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Official Report

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**Tuesday, March 14, 2006**

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**Iqaluit**

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

## Legislative Assembly of Nunavut

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#### **Peter Kattuk**

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(Amittuq)

*Minister of Culture, Language, Elders and Youth; Minister of Human Resources*

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*Deputy Premier; Minister of Community Government and Government Services*

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**Iqaluit, Nunavut  
Tuesday, March 14, 2006**

**Members Present:**

Honourable Leona Aglukkaq, Honourable Olayuk Akesuk, Mr. David Alagalak, Mr. James Arreak, Mr. Levi Barnabas, Honourable Levinia Brown, Mr. Joe Allen Evyagotailak, Mr. Peter Kattuk, Mr. Peter Kilabuk, Mr. Steve Mapsalak, Honourable Patterk Netser, Honourable Jobie Nutarak, Honourable Paul Okalik, Mr. Keith Peterson, Honourable Edward Picco, Honourable David Simailak, Honourable Louis Tapardjuk, Mr. Hunter Tootoo.

**Item 1: Opening Prayer**

**Speaker** (interpretation): I would like to ask Mr. Barnabas to lead us in opening prayer.

>>Prayer

**Speaker** (interpretation): Good afternoon Premier, Cabinet Members, Members of the Legislature, and staff. Going to our Orders of the Day. Item 2. Ministers' Statements. Minister Akesuk.

**Item 2: Ministers' Statements**

**Minister's Statement 088 – 2(3): Importance of Sealing to the Inuit Culture, Economy and Diet**

**Hon. Olayuk Akesuk:** Thank you, Mr. Speaker. Good afternoon my colleagues. Mr. Speaker, as you all know the seal hunt is being subjected to its yearly wave of criticism from animal rights groups because the annual Newfoundland hunt is about to begin. Thankfully, Murray Angus, and two Nunavut students, Tommy Akulujuk and Corina Nuyalia have launched an information campaign that counters the activists and displays the importance of sealing to Inuit culture.

Yesterday, Mr. Angus revealed a poster called, "Save the Baby Veal: Avoid Cultural Prejudice." He points out that cultures around the world have relationships with animals. To protest one relationship to one type of animal is cultural discrimination. He goes on to explain that animal rights activists should consider the impacts of their protest on Inuit culture and livelihood for a more balanced perspective. It is always frustrating for those of us in Nunavut to watch the activists. In their passion to attack the seal hunt, these groups either ignore or deny the importance of the hunt to Inuit.

Today, I join Mr. Angus in stating that the seal hunt is important to our culture, economy and our diet. I call on animal rights activists to educate them to respect Inuit as much as they respect animals.

To be clear, I am not criticizing the cattle industry or southern diets, which include beef. I know that different cultures eat different foods and I do not condemn them for it, I am



merely asking that people reflect on their food choices and allow Inuit to eat seal as we have always done.

>> *Applause*

At the appropriate time I will table the poster. I would like to thank Mr. Angus for providing the rights to tabling copies in the House. He is selling these posters to bring greater national awareness to sealing and its importance in Inuit culture, health, and economy. Thank you, Mr. Speaker.

>> *Applause*

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

### **Minister's Statement 089 – 2(3): 2006 Arctic Winter Games Conclusion**

**Hon. Louis Tapardjuk** (interpretation): Mr. Speaker, it gives me a great pleasure to provide a verbal report on the results of the 2006 Arctic Winter Games which were held in Kenai, Alaska.

I stand up today to thank all the youth who participated, and volunteers and staff who worked hard to ensure the successful realization of this important sporting event. Their sportsmanship and team spirit represented Nunavummiut well. I am proud of the great accomplishments of the athletes of Team Nunavut.

Not only did they bring home medals they brought back memories and experiences they will never forget. Leading up to the games, the countless number of hours dedicated to practice by our athletes and coaches along with parents and volunteers paid dividends. The results speak for themselves, we are very proud of the accomplishments during the week's events.

Mr. Speaker, colleagues, and all Nunavummiut please join me in congratulating Team Nunavut for bringing back 75 medals from the Arctic Winter Games, beating our previous record of 46 medals. We have to take great pride in the accomplishments of Team Nunavut, we are still a young territory and this is just the third time Team Nunavut has participated in the Arctic Winter Games. Yet, Team Nunavut has the determination and capability to participate and compete on an equal footing with other jurisdictions in the circumpolar community.

These games are more than winning medals. What I witnessed in the venues were future leaders of this territory. From young to old, all Nunavummiut were great ambassadors. I was equally happy to see parents in the audience see first hand, the ability of their children competing within the circumpolar family.

Mr. Speaker, in closing I would like to thank the Alaskans who treated everyone very kindly and were great hosts. I would like to personally thank each volunteer for hosting the games.

Mr. Speaker, thank you.

>> *Applause*

**Speaker** (interpretation): Thank you, Ministers' Statements. Item 3. Members' Statements. Ms. Brown.

### **Item 3: Members' Statements**

#### **Member's Statement 218 – 2(3): Passing of Jack Angoo**

**Hon. Levinia Brown** (interpretation): I say good afternoon to all of you. I just got back from the Kivalliq. Elders from Whale Cove asked me to tell you, and thank each and every one of you for allowing me to go to Whale Cove. So, on behalf of the elders of Whale Cove, we thank you, as we are all aware of the Whale Cove elder who passed away last week.

Jack Angoo, who is very well known, is survived by his wife and her family, who are okay. They have a large extended family here in Nunavut. I know that we will miss ... (interpretation ends) He was our role model, mentor, friend and most of all an icon of our time, in our generation. Jack was a very kind man, a great hunter. Whatever he caught he always shared with friends, family, whoever. The elders in Whale Cove have kind words to say about him and they gave us a lecture on how to keep on going even though we lost our loved one.

The elders also mentioned that he loved being out on the land and he missed the outdoor life. Of course, he will be greatly missed. Those who knew him will always have a fond memory of him.

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

#### **Member's Statement 219 – 2(3): Passing of Cambridge Bay Youth**

**Mr. Peterson:** Thank you, Mr. Speaker. I rise today to recognize all my wonderful constituency of Cambridge Bay. Even though my constituency is called Cambridge Bay, it also includes the community Bay Chimo/Bathurst Inlet.

Just over two years ago my constituents sent me to Iqaluit to be their voice in the Legislative Assembly; it was a very proud occasion, as I am sure it was for all my colleagues who were entrusted by their constituents with this great responsibility. Cambridge Bay is located 2,000 kilometres west of Iqaluit. It is a long journey for anyone

who comes from the Baffin to visit, but it well worth the trip, because the traveler will never forget their time there.

Mr. Speaker, Cambridge Bay is the kind of town where you are welcomed as the long-lost relative. Everyone waves to everyone, even if you are a stranger, and their hospitality is the finest in the North. You will never get lost in Cambridge Bay because someone will always point you in the right direction. Many years ago someone once told me that my community does not have any heart or soul. That person did not understand the subtle connections that hold a fine community like Cambridge Bay together to make it a great place to live. Like any community we have our share of problems and challenges, but we pull together to support each other. Today is one of those days where we really have to support each other.

Mr. Speaker, today we have buried one of our young people who died tragically last Friday. All funerals are sad occasions, but even more so when it is a funeral for one of our youth who passed away before he had a chance to live a full and productive life. When I heard about the tragedy last Friday, I thought about how precious and short our lives are. We should enjoy every day that we are alive with our family and friends and colleagues. We should not take it for granted that any of us will be here tomorrow. I was heartened by the condolences that my colleagues asked me to pass on to the families of the two young people who were involved in the terrible accident.

I appreciate their outpouring of concern. I asked my mayor to let the families know that all the MLAs share in their grieving. Mr. Speaker, I look forward to returning to my riding later this week. We have all been away far too long from our families, friends, and hometowns. Thank you, Mr. Speaker.

>> *Applause*

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

### **Member's Statement 220 – 2(3): Airline Services to the Communities**

**Mr. Evyagotailak** (interpretation): Thank you, Mr. Speaker. I rise today to address the issue of airline services to our community. (interpretation ends) Nunavut communities rely on safe, reliable, and affordable air service. Our communities are not connected by roads, so we have no choice but to fly. My community of Kugluktuk is concerned because of recent changes to our air services. We are now in the position with only one airline service to our community. It is already very expensive to fly; it can cost over a thousand dollars just to get to Cambridge Bay. My constituents are concerned that the price will go up due to the lack of competition.

We now have fewer flight services to our community. Mr. Speaker, this issue was raised at the recent Kitikmeot Trade show. The community is doing what they can to attract another airline to come to, and service the community. I support my community in this. Thank you, Mr. Speaker.

>>Applause

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

**Member's Statement 221 – 2(3): Importance of Sealing to the Inuit**

**Mr. Kattuk** (interpretation): Thank you, Mr. Speaker. During the Minister's Statement, "Importance of Sealing to Inuit Culture," I just wanted to give him support as to how we use seal as a whole.

The skins of seals were used as clothing and it was used to make *Qajaqs* and they utilized the skins in any way they could, even though they weren't selling them.

Before the Hudson Bay traders arrived we used the sealskin, and also our community utilized the meat and it was distributed evenly amongst the camp. Everyone got their share of the meat. Even if a hunter harvested one seal, the camp, even though many people lived in the camp, the seal meat was distributed evenly. Sometimes they would give one rib per house. That's how the meat was distributed. Also, the blubber was used to fuel *Qullit*, traditional lamps, and it was also used as medicine.

Perhaps the animal rights groups they don't like to see us killing seals, but they should look in the past. They should look to our history.

Their forefathers came up north and they survived because of the seals that we hunted. When the Europeans started coming up north, they survived solely because we have seal meat. If we didn't use the sealskins they would not be allowed...perhaps animal rights activists should look back and look at their history and look at their forefathers and how we had protected and helped the Europeans survive the cold winter by using clothing made by sealskin.

Also, the use of seal...

Mr. Speaker, I would like unanimous consent to conclude my statement.

**Speaker** (interpretation): The member is seeking unanimous consent to conclude his statement. Are there any nays? There are no nays. Mr. Kattuk, please proceed.

**Mr. Kattuk** (interpretation): Thank you, Mr. Speaker, and my colleagues.

The whole seal was used as food and clothing in all the communities. It brought a brighter future for the people because they survived, and for the young children, as they were growing up, it made them see a brighter future.

In the communities, it was used very wisely so that the community as a whole can have a brighter future. From what I've seen, and know, the seal was used in the best possible

way and nothing was wasted. It was the main source of food. We have used this, and we know it.

So, for those animal rights groups, we want them to leave us alone because we know how to manage our own affairs. Thank you, Mr. Speaker.

>> *Applause*

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

**Member's Statement 222 – 2(3): Simeonie Amarualik – Recognition**

**Mr. Barnabas** (interpretation): Thank you, Mr. Speaker. I rise today to recognize Simeonie Amarualik. Simeonie was one of the people who were relocated to Resolute Bay in 1953, and he was only a baby.

Now, he is one of the last survivors from the people that were relocated. He has grandchildren in Resolute Bay. Mr. Speaker, as I've stated quite a few times in the House, it's really expensive to live up there.

He always says the federal government moved them, and that they should be recognized that we took part in establishing sovereignty in the arctic. Simeonie always says that even though our population is not that high in Resolute Bay and Grise Fiord, we are responsible for a vast land up there, and this is one of the strengths that he uses.

For those who were relocated up to Resolute Bay from Pond Inlet, Arctic Bay, and from Cape Dorset; I recognize those people. Thank you, Mr. Speaker.

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

**Member's Statement 223 – 2(3): Aaron Barnard Tulugardjuk – Recognition**

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Speaker. I would like to recognize one participant, Aaron Barnard Tulugaarjuk from Igloolik, who won, I don't know what it's called; I think we would call it wrestling.

The Premier just reminded me...I think when there was wrestling, I think that's how they come to use the term *Unataqtuq*, which is fighting. He got the bronze medal and they were having fun where they are just playing it as a sport and I think the whole world would see that if we were to do that, we would be much happier. Thank you, Mr. Speaker.

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

**Member's Statement 224 – 2(3): Coral Harbour Athletes - Recognition**

**Hon. Patterk Netser** (interpretation): Thank you, Mr. Speaker. I would like to congratulate the Coral Harbour athletes who went to Alaska. There are quite a few.

I believe there are about 11 athletes that went over who participated in wrestling. Randy Kataluk got gold. Troy Aqa Netser, my younger brother's son, got silver. Odelia Imiqtaut and Matthew Netser, they both got silver. Randy Kataluk got silver. Troy Aqa Netser got silver. Odelia Imiqtaut got bronze. Lynn Imiqtaut also got bronze. Arthur Angutialuk got bronze.

I would like to congratulate those athletes because it's like a Montreal team when they go for sports. Thank you.

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

### **Member's Statement 225 – 2(3): Christie Kabluksiak – Recognition**

**Mr. Alagalak** (interpretation): Thank you, Mr. Speaker. I would also like to state one of our grandchildren, Christie Kabluksiak got silver also in wrestling. As my nephew just mentioned that if we were rewarded for sports like that, it would be good.

We really love this child, just his youth and he was also been in Winnipeg for wrestling tournaments and also won gold in Winnipeg. So it is very encouraging and we should show our support to our athletes because it gives them a brighter future. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you. Member's Statements. Mr. Tootoo.

### **Member's Statement 226 – 2(3): Lack of Support for Disabled Persons**

**Mr. Tootoo**: Thank you, Mr. Speaker. Before I start my Member's Statement I just want to correct the member that made a statement earlier about the Montreal Canadiens; you should take a look at their game last night against Tampa Bay. I don't think they fared very well and also, Mr. Speaker, I think that the first Montreal fans were Larry, Curly and Moe. I think we all know who those three are.

Mr. Speaker, I would to reflect on a statement that I made on our first sitting day that was dealing with the lack of support for disabled persons. At that time I had indicated that we often hear of these cases when it becomes desperate. When they hit the media is usually when the individuals are so frustrated with the lack of support they are getting that that's the only alternative they have to try and get their situations resolved.

Mr. Speaker, yesterday I tabled documents that outline a case where that did happen and I sincerely hope that our government, our territory can reflect a little bit on what Mr. Kilabuk said yesterday in his reply on adapting to current situations and needs; that we are not necessarily bound by what's there, in its rigidity, of being non-flexible. You know

Inuit, we are here today because we were able to adapt to a changing environment, changing situations. We see that now with global warming.

I sincerely hope that the case I tabled yesterday, the article that I tabled yesterday outlining that case is a wake-up call for the government to really take a look at and learn from. Even the courts said that there is something not right happening here. Let's not be ashamed of what we have done, I know nobody is perfect and I think we need to grow from our mistakes and learn so we don't make them again.

**Speaker** (interpretation): I'm sorry. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Speaker; it's contagious from my cold yesterday. I would like to ask for unanimous consent to conclude my statement.

**Speaker** (interpretation): The member is asking for unanimous consent to conclude his statement. Are there any nays? There are no nays. Proceed, Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Speaker and colleagues. Mr. Speaker in the article I tabled yesterday the Judge indicated, and I'll quote him, "...I trust that the actions of the Government of Nunavut of cutting off necessary funding to applicants are not replicated in the future when making difficult healthcare decisions."

I really hope that the Department of Health and Social Services and the Department of Education that's named in this particular case, as well as all other government departments take a look at this and see what could have been done differently to assist individuals and not push them through the cracks as I indicated on my member's statement on February 21.

I will be, at the appropriate time Mr. Speaker, questioning the ministers responsible on actions they have taken to review the situation and see if there are any changes that will be brought forward to address those.

Thank you, Mr. Speaker.

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

### **Member's Statement 227 – 2(3): Speed Skating Team – Recognition**

**Hon. Ed Picco:** Thank you Mr. Speaker. I would like to take this opportunity to congratulate our many athletes, coaches, mission staff and volunteers involved with the Arctic Winter Games last week in Alaska.

The coaches and the athletes put in many hours of training and hard work to compete at the international level. A case in point is our own speed skating team that took home a record haul of 16 medals.

>>Applause

Manassie Kendall took home four gold medals alone, Philip Keenainak-Verrault took home three silver, and David Coulombe had one silver and two bronze. Mr. Speaker these young people are excelling at sport locally and internationally.

Mr. Speaker, Nunavut has some real good athletes that we are proud of, one case in point, of course, is Mr. Jordan Tootoo.

Mr. Speaker, Akpik Peter, Sarah Alley, Isabelle Martel, Calvin Tilley, Manassie Kendall, Philip Keenainak-Verrault, and David Coulombe all took medals. Mr. Speaker, our speed-skating team, our Arctic Winter Game team demonstrates that hard work, training and coaching and team spirit are all winning combinations, at home, and here in Nunavut.

>>Applause

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

#### **Member's Statement 228 – 2(3): Thank Staff During Session**

**Hon. Leona Aglukkaq:** Thank you, Mr. Speaker. Today may be the last sitting day; hopefully it will be our last sitting day. I want to take this opportunity to thank my staff upstairs, Phil and Annie, and to also thank my constituency assistants in Taloyoak, Johnny Kootook and Helen Tiringaniak for their hard work.

At the same time, I would also like to recognize the dedicated staff of the Legislative Assembly who stick behind us and provide the long hours of service for us, and to wish everyone in the Legislature a safe trip back home and I look forward to also seeing you back some time in June.

I am also particularly happy that I do not have to listen to the score results between Toronto and Montreal. I am not a hockey fan.

>>Applause

It will be nice to get away from that for a day or two, but in all seriousness I would just like to wish everyone a happy journey back home and to wish everyone a happy spring. Thank you, Mr. Speaker.

>>Applause

**Speaker** (interpretation): Thank you. Members' Statements. Returning to the Orders of the Day. Item 4. Returns to Oral Questions. Ms. Brown.

#### **Item 4: Returns to Oral Questions**



**Return to Oral Question 244 – 2(3): Type of Aviation Fuel in Arviat**

**Hon. Levinia Brown** (interpretation): Thank you, Mr. Speaker. (interpretation ends) I have a return to a question by David Alagalak, MLA for Arviat, on Question 244 – 2(3).

The Government of Nunavut does not store or sell bulk Jet A1 aviation turbo fuel at Arviat. Nor do we inventory or sell any drums of Jet A1 fuel or AvGas 100LL. A local business sells AvGas privately in Arviat. AvGas 100LL is provided by PPD in only four communities in Nunavut; Iqaluit, Rankin Inlet, Kugluktuk and Cambridge Bay. There is a minimal demand for AvGas as there are very few piston driven aircraft in service and most air traffic requires Jet A1.

Any private person, business, or companies requiring such drummed aviation fuels may purchase and arrange transportation to have such products delivered into Arviat for their own usage. There is a company in Arviat that can arrange that or it can be arranged through suppliers outside of Arviat. Thank you, Mr. Speaker.

>>Applause

**Speaker** (interpretation): Thank you. Returns to Oral Questions. Mr. Akesuk.

**Return to Oral Question 154 – 2(3): Medical Travel Airline, Co-Pilot**

**Hon. Olayuk Akesuk**: Thank you, Mr. Speaker. Returns to Oral Questions, Question 154 – 2(3) asked by my colleague Mr. Kattuk on February 24, 2006 on the pilots, whether they have to have one or two pilots when they are flying. Thank you, Mr. Speaker.

**Speaker** (interpretation): Returns to Oral Questions. Ms. Aglukkaq.

**Return to Oral Question 256 – 2(3): Health Specialist Visits**

**Hon. Leona Aglukkaq**: Thank you, Mr. Speaker. I committed to providing further information on questions that were raised by MLA Hunter Tootoo. The question was related to the specialist clinics. The specialists come up every four to five months to Iqaluit. The clinics for the cancellation the member referred to for the month of March or for the month of May, we have rescheduled the May clinics for the next specialist trip for September.

The reason behind the scheduling those specialists' clinics and the member had asked me if that was a direct result of the loss of accreditation. The answer to that question is no. The reason and rationale behind why we are rescheduling those visits is to address some of the concerns identified in the accreditation report. The specialists are not coming up here because of it, but rather an opportunity for the staff at the hospital to develop some time to rebuild the specialist referral program system, the referral process, the

accountability, integration of services, develop a quality and tracking tool, and insuring that the appropriate patient information flow is adequately in place.

The time will be spent for the month of May to address those. At the same time, the individuals that are scheduled to see those specialists will be booked for the next visit and if there is urgency to that then they are being referred to that specialist in Ottawa.

Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you. Returns to Oral Questions. Orders of the Day. Item 5. Recognition of Visitors in the Gallery. Mr. Okalik.

### **Item 5: Recognition of Visitors in the Gallery**

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Speaker. I am very pleased and proud that I can stand today to recognize this visitor. (interpretation ends) There was a time that the Prime Minister once said that Aboriginal People do not have any special rights.

That quickly changed when a significant court case was argued before the Supreme Court of Canada called the Calder case. Before that, Inuit in Nunavut did not have any ability to go to the negotiating table and to argue for any rights whatsoever.

