? Ms. Kusugak.

Ms. Kusugak: There is no reason at all that is not done locally if the local radio is on at the time when the results are ready and if it can be arranged. Of course, as we know, it's unpredictable, some results are available in an hour and some results are available in three hours. I can't control that.

There would be no reason in the world that local radios wouldn't convey to the people in those communities what the results are directly after returning officer has them. Thank you.

Chairman: Thank you. Mr. Peterson.

Mr. Peterson: Thank you, Mr. Chairman. A couple of weeks ago I was reading a media report about the Yukon and I noted that there is an Member of the Legislative Assembly over there who is a member of the governing party. He owes over one hundred thousand dollars to the government through a loan or something through one of his businesses.

At the hamlet elections, at the hamlet level in Nunavut, if people run for elections and if they owe five hundred dollars to the hamlet, then they are declared ineligible to run unless they repay that money. At the territorial election level if a candidate owes money to the Government of Nunavut I don't think they are ruled ineligible. They can run.

I'm wondering why there is an inconsistency at the territorial levels of government where you can run for elections if you owe a lot of money to government or to a crown agency, such as the Qulliq Energy Corporation or some other agency, yet at the hamlet level, if you run for mayor or councilor you can't run. Thank you, Mr. Chairman. Ms. Kusugak, if you could answer that for me.

Chairman: Thank you, Mr. Peterson. Ms. Kusugak. Mr. Orr.

Mr. Orr: Thank you, Mr. Chairman. It's a very good question and it raises issues of conflict of interest and so on. I know that I've done work on municipal legislation here in, actually in the Northwest Territories, which was the origin of the legislation here, there are complaints about that particular provision in the Local Authorities Elections Act and there is some desire to change it.

When the current Act was drafted these issues were discussed internally of course with Ms. Kusugak and also in discussions with Member Services Board which went through the Act in total. And then of course when it was also debated in committee of the whole here, it was felt that there should be as few restrictions as possible on candidacy.

That of course is open to second thoughts in the light of other experiences but, that I think is generally the idea that there should be as few limits on candidacy and if there is money owing, that is something that would not necessarily preclude a person from being a good Member of the Legislative Assembly but given the Integrity Act and code of ethics. Thank you, Mr. Chairman.

Chairman: Thank you. Mr. Peterson.

Mr. Peterson: I'm not sure that clears my question because I could say the same thing at the hamlet level. If someone owes two hundred fifty, or five hundred dollars, that doesn't preclude them from being a good councillor or a good mayor. Yet, because they owe that money and it is quite difficult to raise money for some people, that would preclude them from being a hamlet councillor. Yet owing the same amount to the Government of Nunavut, you're free to run as Member of the Legislative Assembly and possibly become a minister. I'm not sure why there can't be some consideration of that in the territorial legislation. Thank you, Mr. Chairman.

Chairman: Thank you Mr. Peterson. Ms. Kusugak.

Ms. Kusugak: I think Mr. Orr would like to address this, but I don't see why, this is the Assembly's legislation, if that is the wish of the Assembly, then that could be an amendment put forward through the management services board to come forward. Thank you.

Chairman: Did you want to add to that Mr. Orr?

Mr. Orr: Thank you, Mr. Chairman. The Local Authorities Elections Act actually was one of the bills I drafted for the Government of the Northwest Territories some years ago.

The provision in there on owing money to the hamlet or the municipal corporation was something put in at the request of the department responsible, which was Municipal and Community Affairs.

This Assembly had a chance to look at the issue generally when dealing with the Nunavut Elections Act many years later, and decided not to follow that provision. I know that there is pressure to make a change to the Local Authorities Elections Act here in Nunavut.

As Ms. Kusugak says, if the Assembly feels it wants to bring in a provision like that, then by all means. Recommendations were made by the chief electoral officer in this report. Presumably those will be considered and other appropriate changes to the Act can also be considered. Thank you, Mr. Chairman.

Chairman (interpretation): We don't have a quorum at the moment.

Thank you. Mr. Peterson.

Mr. Peterson: Thank you, Mr. Chairman. Thank you, Mr. Arreak for getting back to our Committee of the Whole meeting.

I want to ask Ms. Kusugak some questions about her recommendations on page H-1 of twenty three. You're recommending that 15(2), the "electoral quotient for Nunavut equals the number of voters on the most accurate current voters' list for Nunavut divided by the number of constituencies". I'm wondering, Ms. Kusugak, how you're going to obtain the most accurate current voters list for Nunavut. How much do you estimate that would cost? Thank you, Mr. Chairman.

Chairman: Thank you Mr. Peterson, Ms. Kusugak.

Ms. Kusugak: Thank you, Mr. Chairman. We maintain the voters list, I believe I mentioned we have an electronic permanent voters' list, and it was last updated at the time of the municipal elections and will be updated on a more continuous basis when the returning officers have access to the web-based system by the broadband.

It will be largely up to an individual voter to assume they're on the voters list, although the returning officer will several times a year request, make calls to the community to make sure that people who have just turned eighteen register themselves and to remind the community that it's their responsibility to set up registration stations at community events or community areas.

We don't anticipate doing further full scale enumerations as we did for the first election. We will in places where we believe that there is a large population shift, for instance in

Iqaluit, we know experienced a large population turnover so we will expend more energy in updating that and the returning officer tells us that there has been a large change in their population, their constituency, by their knowledge of the community situation than we would go the extra effort to cause all people to be registered. Thank you.

Chairman: Thank you. Mr. Peterson.

Mr. Peterson: Thank you, Mr. Chairman. Thank you, Ms. Kusugak. Could you perhaps tell us in your opinion how realistic it is for each community in Nunavut to have their own Member of the Legislative Assembly? Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Peterson. Ms. Kusugak.

Ms. Kusugak: I'm reluctant to speak about boundaries commission issues, as I mentioned to you before I was on the Boundaries Commissioner previously and I had the experience of visiting all communities and hearing different sides and making recommendations from that basis so I'm afraid I might slip back into Boundaries Commission member. I would prefer that Mr. Orr handle this, although I could say that I think that process we outlined in the Nunavut Elections Act, for making these adjustments really gives the Boundaries Commission members a strong basis for looking at requests and for discussing these things with communities.

If they look at the requirements, the things they need to juggle, the community interests, the geography, the transportation and communication between places and listen to the people speaking at meetings and balance that off with the costs of having an Member of the Legislative Assembly and other democratic principals, which are basically representation by population than I believe they'll come to a good result, but I would rather leave that to the discussion of the Boundaries Commissioner. Thank you.

Chairman: Thank you. Mr. Orr.

Mr. Orr: Thank you, Mr. Chairman. The factors for the Boundaries Commission to consider are set out in the Act in section twenty one. The electoral portion is the one that is the governing factor and that is the populations for constituencies should be a similar size so that if a very small community had it's own Member of the Legislative Assembly representing it than that would mean that a large community such as Iqaluit would have the corresponding larger number of Member of the Legislative Assembly's representing it. You could have a proportional increase in Members of the Legislative Assembly so that if one small community of five hundred people had an Member of the Legislative Assembly than Iqaluit would have correspondingly huge number of Members of the Legislative Assembly which would completely change the character of this Assembly.

I think that is nothing theoretically wrong with that expect that you would have an enormous implications on the costs and just the character of this House. Thank you.

Chairman: Thank you. Mr. Peterson.

Mr. Peterson: Thank you, Mr. Chairman. Thank you, Ms. Kusugak and Mr. Orr for that answer. It is a similar situation that exists in the Yukon where I think ten of their Members of the Legislative Assembly, even though it is a party system. Ten of their Members of the Legislative Assembly come from Whitehorse out of the 15 or 16, so some of the smaller communities around the Yukon are less represented.

Ms. Kusugak made some comments about being rather reluctant to talk about Boundaries Commission. We don't have a Boundaries Commission at the moment. So I am wondering when we do have a Boundaries Commission if Ms. Kusugak feels that the Chief Electoral Officer has a role to play working with them? Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Peterson. Ms. Kusugak.

Ms. Kusugak: Thank you. If I might comment first about the Yukon. From my meetings with my colleagues I was quite surprised to discover that actually two thirds of the population of the Yukon is in Whitehorse. That sort of alters your thinking about how the whole territory works. Imagine that two thirds of the population of Nunavut being in Iqaluit. Our thinking would be really different about how we operated.

No, I have no problems of the Boundaries Commission because my role is very well carefully defined in the legislation. We provide mapping services to the Boundaries Commission. We provide office space for them, and we are responsible for drafting the Bills that results from their work. I feel that is an excellent role for us because we are able in our office to produce the maps. We know some of the technical issues surrounding changes that need to be made by this Boundaries Commission.

For instance in Iqaluit we now have constituencies that go across lots. The sort of technical changes that definitely need to be made, even if no other change was made by future Boundaries Commission.