I would like to thank the Nisga'a. At the same time, there was a lawyer representing them in that court. That individual has been working with us and NTI and the Government of Canada trying to mediate a dispute on Article 23 of Inuit Employment. I would like to thank and recognize the Honourable Thomas Berger. Thanks for coming.

>> *Applause*

**Speaker** (interpretation): Welcome to the Gallery. Recognition of Visitors in the Gallery. Mr. Picco.

**Hon. Ed Picco**: Thank you, Mr. Speaker. I won't recognize Mr. Berger because he has already been recognized, but I would like to thank him for his good work and to say living legends, Mr. Berger is a living legend in Canada.

Mr. Speaker, I would like to take this opportunity to welcome some of our pages here today. First of all, a constituent of mine, I knew this young lady when she was a baby and she is all grown up and I remember holding her in my arms; I would like to welcome Elisapee Ryan, one of our pages, next to you, Mr. Speaker. Also, Mr. Eric Guimond is with us today. Eric has been in the House several times. Eric is born, bred and raised in Iqaluit, a very nice guy and a close family friend of our family.

Right behind me is a respected Iqaluit elder, former leader of; I would like to confirm as my second home, Hall Beach, Mr. Simon Nattaq. Simon is also a member of the council here in Iqaluit. I welcome them to the Gallery. Thank you, Mr. Speaker.

>>Applause

**Speaker** (interpretation): Welcome to the Gallery. Recognition of Visitors in the Gallery. Mr. Akesuk.

**Hon. Olayuk Akesuk** (interpretation): Thank you, Mr. Speaker. I would like to recognize the person who has been present in our Gallery many times. Every time he comes to Iqaluit, he comes to watch the proceedings at the Legislative Assembly; Mathewsie Akavak. Thank you, Mr. Speaker.

**Speaker** (interpretation): Welcome to the Gallery. Recognition of Visitors in the Gallery. Ms. Aglukkaq.

**Hon. Leona Aglukkaq**: Thank you, Mr. Speaker. I would like to recognize one of the other pages with us today. She is sitting behind me, Shelly O’Gorman. She is originally from Cambridge Bay, but now lives in Iqaluit, for the last I would say, five years. Thank you, Mr. Speaker.

>>Applause

**Speaker** (interpretation): Welcome. Recognition of Visitors in the Gallery. Mr. Kilabuk.

**Mr. Kilabuk** (interpretation): Thank you, Mr. Speaker. I would like to recognize today you, personally for my own reason, since we’ll be meeting this spring, so that we will be meeting for a longer time today. We’ll be extended for a longer period, and you’ll be going home by skidoo from Iqaluit to Pond Inlet, and you’ll be returning to meet with us in Baker Lake. Thank you.

**Speaker** (interpretation): Thank you. Recognition of Visitors in the Gallery. Orders of the Day. Item 6. Oral Questions. Member for Iqaluit Centre, Mr. Tootoo.

### **Item 6: Oral Questions**

#### **Question 271 – 2(3): Arrangements to Pay for Services**

**Mr. Tootoo**: Thank you, Mr. Speaker. My question is for the Minister responsible for Health and Social Services.

Yesterday I asked the minister if the department has moved ahead on the court order that was issued on February 10, on an individual. The minister wasn’t aware at that time where things were at.

I’m trusting that she would have been briefed on that file since yesterday. I would just like to ask the minister if her department has made any arrangements for the applicant named in the court order to make arrangements to reinstate the services that are provided

by one; a southern institution that was named in the court order, and also with the occupational therapist that was named in the court order. Thank you, Mr. Speaker.

**Speaker** (interpretation): Minister responsible for Health and Social Services. Ms. Aglukkaq.

**Hon. Leona Aglukkaq:** Thank you, Mr. Speaker. From what I understand of the process, the matter is still before the courts. That's a given.

When the parents filed their affidavit in the court, and the Government of Nunavut, the judge issued an interim order with certain obligations for Health and Social Services as well as Education, to meet during the time before the matter is heard before the court.

That interim order will be in place until June 2006. It's an interim order until such time as the judge has an opportunity to hear the case in full, and then at that time, he will then pass his decision in terms of the longer-term arrangements.

The interim order was received by the government and has been reviewed and a service arrangement is in the works with the family. Once that service arrangement has been agreed to and signed off, then the services process will initiate.

But the matter is still before the courts. The judge has issued the interim order, again, until such time as the court is able to review the case and until such time as the judge is able to pass his decision on the issue.

But the order is only in place as an interim measure until June 2006. Thank you, Mr. Speaker.

**Speaker** (interpretation): Your final supplementary, Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Speaker. I am aware, as I indicated yesterday, that that was an interim order and that the full matter is still before the courts. So again, my question was dealing strictly with the interim order; that was ordered by the judge on February 10.

It clearly indicates that the government reinstate funding for the services to this individual and specifically names two specific places where the services are to be reinstated at. Has the government contacted an organization and the individual that are named in the court order to seek an arrangement to reinstate those services? That's what I was asking.

So if the minister has indicated that they have, I would like to ask her: when can the family expect to have those services put in place for their son? Thank you, Mr. Speaker.

**Speaker** (interpretation): Ms. Aglukkaq.

**Hon. Leona Aglukkaq:** Thank you, Mr. Speaker. I mentioned the interim order was received by the government at which time the department reviewed the order. The department then developed a service arrangement, service agreement that's in effect until this summer.

That information has been sent to the family. The family has an opportunity to review that interim order and the service arrangement that is in the works. Once that service arrangement is signed, then we can act on those arrangements.

So that's where that's at right now as far as I understand. Once the service arrangements are agreed to and understood by both parties, then the process to initiate those will begin. Thank you, Mr. Speaker.

**Speaker** (interpretation): When I made my comment, I said that was your final, this is your second one. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Speaker. I wish it worked like that all the time. Mr. Speaker, the minister indicated that they had done up a service agreement to send to the family for their approval. But in the court order it says that the government shall reinstate funding for the provisions of those services with those two bodies.

I guess my question was: has the government contacted those two bodies that are named in the court order to see about reinstating those services for that individual? Thank you, Mr. Speaker.

**Speaker** (interpretation): Ms. Aglukkaq.

**Hon. Leona Aglukkaq:** Thank you, Mr. Speaker. Again, from what I understand, the department has issued a service agreement from us to the family. The service arrangement outlines what the interim order is, and then the family has to agree to those interim order conditions and will sign off. If they sign off on the service arrangement, then we can act on it.

As far as I understand at this point in time, the information has been shared with the family to agree to the court order. Once those are in place, then we can act on that arrangement. Thank you, Mr. Speaker.

**Speaker** (interpretation): Your final supplementary, Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Speaker. The court order orders the government to make those arrangements and not the family to make those arrangements. So I guess I'm a little confused as to why the family would have to sign off on that and why the government is not directly making those arrangements with those organizations as ordered by the court.

So if my understanding is right, is the minister indicating that the government has reviewed it and said, "Okay," to the family, "we will give you whatever is in their agreement." And it's up to the family to make those arrangements.

Why is that the case and why has not the government or the Department of Health and Social Services contacted those two places to make those appropriate arrangements by themselves. Thank you, Mr. Speaker.

**Speaker** (interpretation): Ms. Aglukkaq.

**Hon. Leona Aglukkaq:** Thank you, Mr. Speaker. Again, the government received the interim order. The government reviews those interim orders and have worked out a service arrangement with the family.

The service arrangements are as per the court order. Once that service arrangement is agreed to and signed off by the family, then we are on the same page as to the agreement and the terms and then we can act on that.

That is where the situation is as far as I understand. Again, we have received it, we have developed the service arrangement as to what the interim court order states and are working with the family. The information has been shared with the family, and we can move forward on that once the family is in agreement with the court order and service arrangement. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you. Oral Questions. Member for Akulliq, Mr. Mapsalak.

### **Question 272 – 2(3): Obtaining Birth Certificates**

**Mr. Mapsalak** (interpretation): Thank you, Mr. Speaker. My question is for the Minister of Health and Social Services. Mr. Speaker, a number of my constituents have approached me regarding difficulties in obtaining birth certificates. The reasoning is that they were born prior to the creation of Nunavut, and they were born in the Northwest Territories.

That was prior to 1999 and because of that they are having difficulty in obtaining birth certificates. Even at this time, some of them now have children and they cannot get a job because they do not have birth certificates or other forms of identification.

I am sure that they cannot even apply for social services without their identification cards. Is it possible for the minister to make it easier to access birth certificates? Thank you, Mr. Speaker.

**Speaker** (interpretation): Ms. Aglukkaq.

**Hon. Leona Aglukkaq:** Thank you, Mr. Speaker. If the person wants to apply for a birth certificate, there is an application in place for a birth certificate, and you can send that to the Rankin Inlet office.

For those individuals that were born prior to 1999, that information is in Inuvik. Using and working with the division that provides the birth certificates records for Nunavut we can request and process that application through our office and get the information out of the Inuvik office. Thank you, Mr. Speaker.

**Speaker** (interpretation): Your first supplementary, Mr. Mapsalak

**Mr. Mapsalak** (interpretation): Thank you, Mr. Speaker. I think there are some individuals who have tried to access their birth certificates for a number of years now, but they are having a hard time getting those certificates. They now, as I said earlier, have children and they have tried several times to get a copy of their birth certificates.

How can you or your department help those individuals so that they can access those birth certificates from the Northwest Territories? They have tried Inuvik, they have tried Alberta, and they have tried Rankin Inlet, but they can't access those certificates.

They have paid quite a large amount of money because they have gone to all those points that you identified. How can they access those birth certificates? Thank you, Mr. Speaker.

**Speaker** (interpretation): Ms. Aglukkaq.

**Hon. Leona Aglukkaq:** Thank you, Mr. Speaker. If the person was born after 1999, all that information on birth certificates and so on are within the Nunavut Territory, and we have access to that as a department.

For individuals that were born prior to the division of the territory, all those records are kept in Inuvik. I can try and assist the individuals, if they give me the names and so on, and try and process the application. I'm more than willing to do that.

Sometimes it gets a bit confusing because of the post-1999 and so on. If the member can give me the information on the individuals that are having difficulties accessing their birth certificates, I will do what I can to expedite the process. Thank you, Mr. Speaker.

**Speaker** (interpretation): Your second supplementary, Mr. Mapsalak.

**Mr. Mapsalak** (interpretation): Thank you, Mr. Speaker. For individuals born prior to April 1, 1999, I believe the office is in Inuvik, Northwest Territories. Are those records available in the Rankin Inlet office? Thank you, Mr. Speaker.

**Speaker** (interpretation): Ms. Aglukkaq.

**Hon. Leona Aglukkaq:** Thank you, Mr. Speaker. The records for anyone that was born prior to 1999 in the Northwest Territories, all that information is stored in Inuvik. That is where the vital stats office is.

When we divided, that information was not duplicated to Nunavut. So anyone born from 1999 on, we have all those records in the vital stats division in Rankin Inlet. So, if a person is applying, and is born before then, we can certainly assist in getting that information from the Inuvik vital statistics office.

I have processed a few applications in preparation for the Arctic Winter Games of individuals that needed their birth certificates. The service from the Inuvik office is very quick in getting that information.

So if the member has specific constituents that require assistance, I am more than willing to look into that. Thank you, Mr. Speaker.

**Speaker** (interpretation): Your final supplementary, Mr. Mapsalak.

**Mr. Mapsalak** (interpretation): Thank you, Mr. Speaker. I would like to thank the minister. Is it possible to get those records from the Inuvik office to be sent over to the Rankin Inlet office? Or is that something we can't do? Thank you, Mr. Speaker.

**Speaker** (interpretation): Ms. Aglukkaq.

**Hon. Leona Aglukkaq:** Thank you, Mr. Speaker. The reason the information is in Inuvik is because the person at the time was born in the Northwest Territories. So, that record has to be with the province that individual was born in, or the territory.

If you're born in Nunavut, the information will be in Nunavut. If you're born in Ontario, that information would be in Ontario and so on. So, if you're looking for a birth certificate for one of your constituents, I guess the first question would be: where were you born? And seek the information that way.

So, again, if the member has specific constituents that require assistance, I am more than willing to do that. These are some of the things that we'd have to work out in terms of processing that information to the correct place. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you. Oral Questions. Member for High Arctic, Mr. Barnabas.

### **Question 273 – 2(3): Integrating Inuit Qaujimajatuqangit in the Work Force**

**Mr. Barnabas** (interpretation): Thank you, Mr. Speaker. I would like to direct my question to the Minister of Human Resources.



(interpretation ends) The Nunavut Land Claims Agreement clearly states that objectives of this article is to increase Inuit participation in the government employment in the Nunavut settlement area to a representative level of 60 to 80 percent of Inuit employment within the territorial and federal governments.

Does the territorial government have a place and time for the future internship or training for these positions? Thank you, Mr. Speaker.

**Speaker** (interpretation): Minister of Human Resources, Mr. Tapardjuk. I apologize, Mr. Okalik.

**Hon Paul Okalik:** Thank you, Mr. Speaker. I can answer that a little better perhaps. We just had Mr. Berger here with us; he's been working with us in trying to mediate Article 23 so that one day 85 percent of our workforce in government will be Inuit. So that is what we are working on with NTI and Mr. Berger is just in the process of finalizing his report to all three parties. Hopefully, the federal government will honour that report and assist us in meeting our objectives under Article 23. Thank you, Mr. Speaker.

**Speaker** (interpretation): Your first supplementary, Mr. Barnabas.

**Mr. Barnabas** (interpretation): Thank you, Mr. Speaker. The Nunavut Government keeps saying that they're going to be integrating *Inuit Qaujimajatuqangit* in the government system, but as you can see, we don't see any money set aside that will be used specifically for IQ. How is that going to work?

**Speaker** (interpretation): Thank you. Mr. Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): At this time, we are reviewing *Inuit Qaujimajatuqangit*. For example, if there was a grievance or a discipline taken, we are looking at how we can integrate the *Inuit Qaujimajatuqangit* and prior to that, giving it to the cabinet we have given it to the *Inuit Qaujimajatuqangit* council. This council advises on *Inuit Qaujimajatuqangit* issues. We have been working on this consistently over the years.

For example, if we are going to be looking at a Harassment Policy, we would make it more towards the Inuit traditional societal values because of course we are going to have a representative workforce. With that, *Inuit Qaujimajatuqangit*, it fits more into the majority or percentage of the workforce. At this time, we are reviewing job processes or job application processes, skills and qualifications that an individual is required to have. If you look at the job descriptions today, they have to be over-qualified and it's almost intimidating to apply for a job. So there are quite a lot of things we are doing in our department to get a representative government. Thank you.

**Speaker** (interpretation): Your second supplementary, Mr. Barnabas.

**Mr. Barnabas** (interpretation): Thank you Mr. Speaker. Most of us here know that we started being moved to the settlements from the outpost camps when they started establishing communities back in 1967. Because these individuals are not qualified because they were not even educated in formal schools, they became construction workers and they stopped their job. We are now trying to utilize *Inuit Qaujimagatuqangit* within our current government.

(interpretation ends) My question: what is the status now or what is the percentage of Inuit employment within the territorial government? Thank you, Mr. Speaker.

**Speaker** (interpretation): Mr. Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Speaker. After September, it was 47 percent Inuit. We also have a target or goal, by 2007-08 that we will have 50 percent Inuit employees.

For that reason at this time as the Premier stated earlier on, we are now negotiating with the federal government so that we can have Inuit individuals on the job, training courses and the instructors, whether it be non-Inuit instructors, they have a target. If I teach this individual that this Inuk will take on my position so we are now working on that basis on the internship program. We expect that this will continue for the individuals that are in management level are now trying to train the Inuit and according to the wishes of the department, that is how we try to help them. Thank you, Mr. Speaker.

**Speaker** (interpretation): Your final supplementary, Mr. Barnabas.

**Mr. Barnabas** (interpretation): Thank you, Mr. Speaker. You were trying to reach 50 percent by that year, but in Article 23 it states 60 to 80 percent for the upcoming years. How will you try and reach up to 80 percent? Thank you, Mr. Speaker.

**Speaker** (interpretation): Mr. Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Speaker. Yes, we will continue to work on increasing the number and going to the target date. By the year 2020 we expect to be close to that target. Thank you, Mr. Speaker.

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

### **Question 274 – 2(3): Child Advocate**

**Mr. Peterson:** Thank you, Mr. Speaker. My question is for the Premier. Mr. Speaker, I have raised the creation of the Child Advocate for Nunavut in the House many times since 2004. It was raised in the House in the First Assembly as well. We still do not know what the Government of Nunavut's position is on the child advocate. A Child Advocate is a concept that has been supported by NAM and NTI to name only a few of the

supporters. We are one of the few remaining jurisdictions in Canada without a Child Advocate.

My question for the Premier, will the Premier tell the House if his government supports the creation of an independent Child Advocate reporting to the Legislative Assembly? Thank you, Mr. Speaker.

**Speaker** (interpretation): Premier.

**Hon. Paul Okalik:** Thank you, Mr. Speaker. I believe my Minister of Health dealt with this matter and that it is up to the Legislative Assembly to determine whether there should be a Child Advocate. Thank you, Mr. Speaker.

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

**Mr. Peterson:** Thank you, Mr. Speaker. I do not think the Minister of Health has dealt with this matter. Mr. Speaker, I recognize that no government is eager to expose itself to an independent outside scrutiny, so I understand why the government is reluctant to embrace this initiative.

The question for the Premier: does the Premier agree that a strong and independent voice for children is necessary, yes or no? Thank you, Mr. Speaker.

**Speaker** (interpretation): Premier.

**Hon. Paul Okalik:** Thank you, Mr. Speaker. Any issue relating to children is always a very easy subject for anybody to support, but on this situation all Child Advocates mostly report to the Legislative Assembly and my Health Minister advised the House of this matter, not too long ago that the Assembly is the place to create such an advocate. Thank you, Mr. Speaker.

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

**Mr. Peterson:** Thank you, Mr. Speaker. I thank the Premier for that information. Mr. Premier, I have talked to three or four government departments and I am not clear in my mind, the people I work with on this initiative are not clear. Can the Premier tell us which Government of Nunavut department was given a lead to research the Child Advocate for Nunavut on behalf of the government? Thank you, Mr. Speaker.

**Speaker** (interpretation): Premier.

**Hon. Paul Okalik:** Thank you, Mr. Speaker. My Minister of Health responded to the inquiry, but it's a joint effort between Education, Justice, and Health.

The research done was that the Assembly is the place to appoint Advocates just like we appoint the Languages Commissioner; that this is the proper way to do it as the House

through a motion directs that such an office be created, then that is what will be. Thank you, Mr. Speaker.

**Speaker** (interpretation): Your final supplementary, Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Speaker. I thank the Premier for that information. So what I'm hearing is if we bring a motion into the House, the Premier will support the motion? Is that correct, Mr. Speaker? Thank you.

**Speaker** (interpretation): Premier.

**Hon. Paul Okalik:** Thank you, Mr. Speaker. It is up to the Members of this House to create such an office. I'm not going to prejudge the outcome of this House. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you. Oral Questions. Member for Kugluktuk, Mr. Evyagotailak.

### **Question 275 – 2(3): Improving Nunavut Airline Services**

**Mr. Evyagotailak:** Thank you, Mr. Speaker. Just before I ask my question, I would like to say a few things on the airlines here. CBC had written some notes here. Our leader from the Kitikmeot Inuit Association had mentioned about the airline has pulled out. And also in February, according to Kenn Borek, the company was not making much so they pulled out.

My question for the Minister of Economic Development and Transportation; in my member's statement, I talked about the status of airline services to Kugluktuk. I know that the minister's department is working on updating the Nunavut Transportation Strategy. Can the minister tell us what options he is looking at improving airline service to Nunavut communities? Thank you, Mr. Speaker.

**Speaker** (interpretation): Minister of Economic Development and Transportation, Mr. Akesuk.

**Hon. Olayuk Akesuk:** Thank you, Mr. Speaker. I think it's really up to the airline companies of whether they could fly from here and there, it's up to them.

Again, our goal is to make sure that we have a couple of airlines, at least, in each community to do service for the communities, as we need the competition. Again, it's really up to those airline companies whether they would want to travel to that community and back to the community where they left.

I think it's important that we, as a government, write letters to the airline companies, along with the MLAs that are being affected by the stopping of the airlines going to

certain communities. So I do believe it's really up to the airline companies that travel within the communities of Nunavut. Thank you, Mr. Speaker.

**Speaker** (interpretation): Your first supplementary, Mr. Evyagotailak.

**Mr. Evyagotailak:** Thank you, Mr. Speaker. The government recently announced the fuel tax rebate to mining companies to encourage mining activities. Are there any incentives the Government of Nunavut could offer airline companies to come and provide service to communities when only one carrier is present? Thank you, Mr. Speaker.

**Speaker** (interpretation): Mr. Akesuk.

**Hon. Olayuk Akesuk:** Thank you, Mr. Speaker. That is a very good question and I could certainly look into that. How we could commit airlines to go into different communities. Again, it is so limited here in our territory that there is not enough competition for our airlines to have good deals that we could fly out of each community. Like my colleague said, it costs about \$1,000 to Cambridge Bay, which is the closest community to Kugluktuk.