So administratively no, I have no problems with working with the Boundaries Commission. Thank you.

Chairman: Thank you. Mr. Peterson.

Mr. Peterson: Thank you, Mr. Chairman. This might be a question for Mr. Orr. In Nunavut, we have three regions. In the Kitikmeot we have three Members of the Legislative Assembly. We have Members of the Legislative Assembly representing four communities, plus two smaller communities.

We have an Member of the Legislative Assembly, my colleague who is on my right, Steve Mapsalak from Repulse Bay, but he represents Kugaaruk. So when people ask us how many Members of the Legislative Assembly that we have in the Kitikmeot, we always say three and a half. In the Kivalliq they say five and a half. So Mr. Mapsalak, he has to work in two regions. I am not sure how he deals with that.

In the future I am sure that Mr. Mapsalak will have some more input into this. In the future would it not make more sense to for the community of Pelly Bay, or Kugaaruk, to have its own Member of the Legislative Assembly and combine two communities over there. There would be less of this overlapping between two regions. Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Peterson. Mr. Orr.

Mr. Orr: Thank you, Mr. Chairman. Yes that makes sense. I presume that is probably one of the items that are dealt with in the Act. The means of communications in various parts of Nunavut, in fact the administrative boundaries on a regional basis, those things are all factors that a Boundaries Commission can take a look at.

We of course in the last general election inherited the same constituencies that were established previously so the Act itself had no influence over the existing boundaries. Presumably when the new Boundaries Commission takes office, that is presumably one of the things that they would look at. Thank you.

Chairman: Thank you, Mr. Orr. Mr. Peterson.

Mr. Peterson: Thank you, Mr. Chairman. Thank you, Mr. Orr for that comment. Just moving on to page H-2 of 23, prisoner voting. You made some recommendations. I was wondering if any prisoners voted in the 2004 election. Do you have that information? Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Peterson. Ms. Kusugak.

Ms. Kusugak: Mr. Chair, I don't have specific information on the number of prisoners that voted, because there ballots were special ballots and handled as would be students or people that were away on vacation.

I do know the significant number of ballots were sent to Baffin Correctional Centre, and I do know the number were sent south, but we don't keep that kind of statistics that would separate out whether things were coming back would be from students or etc.

We have a very small population in Nunavut, so we go to some length to ensure that the voting is kept secret, and how a person has cast there ballot, we need to be careful not to be identifying very often.

You know there may be only two people voting by special ballot from a constituency and if you start knowing one was a student and one was an inmate then you would know more information then you perhaps wanted to. Thank you

Chairman: Thank you, Mr. Peterson.

Mr. Peterson: Thank you, Mr. Chairman. Thank you Ms. Kusugak. My son voted from the university in a special ballot. He thought it worked quite well for him, so he was able to get his vote in.

Do you know if you had any complaints from any inmates who might have wanted to participate in the election. Were there any complaints at all in how the system worked for them? Thank you, Mr. Chairman.

Chairman: Thank you Mr. Peterson. Ms. Kusugak.

Ms. Kusugak: we didn't have any complaints at all, and we found the officials at the correctional centers and the prisons quite very receptive to making sure that people got their ballots if they wanted them, that they were aware.

We produce quite a lot of information brochures and posters that went to all of these places and I believe were helpful in the process. Thank you

Chairman: Mr. Peterson.

Mr. Peterson: Thank you, Mr. Chairman. Thank Ms. Kusugak for that information, I was looking at appendix E, on the Election Act, complaints to the RCMP. It's quite a description of the process of voting practice, the financial practice involved in the candidates' financial compliant agency.

As a follow-up to my colleague in Rankin Inlet who talked about the paper work, there is a section in your report called the disqualification of candidates, section fourteen, page H-12, 23.

I was wondering, how many people have you ruled ineligible to run in the next general election, and have they been made aware of this? Thank you, Mr. Chairman.

Chairman: Thank you Mr. Peterson. Ms. Kusugak.

Ms. Kusugak: Thank you. The number is twenty nine, and we did not have a written process that describes if I was to contact people and say to them you are not eligible to run in the next election.

It seems as though that maybe it was unsolicited information or advice, I don't know beyond that, that's the simple answer to your questions, it seems a letter coming out of the blue saying you're not eligible to run in the next election seemed a little pre-emptory, people might not be the slightest bit interested in running in the next election, and whether they would still have that letter four years from now when the election was about to become a fact, I'm not sure, it has been on my mind, wondering when would be the appropriate time to indicate that, because we don't want people to be publicly embarrassed when they go to put in their nominations and they've been discovered are not eligible.