I think it is important that we figure out a way the airlines could fly cheaper for our people in the territory. Again, I do believe that we would have to talk with the airline companies that have airplanes flying in Nunavut. Thank you, Mr. Speaker.

**Speaker** (interpretation): Your second supplementary, Mr. Evyagotailak.

**Mr. Evyagotailak:** Thank you, Mr. Speaker. Thanks again minister. It seems like we are almost like tourists going up to some communities even though we live in Nunavut. We are paying so much for the services.

Mr. Speaker, my question to the minister: when will the minister be able to table the update of the Nunavut Transportation Strategy? Thank you, Mr. Speaker.

**Speaker** (interpretation): Mr. Akesuk.

**Hon. Olayuk Akesuk:** Thank you, Mr. Speaker. Once the strategy is done, I will be happy to table the strategy. We are probably pretty close to where we want to be to table it. Again, as soon as I get a chance to table the strategy, even if it has to go through back door, I will certainly do that so that my colleagues get a chance to review the strategy before the next sitting. Thank you, Mr. Speaker.

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

**Question 276 – 2(3): Inuktitut as a Working Language in Nunavut**

**Mr. Kattuk:** Thank you, Mr. Speaker. I will look into my community on transportation because I have to go around trying to get home and get to here. So I will look into that when I have a chance, but I am not going to ask him about that.

(interpretation) I do not think he has been asked questions even though this is our fourth week, but I would like to ask the Minister of the Department of Culture, Language, Elders and Youth as he stated in his Ministers' Statements that the Government of Nunavut is aiming at the year 2020 to use Inuktitut as a working language.

In those goals, what are the policies or regulations to obtain that status in the year 2020? Thank you, Mr. Speaker.

**Speaker** (interpretation): Minister of Culture, Language, Elders and Youth, Mr. Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Speaker. I hope I understood his question correctly. When the government was formed, the year 2020 in the *Pinasuaqtavut* document that they want Inuktitut to be a working language in the year 2020 and we are aiming for that.

Even at this time, there are instructions in Inuktitut that we are providing Arctic College or other departments because what we hope to do is that the departments will have to be run with the Inuktitut language.

So that is what we are aiming for and I believe the First Assembly approved this. Thank you, Mr. Speaker.

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

**Mr. Kattuk** (interpretation): Thank you, Mr. Speaker. I wonder if the minister can say that the year that we're aiming for, 2020...can he update us as to exactly what they are doing to prepare for, so we will be aiming for 2020.

Do you think we'll be there on time, or be late, or are we too far ahead? So, does the minister think that 2020 is adequate to use the Inuktitut language? Thank you, Mr. Speaker.

**Speaker** (interpretation): Mr. Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Speaker. Even this spring, we are in the process of producing Inuktitut policies. The first Nunavut policies will be English, French, and Inuktitut.

And the other one; regulations to protect the Inuktitut language where the private sector, restaurant owners, government agencies, or departments, those will deal with the public;

we'll have to use Inuktitut because a lot of times they are just in English where they should be in Inuktitut.

So what we're saying is that we'll be promoting the Inuktitut language in our everyday life. So we are hopeful that once this act comes about that we will be able to use it to give us more strength, not just within government, but for the whole Nunavut, because the majority of the population in Nunavut is Inuktitut speaking.

**Speaker** (interpretation): Your second supplementary, Mr. Kattuk.

**Mr. Kattuk** (interpretation): Thank you, Mr. Speaker. So do I understand that the *Protection of Inuit Language Act*, what he said, that the stores, the restaurants, businesses, that they will have to use Inuktitut language? So in Quebec, we see only French language.

So do I understand that everything will be in Inuktitut by that year? Thank you, Mr. Speaker.

**Speaker** (interpretation): Mr. Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Speaker. As I stated, the *Language Act* will be in English, French and Inuktitut. And of course, Inuinnaqtun falls under Inuktitut.

After the Act, so we are expecting that those three languages will be quite strong, and not just verbally, but also written. What we will be asking those communities in the springtime is what the public feels about the act because they will be consulted. All the communities will be consulted so we can get ideas as to what the Act will entail.

By that time we will have a better idea if it's positive or not. So, we will get an idea as to what the content of the act will be. Thank you, Mr. Speaker.

**Speaker** (interpretation): Your final supplementary, Mr. Kattuk.

**Mr. Kattuk** (interpretation): Thank you, Mr. Speaker. Can the minister say that all the communities will be consulted? Thank you, Mr. Speaker.

**Speaker** (interpretation): Mr. Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): At this time, I cannot say that all the communities will be consulted because we have consultants who will be working on the Act.

Yes, we will definitely have to go to some communities to hold public hearings, and how strong it will be. But we have asked the different hamlet councils and businesses, the elders, and youth as to what should be in that Act.

It would be kind of difficult, so I will check into those, but now we will be asking the general public as to what the contents of the proposed act would be. So at this time I cannot answer that all the communities will be visited. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you. Oral Questions. Member for Pangnirtung, Mr. Kilabuk.

**Question 277 – 2(3): Inuit Qaujimajatuqangit**

**Mr. Kilabuk** (interpretation): Thank you, Mr. Speaker. As my colleague was raising questions, I understood the responses in regards to the remarks that I made yesterday, that *Inuit Qaujimajatuqangit* is not being utilized enough in the House.

But I want to state that I am very hopeful, and I have no doubt that the minister and our other Members of the Legislative Assembly want to defend our fellow Inuit. We're all protective of them, but we have to have a general understanding of how a word can assist others.

It will not take just one; we will have to offer how we can assist our fellow Inuit. It's very reassuring that by year 2020 where our language will be. I wonder when *Inuit Qaujimajatuqangit*, when will those come into effect? Or is there a plan that entails where we will conduct with Inuit culture and values? Thank you, Mr. Speaker.

**Speaker** (interpretation): Minister responsible for Culture, Language, Elders and Youth, Mr. Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): We are presently working on the Inuit societal values, I believe I mentioned that last fall in the House.

We will be conducting a study of how in Cambridge Bay and Clyde River, as to how we can minimize the problems that we encounter today if we were to use *Inuit Qaujimajatuqangit*. If we find that if there were improvements, and if it comes out positive, then we can do the same thing with the other communities.

At this time, we have funding approved that we have to set up an Inuit folk school. So in April I want to have all the communities, and if they agree what we're trying to do, that the *Inuit Qaujimajatuqangit* Committee are currently working on how the government should operate, and the government offices. There are different committees who are employees, and how can they operate more on Inuit values.

Also, the Anti-harassment Policy, we wanted to apply more to the Inuit values because if the content is too foreign for the Inuit, we want it to be reviewed by the *Inuit Qaujimajatuqangit* Committee and we are aiming for 85 percent because we have to pay more attention to those things.



So we have a heavy task ahead of us. We are presently doing some work, but I can't say exactly when we will bring it about. It would be more ideal if we can bring those about before the year 2020. Thank you, Mr. Speaker.

**Speaker** (interpretation): Your first supplementary, Mr. Kilabuk.

**Mr. Kilabuk** (interpretation): Thank you, Mr. Speaker. It is clear now and it's open that, Mr. Speaker, we know a lot of things that have been studied or tried by the government. We can't say what the foundations were and we should be able to say, as I have tried to say yesterday, that as government, we knew that we had to prepare, we have to make a complete plan as a government. We want to serve everybody with everything because we want *Inuit Qaujimajatuqangit* to be even stronger. I am still looking for how else we can make a plan where there has been pilot stuff. Thank you, Mr. Speaker.

**Speaker** (interpretation): Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): The first government, there was an IQ Task Force and this task force was doing studies on how the government should work and what tools they will use. The names are there and they were tabled in this House as IQ Task Force, and using that, the government started planning that now we incorporate *Inuit Qaujimajatuqangit*.

I am in full agreement with my colleague that we are not doing enough, but we are trying to do something. Maybe we should be more sensitive to those because the Inuit should have their own government and to be able to run it the way they want, but we will finally obtain that goal once we start using our language. Thank you, Mr. Speaker.

**Speaker** (interpretation): Your second supplementary, Mr. Kilabuk.

**Mr. Kilabuk** (interpretation): Thank you, Mr. Speaker...*(no interpretation)*... some of them might be able to appreciate the...I'm trying to state today, Mr. Speaker, maybe there's no business plan to include the *Inuit Qaujimajatuqangit*. Where are the plans that have been tried and have not been successful to date? Can he give me today the business plans where the *Inuit Qaujimajatuqangit* Task Force has recommended and that the Inuit have been holding on to?

Where can the *Inuit Qaujimajatuqangit* be included within the GN-wide plan? Thank you, Mr. Speaker.

**Speaker** (interpretation): Mr. Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): The Department of Culture and Communications and Employment have been working to try and work as a department. We have a division within our department to implement the task force recommendations.

They are just beginning to work on this project. How could we do more to make this *Inuit Qaujimajatuqangit* practice more forceful? The Inuit land claims organizations; we should be able to work with them. So we should be the government of all of the Inuit organizations as well so that we can work with them a lot more.

As a government we are working all by ourselves solely. So, we have to work more with Inuit organizations and use their knowledge to include *Inuit Qaujimajatuqangit* recommendations in the government.

**Speaker** (interpretation): Your final supplementary, Mr. Kilabuk.

**Mr. Kilabuk** (interpretation): The questions that I have stood, I truly believe in them. I can talk about some recommendations that can be implemented.

How could we possibly be included within the government? Since I stood yesterday, and said, "I want to know how we are at this time of government. Where are we now?"

If we don't have any plans to go ahead we won't know where we stand. Perhaps the things that are blocking our way, and we cannot move ahead as a working group, maybe we can work on these blocks that block our way. I'm just stating this because I think this is our last day to meet today so that we can make our workers understand what we're trying to do. Thank you.

**Speaker** (interpretation): I did not hear a question there. Oral Questions. Member of the Legislative Assembly for Iqaluit Centre, Mr. Tootoo.

### **Question 278 – 2(3): Health Services for Students Outside of Nunavut**

**Mr. Tootoo:** Thank you, Mr. Speaker. Before I direct my question to the Minister of Health and Social Services, I would like to acknowledge the presence of our other page here that wasn't recognized earlier, and that is; Celina Angujaq. I would just like to recognize the efforts and the hard work that all the pages are doing for us here during our long sitting days. I think we all appreciate the work that they do.

>>Applause

Mr. Speaker, my question for the Minister responsible for Health and Social Services deals with how, for health purposes, the department determines residency. I know, for example, in Education, if a student leaves a territory to pursue post-secondary education, they are still considered a Nunavut resident.

In cases where individuals have to leave the territory to obtain medical services, how does the department look at residency in cases like that? Thank you, Mr. Speaker.

**Speaker** (interpretation): Minister responsible for Health and Social Services, Ms. Aglukkaq.

**Hon. Leona Aglukkaq:** Thank you, Mr. Speaker. If a person is from Nunavut and is seen by physicians here and requires care outside of the territory, then we would make those arrangements for that individual for care. Thank you, Mr. Speaker.

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

**Mr. Tootoo:** Thank you, Mr. Speaker. Maybe to clarify my question, I wasn't looking at how the department would prepare and make arrangements for services, but my question was more; how do they determine if an individual like in the case of education, that goes out for school, and sometimes they could be out for four to five years depending on the type of program that they're enrolled in. For that entire time they are considered Nunavut residents.

For individuals that leave the territory for medical purposes because of services that are not offered in Nunavut, and they require those services, how does the department determine the residency of individuals in cases like that? That's what I was looking for. Thank you, Mr. Speaker.

**Speaker** (interpretation): Ms. Aglukkaq.

**Hon. Leona Aglukkaq:** Thank you, Mr. Speaker. In cases where a person requires care out of territory, during our debate in Committee of the Whole we had discussed that process.

If a person is from Nunavut and cannot receive the care in a 24/7 facility, the Department of Health makes those arrangements to find a place in a facility down south where the person can be cared for. The total budget within the department is approximately \$15 million for those types of services.

We need to look at those situations on a case-by-case basis. The individual once sent to receive that kind of care is considered a resident of the north, and the department would make the arrangements for that service.

If a person leaves the territory to go to school, then that student in any province would then access the provincial medical health care services in that province. Thank you, Mr. Speaker.

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

**Mr. Tootoo:** Thank you, Mr. Speaker. I don't know how I can ask to make it clearer, but strictly just for medical purposes, how does the Department of Health determine if someone is a resident of Nunavut?

Do they have to have a family member, someone that maintains a residence in Nunavut? Do they have to have a Nunavut health care card? How do they determine exactly

whether or not an individual is, for health purposes, a resident of Nunavut or a resident of another jurisdiction? Thank you, Mr. Speaker.

**Speaker** (interpretation): Ms. Aglukkaq.

**Hon. Leona Aglukkaq:** Thank you, Mr. Speaker. If a person moved up here from Ottawa and says I'm a resident of Nunavut, then the person has self-declared that they are a resident of Nunavut.

The way the system works within the health care card coverage is; in each jurisdiction there is a three-month grace period where a person who moved to the territory has three months to apply for that particular province or territory's healthcare plan.

So if I move to Ontario, I have three months to apply, at which time the Ontario system would kick in. If a person came up from Ontario to Nunavut and said I'm moving here, I'm going to be a resident here; then the person would apply for that coverage. They will have three months to apply, at which time the person will continue to be covered as the application process is in place.

That process is across Canada. It allows a person to change coverage from province to province or territory to territory, and still be covered as the paper work goes through. Thank you, Mr. Speaker.

**Speaker** (interpretation): Your final supplementary, Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Speaker. Mr. Speaker, I am aware of the three month rule that is for people that make a permanent move to a different jurisdiction, but where an individual moves for temporary purposes, whether it be for education, whether it be for health reasons. Are those individuals not still considered, for health purposes, a resident of Nunavut?

Their family maintains the residence here, they still have a Nunavut Health Care card, for whatever reasons that they cannot access services here, they move outside the territory, hopefully for a temporary period of time to get their needs addressed, or get their education achieved, those people are not for education, they are still considered Nunavut residents. Is the minister saying that that is not the case for health, it is regardless of why you leave, whether it is temporary or permanent that you have three months to declare and get the paying health care coverage from the other jurisdiction, whether or not you plan on coming back after four months, six months, or whatever; that they will cease, no matter what, they are no longer Nunavut residents for health care purposes after three months. Thank you, Mr. Speaker.

**Speaker** (interpretation): Ms. Aglukkaq.

**Hon. Leona Aglukkaq:** Thank you, Mr. Speaker. If a person moved for whatever reason, that person in that province should apply for that particular province or territory's health

care coverage. The person moved and as a student, then that student should make arrangements to transfer that plan. A person moves to Nunavut, we have a three-month grace period to allow people to apply so that they can be covered as a new resident of that province or Ontario.

So if a person makes a decision on their own for whatever reason, then they have to then go through the process of applying for that coverage. If we make the arrangement of any person, which we do in health under the budget of \$15,000,000 for home care, community care, we make the arrangement for that facility, and we use a number of facilities throughout Canada where we cannot care for a person who requires a 24/7 service.

We make those arrangements, but if an individual again moves on their own to another jurisdiction, then that jurisdiction's coverage would kick in after three months, if they applied for their coverage. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you. The Question Period is over. Orders of the Day. Item 7. Written Questions. Mr. Peterson.

### **Item 7: Written Questions**

#### **Written Question 016 – 2(3): Individual Education Plans**

**Mr. Peterson:** Thank you, Mr. Speaker. My Written Question is for the Minister of Education concerning individual education plans.

1. From August 1, 1999 to July 1, 2005, broken down by year and by school, how many enrolled students have participated in individual education plans?
2. From August 1, 1999 to July 1, 2005, broken down by year and by type of attendance, full-time, part-time, semi-frequently, how many enrolled students have participated in individual education plans.
3. From August 1, 1999 to July 1, 2005, broken down by year, how many of the enrolled students on individual education plan
  - a) had disabilities
  - b) were gifted students?

Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you. Written Questions. Item 8. Returns to Written Questions. Ms. Aglukkaq.

### **Item 8: Returns to Written Questions**

**Return to Written Question 12 – 2(3): Nursing Recruitment**

**Hon. Leona Aglukkaq:** Thank you, Mr. Speaker. This is a Return to Written Question, 012 – 2(3). The member, David Alagalak asked on February 23, 2006. Thank you, Mr. Speaker.

**Speaker** (interpretation): 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. Ms. Aglukkaq.

**Item 13: Tabling of Documents****Tabled Document 105 – 2(3): Accreditation Survey Report for the Department of Social Services Baffin Region, September 25 to 29, 2005**

**Hon. Leona Aglukkaq:** Thank you, Mr. Speaker. Per the commitment I made last week, I wish to table the item: Accreditation Survey Report for the Department of Health and Social Services Baffin Region, September 25 to 29, 2005. I am tabling the reports and I have also provided CD copies of the report. Thank you, Mr. Speaker.

**Speaker** (interpretation): Please bring the tabled documents forward to the Clerks' desk. Tabling of Documents. Mr. Peterson.

**Tabled Document 106 – 2(3): Treatment Facilities Inadequate in the Kitikmeot**

**Mr. Peterson:** Thank you, Mr. Speaker. I would like to table a document entitled: "Treatment Facilities in the Kitikmeot are Inadequate." It is dated March 3, 2006. Thank you, Mr. Speaker.

**Speaker** (interpretation): Tabling of Documents. Mr. Akesuk.

**Tabled Document 107 – 2(3): Sealing Poster: Save the Baby Veal – Avoid Cultural Prejudice****Tabled Document 108 – 2(3): F/P/T Ministerial Report – Canadian Council of Fisheries and Aquaculture Ministers Meeting (CCFAM) – October 2005****Tabled Document 109 – 2(3): F/P/T Ministerial Report – Canadian Endangered Species Conservation Council (CESCC) – October 2005****Tabled Document 110 – 2(3): Nunavut Business Credit Corporation Annual Report for the Year Ending March 31, 2005**

**Hon. Olayuk Akesuk:** Thank you, Mr. Speaker. I wish to table the following documents: Sealing Poster: Save the Baby Veal - Avoid Cultural Prejudice. Also, F/P/T Ministerial Report - Canadian Council of Fisheries and Aquaculture Ministers Meeting (CCFAM) -

October 2005. As well, the F/P/T Ministerial Report - Canadian Endangered Species Conservation Council (CESCC) - October 2005, and the final one is the Nunavut Business Credit Corporation Annual Report for the Year Ending March 31, 2005. Thank you, Mr. Speaker.

**Speaker** (interpretation): Tabling of Documents. Mr. Kilabuk.

**Tabled Document 111 – 2(3): Equipment Losses**

**Mr. Kilabuk** (interpretation): Thank you, Mr. Speaker. As I made a commitment earlier, I stated that I would table a document in regards to compensation for equipment lost. I have a list of the individuals who have lost goods due to the severe winds and the negative impact it has had on the turbot fishermen. Thank you, Mr. Speaker.

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

**Tabled Document 112 – 2(3): Government Leased Property Update**

**Hon. Levinia Brown:** Thank you, Mr. Speaker. I wish to table the following document that was requested during my appearance in Committee of the Whole: Government Leased Property Updates. Thank you, Mr. Speaker.

**Speaker** (interpretation): Tabling of Documents. Item 14. Notices of Motions. Mr. Tootoo.

**Item 14: Notices of Motions**

**Motion 14 – 2(3): Extended Time to Review Bill 07 – An Act to Amend the Liquor Act – Notice**

**Mr. Tootoo:** Thank you, Mr. Speaker. I give notice that on Wednesday, March 15, 2006, I will move the following motion: I move, seconded by the Honourable Member for Arviat, that notwithstanding Rule 68(1), the Report of the Standing Committee on Government Operations and Accountability on the review of Bill 7, *An Act to Amend the Liquor Act*, be extended for further 120 days.

Mr. Speaker, at the appropriate time, I will be requesting and ask consent to deal with my motion today. Thank you.

**Speaker** (interpretation): Notices of Motions. Mr. Peterson

**Motion 15 – 2(3): Extended Time to Review Bill 11 – An Act to Amend the Fire Prevention Act – Notice**

**Mr. Peterson:** Thank you, Mr. Speaker. I give notice that on Wednesday March 15, 2006, I will move the following motion: I move, seconded by the Honourable Member

for Hudson Bay, that notwithstanding Rule 68(1), the Report of the Standing Committee on Infrastructure on Housing and Economic Development on the review of Bill 11, *An Act to Amend the Fire Prevention Act*, be extended for a further 120 days.

Mr. Speaker, at the appropriate time, I will be requesting unanimous consent to deal with my motion here today. Thank you, Mr. Speaker.

**Speaker** (interpretation): Notices of Motions. Mr. Tootoo.

**Motion 16 – 2(3): Extended Time to Review Bill 08 – Statistics Act – Notice**

**Mr. Tootoo:** Thank you, Mr. Speaker. I give notice that on Wednesday March 15, 2006, I will move the following motion: I move, seconded by the Honourable Member for Arviat, that notwithstanding Rule 68(1), the Report of the Standing Committee on Government Operations and Accountability on the review of Bill 8, *Statistics Act*, be extended for a further 120 days.

Mr. Speaker, at the appropriate time, I will be requesting and ask for consent to deal with my motion today. Thank you, Mr. Speaker.

**Speaker** (interpretation): Notices of Motions. Item 15. Notices of Motions for First Reading of Bills. Item 16. Motions. Mr. Tootoo.

**Item 16: Motions**

**Mr. Tootoo:** Thank you, Mr. Speaker. If this is the appropriate time, I would like to ask consent to deal with the last motion. Thank you, Mr. Speaker.

**Speaker** (interpretation): The member is seeking unanimous consent to deal with this motion. Are there any nays? There are no nays. Mr. Tootoo.

**Motion 14 – 2(3): Extended Time to Review Bill 07 – An Act to Amend the Liquor Act**

**Mr. Tootoo:** Thank you, Mr. Speaker. I move, seconded by the Honourable Member for Arviat, that notwithstanding Rule 68(1), the Report of the Standing Committee on Government Operations and Accountability on the review of Bill 7, *An Act to Amend the Liquor Act* be extended for a further 120 days. Thank you, Mr. Speaker.

**Speaker** (interpretation): The motion is in order. To the motion. Question has been called. All those in favour. Opposed. Abstentions. The motion is carried.

Motions. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Speaker. I request consent to deal with my motion today. Thank you, Mr. Speaker.



**Speaker** (interpretation): The member is seeking unanimous consent to deal with his motion today. Are there any nays? There are no nays. Mr. Peterson.

**Motion 15 – 2(3): Extended Time to Review Bill 11 – An Act to Amend the Fire Prevention Act**

**Mr. Peterson:** Thank you, Mr. Speaker. I move, seconded by the Honourable Member for Hudson Bay, that notwithstanding Rule 68(1), the Report of the Standing Committee on Infrastructure, Housing and Economic Development on the review of Bill 11, *An Act to Amend the Fire Prevention Act*, be extended for a further 120 days. Thank you, Mr. Speaker.

**Speaker** (interpretation): The motion is in order. Question has been called. All in favour. Opposed. Abstentions. The motion is carried.

Motions. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Speaker. Again, at the appropriate time, I would like to seek unanimous consent to deal with my other motion today. Thank you, Mr. Speaker.

**Speaker** (interpretation): The member is seeking unanimous consent to deal with his motion today. Are there any nays? There are no nays. Mr. Tootoo.

**Motion 16 – 2(3): Extended Time to Review Bill 08 – Statistics Act**

**Mr. Tootoo:** Thank you, Mr. Speaker. And thank you colleagues and a special thanks to our Premier for his support for our extensions I know he agrees whole-heartedly with them.

Mr. Speaker, I move, seconded by the Honourable Member from Arviat, that notwithstanding Rule 68(1), the Report of the Standing Committee on Government Operations and Accountability on the review of Bill 8, the *Statistics Act*, be extended for a further 120 days. Thank you, Mr. Speaker.

**Speaker** (interpretation): The motion is in order. Question has been called. All in favour. Opposed. Abstentions. The motion is carried.

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. Bill 5, Bill 6, Bill 9, Bill 12, Bill 13, and Bill 14 with Mr. Kilabuk in the Chair. In accordance with the authority vested in me by Motion 12 – 2(3), the Committee of the Whole will stay in session until it reports itself out.

We will take a 20-minute break.

Sergeant-at-Arms.

>>*Committee recessed at 15:34 and resumed at 16:05*

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

**Chairman** (Mr. Kilabuk)(interpretation): Thank you. We will continue on with what we started off with yesterday. I would like to ask Mr. Simailak if he is going to bring in his officials to the witness table. I'm sorry, Minister Simailak.

Before we go on to Committee of the Whole, we have Bill 5, Bill 6, Bill 9, Bill 12, Bill 13, and Bill 14 to deal with. What is the wish of the committee? Mr. Mapsalak.

**Mr. Mapsalak:** Thank you, Mr. Chairman. We would like to proceed with Bill 12 and the review of the Department of Finance followed by the Department of Justice, and the Legislative Assembly. We then will do Bill 13, Bill 14, Bill 5, Bill 6, and Bill 9. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Do we agree that we will deal with Bill 12 first?

**Some Members:** Agreed.

**Bill 12 – Appropriation (Operations & Maintenance) Act, 2006-07 – Review in Committee – Finance**

**Chairman** (interpretation): Thank you. Minister Simailak, would you like to bring in your officials down to the witness table?

**Hon. David Simailak** (interpretation): Yes. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Does the committee agree that the officials could be taken to the witness table?

**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. Please assist the officials and the minister to the witness table.

(interpretation ends) Thank you Minister. For the record, please introduce your witnesses. Minister Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. On my right is Bob Vardy, Deputy Minister of Finance, and on my left is Victor Tootoo, Assistant Deputy Minister of Finance. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister Simailak. Yesterday, we had one member who did a general comment. So are there any general comments; none? Thank you.

We are on (interpretation ends) Finance. Branch Summary. Directorate. Total Operations and Maintenance. \$1,798,000. (interpretation) Are there any questions? I'm sorry; does anybody have his or her hand up? Thank you. (interpretation ends) Finance. Branch Summary. Total Operations and Maintenance. \$1,798,000. (interpretation) Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. (interpretation ends) Finance. Branch Summary. Policy and Planning. Total Operations and Maintenance. \$3,914,000. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I was hoping I wouldn't ask many questions because of a sore throat, so I will jump in here. I welcome the minister and his officials back.

On page C-6, a question on the Crown Agency Council. The Crown Agency Council is responsible for developing Letters of Expectation to the Government of Nunavut's Crown agencies. I think they were tabled in May 2005 and to date only the QEC's response was tabled in the House. When will the other responses to the Government of Nunavut's Letters of Expectation to Crown corporations be tabled in the House? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. We can certainly help you if you want to save your voice; you just pass this. Minister Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. Yes, we have responses from four other Crowns. We are still waiting for one more and that's the Nunavut Business Credit Corporation that we are waiting for. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Minister. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister. Can the minister commit to, I guess, the backdoor tabling process so that we don't have to sit and wait until June to get them? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister Simailak.

**Hon. David Simailak** (interpretation): Yes. Thank you, Mr. Chairman.

**Chairman:** Thank you, very much. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister for that commitment. Do all the Crown agencies follow the Government of Nunavut's Financial Management and Human Resources' policies? Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Mr. Peterson. Minister Simailak.

**Hon. David Simailak:** Thank you, Mr. Speaker. I am told not exactly, but we are working towards that and we will continue working towards that goal. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. (interpretation ends) Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. Can the minister tell us if the Qulliq Energy Corporation follows the Government of Nunavut's new Staff Housing Policy? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister Simailak.

**Hon. David Simailak:** Mr. Tootoo, please.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Victor Tootoo:** Thank you, Mr. Chairman. The Qulliq Energy Corporation has an existing Staff Housing Policy that is not exactly similar to the Government of Nunavut Staff Housing Policy and they have been following that and it has been developed for some time.

This is one of the areas where we as a Crown Agency Council has begun to work with all public agencies to try to make sure that the policies that the Government of Nunavut has and the policies that public agencies have are very similar, if not exactly the same where those policies are applicable. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. I was surprised the light did not go that way when I called Tootoo. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister, Mr. Victor Tootoo. Just to follow up on that, when does the minister expect the Qulliq Energy Corporation to fall in line with all of the Government of Nunavut's policies? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Tootoo.

**Mr. Victor Tootoo:** Thank you, Mr. Chairman. We have met once as a Crown Agency Council with the Board of the Qulliq Energy Corporation and had a very open and frank discussion. What we will do with that board and with the officers of Qulliq Energy Corporation is to look at all of their policies and compare them to ours, like we are going to do with the other public agencies.

It is not necessarily given that all public agencies will follow all of the Government of Nunavut's policies. It does not make sense, for example to have a small corporation like NBC adhere to all the restrictions under the financial administration manual given that they only have a handful of employees and they would probably double their employees just to make sure that they have the same amount of controls.

So, what we are intending to do, in the work of the Crown Agency Council, is to review existing policies in public agencies and to attempt to rationalize those with the Government of Nunavut's policies.

We will have a report on where those policies differ and whether or not we think these policies should be changed. That we will provide to the government for a decision and once the government has reviewed that report, then I believe it will be open for discussion. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank Mr. Tootoo for that information. Can Mr. Tootoo give us kind of an idea of when that work will be completed and ready for us to review? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Tootoo.

**Mr. Victor Tootoo:** Thank you, Mr. Chairman. The work of reviewing the policies is going to begin immediately after this session is finished and go over the summer. I imagine that sometime this fall we would have a draft report ready for Cabinet and FMB to look at through the Crown Agency Council. I am not sure how long after that that information would be provided. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank Mr. Tootoo for that information. I think we certainly look forward to seeing that in our standing committee when it is available to review.

I wanted to, I think this is probably the right page, to talk about the work that the expert panels and the Advisory Panel have been doing for the Government of Nunavut on their territorial formula financing and the deadlines extended for them to complete the report until the spring. Does the Government of Nunavut have an idea of what either one or both of the panels are recommending to the federal government with respect to territorial formula financing agreement? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. With that I will recognize Mr. Vardy. Mr. Vardy.

**Mr. Vardy:** Thank you, Mr. Chairman. The two panels are expected to report over the next fall. We have had a lot of dialogue with both panels including briefings from the panels on what might be contained in the report. We are not privy to their final recommendations, but some of the common elements are likely to be recognition that the fiscal circumstances of the territories are very different from the provinces.

The circumstances are different across the three territories and there is general recognition that Nunavut's situation is different than the others in that we are a new territory where we are trying to build up all the social and economic infrastructure of a new territory.

The latter category might not be best covered through the formula financing arrangement, but through other funding mechanisms. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Vardy. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank Mr. Vardy for that information. I know the Premier told us that he has met with the Prime Minister a couple weekends ago to talk about Nunavut's situation, they touched on the Territorial Formula Financing Agreement, I believe, and the Prime Minister said he is waiting the report of the Expert Panel.

I think we are all waiting for the report of the panels, like it is some kind of magic bullet that is going to save us. I am just wondering, is the information you gave him, is it being seriously considered by the panels? I do not know what recommendations you told them or gave to them, I am not sure what the territorial governments gave to him, but you said you are getting a little bit of positive feedback. I am looking for a little bit more clarity or certainty that what is contained in the reports of the two panels is not going to be the status quo; it is going to be an improvement over what we have now. Can the minister comment on that? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. I cannot comment with certainty as to what is going to be in the report. We think they are going to be quite positive for Nunavut. I think there will be arguments that we can use very strongly in Ottawa. Until the reports come out, we can not really say with certainty as to what is going to be in there. The intimations that we are getting is that they are going to be both good reports for Nunavut, good for the three territories, but we will just have to wait and see what is in the reports when they come out. Thank you, Mr. Chairman.

**Chairman:** Thank you. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister. Will those reports be made available to Members of the Legislative Assembly when they are released? And again, through a back door tabling process so we do not have to wait until June, if it comes out before June, which is hopeful. If they come out during a period of time when

we are not sitting can we get the minister to commit that we will receive copies to review? Thank you, Mr. Chairman.

**Chairman:** Minister Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. My understanding is that they are being translated into Inuktitut right now and they will be public documents. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. I don't have anybody else on my list. Finance. Branch Summary. Policy and Planning. Total Operations and Maintenance. \$3,914,000. (interpretation ends) Do you agree?

**Some Members:** Agreed.

**Chairman:** Finance. Branch Summary. Financial Management. Total Operations and Maintenance. \$3,108,000. Are there any questions? Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I had a question about liquor revenues. I've asked this question a couple of times over the last two years about the possibility of using some of the liquor revenues to be diverted into treatment programs for substance abuse programs, as well as programs for fetal alcohol spectrum disorder.

Is that something that the Government of Nunavut has ever considered? Or will consider? Thank you, Mr. Chairman.

**Chairman:** Minister Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. No, it's not something that we have looked at so far, but it is quite possibly something that we could look at some time in the future. Thank you, Mr. Chairman.

**Chairman:** Thank you. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister.

I think we're hearing a very public cry for help from all the communities in Nunavut who need help with social disorders that are related to alcohol, and of course the standard answer from the government is that we have limited resources.

Here is a perfect opportunity to use some of the revenues that we generate from alcohol sales to assist the organizations in the communities that are traditionally under-funded. I can speak with a lot of certainty about the situation in Cambridge Bay, that they offer a lot of alcohol treatment programs.

Just the other day, they alerted me to the fact that they are understaffed, and under resourced, but they're doing the best that they can. There is a huge need in my community for these kinds of programs, and the government just doesn't have the resources to help them.

So I'm wondering if I could get a firmer commitment from the minister that he will work with his staff and colleague from the Department of Health and Social Services to study, and I don't take two years, but I think within the immediate future, within the next three months to look at a way of using some of the revenues from alcohol sales to help with alcohol treatment programs, and programs related to FASD. Thank you, Mr. Chairman.

**Chairman:** Minister Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. Yes, we will look at it in the very near future. Thank you, Mr. Chairman.

**Chairman:** Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister for that commitment.

I wanted to ask as well, I think this is the page, about how the Fuel Tax Rebate was calculated. I'm not sure in my mind how you arrived at the calculations. In the fuel tax background you said that it would be approximately a \$1 million per year rebate to hunters and trappers, fishermen, and mining companies.

So I went online and checked the annual projected fuel consumption of some mines. They are in the range of 40 to 50 million litres of fuel for different types of fuel, but overall a huge amount of fuel.

When I did the calculations, it seemed to me that you would be looking at more than a \$1 million rebate annually to all these organizations and entities. I wonder if the minister or his staff could assist us in understanding how the calculations are completed. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Tootoo.

**Mr. Victor Tootoo:** Thank you, Mr. Chairman. The exact percentages for the Fuel Tax Rebate calculations haven't been set.

The government's commitment on how much it's willing to rebate has been set and an interdepartmental working group has met and I expect that recommendations will be going forward to the next FMB meeting with the information that the member is asking about. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Mr. Peterson.



**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister and Mr. Tootoo for that information. Could you clarify for me then if the \$1 million is the maximum that the government will rebate to any applicant in any one fiscal year? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Simailak.

**Hon. David Simailak:** Mr. Tootoo can answer that. Thank you.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Victor Tootoo:** Thank you, Mr. Chairman. No, there isn't a set maximum per year per applicant for that. My understanding is that the options that are being discussed will amount to approximately \$1 million on the current set of volume for those types of purchases, but that FMB will be provided with the complete list of options and calculations, in terms of percentage rebates, and the information on the mining activities and I'm certain that our minister would be happy to discuss those with the members once they have made a decision. Thank you, Mr. Chairman.

**Chairman:** Thank you. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank Mr. Tootoo. I guess I'm just a little bit concerned in my mind that he announced the Fuel Tax Rebate without understanding the full implications. I know you mentioned in the fuel tax backgrounder that there's a \$1 million rebate, but that translates into \$3 to \$4 million in annual revenues.

What you are alluding to right now tells me is that you haven't fully fleshed out the program so you don't really know how much the rebate would be or conversely, how much the return to Nunavut will be by offering this Fuel Tax Rebate Program. Is that correct? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Tootoo. Okay, thank you. Mr. Vardy.

**Mr. Vardy:** Thank you, Mr. Chairman. The member is correct that we don't have all of the administrative details of the rebate program worked out.

Whenever you provide an economic incentive to try to stimulate economic activity and strengthen the tax base, you've got to make certain assumptions. You don't know with 100 percent certainty what's going to happen and as the member alluded to a big mining operation certainly would have a rebate much greater than \$1 million.

If that were to take place and this rebate helped stimulate and spur that development to take place, the economic benefits would be far greater than that. We did, in some scenarios, based on working with the Department of ED&T where we came up with some numbers, but we will have to monitor that program and see what the impact will be once the developments start taking place. Right now, Nunavut is judged to have the most

regressive mining tax regime in the country and this measure works and attempts to try to bring us more in line with the regimes in other jurisdictions, many of whom have the same type of incentive in place. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Vardy. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank Mr. Vardy for that information. I understand what you are saying. We have to attract investment and I am one of the biggest advocates for attracting investment in Nunavut. I would just like to know what we have given up to attract investment and what it is going to cost.

Again, reading your backgrounder, and I do not know if it is potentially misleading, or someone erred in writing it, it says the introduction of fuel tax rebate will result in approximately \$1 million annually in fuel tax rebates for the mining sector. To me that implies that that is how much it is going to cost, that is our upper limit. It is not going to be \$2 million, or \$5 million, or \$10 million. It is going to be \$1 million. So I wonder if the minister could clarify for us what that sentence means, is it going to be \$1 million, that's it, it is not going to be any higher? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. Yes, that number, \$1 million is an approximate number right now, it is going to depend entirely on the level of activity in Nunavut in the years to come, the more activity there is, it could be higher, and a loss can allot on what kind of rules and regulations we put in place along with that rebate program.

That is work still in progress, so we are saying with the level of activity right now we are saying approximately \$1 million annually. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister Simailak. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister for that information. Another thing that has puzzled me by the fuel tax rebate backgrounder, it is written here that the mining sector argues that Government of Nunavut's fuel tax places an unfair burden on the industry. It says funds raised through the fuel tax are used to fund the structure and maintenance of roads and other infrastructure used by fuel consuming vehicles.

I was wondering if the minister's officials could comment: does the Government of Nunavut have a system or process where they can track taxes that are raised from mines? Can they track them through the convoluted system of the Government of Nunavut to the end? Would it be fair if we say that those dollars are used to construct roads or provide maintenance on roads used in our communities? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Vardy.

**Mr. Vardy:** Thank you, Mr. Chairman. The convoluted system, I guess the member is talking about the fuel tax system; we can track a lot of things through the system. There is information, for example, on the corporate tax side on every company in Nunavut, and if we wanted to get tax information even finer than that on individuals, we can get that information from the CRA, but we have never done that.

We have done it on the corporate side. We had detailed information on the taxes paid by the specific mining companies in the territory, when there were mining companies and we could track the impact when some of those mines closed down. On the Fuel Tax side, I am not sure how fine the detail we can provide, but I imagine we have it by each vendor, so we could track it if we wanted, yes. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Vardy. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank Mr. Vardy. So what you are saying ultimately you could tell me that taxes collected from, lets say, Tahera Corporation are being used to construct roads in Cambridge Bay, is that what you are saying? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Vardy.

**Mr. Vardy:** Thank you, Mr. Chairman. Revenues coming into the Government of Nunavut come in from a variety of sources, we can tell what those sources are and if we spent enough time analyzing we could break it out quite finely. We also have expenditures that are allocated for different purposes.

With the reference to the roads in Cambridge Bay, that would be through the budget of the Department of Community and Government Services, and it would be through the municipal grants, along with the municipality's own source of revenues would be used to fund the capital project. The direct connection that is alluded to in that press release is not followed in any practical application that I'm aware of in the system. It could be done, but it would take a bit of work and I don't know if it would be a beneficial use of time. Thank you, Mr. Chairman.

**Chairman:** Thank you. Mr. Vardy. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister and Mr. Vardy. I agree it's probably not a beneficial use of time. It's just that when these statements are made, it implies that that's what's going on; the mining companies, obviously thinks that's what's going on. I'm not sure how they have that kind of information.

Did any mining companies make representations to the Government of Nunavut to do studies and reports to support their contention that road tax would place an unfair burden on industry? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Vardy.

**Mr. Vardy:** Thank you, Mr. Chairman. There was representation to the Government of Nunavut from mining companies and a lot of positive feedback since the announcement was made. A lot of that information has been communicated to our minister's office. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Vardy. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. Thank you, Mr. Vardy. Another interesting thing I noted, too, it's in a newspaper that Mr. Tootoo, Mr. Victor Tootoo, too many Tootoo's in the building, there's something called a development participation agreement. I wonder if Mr. Tootoo, the minister, or Mr. Vardy could comment on what a development participation agreement is. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Tootoo.

**Mr. Victor Tootoo:** Thank you, Mr. Chairman. The development participation agreement is designed to make sure that if the mining companies are able to avail themselves of the tax rebate we offer, then this government has the ability to ensure that the mining companies are furthering the objectives of this government, mainly in the areas of Inuit employment and training and those kinds of things. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank Mr. Tootoo and the minister. I suppose my concern here would be the fact that the regional Inuit associations negotiate the Inuit Impact Benefit Agreements with the mines under Article 26 of the Nunavut Land Claims Agreement. You have those agreements in place, which essentially covers everything that you just mentioned, so now you have another Government of Nunavut agreement that you want the mine to sign.

I am wondering how that development agreement is going to interface with the IIBA that is signed with the Regional Inuit Associations? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Tootoo.