Perhaps the time just when the election date is getting to be two or three months in advance then I would write to them and remind them that they are not able to do so.

It is of course, as Mr. Orr points out is in the report, although I don't suppose that the public, by in large, are sitting around at night reading my report, unlikely to. Thank you.

Chairman: Thank you, Ms. Kusugak. Mr. Peterson.

Mr. Peterson: Thank you, Mr. Chairman. Thank you, Ms. Kusugak. I know as Members of the Legislative Assembly we had to file all our paperwork quite soon after the election so we could be sworn in and sit as Members of the Legislative Assembly. We had to get all the paperwork and financial stuff in order. Then it was all published in the newspapers for the public to read. I think that there was some information, I can't recall off the top of my head, but there seemed to be some information in those newspaper publications that indicated that there were some problems with the elections related to providing the paperwork from the Member of the Legislative Assembly candidates that didn't win. There were some delays.

I think there are some members of public who are still wondering what the eventual resolution was to all that. I know it is in your report, but as you mentioned it is highly unlikely that anyone's is going to be sitting around reading it.

I was wondering if you feel, in the spirit of openness and transparency that perhaps that information should be made public so that people know what the final disposition or resolution was to the financial accounting under the *Elections Act*. Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Peterson. Ms. Kusugak.

Ms. Kusugak: Thank you. We could do that. I have never anticipated the tremendous cost of putting this information as required by the Act. I mentioned before that it was \$85,000 to go in the newspaper to resolve the situation. Further update the course would be expensive as well.

What we have suggested as part of our amendment for the next election put a notice in the newspaper advising people of how they can find out this information and also that it will be published in the website. By in large, a lot of the people who are looking for financial details will look there.

I find it hard to feel that it is conscionable to spend that kind of money on groups of ads that may be seen by a few people. How to get the information to those people that want it and need it is always a question in Nunavut. We have such different kinds of groups, not only in terms of language but in terms of how people prefer to access that information, but getting everything to them is not easy.

Our only solution is to put the notices themselves into the newspaper and perhaps every time there is an update we could notify people in that way as well. I would welcome any further suggestions on how to get that process not exorbitantly expensive but to get the most information to the most people. Thank you.

Chairman: Thank you, Ms. Kusugak. Mr. Peterson.

Mr. Peterson: Thank you, Mr. Chairman. I thank Ms. Kusugak for those candid comments. I do appreciate that there is a cost and unfortunately it is one of those things that you didn't anticipate. At the same time, as Members of the Legislative Assembly, and I am sure as a government we have been going around for the last year to talking about openness and transparency and accountability and all the catch words. People are starting to expect us to provide them with information that should be made public.

I don't have any solutions for you to address all that but there are probably people out there that would appreciate knowing what the final outcome is, for the public record. I can't sit here in all honesty and tell you how you can do that, I know that it is expensive. Thank you, Mr. Chairman.

Chairman: Was that a comment or a question? Ms. Aglukkaq.

Hon. Leona Aglukkaq: Thank you, Mr. Chairman and welcome to the Legislative Assembly, Sandy and your staff. I don't want to repeat a lot of the things that were already stated, similar situations and concerns I share with items that have been brought forward by my colleagues but I believe that under this new legislation, the first go around I think we did a very good job in trying to implement a new legislation trainer staff in our first elections in Nunavut.

I think in that way that it went very well. Along the way I had shared with you my frustrations and concerns during the election process, but having even this discussion around that table in the House today is also informative to potential candidates in Nunavut down the road.

The only way to address many of these issues is going to be more time in the whole area of training, when it came to picking up my package and to be questioned by staff, where are you going to run, it's really none of their business. But, any person who has an interest in running in Nunavut is entitled to receive the package without being interrogated by employees.

That was the first step in many that come around that I want to state just for the record as well, so that there are staff that do follow up on trying to address those.

The other area of concern that I had and was brought up was related to the whole issue of the residency in Nunavut, the question is if you have a unit or a house in Nunavut and you live outside the territory, outside in other jurisdictions, this is where I am not clear if there is enough research done to really determine whether individuals are residents of the

Nunavut Territory. That also applies to municipal elections. This is a concern that has been raised on a number of occasions from my constituents and I'm not sure how we get around identifying proof of residency whether it be through airline tickets or statements of declarations of individuals.