**Mr. Victor Tootoo:** Thank you, Mr. Chairman. The member is quite correct that the IIBA has to be negotiated with the Regional Inuit Association, but the major difference is that it must be. There's no way around it for mining companies other than to go through that avenue.

With our fuel tax rebate, mining companies do not have to avail themselves of the rebate. It's an option for them. So therefore, they don't have to enter into a participation development agreement.

However, my understanding of the aims and the objectives of the IIBAs that the Regional Inuit Associations are concerned with would be very similar to the ones in our participation development agreements. And as I said, the Government of Nunavut's objectives are what those participation development agreements are aimed to address. They may differ slightly from the Regional Inuit Associations' objectives, but they are along the same lines. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Victor Tootoo. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister and Mr. Tootoo. They envision the development participation agreements basically would be in a document that they sign. You don't have to sit down and spend days, weeks, months negotiating; it's just a standard document that they would sign.

And I know, talking to a lot of mining companies over the years, they detest red tape in bureaucracies. So I can't see them wholeheartedly endorsing having to sign more agreements and hand them more conditions and terms or conditions they have to comply with if they've already got an IIBA. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Tootoo.

**Mr. Victor Tootoo:** Thank you, Mr. Chairman. I'm certain that the objectives for the government are standard and those objectives would be consistent regardless of which specific mining company we are dealing with.

So I'm certain there could be a standard format that we begin with, but as you know, each mining company is different, each actual operation is different and so they may request variations. And I guess the negotiation, if you will, and the red tape would be depending upon how different that mining company's objectives are from what the standard Government of Nunavut's objectives are. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Victor Tootoo. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister and Mr. Tootoo. You mentioned a lot of this discussion and setting the rules and the limits are going to be set by Cabinet.

I know Cabinet has a right to set regulations for programs, but I'm wondering why Members of the Legislative Assembly wouldn't be given an opportunity to participate in the vote on the change to the income tax or to this program. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister Simailak.

**Hon. David Simailak** (interpretation): Thank you, Mr. Chairman. This is how it's set and it is standard and the Cabinet can enact it. Thank you, Mr. Chairman.

**Chairman:** Mr. Hunter Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I would like to take this opportunity to welcome the minister and his officials to the Chambers. I know, ever since the creation of Nunavut that Mr. Vardy has been no stranger to us, sitting in that chair and answering questions and confusing members at some times with his responses. And I know it seems like Mr. Tootoo is following in his footsteps there. Don't follow too close is the only word of caution that I can pass on to him.

Mr. Chairman, my first question in this area deals with the taxation policies of the government. I know in the First Assembly, there were a number of amendments made to, I believe it's our *Income Tax Act*, or I'm not sure of the exact Act that it's called.

It allowed for improved credits to individuals throughout the territory for income tax purposes. I think it's done to recognize the higher cost of living in the territory and one of the other reasons behind some of the changes that were made in there was to try and attract corporations to set up offices in Nunavut by lowering our corporate tax rates.

One of the things I know has been a concern even before division that has become more prevalent since then and that is under the NNI Policy, there's a requirement for northern suppliers and retailers for the government to go through those and it's currently given to those individuals and companies that qualify under that program.

However, the problem arises when you have some businesses that have invested in infrastructure, whether it be a hotel or any kind of service industry, the retailers, and things like that that are trying to operate in an environment where you have your highest utility costs, the highest cost of operations, the same challenges we as the government face.

Then there are also lots of individuals or companies that are not real; storefront companies, they are just someone, I guess a supplier that just has a fax machine in a little office some place and gets all their stuff from down south. So they don't have that investment of infrastructure here in Nunavut.

I'm just wondering if, as a department from the taxation point of view, if any thoughts have been given as a way to show our appreciation. Show our acknowledgement of the value that those businesses that have invested in infrastructure in the north, in Nunavut get some kind of appreciation for their cost of doing business; the high cost of utilities, power, and fuel, as we all know was something that's eating up everybody's money, including the homeowners.

So I'm just wondering: has there been any thought given to looking at any, from a tax perspective, options to try and address that investment and show an appreciation of that investment for those people in the territory? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. That's not an area that we have looked at seriously yet, but it is an area that we do need to look at that has been raised a number of times, not just in the House but by business people across Nunavut. It's a comment I have heard a number of times over the years. It's something that I personally experienced.

So it is an area that we do need to look at very seriously and find some way to deal with those so-called storefront operations and find some way to start giving a bit more credit to the bona fide businesses that are operating in Nunavut. Those who have been covering all of their costs, like you say, hiring local people, but it is an area that we need to take a look at somehow. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I can appreciate the minister's response and maybe provide a suggestion.

Would the Department of Finance, within the taxation area, look at providing a tax credit to qualified businesses that have made an investment here to give them a direct credit on their Nunavut taxes based on a percentage of utility costs that they have paid throughout the year? I know that all business have to file statements for income tax purposes and whatever amounts they have claimed they paid on their statements, if they were allowed to receive a direct credit, like a direct tax credit: a portion or percentage of that amount that they paid into the territory as far as for taxes and fuel. Is that an option that the minister and the department would pursue looking at? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. This government does have a power subsidy program in place for small businesses. So that's one way that we're trying to support that. In terms of tax credits for businesses in Nunavut, that is an area that we should look at and we will look it and see where we could go with it. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I appreciate the minister's response to that and willingness to take a look at trying to develop an option like that. You mentioned the power subsidy program. I'm aware that it's in there but as he indicated that's for small businesses. Usually the major suppliers that we're talking about would not be considered small businesses, as their revenues would be higher than the ceiling limit that's placed on the subsidy program, which is \$2 million, which up here for a medium, even a small business is not a whole lot of money in revenues.

I am just wondering if the minister would commit to looking at a direct credit based on a percentage of those utilities that are paid and reported by that company as a tax credit against their Nunavut tax payable. Would he commit to doing that and reporting back to the members?

As this government has said one of the main things it wants to try and develop in this mandate is our economy. I think that would be another added incentive for people to make an investment in the territory.

Right now it may be cheaper for them to just have a storefront: have a fax machine and an office and order everything from a big supplier itself. With incentives it may attract more of those places to actually establish a facility here in the North where those materials, or supplies, or whatever could be purchased up here, which would only enhance the local economy. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Simailak.

**Hon. David Simailak:** Like I said, that is an area that we could look at and we will look at it. In terms of the medium to large businesses support for this government, we are already doing that by keeping the fuel prices low, with the subsidies that we've been paying. In terms of the actual credits, yes, we will explore that area and see if there is anything that we could do there. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. Again I thank him for that commitment and look forward to any work that they do in that area; being informed of it.

My next line of questioning just deals with something in this area; it says, "The branch also provides administrative support to the Liquor Licensing Board." I think I'll just get more of an elaboration on exactly what kind of support they do provide the Liquor Licensing Board? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. We hope that means that we pay their staff and provide whatever support is needed for their staff. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. Is there any policy or regulation, direction given from the department through to the board? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Simailak.



**Hon. David Simailak:** Thank you, Mr. Chairman. The board operates with a lot of independence.

There may be direction given to the board by Financial Management Board for example periodically, but they do operate with a lot of independence. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. The Liquor Licensing Board, or the liquor ordering function within the government, I know that the government has negotiated contracts for shipping throughout the territory with different companies to do all the government shipping.

Would the liquor boards be considered a part of that contract, or would they be able to circumvent that contract and pursue their own transportation contract? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. Yes, the board has been operating with some independence with their own contracts and that, but that is another area that we are starting to look at now through the Crown Agency Council. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I just want to inform members that there are now three of us here in the House, three Tootoos. I acknowledge the presence of the youngest uncle that we have, William, sitting here behind me. Watch out now; there are three of us, three times trouble.

Is the minister stating then that the liquor board has the legal authority to not comply with the government contract that is in place with the freight for shipping purposes? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. No, there is a legal opinion that says the liquor board can operate independently in terms of the shipping contracts. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Kilabuk.

**Mr. Kilabuk** (interpretation): Mr. Chairman, to make a supplement to my colleague's comments and on behalf of the people, I would like to ask some questions in English on behalf of the ordinary Joes and the small guys.

For example, the local people who don't have any private businesses or small businesses, I would like to know, first of all, as a preamble; the fishermen don't use technical terms, and you have to speak to them in plain language English.

On behalf of those people I would like to ask them a question. Of course around Pangnirtung we don't have any exploration or mining going on. We depend solely on fishing and tourism in our community.

I was very pleased during the minister's opening when he stated that there would be a Fuel Tax Rebate, and that it would benefit the fishermen.

My first question to the minister and to his officials is: how you define fishermen in business terms under that program? Thank you.

**Chairman** (interpretation): Thank you, Mr. Kilabuk. Minister Simailak.

**Hon. David Simailak** (interpretation): Thank you, Mr. Chairman. Anyone who has a commercial fishing license, that's the thinking today, but we have to work with economic development and transportation. To date, it is anyone who has a commercial fishing license. Thank you, Mr. Chairman.

**Chairman**: Thank you, Mr. Minister. Mr. Kilabuk.

**Mr. Kilabuk** (interpretation): Thank you, Mr. Chairman. I like your response because of course there were concerns as some fishermen were being questioned by the government departments about their not being eligible for the Fuel Tax Rebate. They were told that the only way that they can get support is if they were defined in the business definition.

From what I understand now a fisherman is considered a business if he has a commercial fishing license then he is eligible for the Fuel Tax Rebate. If I understood it correctly and to define it further, could you give us a few examples of how fishermen or outfitters can benefit from this rebate, (interpretation ends) because I haven't seen any example on how beneficial this program may be to our fishermen and outfitters.

Are there any examples you can share with us today as to what kind of actual benefits fishermen or outfitters may realize as a result of this program? Thank you, Mr. Chairman.

**Chairman**: Thank you, Mr. Kilabuk. Minister Simailak.

**Hon. David Simailak** (interpretation): Thank you, Mr. Chairman. We have considered the fishermen, the hunters, the trappers, and the tourism outfitters; because of course we want them to benefit from these programs. In Nunavut, we pay 6.4 cents for a litre of gas; that's what we pay personally today in Nunavut.

We would like to see within the year a rebate twice a year, and for the larger companies, like mining companies, for example, they would get a rebate once a year. The hunters,

the trappers, the fishermen, the tourism outfitters are usually small businesses that are run by a sole operator. I think it would benefit those types of companies if they get a rebate twice a year. We pay 6.4 cents today in Nunavut. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Mr. Minister. Mr. Kilabuk.

**Mr. Kilabuk** (interpretation): Thank you, Mr. Chairman. I wrote that down because I wanted to ask this question and I wanted them to use an example how this is set up for the fishermen and for the hunters.

If I could say, I was wondering if this would create headaches for the fishermen and hunters. For example, you now are aware that the fishermen have to go through difficulties in order to get compensation from our Nunavut Government. It's been seven years passing by and this benefit is not adequate enough yet.

For that reason, Mr. Chairman, the fishermen and hunters in one season they go fishing just over the winter or they go fishing when the ice is gone but I do not think they will be able to apply twice a year for a rebate because they only have this seasonally. That is why I had asked this question, because I had, Mr. Chairman (interpretation ends)...

I have seen the programs as I said, under Environment, and this has caused nothing more than headaches and frustration for the fishermen. So I want the assurance of the minister and the department that if this program will be made to work for the fishermen and hunters, that measures are put in place so that it does not end up being nothing more than a program that causes headaches.

Mr. Chairman, do I have the assurance of the minister and department that this program will be developed to track the actual activities of our fishermen and needs through this program? Thank you, Mr. Chairman.

**Chairman**: Thank you, Mr. Kilabuk. Minister Simailak.

**Hon. David Simailak** (interpretation): Thank you, Mr. Chairman. We developed this in order to assist and benefit Nunavummiut. Along with the Department of Economic Development and Environment we set this up because we want to provide support to Nunavummiut. We do not want it to be just a headache, we do not want to create just a headache for our fishermen and hunters, and for tourism they need assistance in Nunavut because they try to run their business.

We had developed this to make sure that it benefits these individuals not to be a cause of headaches. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, minister. Mr. Kilabuk.

**Mr. Kilabuk**: Thank you, Mr. Chairman. I still am concerned that when we come to approving this page I will be still approving something that I cannot provide answers to

my constituents for issues that are dear to their activities and lifestyle. I still fail to be assured that this program will benefit the fishermen and outfitters as much as the mining companies will probably realize.

Again, Mr. Chairman, I am afraid that this is giving more benefits to the rich and nothing for the poor, if I can use that term in this program. So Mr. Chairman, I will ask the minister if adequate work and teamwork has been put in by Environment, Economic Development and Transportation on actual figures for the setting of this program. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Kilabuk. Minister Simailak.

**Hon. David Simailak** (interpretation): Thank you, Mr. Chairman. Yes, that is exactly what we were doing. We worked with the Department of Environment. We also worked with the Department of Economic Development, and along with Department of Finance, three departments have worked to develop this program and we are still developing it because it is supposed to be implemented on April 1.

But I am not too sure if we are going to start using it on April 1, but in the 2006-07 fiscal year it will be implemented perhaps by the end of April.

It is up to the discretion of any individual whether they want to apply for the rebate program, whether it is the mining companies, harvester, fishermen, or trappers they can apply for it, it is up to them but we will continue to work on this program.

As I stated earlier on that, the Department of Environment, the Department of Economic Development and Transportation, and the Department of Finance are still working on it and they are still developing this program. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Mr. Minister. Mr. Kilabuk.

**Mr. Kilabuk:** Thank you, Mr. Chairman. In representing my constituents, I have no problem in saying that I am just absolutely disappointed in how this has been put together because I know for a fact that the Department for Environment, because there are no requirements for them to monitor the usage of gas or the fuel supplies for their fishing activities, they simply don't have these records to base this information on.

So Mr. Chairman, as for the one of the comments earlier about many people in companies, if I read it right, there has been a lot of communication to the minister's office regarding the Fuel Tax Program after the announcement. But was there lot of communication to the minister's office before this program was developed? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Kilabuk. Minister Simailak.

**Hon. David Simailak** (interpretation): Thank you, Mr. Chairman. Yes, we have been coming to our office to talk about it and we were approached orally and also by way of correspondence.

Back in 1999-2000, from the Fraser Institute, when they talked about Nunavut that there were no kinds of benefits or assistance for the mining sector and they approached us orally and by way of correspondence. The mining sector has been stating that even though they pay for fuel tax, even though they have the fuel tax rebate during the time when they start working on the real project, the mining sector has been saying that they have been paying for their fuel by themselves. Yes, we have been approached in the past years. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Mr. Minister. Mr. Kilabuk.

**Mr. Kilabuk**: Thank you, Mr. Chairman. I was waiting to hear the words fisheries and tourism in part of his response, but I failed to. So let me ask this question, Mr. Chairman: in the communication that was forwarded to the minister's office, was there any mention of even fisheries or tourism in the communications that were forwarded to the minister's office? Thank you, Mr. Chairman.

**Chairman**: Thank you, Mr. Kilabuk. Minister Simailak.

**Hon. David Simailak** (interpretation): Thank you, Mr. Chairman. When we were developing this we followed another territory's system; Yukon already has their fuel tax rebate and we had used their system to do ours. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Mr. Minister. Mr. Kilabuk.

**Mr. Kilabuk**: Thank you, Mr. Chairman. If I understand him clear enough, then there was no request from anybody to develop such a program for the fisheries or the outfitters of Nunavut and nor was there any follow-up and communication after the program was announced on the fisheries and tourism activities.

Again, I failed to get the assurance I was hoping to get and like everybody else, honestly, this is something that I'm going to have to communicate to my constituents; my disappointment and dissatisfaction of this program. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. I didn't hear a question, but Mr. Minister, you're welcome to respond.

**Hon. David Simailak** (interpretation): Thank you, Mr. Chairman. As I stated earlier on, we are still in the developing stage for the Fuel Tax Rebate to assist everyone including the mining sector, the fisheries, hunters and trappers, and outfitters of tourism. Not one of them had communications with us, but we followed the Fuel Tax Rebate Program from the Yukon.

To benefit these individuals in Nunavut, we need to provide support to small businesses. We felt that it would provide benefit to these individuals. As I stated earlier on, it is at the discretion of these individuals if they want to apply to this program or not.

Anyone is welcome to apply. It's up to them. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. I have no more names on my list. We're on page C-7. Financial Management. Total Operations and Maintenance. \$3,108,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Page C-8. Internal Audit Services. Total Operations and Maintenance. \$1,192,000. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. Can the minister tell us how many auditors you have in the Internal Audit Division? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Minister.

**Hon. David Simailak:** Thank you, Mr. Chairman. There are eight staff there. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. On page C-22 of the business plan, it mentions in 2005 as one of the priorities; conduct forensic investigation conflict of interest audits.

It has six forensic investigations, probably one half being from the regions. Can the minister tell us what the process is from start to finish on a forensic investigation? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Vardy.

**Mr. Vardy:** Thank you, Mr. Chairman. Each audit would probably be conducted a little differently.

Usually there is a concern raised, often from the department involved. The auditors would go in and investigate the situation, develop an audit plan, discuss it with the department, the client, and then conduct the audit and make their preliminary findings known to the department, and then get feedback from the department. That would be incorporated into the final audit.

Depending on the forensic audit, there might be a requirement to pursue other action. It could be collections through other mechanisms in the Department of Finance. It could involve notifying the RCMP and the Department of Justice.

So, it depends on the circumstances in each audit. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Vardy. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank Mr. Vardy.

Under what conditions would you notify the RCMP following a forensic audit? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Vardy.

**Mr. Vardy:** Thank you, Mr. Chairman. If there was sufficient indication of criminal activity or wrongdoing, if it was a minor situation, or maybe a misappropriation due to weak financial controls, maybe it could be corrected by avoiding that step. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Vardy. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank Mr. Vardy. If following a forensic audit an employee is dismissed does that, in your mind, constitute a criminal activity, even if you don't go to the RCMP; if you dismiss the individual? Thank you, Mr. Chairman.

**Chairman:** Thank you. Mr. Vardy.

**Mr. Vardy:** Thank you, Mr. Chairman. Each circumstance is different and there are situations where management could decide to impose disciplinary action, including dismissal. It could fall outside of the realm of auditing more into the human resource side, which is handled by another department. Or it could be something that could be dealt with through the justice system. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Vardy. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. Thank you, Mr. Vardy. I'm thinking more of a misappropriation of funds, not a human resource thing.

So if there's someone in Iqaluit breaks and enters some houses to steal some money, or shoplifts, or busts into a teller or an ATM, that kind of stuff, that's criminal activity. If they get caught, they are charged, and if they are convicted, they go to jail. Does that happen in the Government of Nunavut when you turn a file over to the RCMP? What typically happens once you decide to turn a file over to the RCMP? Does the government sit back and let the RCMP complete an investigation and let them lay charges, or do they charge the individual and then court proceedings begin? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. Yes, (interpretation) it is usually handled by the RCMP. Once it's handed over to the RCMP, then they deal with it. If they have to go to court, then it goes to court. If we hand it over to the RCMP, that's the procedure. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister. Are you finished, Mr. Peterson?

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister. Just to continue on the forensic audits, are they typically requested by the department or would they come up randomly. When your internal audit services goes out to the region, or goes into a government department, do they know what they are looking for? Has somebody tipped them off, or is it just random and they are not targeting anyone or any department in particular? Thank you, Mr. Chairman.

**Chairman:** Thank you. Mr. Vardy.

**Mr. Vardy:** Thank you, Mr. Chairman. Most audits of any kind, the requests come from departments. Sometimes we send internal auditors out to the regions and they will do a fairly extensive audit of all of their regional operations in that particular community. The forensic audits that I am aware of right now are ones that the vast majority is when the departments suspect some activity and they report it.

Sometimes we get tips or other information passed on to us that we also investigate. Thank you.

**Chairman:** Thank you, Mr. Vardy. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. Can the minister give us an idea of when employees are dismissed what repercussions follow for the government? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister Simailak.

**Hon. David Simailak** (interpretation): Thank you, Mr. Chairman. We didn't get it. Can he rephrase his question, please? Thank you, Mr. Chairman.

**Chairman:** Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I guess in the justice system a person is considered innocent until they're proven guilty. But in the Internal Audit Services what you are saying is you have the internal audit folks who will do a forensic audit, they complete their audit and then it's reviewed. Then somebody decides if the people are guilty and then they're dismissed. So obviously you got a lot of strong evidence but the person that's dismissed might think that there isn't and try to defend their good reputation.



So I am wondering how you deal with those; obviously with all the forensic audits you have done over the years you probably have some former employees who are seeking redress from the government through lawsuits and other avenues.

How does the government deal with those kinds of situations? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. We are on page C-8. Main estimates 2006-07. Minister Simailak.

**Hon. David Simailak** (interpretation): Thank you, Mr. Chairman. Sometimes even when there are audits, sometimes it's not too clear but once we know that, the department then they order investigations along with other staff. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Minister. I don't have anybody else on my list. We are on page C-8. Internal Audit Services. Total Operations and Maintenance. \$1,192,000. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Yes. Going to page C-9. Department of Finance. Branch Summary. Comptrollership. Total Operations and Maintenance. \$11,239,000. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Wait a minute. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I don't have my copy of the Auditor General's report with me but on page 44 of the Auditor General's report recommendation number 160 there was a mention of a Government of Nunavut study that's supposed to be completed by March 31, 2006. I think it had to do with financial controls, and so on and so forth.

I wonder if the minister can give us an update on the status of that report that's under preparation. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister Simailak.

**Hon. David Simailak** (interpretation): Thank you, Mr. Chairman. The report that he's referring to is not completed yet. That person is still working on that report. They're going to try and put recommendations to the Financial Management Board. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister. Can the minister confirm that he will be complete by March 31, 2006, as written up in the Auditor General Report? Thank you, Mr. Chairman.

**Chairman:** Thank you. Minister Simailak.

**Hon. David Simailak** (interpretation): Thank you, Mr. Chairman. Yes, the deadline was March 31, 2006, but it might be a little bit late. The Auditor General already knows that it might be delayed.

But that is the target date; March 31, 2006, though it's hard to tell at this time. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Minister. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister.

The minister is probably aware that our standing committee is scheduling a public meeting with the Auditor General in May. It would be very helpful if that report was complete long before then so that it goes through your process, and then we have an opportunity to see it because we're going to probably ask you about it since it's one of the 180 recommendations. There are a few more.

I wonder if the minister or Mr. Vardy could give us an idea of whether that report and the recommendations will be complete by the time the Auditor General arrives in Iqaluit. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. Yes, I fully agree with you. It would be good if it was completed and it would help the standing committee with the Auditor General. The date is March 31, 2006, but it's still hard to tell at this time. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I found my reports in this pile of paper here. We really do need bigger desks at some point.

Just for the record, there are 180 conditions, or recommendations in the Auditor General's Report, and then the name of that report is called; The Review of the Government of Nunavut's Financial Structures Project, "...process review is to analyze internal and financial capacity, and recommend a detailed plan for improvement to Government of Nunavut's ability to plan, control, forecast expenditures, and to enhance a timely and accurate production of the public accounts. Final report is scheduled to be delivered by March 31, 2006."

So, that's just for the record Mr. Chairman. It is a comment only. Thank you.

**Chairman:** Thank you, Mr. Peterson. I don't have any more names on my list. We're on page C-9. Comptrollership. Total Operations and Maintenance. \$11,239,000. Do you agree?

**Some Members:** Agreed.

**Chairman:** C-10. Finance. Centrally Administered Funds. Total Operations and Maintenance. This includes page C-11. Total Operations and Maintenance. \$28,935,000. Do you agree?

**Some Members:** Agreed.

**Chairman:** Page C-12 is an information item. Are there any questions? Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. As the minister is aware, the newly elected mayor of Cambridge Bay, Mayor Michelle Gillis, had mentioned during her campaign and in the media that she is interested in seeing a liquor store being considered opened in Cambridge Bay.

She believes that by opening a liquor store you would help the community reduce the bootlegging activity that's going on in the community. I wonder if the minister could shed some light on the process that the mayor in the community would have to go through to successfully open a liquor store in Cambridge Bay. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. (interpretation) Yes, Mr. Chairman. If the Cambridge Bay residents would like to have a plebiscite, then they would have to do it through the hamlet council. Thank you.

**Chairman:** Go ahead, Mr. Minister.

**Hon. David Simailak:** I'm sorry, Mr. Chairman. (interpretation) The community of Cambridge Bay would have to hold a plebiscite on their own in order to open a liquor store. The plebiscite would have to be held in their own community, and then we would consider it and decide on what they would need to be done.

The community has to decide on whether if they would like to open a liquor store. They can do it; they would have to do it by plebiscite. That's how they would decide on that matter. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister for that information. Has the minister received any application from the committee or requesting for information on how to go about conducting a plebiscite to go through this process? Thank you, Mr. Chairman.

**Chairman:** Thank you. Minister Simailak.

**Hon. David Simailak** (interpretation): Thank you, Mr. Chairman. I have not received an application or a request for information on how to set up a plebiscite; we have not received one yet. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister. Just for the record, the minister's previous answer is even though the hamlet conducts the plebiscite and they say the community says they want a liquor store, or like a liquor store, the decision is communicated to the minister and to Cabinet; that does not necessarily mean that a liquor store would be approved for Cambridge Bay. Is that correct? Thank you, Mr. Chairman.

**Chairman:** Thank you. Minister Simailak.

**Hon. David Simailak** (interpretation): Thank you, Mr. Chairman. The plebiscite in Cambridge Bay to open a liquor store, the application would be processed through us and we would consider it. According to their application, they believe that the communities need to have the authority to make decisions on their own. Thank you, Mr. Chairman.

**Chairman:** Thank you. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister. Just for further clarification, we are talking about a liquor store to serve the community in Cambridge Bay as opposed to a liquor warehouse, which exists in Iqaluit and Rankin Inlet.

So there's a difference: the liquor store versus the liquor warehouse. The liquor warehouse would serve, I guess, the Kitikmeot and those communities that aren't dry and a liquor store would presumably serve just the community of Cambridge Bay. I think that's what the mayor and hamlet council were discussing. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Mr. Peterson. We are under government main estimates and you can ask more questions through Question Period. Mr. Simailak.

**Hon. David Simailak** (interpretation): Thank you. What is written is quite clear. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. (interpretation ends) Page C-12 is an information item. Go back to page C-4. Finance. Detail of Expenditures. Finance. Department

Summary. Detail of Expenditures. Total Operations and Maintenance. \$50,186,000. Do you agree?

**Some Members:** Agreed.

**Chairman:** Does the committee agree that the Department of Finance is concluded?

**Some Members:** Agreed.

**Chairman:** Thank you, Minister Simailak. (interpretation) For the last time, do you have closing remarks, Mr. Minister?

**Hon. David Simailak** (interpretation): Thank you, Mr. Chairman. I thank the members. We'll take them as notice and receive them for what they are. Thank you.

**Chairman:** Thank you, Mr. Vardy, Minister Simailak, and Mr. Victor Tootoo.

Now I would now like to ask Minister Okalik, the Minister of Justice to make his opening comments. Mr. Okalik.

**Bill 12 – Appropriation (Operations & Maintenance) Act, 2006-07 – Review in Committee – Justice**

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. I am pleased to present to the Committee the proposed main estimates and business plan for the Department of Justice for the fiscal year 2006-07.

The Department of Justice has been allocated a total operating budget of \$56.368 million, which represents an increase of \$1.770 million or 3.23 percent over last year's budget. The increase allows the department to provide increased support for law enforcement, courts, and legal aid services.

More funding has been provided to the RCMP to cover our share of increased salaries from their recently negotiated collective agreement and costs of operations. Also included is the cost associated with the new National Sex Offender Registry; a tool used in investigating sex-related offences.

Also, the RCMP will be increasing its efforts to promote, recruit, and train more Inuit to become regular members of the police force. There are currently 21 Inuit constables and peace officers across Nunavut.

More funding has been allocated to both Courts and Nunavut Legal Services Board to cover the increasing costs for court circuits. The increasing number of court hearings result in more circuits to communities. Over the next year, the department is expecting to run 56 circuits to communities. That is about 10 percent more circuits than in the current year.

You will notice that a new branch of Community Justice has been created. It is focused on programs such as crime prevention, diversion to justice committees and mediation services. These programs were previously part of our Corrections Program. It is our hope that Community Justice will continue to support capacity building in all communities.

I believe that our programs and initiatives are fully supportive of the goals and priorities outlined in *Pinasuaqtavut*, and are culturally sensitive to Inuit societal values.

I would be pleased to answer questions from members. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister. Minister Okalik, would you like to bring your officials? Does the committee agree for the minister to bring in his witnesses?

**Some Members:** Agreed.

**Chairman:** Sergeant-at-Arms, can you please assist the officials.

Thank you. Can you please introduce your officials?

**Hon. Paul Okalik** (interpretation): On my right is my Deputy Minister Markus Weber for the Department of Justice and to my left is the Corporate Services Director. Thank you.

**Chairman:** Thank you. Does the chair of the standing committee have opening comments? Mr. Mapsalak.

**Mr. Mapsalak** (interpretation): Thank you, Mr. Chairman.

Mr. Chairman, I am pleased to be able to give the committee's opening remarks as we begin consideration of the 2006-07 Main Estimates for the Department of Justice. Later on, members will have an opportunity to ask questions regarding these estimates.

Mr. Chairman, the Standing Committee *Ajauqtiit* has had the opportunity to meet with the minister and his staff. The minister was able to give an update on his department's proposed expenditures.

Mr. Chairman, it has been almost one year since the *Akitsiraq* Law School students graduated. These students are now articling in various organizations and we are extremely proud of them and wish them the best as they complete their training to be our first educated-in-Nunavut lawyers.

>>Applause

Mr. Chairman, members would be supportive of another program such as this being offered again in the future, and urge the minister to continue to look at cost-sharing opportunities with other Inuit organizations.

Mr. Chairman, members are pleased that people are utilizing the new Poverty Law Office in Iqaluit. Members urge the department to make efforts to ensure that these services are accessible to residents in other communities.

Mr. Chairman, members note from its business plan that the department has been working on establishing a stand-alone probation service for Nunavut. Members expect to be kept informed on this worthy initiative.

Mr. Chairman, members also note that the department held a Nunavut-wide workshop in 2005-06 for Community Justice Committees. Members support education and training for the members of these important committees.

Mr. Chairman, members are pleased to see training being offered to coroners, as they fulfill important and stressful responsibilities in our communities. Mr. Chairman, members were pleased to learn that the new Justice Centre is scheduled to open on April 20, 2006. Members note that this building will be owned by the government and not leased, as are a number of other buildings that are occupied by the Government of Nunavut.

Mr. Chairman, members note that the department has requested more funding to cover increasing costs for Court Circuits. Members are hopeful that this increase will be sufficient so that no further supplementary appropriations will be required, as have been necessary in the past.

Mr. Chairman, members continue to be concerned with drugs entering their communities. The standing committee would welcome the opportunity to meet with RCMP officials to discuss this and other important issues, such as the after-hours automated telephone service in the communities.

Members are strongly of the view that the current system is not serving the immediate needs of emergency cases in the communities. Members would like to see emergency calls go directly to the local RCMP detachments rather than to Iqaluit.

The Northern Policing Review Report was expected to be completed at the end of 2005. The committee would want to see this report tabled in the House, so that all Members may see what recommendations were made in the report.

The 2005-06 business plan for the department indicated that it had developed a proposal for Nunavut Arctic College to deliver a program called the Justice Access Program. This program was to help persons gain the skills to enter the RCMP and justice system. Members would like to be updated on this program.

Members note that the department made a presentation on the proposed *Family Abuse Prevention Act* to participants at the recent Inuuqatigiitsiarniq Territorial Symposium on Violence Against Women that was held in Iqaluit. Members urge the minister to carefully consider recommendations made by all organizations involved. Members await the introduction of this Bill in the House.

Members are pleased that the Spousal Abuse Prevention Program in Rankin Inlet has been very successful. Members would wish to see programs such as this one continue, and be offered in more communities. Members support efforts of this department to develop programs that will help resolve family disputes in a culturally sensitive way.

Members note that the Kugluktuk Men's Healing Facility is fully operational. Members look forward to the formal announcement on the location of the planned Kivalliq facility. The committee supports initiatives that enable inmates to be closer to home and to receive culturally relevant rehabilitation programs.

Members remain concerned that there are not enough beneficiaries being employed at the Baffin Correctional Centre. Members note that the minister has indicated that the department is making efforts to increase beneficiary employment levels at BCC. Members wish to be kept up to date on the long-term plans for the replacement of the Baffin Correctional Centre and plans for the development of a female remand facility for Nunavut.

Members are pleased that the Human Rights Tribunal in Coral Harbour is making progress towards being fully staffed. Members urge the department to make every effort to hire residents of Coral Harbour for this office. The committee continues to wait for the tabling of the Tribunal's first annual report.

Members note that the department is working on participating in the National Sex Offender Registry. Members expect to be kept fully informed on this development.

Mr. Chairman, this concludes my opening remarks. I anticipate that individual members will raise their own comments and concerns on the department's 2006-07 main estimates. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Mapsalak. Very good remarks. In recognition of that we will take a 30-minute break and be back at 6:30. Thank you.

*>>Committee recessed at 17:54 and resumed at 18:34*

**Chairman** (Mr. Kilabuk)(interpretation): Thank you for coming back. (interpretation ends) Before we proceed, I would like to remind members of the following: according to Rule 77(1), you have 10 minutes to speak and according to Rule 77(2), subject to the discretion of the Chair, a member may speak more than once to a matter under discussion, but not until every member wishing to speak has spoken. I suggest to



members that wherever possible, you ask your detailed questions during the page-by-page review of the departmental estimates.

Do members have any general comments? Thank you. I have no members on my list for general comments. We will now proceed to the page-by-page review.

Estimates start with page E-5. Justice. Branch Summary. Directorate. Total Operations and Maintenance. \$2,878,000. Any questions? (interpretation) Do you agree?

**Some Members:** Agreed.

**Chairman:** Thank you. Justice. Branch Summary. Law Enforcement. Total Operations and Maintenance. \$21,287,000. Any questions? Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. Welcome to the minister and his officials. Contract Services, it's increased by \$125,000. Could the minister explain what the reason is? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Premier.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. Where are the Contract Services, in what page? I can't see the figures he is alluding to. Thank you, Mr. Chairman.

**Chairman:** Thank you. I will remind everybody we are on E-7. Justice Branch Summary. Law Enforcement. And the Contract Services he is referring to is the only budget line under the main estimates for that 2006-07 on E-7. Mr. Peterson, is that adequate? Mr. Peterson.

**Mr. Peterson:** Yes, Mr. Chairman, that's correct. There's a large increase there. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Minister.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. Under Law Enforcement, it had increased for RCMP for operations and also there was an increase due to fuel increases. All across Canada, we now have consultations with the, we communicate with other jurisdictions for sexually assaulted people. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. (interpretation ends) Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister for that information. Mr. Chairman, on page E-20 of the business plan, under Priorities for 2005-06, there's a mention of a Northern Policing Review Board expected by the end of 2005. Can the minister give us an update on the status of that report? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Minister

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. We still don't have that information. Once we get that information, we will have to review it and it's going to have an impact on other northern jurisdictions. We will have to consult with them because once we get that I will be able to table it in the House. Thank you.

**Chairman:** Thank you, Mr. Minister. Mr. Peterson, more questions? Thank you. Justice. Branch Summary. Law Enforcement. Total Operations and Maintenance. \$21,287,000. (interpretation) I have no more names on my list. Agreed?

**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. (interpretation ends) Justice. Branch Summary. Legal Services Board. Total Operations and Maintenance. \$4,687,000. I remind you E-8 includes E-9 as an attachment to this page. (interpretation) Are there any questions? (interpretation ends) Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. Again, under Contract Services, there's a sizeable increase; it looks like about \$330,000. Could the minister clarify what the increase is for? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Minister.

**Mr. Okalik** (interpretation): Thank you, Mr. Chairman. As I stated in my opening comments, the judges touring the communities is going to increase. That's why there is an increase on that. Where the court parties have to travel to the communities, we have to pay for them, so that's where we pay them, on that line item. Thank you, Mr. Chairman.

**Chairman:** Thank you. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister for that answer.

In the past I've mentioned this, and I was Chairman of the Kitikmeot Law Centre for a period of time, and we were constantly under pressure, and under-funded to provide legal aid in the communities. I'm wondering if any of this money will be reallocated to assist the legal aid people in the regions. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Minister.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. Yes, it is in there for legal aid. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister. Can the minister be a bit more specific? How much money from this amount will go to the legal aid boards in the regions? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister Okalik.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. They are geared towards legal aid for the whole of Nunavut and for travel for the court party. It's mainly for that, but it's all for the communities of Nunavut. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister.

I'm just trying to thin it down a little bit so I can tell my constituents that the Kitikmeot Law Centre will be getting some more funding to help them deliver their programs and services to the people that they work with in our communities, if the minister could be a bit more specific and give me an answer please? Thank you.

**Chairman:** Thank you, Mr. Peterson. We shall try again. Mr. Okalik.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. The legal services board is running this, but we do provide the funding for lawyers so that the lawyers can provide more services to all the communities.

It's not just for one community, but this is geared to all the communities of Nunavut because the lawyers will be visiting the communities more frequently and it will benefit all the communities. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister. Can the minister advise me, or tell me if every community in the Kitikmeot Region has a legal aid worker working for the Kitikmeot Law Centre? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Minister.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. I don't have the information in front of me but I'll be able to provide it to the member at a later date.

**Chairman:** Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister. That's one of the concerns in our region that, at least when I was chairman of the board, we didn't have enough funding to help people in each community.

We had them in some of the communities, but we didn't have people in every community who could work with people that needed to talk to legal aid. So it became very difficult for them to access all the services of the legal aid program, and the justice system.

So I'd appreciate it if the minister could give me that information as soon as possible and also clarify if the department has got plans to, if they don't have legal aid workers in every community in the Kitikmeot Region and maybe in every community in Nunavut, what the plans are to assist the legal services board to find the funding so that we can have legal aid workers in every community; if the minister could comment on that. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. We shall see. Mr. Minister.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. Yes, we can look into this further, but some communities are not frequented by the court parties. Some legal aid workers might not have work to do in some of the communities, while other communities require them. There are legal aid workers where they are required. We will review this because it's going to increase the costs for operations. Thank you.

**Chairman:** Thank you, Minister. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I'm sure the minister will agree with me that all Nunavummiut are entitled to receive services from the Government of Nunavut, particularly when it comes to legal services. A lot of people don't understand the legal system in Canada. They get in trouble; they don't know who to talk to. If they had a legal aid worker, even if it's not in the community, but they knew who to call; who to talk to; if you get that kind of information it would probably alleviate a lot of their concerns and make the process work a little bit better.

That's what I'm concerned about. I'm concerned a lot of people are afraid when they get in trouble with the law and they just don't know how to deal with it. Then we have more problems.

I'm sure the minister agrees with me that everybody who is seeking a lawyer they get help from a lawyer and should be able to easily access those services. I wonder if the minister could comment on that. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister Okalik.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. Individuals that go before the courts have the right to have a legal aid worker, or to have a lawyer. That's why we can't really move this funding because the individuals that appear before the court require the services of legal aid or a lawyer, but this line item is to be used for that. We don't have any room to manoeuvre, but we will continue to work on it. We welcome all suggestions for improvements. They call the Legal Services Board for assistance. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Okalik. Thank you, Mr. Peterson for your questions. Mr. Alagalak.

**Mr. Alagalak** (interpretation): Thank you, Mr. Chairman. In the Keewatin region it states here and it's evident that we have legal services. But I was told more than once, that in northern Manitoba, there's a community service there, and also in Winnipeg. We usually hear the younger people today who thought that the office was in the Keewatin. They wanted to make sure that the name of this law centre is an Indian name. I believe that their title should be changed.

The question that I have is two years ago we had heard about the individuals that appear before the courts, the parents don't even know if their child had been sentenced to jail, or the spouse is arrested and their children are taken to a safe home. They just leave their husband and he was not allowed to go home. They don't really have family in that community, but there are a lot of buildings in the communities due to the housing shortage.

I was wondering if your department has considered, because we had heard this for many years that our government was going to do something about it. Can you update me on this? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Alagalak. Minister Okalik.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. This is not new. It already existed before we became a government but in the springtime I will try and come up with something to stop the violence. We have been working closely with legal aid about how else we can deal with this using Inuit societal values and it's clear that we will be working together on this. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Alagalak.

**Mr. Alagalak** (interpretation): Thank you, Mr. Chairman. It's not only that, when the children are taken away from their parents and the husband is kicked out, he is not given any place to live and no means of providing for food. We just use the southern standard when it's a lot colder up here, when we do that; we just seem to just put them on the street.

As you mentioned earlier that we should use our elders who know *Inuit Qaujimajatuqangit*, sometimes the people who work in that department are not elders and they really have no idea on the *Inuit Qaujimajatuqangit*.

As the Premier knows the population is growing and we have a Justice Committee and they work really hard and the RCMP keeps referring clients to them. The Justice Committee doesn't get enough funding and they go through the hamlet. They felt that because they get a lot of referrals from the RCMP to see if they can get more funding and

have an office administrator or something so they will function easier. I wonder if this has been considered at all; if there's going to be any changes to that. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Alagalak. Minister Okalik.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. This is not the first time that we heard this. We have been caught in the middle and we will be because if it's under the criminal code when they have to go to court and the federal government, we can't just make amendments or changes, especially with the federal legislation.

So what we try to do is to try and expedite the system so that we can incorporate *Inuit Qaujimaqatuqangit* or the Inuit culture into the judicial system so we can work closely together. If we can't do anything with the criminal code, we can work around it and that's what we will do. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Alagalak.