I believe there is more to defining residency, just because you have a house doesn't mean you actually live in the territory and it's quite specific in the legislation so I bring that as an item before the House for you to follow up on.

The other area that was also brought up that I'd like clarification on is the issue on the advance voting or mobile voting. As you know there was staff turnover in the Nattilik riding during the whole phase of trying to get the voters list and I didn't actually get the Taloyoak voters list until two or three days before the actual vote day because of turnover in staff.

Having said that, in Taloyoak, individuals were not eligible for the same options to vote ahead of time aside from the advanced poll because there was no returning officer, in the legislation it states returning officer and not deputy returning officer, so there is a lot of confusion around that and discovering those differences along the way adds some frustrations and confusions. I know that it is being addressed this time around, but for the record, I wanted to state that because I do have constituents that had expressed their frustrations why are people in Gjoa Haven eligible for that option and why are we in Taloyoak not eligible for that option, those kinds of problems. For the record, I'd also like to state that.

The other area that I want to bring forward is the whole issue that my colleague, Mr. Peterson, brought up, and that is around being eligible to be able to run for municipal elections. This is something that is brought up on a regular basis with me.

Just recently, in December, some individuals were advised that they could not run in elections for the municipal level because they had arrears to the Housing Association. When the legislation for the Municipal Legislation Elections Act, was established back when I don't believe at that time there was any factor that the number of programs that have since been transferred from the government to the municipalities under the empowerment initiative.

The question that has also been raised, is your debt for leases, water and sewer? Or, is your debt for housing? Is your debt for economic development initiatives, because a lot of these initiatives are under the municipality now.

The one situation I will explain here today is a person who is living in his mother's house could not run for election because his mother lived in the unit had debts, which to me is really a misunderstanding. It wasn't clarified to be that, but there is a real lack of understanding out there as to what kind of debt people have to owe to run in municipal elections.

There are many people who are very talented, very willing, able individuals that are not able to run in municipal elections because of that reason and I really think that has to be looked and compared to why it does not apply to us. They are responsible for making bylaws and developing bylaws, and we are responsible for making laws.

Why is there a difference in how we look at who is eligible to run in elections or not. I think that is one area that needs to be looked at. I just say those for the record and say we need to follow up. I am not asking for any response, but they are very similar to other members concerns.

On a final note I do also want to echo the member's concerns around the final results or knowing whether you have been elected or not, because I believe I got my results quarter to eight in Gjoa Haven and it didn't appear on TV until eleven o'clock, Kitikmeot time, Gjoa Haven time.

We talk about, do we want to serve the media or the public? But, the public has access to that television and waited there a long time. I don't know what happened between quarter to eight and midnight Rankin Inlet time and one o'clock Iqaluit time, to have such a long delay of information. I really think that over time, that can also improve and one I think that needs to be looked at in broadcasting elections for Nunavut the next go around. Thank you.

Chairman: Thank you, Ms. Aglukkaq. Ms. Kusugak.

Ms. Kusugak: Thank you, Mr. Chairman. The eligibility to run in municipal elections because of owing money or the eligibility to run in a territorial election because of owing money is an example of where the two pieces of legislation, the Local Authorities Elections Act and ours have to make sense together. What both members are speaking to is that it is inconsistent and it is illogical to apply it in one situation and not apply it in another.

So either the members can address as a change to our *Nunavut Elections Act* is to require candidates not to not owe any money to the territorial government in order to be candidates. Or I suppose when the municipal election legislation comes up for review, they can choose to have that clause taken out. That would be part of the change would be to eliminate the requirement to not owe the municipality money.

At least one or the other is going to make the laws consistent with each other and make them more understandable from the voter's point of view.

In discussing the election results it is certainly something that we work towards. As I said the turnaround time from information coming into our office and going back out from our office was a minute and a half or two minutes at the most.

I am thinking that I certainly know that in some communities where polling stations were held in the Recreation Hall, then access to fax machines, phones can sometimes be

extremely difficult. It is part of our rental with whoever runs the polling station that they make those facilities available but because you write it on a piece of paper and somebody signs it, it doesn't always mean that it happens.

We are going to continue to work in that. I understand as a problem the availability of to be able to get that information out is not always the greatest, so we would work on that. If you would like, Mr. Chairman, Mr. Orr could speak to the residency issue, if that would be desired. Thank you.

Chairman: Thank you, Ms. Kusugak. Any other comments, Ms. Aglukkaq?