**Mr. Alagalak** (interpretation): Thank you, Mr. Chairman. I think it's clear in Arviat the population is growing and when the court circuit comes into town, it seems like the accused are lining up. Well, before they go to court, they have the right to talk to a lawyer or with legal aid. So what we do now if somebody commits a crime, they go to the RCMP, and then the RCMP goes to Social Services, and if it can't be handled there, then it's dealt with. They have to go through so many different routes and that creates a lot of inconvenience for the Inuit and confusion.

Legal aid should have an office in bigger communities so the people can access them and talk to them. It would be a lot easier. I wonder if any consideration has been given to opening a legal aid office in Arviat. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Alagalak. Mr. Okalik.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. We can work closely with the Department of Culture, Language, Elders and Youth and try and work together instead of opening new offices, because if we incorporate Inuit societal values, we can make improvements. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Alagalak. I don't have anybody else on my list. Legal Services Board. Total Operations and Maintenance. \$4,687,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Justice. Branch Summary. Lawyer Support Services. Total Operations and Maintenance. \$2,379,000. Are there any questions? Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I just have a quick question here. Has the Public Trustee made any recommendations for further amendments to the *Wills Act*? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Minister.

**Hon. Paul Okalik** (interpretation): Yes, we're still waiting at this time because it's still being reviewed by the Public Trustees. Once we've compiled the necessary changes we will complete it. Thank you, Mr. Chairman.

**Chairman:** Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister. Could the minister provide an overview of what Nunavummiut should do in the event that they don't have a will? Who should they talk to? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister Okalik.

**Hon. Paul Okalik** (interpretation): At this time we are planning to make a kit, but we haven't completed that yet. Thank you.

**Chairman:** Thank you. Mr. Peterson. Are there any other questions under E-10 or E-11? There are no questions.

Justice. Branch Summary. Lawyer Support Services. Total Operations and Maintenance. \$2,379,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Justice. Branch Summary. Registries and Court Services. Total Operations and Maintenance. \$7,252,000. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I have a question on sentencing. When judges' sentence individuals for their various crimes, I know there are five, or six, or seven different types they sentence an individual for. I was reading that in a brochure this morning.

One that stuck out in my mind was conditional sentencing. I recall an incident somewhere where a judge would give a conditional sentence but then tell the person they had to move to another community. Of course they would go to another community, and there are no facilities there to take them in.

They don't have any relatives there. They're basically homeless. I'm wondering how, in the minister's opinion, how judgments, how that is a good thing for a) the individual being sentenced, and b) for the community who probably don't want the individual there and they can't support him for the time that he is sentenced. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister Okalik.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. The courts have their own sentencing and they put in conditional sentences, because they only do judgments after hearing cases from the prosecutor and the defence lawyer. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister. I understand what the minister's saying, you know the judges sentence people, but do they have a full understanding of the type of sentence they're handing out, because really they're essentially giving a conditional sentence and then sending an individual to another community where the support services may not be in place, or maybe over-stressed to take in another individual or two.

And then the individual may be ostracized in that community and become a homeless person that the Minister responsible for Homelessness and I talked about last week in the Legislative Assembly.

If the minister could comment if the judges fully understand and comprehend the type of sentence, their conditional sentences, that they're giving to individuals when they send them to another community? What support services are there? Thank you, Mr. Chairman.

**Chairman:** Good question. Minister Okalik.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. The judges make their own judgment but when they make a judgment they refer to the defence lawyers and prosecutors. After hearing their sides, then the judge makes their ruling.

As a government we can't really do anything on their judgment part. Thank you, Mr. Chairman.

**Chairman:** Thank you. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister. Perhaps what should happen is the judge should require the prosecuting and defence lawyer to go into the community and talk to mayor and council, the wellness centre people, and other individuals in town such as elders, to see if it's possible before a conditional sentence is issued that the community is capable of taking that individual and helping them. There's nothing worse than giving someone a sentence and hoping that it's going to help them, but then send them into a circumstance where it's not going to help them; it just maybe gets worse.

I wonder if the minister could comment on that. Thank you, Mr. Chairman.



**Chairman:** Thank you, Mr. Peterson. Minister Okalik.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. The judges operate by themselves and use the criminal code. We can't adjust them as a government; they are independent of all governments. They operate the lawyers and the prosecutors. Thank you, Mr. Chairman.

**Chairman:** Thank you. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister. I think we're going around in circles on this issue. Hopefully, the judges and their officials are listening in that they should spend some more time consulting with communities. This is to ensure that by issuing a conditional sentence and sending a person to another community that that community can take that individual or individuals in and help them; to give them the counselling that they need; whether it's for two weeks, or three months, and provide the shelter that they require, if there's a shelter in the community. In most cases, there aren't, but then they are going to have to find relatives in town, or somebody that'll take them in, otherwise they're just going to become a burden to that community.

We already know that, from our discussions over the last weeks, overcrowded housing conditions exist in Nunavut, crisis conditions. By sending an individual into these kinds of conditions, I'm having a difficult time understanding how they could help them, or help the community, or even help the community that they have to return to when their sentence is up? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. I don't believe I heard a question, but I will offer Mr. Premier just to speak on the issue if he wishes. Mr. Premier.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. This was just a comment; I didn't hear a question there. Thank you, Mr. Chairman.

**Chairman** (interpretation): I don't have any more names on my list. (interpretation ends) Justice. Branch Summary. Registries and Court Services. Total Operations and Maintenance. \$7,252,000. Do you agree?

**Some Members:** Agreed.

**Chairman:** Thank you. Justice. Branch Summary. Corrections. Total Operations and Maintenance. \$15,520,000. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. Can the minister tell us what the average cost is to incarcerate a person in the Baffin Correctional Centre on an annual basis? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Mr. Minister.

**Hon. Paul Okalik** (interpretation): We don't have a breakdown on it yearly, but we have a daily rate of \$185 to house them in the Baffin Correctional Centre. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister. Could the minister also provide the same information for the Yellowknife Correctional Centre? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister.

**Hon. Paul Okalik** (interpretation): \$175. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank the minister. Where I'm going with this line of questioning is there's a group in Cambridge Bay that believes that if the government provides them with more resources to provide counselling mainly to men rather than incarcerating them, that the counselling that they receive through the various programs like alcohol counselling, anger management would go a lot further towards helping them to rehabilitate in the community rather than sending them off to the Baffin Correctional Centre, or YCC, or anywhere else for that matter.

They are having some success as the report in the media recently showed where the lowest court docket for the year is coming up in Cambridge Bay this month. So the wellness people provide a lot of counselling to men and some women; it seems to be working. If they had more resources, they could provide more programs, follow-up programs, and the different levels of programs.

So I'm wondering if the minister could comment on when he could see more of that happening where they would assist the wellness groups in the communities to provide anger management and substance abuse treatment programs rather than see the people go to jail. In many cases, they don't get counselling there either and they spend a year or six months in jail, they come back and they repeat their mistakes and end up in jail. They would just go around in a repeat cycle. Hopefully the minister could comment on that. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister Okalik.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. I'm going to speak a lot longer. I wonder what I could say, but the clock is going and I know that this subject is very serious.

Each court case is different and each incarceration is different and those people who are victims of crime have been affected. The ones that are perpetrators have to be

incarcerated and there's no other way that we can deal with them. For people who do commit assault, we direct them to the treatment centre for treatment and this seems to be helpful. So if we can help in any way to make it more effective, then working with social services, using *Inuit Qaujimajatuqangit*, then we would be able to introduce that aspect to the Community Justice Program.

For people coming out of the penitentiaries as well as local jails, I know that this will be more helpful in the future. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Peterson.

**Mr. Peterson:** No comment.

**Chairman:** Thank you, Mr. Peterson. There you go. (interpretation) There are no more names on the list.

(interpretation ends) Justice. Branch Summary. Corrections. Total Operations and Maintenance. \$15,520,000. Do you agree?

**Some Members:** Agreed.

**Chairman:** Thank you. Justice. Branch Summary. Community Justice. Total Operations and Maintenance. \$1,772,000. I remind you this page includes page E-14. Are there any questions? There are none.

Justice. Branch Summary. Community Justice. Total Operations and Maintenance. \$1,772,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Justice. Branch Summary. Human Rights Tribunal. Total Operations and Maintenance. \$593,000. Are there any questions? There are none.

Justice. Branch Summary. Human Rights Tribunal. Total Operations and Maintenance. \$593,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Back to page E-4. Justice. Department Summary. Total Operations and Maintenance. Details of Expenditures. Total Operations and Maintenance. \$56,368,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Are you agreed that the Department of Justice is concluded?

**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. Minister do you have any closing comments?

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. I will take all your questions and your comments. I thank you for expressing them to me. Thank you.

**Bill 12 – Appropriation (Operations & Maintenance) Act, 2006-07 – Review in Committee – Legislative Assembly**

**Chairman** (interpretation): Thank you as well Mr. Minister. There are some people waiting. We will try and finish some of the other...I'm sorry, can you please wait.

Okay, thank you. Thank you, Minister Okalik for coming to appear before the committee. I would like to ask Mr. Speaker to return to the Assembly.

I'm not usually sitting in front of you. Do you have any opening comments Mr. Speaker?

**Speaker** (interpretation): I do. Thank you, Mr. Chairman.

I am pleased to appear before the Committee of the Whole today to present the 2006-07 Main Estimates and Business Plan for the Office of the Legislative Assembly.

The 2006-07 budget is the eighth budget since Nunavut came into existence. I would like to take a moment to highlight some of our priority areas for 2006-07. These areas include:

- Supporting the work of the Electoral Boundaries Commission which was established by motion earlier this session. One-time funding for the Commission has been provided for this coming fiscal year. This initiative accounts for a significant portion of the Assembly's overall budget increase.
- Supporting the Integrity Commissioner statutorily required five-year review of the *Integrity Act*.
- Undertaking ongoing improvements to the Assembly's Information Technology infrastructure. These improvements also seek to improve the level of connectivity to members' constituency offices.
- Initiating a number of improvements to the Assembly's audio-visual systems.
- Undertaking a number of enhancements to the Chamber of the Legislative Assembly.

Over the past year, the Management and Services Board and the Office of the Legislative Assembly have successfully undertaken a number of one-time initiatives. These included

bringing forward amendments to the *Nunavut Elections Act*, which were passed in the fall of 2005, as well as producing Nunavut's first official *Hansard Style Guide*, and effecting improvements to the Assembly's committee rooms. We continue to work with our colleagues in the other territorial legislatures in addressing the issue of broadcasting our proceedings.

The coming year's budget includes a \$200,000 increase to the budget for the constituency assistants program. This increase will support members in the recruitment and retention of qualified support staff in their constituency offices.

I am pleased to note that we have been able to achieve relatively high levels of Inuit employment, in keeping with our Article 23 obligations and in fulfillment of our goal of providing services to elected members in their language of preference. At present, our Inuit employment level is 50 percent. The Office of the Clerk has been dedicated to training and development opportunities for beneficiaries in the workplace.

That concludes my opening remarks, Mr. Chairman. I would like to thank members for their support, and I welcome your comments and suggestions. Thank you.

**Chairman** (interpretation): Thank you, Mr. Speaker. Mr. Speaker, would you like to bring in some officials to the witness table? Mr. Speaker.

**Speaker** (interpretation): Yes.

**Chairman** (interpretation): Sergeant-at-Arms if you would escort the witnesses please.

Thank you, Mr. Speaker. For the record, please introduce your officials.

**Speaker** (interpretation): On my left we have the Director of Corporate Services, Steve Pollock, and on my right, Mr. John Quirke, the Clerk of the House.

**Chairman** (interpretation): Thank you. Before we begin to remind the members; according to Rule 77(1), you have 10 minutes to speak. And following Rule 77(2), at the discretion of the Chair, you will be given an opportunity to make further comments once other members have had an opportunity to make their comments. Also, if you have any comments please make sure that your questions are to the point and ask your questions at the proper page.

Are there any general comments? There's nobody on my list. Mr. Tootoo.

**Mr. Tootoo**: Thank you, Mr. Chairman. I just want to take this opportunity to give our Legislative Assembly a little pat on the back. You look at their Inuit employment level it is 50 percent, higher than a lot of departments in the government. One of the other things that I have seen, being here for six years, is how many times over the last six years we've heard the government indicate that they have capacity problems for a reason that they

can't get anything done and that's one excuse that has never happened here at the Legislative Assembly.

So I just want to say that maybe our Clerk and his staff should be providing pointers to the other government departments so they don't have to always use that capacity problem excuse. That's been used in the past so I just wanted to commend the staff of the Assembly for a job well done over the last five, six years, including this year.

Also to the fact that all members know that the Office of the Speaker, and the Clerk, and the Legislative Assembly have been very receptive into dealing with issues that members bring forward like for example, as the Speaker indicated in his opening comments, the problems I know that a lot of members have in retaining good constituency assistants in their communities; in their constituency offices. So I think that kind of support and good reaction to the concerns of the members bodes well to the Legislative Assembly and their staff, and of course, all the members.

I just wanted to make those brief opening comments. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. I haven't served in the capacity of Speaker yet but with those comments I like it already. Thank you, Mr. Tootoo. (interpretation) Are there any other general comments from the other members? I have no names on my list. We'll then move on.

(interpretation ends) Office of the Legislative Assembly. Branch Summary. Office of the Clerk. A-5. Total Operations and Maintenance. \$6,692,000. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. There is something that I was missing, and I don't know if it falls under this section of the budget. Maybe the Clerk can clarify that. The question I have is; I know further on we're going to be looking at the Electoral Boundaries Commission, and any possible changes that they may make.

I know that there was some talk in the past about a new Legislative Assembly that may deal with the growth issues. I would just like to ask the Speaker or the Clerk if any land has been set aside for such purposes down the road. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Mr. Speaker.

**Hon. Jobie Nutarak** (interpretation): Quite a while back, when this building was built, we already didn't have enough room at that time. So we've been considering the idea of building a new Legislative Assembly.

Looking at the forced growth in Nunavut, for example, if you look at Iqaluit, we have three members of the Legislative Assembly representing different ridings in the areas of town, and we might have to consider increasing the number of seats in the House.

I'll have Mr. Clerk supplement my response.

**Chairman:** Thank you. Mr. Quirke.

**Mr. Quirke:** Thank you, Mr. Chairman. Yes, I can confirm that the land has been secured for a future building. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Clerk. And thank you, Mr. Tootoo. I have no other names on my list.

Office of the Legislative Assembly. Branch Summary. Office of the Clerk. Total Operations and Maintenance. \$6,692,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Office of the Legislative Assembly. Branch Summary. Expenditures On Behalf of Members. Total Operations and Maintenance. \$5,407,000. Are there any questions? There being none. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Go to page A-7. Office of the Legislative Assembly. Branch Summary. Office of the Speaker. Total Operations and Maintenance. \$200,000. Are there any questions? There being none. Do you agree?

**Some Members:** Agreed.

**Chairman:** Thank you. Office of the Legislative Assembly. Branch Summary. Office of the Chief Electoral Officer. A-8. Total Operations and Maintenance. \$750,000. Mr. Alagalak.

**Mr. Alagalak** (interpretation): Thank you, Mr. Chairman. It doesn't seem like there have been any increases in the amount of the Chief Electoral Officer. Since we're talking about having a Boundaries Commission, how is that going to work in the budgeting for the office of the Legislative Assembly? Thank you.

**Chairman:** Thank you, Mr. Alagalak. Mr. Speaker.

**Hon. Jobie Nutarak** (interpretation): I would like to refer the question to Mr. Quirke.

**Chairman** (interpretation): Thank you, Mr. Nutarak. Mr. Quirke.

**Mr. Quirke:** Thank you, Mr. Chairman. The member is correct. There is stability in the Office of the Chief Electoral Officer because there has been no growth.

However, with respect to the Boundaries Commission and the work that is going to be conducted by the three member commission, the funding for that work is on page A-5, in the Office of the Clerk, which you just approved a few seconds ago.

The funding is in that activity. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Mr. Quirke. And thank you. I have no other names on my list.

(interpretation ends) Office of the Legislative Assembly. Branch Summary. Office of the Chief Electoral Officer. A-8. Total Operations and Maintenance. \$750,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Page A-9. Office of the Legislative Assembly. Branch Summary. Offices of Independent Commissioners. Total Operations and Maintenance. \$760,000. Are there any questions? There being none.

Total Operations and Maintenance. \$760,000. Agreed?

**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. (interpretation ends) Back to page A-4. Excuse me. Office of the Legislative Assembly. Department Summary. Detail of Expenditures. A-4. Total Operations and Maintenance. \$13,809,000. (interpretation) Agreed?

**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. (interpretation ends) Are you agreed that the Legislative Assembly's Main Estimates are concluded?

**Some Members:** Agreed.

**Chairman:** (interpretation): Thank you. Do you have any closing remarks, Mr. Nutarak?

**Hon. Jobie Nutarak** (interpretation): I would like to thank the Members of the Legislative Assembly and I'm sure you will be receiving your indemnities. Thank you.

**Chairman** (interpretation): Thank you, Mr. Nutarak and also his officials, Mr. Quirke and Mr. Pollock. Let's take a few minutes breather. Thank you, Members.

We will go to Bill 12 to your white binders. I apologize. We will just go ahead with the main estimates. If you go to the fifth, if you go to X, (interpretation ends) Summary of Operations and Maintenance Expenditures. Total Operations and Maintenance. \$873,269,000. (interpretation) Agreed?



**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. We can move on to (interpretation ends) Bill 12, *Appropriation (Operations & Maintenance) Act, 2006-07*. Definitions 1. (interpretation) Agreed?

**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. Definitions 2. Agreed?

**Some Members:** Agreed.

**Chairman:** Go to schedule (interpretation) on the right. (interpretation ends) Amounts appropriated for fiscal year ending March 31, 2007. Vote 1. Operations and Maintenance. Total Operations and Maintenance. \$873,269,000. (interpretation) Agreed?

**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. (interpretation ends) Total Appropriation. \$873,269,000. (interpretation) Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. (interpretation ends) Back to Clause 3 on the left. Clause 3, do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 4, agreed?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 5, agreed?

**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. Does the committee agree to Bill 12 as a whole?

**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. (interpretation ends) Are you agreed Bill 12 is ready for third reading?

**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. Then we'll move on. I would like to ask Mr. Simailak, the Minister of Finance to make his opening comments. I apologize. Mr. Simailak, we're dealing with Bill 13, and we would like your opening comments.

**Bill 13 – Supplementary Appropriation (Capital) Act #3, 2005-06 – Review in Committee**

**Hon. David Simailak:** Thank you, Mr. Chairman. I am pleased to appear in the House to speak to Bill 13. Bill 13 is the 2005-06 Supplementary Appropriation (Capital) #3. This supplementary appropriation will provide funding of \$1,005,000 for the following projects: implementation of the Energy Efficiency Enhancements Initiative. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Simailak. Do you have witness you would like to bring to the table? Minister.

**Hon. David Simailak:** Yes, I do Mr. Chairman. Thank you.

**Chairman:** Thank you. Does the committee agree to bring in the witnesses?

**Some Members:** Agreed.

**Chairman:** Thank you. Sergeant-At-Arms, could you please escort the witnesses.

Thank you, Minister. For the record Minister, please introduce your witnesses.

**Hon. David Simailak:** Thank you, Mr. Chairman. (interpretation) To my right is Pauloosie Suvega, and to my left; Mr. Roy Greene. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Before we proceed, members, I would like to remind members of the following; according to Rule 77(1), you have 10 minutes to speak. And, according to Rule 77(2), subject to the discretion of the Chair, a member may speak more than once to a matter under discussion, but not until every member wishing to speak has spoken. I suggest to members that wherever possible, you ask your detailed questions during the page-by-page review of the departmental estimates. Do members have any general comments? There are none. Thank you.

I remind members that we will go to a different document: *Supplementary Appropriation (Capital) Act #3, 2005-06*.

(interpretation) It is in the binder. Does everyone have a copy? Thank you. We have no choice but to take a two-minute break.

Thank you. Just to remind the members, we'll go page-by-page. *Supplementary Appropriation (Capital) Act #3, 2005-06*. Starting from page 4. We are going to deal with

Community and Government Services. Capital. Not previously authorized. Capital Planning and Technical Services. \$1,005,000. Do you agree? Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. Could the minister clarify for the record what the Energy Efficiency Enhancement Initiative is? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister.

**Hon. David Simailak:** Thank you, Mr. Chairman. The Energy Efficiency Enhancement Program is composed of three core elements. There's the Nunavut Energy Retrofit Program, Save Ten Program, and the Building Energy Efficiency Refuel Program for new construction.

The Nunavut Energy Retrofit Program is modeled on the Government of Canada's federal building initiative. It will allow the Government of Nunavut to use existing energy budgets to enter into long-term agreements with qualified energy management firms that will finance, develop, and implement energy retrofit programs. This program will also include measures that reduce energy consumption and costs. The savings generated will be monitored and tracked by CGS staff. Future energy savings resulting from projects will be used to offset the cost of the work.