Hon. Leona Aglukkaq: Thank you, Mr. Chairman. The issue of the residency, I am not clear what steps are taken to determine a person is eligible to run in the elections or not because I certainly have received comments and concerns from my constituency not only in the territorial elections part but also in the municipal elections.

Again, I will point that out just as an item that that should perhaps be looked at because I am not sure whether there is a difference or not. And one certainly item I would like to seek clarification on, I don't know if you have that information readily available.

It is clear to me as a Nunavut resident. What's not clear to me is how long when you say one year resident but I am not clear that that is always the case. I am not convinced that that is always the case.

My question then is what you need to determine that people are residents of Nunavut for a year as a proof of evidence to be eligible to run. If you are absent consecutively for how long, does that make you ineligible to come up with your twelve months. Is it twelve months consecutive? Or do you take three months vacation and come back to do seasonal work and go again.

That is the kind of question that I have around that whole issue of being a resident of Nunavut for one year to be eligible for territorial elections. Thank you, Mr. Chairman.

Chairman: Thank you, Ms. Aglukkaq. Mr. Orr, are you going to answer that question?

Mr. Orr: Thank you, Mr. Chairman. I appreciate the question on residency, because this is something that a lot of time was spent on when this Act was first considered by the House.

The residency is a two edged sword in the sense that the first time this came before the House was the desire was to make the rules of residency quite flexible to allow the people who went out for temporary purposes, people doing temporary work even prisoners incarcerated outside the territory to be able to vote.

If you open it up and make those rules flexible for the people voting then the other side of it is it is also flexible for the people who would want to run as candidates. The rules and

quite a few rules set out in section four of the Act deal with things like leaving for a temporary purpose, seasonal residents and all that. I have to impress that there are two factors, one is, are you a resident and how long have you been a resident? The day you move here then you are a resident.

Then there is the question of the twelve months to run. Say you move here for a month and you go on a training course for a month. The idea was to allow that period of twelve months to continue to run and then the clock would stop and then start again.

By all means I encourage the House to look at the issue again if they want to reconsider. Thank you.

Chairman: Thank you, Mr. Orr. I have one more name on my list that want to speak. Do you want to confer with Ms. Kusugak, or do you want to report progress? What is the wish of the floor? I hear progress.

In accordance with Rule 6(1) I will now rise to report progress. We have a motion on the floor and the motion is not debatable. All those in favour?

Some Members: Agreed.

Chairman: All those opposed. The motion is carried. I will now rise to report progress. (interpretation): I would like to take this opportunity to thank you Ms. Kusugak and Mr. Orr.

Speaker (interpretation): Returning to the Orders of the Day. Item 20. Report of the Committee of the Whole. Mr. Netser.

Item 20: Report of Committee of the Whole

Mr. Netser: Thank you, Mr. Speaker. Your Committee has been considering Tabled Document 52-2(2) and would like to report progress. Mr. Speaker, I move that the report of the Committee of the Whole be agreed to. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. There is a motion on the floor. Is there a seconder? Mr. Tapardjuk. The motion is in order. All in favour?

Some Members: Agreed.

Speaker (interpretation): Opposed. Abstentions. The motion is carried. Going to the orders of the day. Item 21. Third Reading of Bills. Item 22. Orders of the Day. Mr. Clerk.

Item 22: Orders of the Day

Clerk: Thank you, Mr. Speaker. A reminder a meeting of the Regular Members Caucus tomorrow at half past nine in the Tuktu Committee Room. Orders of the day for Wednesday, April 26, 2005:

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Recognition of Visitors in the Gallery
6. Oral Questions
7. Written Questions
8. Returns to Written Questions
9. Replies to Opening Address
10. Petitions
11. Reports of Standing and Special Committees
12. Reports of Committees on the Review of Bills
13. Tabling of Documents
14. Notices of Motions
15. Notices of Motions for First Reading of Bills
16. Motions
17. First Reading of Bills
18. Second Reading of Bills
19. Consideration in the Committee of the Whole of Bills and Other Matters
 - Tabled Document 58-2(2)
 - Tabled Document 100-2(2)
 - Tabled Document 101-2(2)
 - Tabled Document 102-2(2)
20. Report of the Committee of the Whole
21. Third Reading of Bills
22. Orders of the Day

Thank you.

Speaker (interpretation): We will resume on Wednesday, April 27, 2005, at 1:30.

Sergeant-at-Arms.

>>*Session adjourned at 18:15*