The Save Ten Program is an education program that targets Government of Nunavut employees, students of schools in Nunavut, and building managers. The Save Ten Program includes the Building Manager Training Program through Arctic College. It will be used to teach building staff to maximize the efficiency of existing systems to identify and implement low-cost and no-cost energy efficiency measures.

The third program, the Facility Energy Efficiency Review Program, energy efficient sections will be added to the good building practices guideline. It will address all aspects of energy use in a facility; including lighting, heating, ventilation, electrical appliances. It will include technologies proven to provide economical energy consumption. These guidelines will be applied to all future Government of Nunavut construction. These program guidelines are maintained by CGS and will be incorporated in all future tenders. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. (interpretation) Thank you. I have no more names on my list. Page 4. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. There's \$1,005,000 that's been transferred from O&M to Capital. I'm just wondering if the minister could indicate where the O&M budget for that funding is being taken from. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. It's coming out of salaries and benefits. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. Is there like a particular department of salary and benefits that that's coming out of, or is it just an accrual across the board that they're taking so much out of each department's salary and benefits. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. It's all coming from within CGS, Community and Government Services. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Any more questions, Mr. Tootoo? Thank you. (interpretation) I have no more names on my list for page 4. (interpretation ends) Capital Planning and Technical Services. \$1,005,000. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Not previously authorized. Total Capital Planning and Technical Services. \$1,005,000. Do you agree?

**Some Members:** Agreed

**Chairman:** Go back to page 2. On page 2. Schedule 1 Capital. Total Capital Appropriation. \$1,005,000. Agreed?

**Some Members:** Agreed

**Chairman:** Thank you. Go to Bill 13 in your legislation binders, the white binders please. Did you find that page? Thank you.

Bill 13, *Supplementary Appropriation (Capital) Act # 3, 2005-06*, Definitions 1, agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Definitions 2. Agreed?

**Some Members:** Agreed.

**Chairman:** Definitions 3. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Schedule just on the right side of the page. Schedule Supplementary Appropriation for the fiscal year ending March 31, 2006. Vote 1 Capital. Total Capital. \$1,005,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Total Supplementary Appropriation. \$1,005,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Go back to Definition Number 3. Agreed?

**Some Members:** Agreed.

**Chairman:** Number 4. Agreed?

**Some Members:** Agreed.

**Chairman:** From the purpose of the appropriation number 4, agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Lapse of appropriation number 5. Agreed?

**Some Members:** Agreed.

**Chairman:** Accounting number 6. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Number 7. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Is the committee agreed to Bill 13 as a whole?

**Some Members:** Agreed.

**Chairman:** Thank you. Is the committee agreed that Bill 13 is ready for third reading?

**Some Members:** Agreed.

**Bill 14 – Supplementary Appropriation (Operations & Maintenance) Act #3, 2005-06 – Review in Committee**

**Chairman:** Thank you. Looking at Bill 14, *Supplementary Appropriation (Operations and Maintenance) #3, 2005-06* in the white binder. The copies were just given out to you. Justice. Operations and Maintenance. Not previously authorized. Law Enforcement. \$215,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Total Law Enforcement. \$215,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Legal Services Board. \$140,000. Not previously authorized. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Not previously authorized. Total Legal Services Board. \$140,000. Agreed?

**Some Members:** Agreed.

**Chairman:** I do know where I saw number 7, and not previously authorized. Lawyer Support Services. \$200,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. On here the explanation says, "...to provide funding of \$200,000 for the cost of legal expenses associated with the defence of sexual abuse claims and other lawsuits." I was just wondering if the minister can indicate how many other lawsuits and what types are included in that. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Mr. Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. There are two other lawsuits; one against a former teacher in the north and one by a previous employee with the Government of Nunavut. Thank you, Mr. Chairman.

**Chairman:** Thank you. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I'm just wondering if the government is hiring or contracting legal counsel for these cases, so they don't have their own counsel to defend these cases. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. I believe we will have Mr. Okalik respond to that question. Mr. Premier.

**Hon. Paul Okalik:** Thank you, Mr. Chairman. Yes, on the Ed Horne situation, we are working with the Government of the Northwest Territories who are jointly liable for that situation. So, we don't have the luxury of doing an in-house situation.

On the second situation, the caseload will not permit in house counsel to deal with it. It's a specialized field. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. Can the minister indicate exactly what he means by a specialized field? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. I believe that question is being directed to the Minister of Justice again. Minister Okalik.

**Hon. Paul Okalik:** Well, in a lot of cases our in-house counsel provides legal advice to the departments and the people but they don't have the expertise to go to a trial in those situations. So, in most cases we have to hire outside counsel. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. The Minister of Finance indicated that this is from a former employee of the Government of Nunavut. One would assume then that this is a wrongful dismissal case that's being looked at? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Okalik.

**Hon. Paul Okalik:** Thank you, Mr. Chairman. Yes, before the courts. Thank you.

**Chairman:** Thank you. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. Do they have any idea how much of this \$200,000 is going to go to that wrongful dismissal case? Will that be all the costs for it, or is there going to be more costs for that case? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Okalik.

**Hon. Paul Okalik:** Thank you, Mr. Chairman. Well, the \$200,000 is for two cases. The case in question is in the preliminary stage, so I have no idea as to how much it will eventually end up costing. But, that is up to the courts in a lot of cases, and we'll wait for the outcome. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. From the minister's response, he said that the \$200,000 was for the two cases. So, I would be correct in assuming that \$100,000 of this

is earmarked for legal fees for the preliminary stages of the wrongful dismissal suit?  
Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister.

**Hon. Paul Okalik:** Yes, \$90,000. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. Will the government keep track of all the legal costs involved in these cases so that the minister can let the members of this House know how much it cost once the outcome of the cases have been decided? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Okalik.

**Hon. Paul Okalik:** Yes. Thank you.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I would assume that in this case we're providing many thousands of dollars just for the preliminary stage, depending on the courts and that, that the government would assume that it did have a reason...that there's no substantiation for a wrongful dismissal suit. Would that be a correct assumption? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Okalik.

**Hon. Paul Okalik:** Thank you, Mr. Chairman. We'll provide a vigorous defence, and it's before the courts. So that's what we'll leave it at. I'm not going to argue a case in the Legislative Assembly. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I'm not trying to argue a case in the Assembly. I was just assuming that since the government is spending money to defend itself in the case that it obviously assumes that there are no grounds for wrongful dismissal in their view, since their spending, just to start off with \$90,000 in defence of that.

So hopefully this has been something that has been looked at very carefully by the government and I would expect a full accounting of all the dollars that are spent on this case, to be provided to the Members of the Assembly, regardless of what time it is. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. I don't know if I heard a question, but Minister Okalik.



**Hon. Paul Okalik:** It's before the courts. Thank you.

**Chairman:** Thank you. I have no more names on page 4. Lawyer Support Services. Not previously authorized. \$200,000. Do you agree?

**Some Members:** Agreed.

**Chairman:** Thank you. Total Lawyer Support Services. Not previously authorized. \$200,000. Do you agree?

**Some Members:** Agreed.

**Chairman:** Thank you. On page 5, turn the page. Justice. Operations and Maintenance. Registries and Court Services. Not previously authorized. \$60,000. Are there any questions? There being none. \$60,000. Do you agree?

**Some Members:** Agreed.

**Chairman:** Thank you. Total Registries and Court Services. Not previously authorized. \$60,000. Do you agree?

**Some Members:** Agreed.

**Chairman:** Thank you. Corrections and Community Justice. Not previously authorized. \$200,000. Do you agree?

**Some Members:** Agreed.

**Chairman:** Thank you. Total Corrections and Community Justice. Not previously authorized. \$200,000. Do you agree?

**Some Members:** Agreed.

**Chairman:** Thank you. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. Just on the one for the Human Rights Tribunal, another \$200,000 for the Tribunal in Coral Harbour. It indicates that this is to replace the previous transfer to the capital for retrofitting the required office space. We've seen a lot of money put into the Human Rights Tribunal.

I'm just wondering if the minister can indicate when we can expect to see an annual report tabled to see what we're getting for all the money that we're putting into it. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Okalik.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. It was finished in November. That's when it really started in November, 2005. I will be asking them when it will be ready. The chairperson reported that they're trying to incorporate more Inuit traditions. They were quite happy for those who were affected. As soon as the report is ready I will be tabling it. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. No more questions. Thank you.

**Chairman:** Thank you. (interpretation ends) So I will, I apologize. (interpretation ends) Human Rights Tribunal. Not previously authorized. \$200,000. (interpretation) Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. (interpretation ends) Total Human Rights Tribunal. Not previously authorized. \$200,000. (interpretation) Do you agree?

**Some Members:** Agreed.

**Chairman:** Total Department. Not previously authorized. \$1,015,000. (interpretation) Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. You are quite agreeable. (interpretation ends) Page 6. Culture, Language, Elders and Youth. Operations and Maintenance. Sport Nunavut. Not previously authorized. \$620,000. Any questions? (interpretation) I apologize. (interpretation ends) I almost missed him, Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I just wonder if this talks about increased travel costs, or is it just for the travel cost between Nunavut and Alaska. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Mr. Minister, I leave it at your discretion to redirect that question if you wish. Mr. Minister Simailak.

**Hon. David Simailak:** Could the Minister of CLEY help me? (interpretation) Can he answer the question? (interpretation ends) Thank you, Mr. Chairman.

**Chairman:** Thank you. Mr. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Yes, it was the additional expenses for the Arctic Winter Games because there were 56 percent more athletes since the last Arctic Winter Games that is why it's increased. Thank you.

**Chairman**: Thank you, Mr. Minister. (interpretation) Thank you. To page 6. (interpretation ends) Culture, Language, Elders and Youth. Operations and Maintenance. Not previously authorized. Sport Nunavut. \$620,000. (interpretation) Do you agree?

**Some Members**: Agreed.

**Chairman** (interpretation): Thank you. (interpretation ends) Total Sport Nunavut. \$620,000. (interpretation) Do you agree?

**Some Members**: Agreed.

**Chairman** (interpretation): And at the bottom. (interpretation ends) Total Department. \$620,000. (interpretation) Do you agree?

**Some Members**: Agreed.

**Chairman** (interpretation): Thank you. Turn to page 7. (interpretation ends) Education. Operations and Maintenance. Curriculum and School Services. Not previously authorized. \$46,000. Are there any questions? There being none. Curriculum and School Services. Not previously authorized. \$46,000. (interpretation) Do you agree?

**Some Members**: Agreed.

**Chairman** (interpretation): Thank you. (interpretation ends) Total Curriculum and School Services. \$46,000. (interpretation) Do you agree?

**Some Members**: Agreed.

**Chairman**: School Operations. Not previously authorized. \$1,323,000. (interpretation ends) Do you agree?

**Some Members**: Agreed.

**Chairman** (interpretation): Thank you. (interpretation ends) Total School Operations. Not previously authorized. \$1,323,000. (interpretation) Do you agree?

**Some Members**: Agreed.

**Chairman** (interpretation): Thank you. At the bottom. (interpretation ends) Total Department. Not previously authorized. \$1,368,000. (interpretation) Do you agree?

**Some Members**: Agreed.

**Chairman** (interpretation): Thank you. Turn to page 8. (interpretation ends) Health and Social Services. Operations and Maintenance. Treatment. Not previously authorized. \$353,000. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I guess this is the \$300,000 plus that that was in the press release that the department had indicated that they had approved from this current year. Here it talks about costs associated with partial implementation of the recommendations outlined in the evaluation exercise. I just wonder if the minister is aware of exactly what we got out of this \$353,000. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister, I will leave it at your discretion to redirect that question if you wish. Mr. Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. I will refer that to the Minister of Health. Thank you.

**Chairman:** Thank you, Mr. Simailak. Minister Aglukkaq.

**Hon. Leona Aglukkaq:** Thank you, Mr. Chairman. The \$353,000 was to initiate the risks identified in the Accreditation Report immediately upon FMB approving. The report was distributed to FMB in December and we needed to identify the risks identified in that report immediately and acted on it with this funding.

This funding was to initiate the process of recruiting positions that were in most need as per the report. Thank you, Mr. Chairman.

**Chairman:** Thank you, minister, Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I just wanted to clarify, I think the minister indicated that this funding was used to recruit physicians, was this recruitment cost, or is this the cost of having those physicians for that year? How many physicians are we looking to get for \$353,000? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister.

**Hon. Leona Aglukkaq:** Thank you, Mr. Chairman. Mr. Chairman, I did not say physicians, I said positions that were identified as being needed to address the risks identified in the accreditation report. I listed those 26 positions and immediate ones that, and had shared that information with regular caucus members when I briefed the members on it and it lists positions that were identified to minimize the risks identified in the accreditation report. Thank you, Mr. Chairman.

**Chairman:** Thank you, minister. It has been a long day and excuse me if I did not recognize you properly. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I heard physicians, I am glad the minister clarified it, positions not physicians. It has been a long day. This \$353,000, just to identify those 26 positions, was that something that was contracted? Was a consultant hired for that \$353,000 to identify those positions, or was that used to fill those positions, or was it used to advertise to get those positions filled? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Aglukkaq.

**Hon. Leona Aglukkaq:** Thank you, Mr. Chairman. Mr. Chairman, with the appropriate funding the department went and hired a number of casuals to start addressing the risks identified in the accreditation report. No contractors were hired. All were mostly hired through casual and the next set of positions will be advertised through the normal competition process. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. All these casuals that were hired, they were hired to fill brand new positions. Is that correct? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Aglukkaq.

**Hon. Leona Aglukkaq:** Thank you, Mr. Chairman. Mr. Chairman, with the increment of funding that was allocated to minimize the risk that was associated in the accreditation report, there were 26 positions identified as being required to address the concerns outlined in that report, so all those positions are new to the hospital to address the needs and the pressures that the hospital is under as identified in the accreditation report. Thank you, Mr. Chairman.

**Chairman:** Thank you, minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. Did the accreditation report come with job descriptions and pay grades or how did they determine, all of a sudden, bang, you have 26 new positions? There is usually a process where you go through for classification and stuff like that in determining pay levels and things like that for those positions.

All of a sudden, poof, 26 positions according to the chart that says what they hire, and they hire someone casual to go in there to do what, what do they start them at, what do they pay them at, are they automatically in the collective agreement? All those labour relation type things that need to be worked out, they do not just, poof, 26 positions like that go in there without any work going into it. So I am just wondering, out of those 26 positions, if they are filled on a casual basis, how do they determine where those casuals would fit in to the grid system? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Ms. Aglukkaq.

**Hon. Leona Aglukkaq:** Thank you, Mr. Chairman. I wish it were as easy as going “poof.” The positions that were identified in the Accreditation Report, on the 26 positions in total, and the incremental funding that went to the hospital is for the 26.

The positions identified and listed, which I shared with Regular Caucus Members, listed positions for the most part that we needed to address immediately from January to March 31 were in positions like; additional translators, house keepers, custodians, and so on.

Those are the type of positions that were also identified in the Accreditation Report as being risks in the environment of the hospital. Cleanliness, as an example, was an issue that was raised.

There were 26 listed, but not all 26 were hired. We addressed the immediate needs of keeping the hospital clean, and the pressure on the current staff, the translators, and so on. I believe there were about eight or nine in the first three months that we were able to address with this incremental funding.

They will all be going through the process of recruitment, but for the most part, the positions that we filled immediately existed in the system already, so classification, job evaluation would have already had those job descriptions and so on.

For the most part, when we go through the casual hiring process, generally jobs don't require job descriptions to go through that process, but to address the pressures placed on the hospital, we went through the route of filling the casuals first, and then we were going to do the work and advertising through that staffing process with Human Resources and so on. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister Aglukkaq. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I'm just wondering if the minister can indicate how long they anticipate keeping these as casual positions before they turn into indeterminate positions. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister.

**Hon. Leona Aglukkaq:** Thank you, Mr. Chairman. That work is underway. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I think we all know that work is under way, but I asked if there is any idea how long it'll take for that work to be complete. That's what I was looking for. Does the minister have any indication as to how long? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Aglukkaq.

**Hon. Leona Aglukkaq:** Thank you, Mr. Chairman. There is a senior management team at the hospital that is reviewing and working on all the recommendations that are identified in the Accreditation Report.

The work is under way to start the initiation of that staffing process. First and foremost, we need to get past the session of approving the other piece of this funding. The work is under way for that, remaining after April 1, to start hiring the positions through the advertisements and so on.

The other work of these positions has been; we're going through the process of working with Human Resources, and advertising and so on. There have been some advertisements in the local paper.

So once those competitions run, and expire, then the screening takes place, the interview takes place, references, offers, and so on. It can take up to six to eight months and so on. And we're going through the process of advertising and working with the system.

So to identify a specific date when those 26 positions will be filled I can't say. But, I can say that the work has been initiated through the senior management at the hospital tasked with addressing the accreditation recommendations. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. I have no more names. We're on page 8. Health and Social Services. Operations and Maintenance. Treatment. Not Previously Authorized. \$353,000. Do you agree?

**Some Members:** Agreed.

**Chairman:** Thank you. Total Treatment. \$353,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Total Department. \$353,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Turn the page, page 9. Environment. Operations and Maintenance. Not previously authorized. \$750,000. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. Very quickly on this one; it indicates the \$750,000 as a partial payment of the Harvesters Program. I am just wondering if the minister can give us an idea of what the total cost of the program to the government is going to be for the year and whether another supplementary appropriation is coming forward for the balance, or is it something that been funded from within. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Simailak.

**Hon. David Simailak:** I will refer to the Minister of Environment. Thank you, Mr. Chairman.

**Chairman:** Fair enough. Minister Akesuk.

**Hon. Olayuk Akesuk** (interpretation): Thank you, Mr. Chairman. This \$750,000 that we are seeking your approval for I think there's \$150,000 that will be from the Department of Environment. The payments change every year and these might be enough for hunters and trappers who have lost their equipment, these are paid to them. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. I have no more names on my list on page 9. Environment. Operations and Maintenance. Program Development. Not previously authorized. \$750,000. Do you agree?

**Some Members:** Agreed.

**Chairman:** Thank you. Program Development. Total Program Development. Not previously authorized. \$750,000. Do you agree?

**Some Members:** Agreed.

**Chairman:** To the bottom. Total Department. Not previously authorized. \$750,000. Do you agree?

**Some Members:** Agreed.

**Chairman:** Thank you. Turn the page. Page 10. Community and Government Services. Operations and Maintenance. Directorate. Not previously authorized. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. Can the minister clarify for us what the current deficit is in the Petroleum Products Stabilization Fund? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister Simailak.

**Hon. David Simailak:** One second, please, Mr. Chairman. Thank you, Mr. Chairman. We don't have that information here, unless the minister responsible has that information. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Minister Brown, the member wants some clarification, if you have that information handy. Minister Brown.

**Hon. Levinia Brown:** Could the member repeat the question, please?



**Chairman:** Thank you, Minister Brown. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. Certainly; I asked the question on what the current deficit is in the Petroleum Products Stabilization Fund is. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister Brown.

**Hon. Levinia Brown:** Thank you, Mr. Chairman. I don't appear to have that information with me on what the deficit might be. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister Brown. Apparently you have to wait for part of the information, but please proceed with your questions. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. It's a little bit of detective work here. I'm not sure if my math is correct, but I looked at the deficit from the interim financial statements for March 31, 2005 was negative \$2,391,000 so doing some calculations here, adding in the \$5 million and working with the \$5 million that we are supposed to have in the legislation. It looks more like the deficit is running at \$8.8 million, but perhaps a little higher. That's a little bit higher than the government is allowed to let it go under the revolving fund. So I'm wondering if the minister could clarify that for us. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister Simailak. I've got the light here. (interpretation) I apologize. (interpretation ends) Did you want to say something on that question, Mr. Simailak?

**Hon. David Simailak:** Mr. Green can answer part of that he says. Thank you.

**Chairman:** Thank you, Minister. Please proceed.

**Mr. Green:** Thank you, Mr. Chairman. Based on the financial information that we received from Petroleum Products, as of March 31, 2005, they had a deficit of approximately \$2.4 million in the Stabilization Fund and they were forecasting a loss for this fiscal year in one of those deficiencies of about close to \$9.8 million, which would have brought the Stabilization Fund to \$12.2 million.

So at the end of the fiscal year, Petroleum Products stated that they couldn't exceed \$5 million. So the \$15 million would actually bring this back up into a positive balance of around \$12.8 million or \$12.9 million. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Green. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. I thank Mr. Green. It's very reassuring that I can get the answer back on the back of an envelope and figure this out and what he is saying and what I've asked is correct.

I'm wondering why, under *Revolving Funds Act*, it said it's an appropriation required if the deficit in the Stabilization Fund is more than \$5 million, but why wasn't the appropriation requested earlier? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. I will get Mr. Green to try to answer that. Thank you.

**Chairman:** Thank you, Minister. Mr. Green, please proceed.

**Mr. Green:** To the best of my knowledge and from my interpretation of the *Revolving Fund Act* is that the \$5 million limit cannot be exceeded at the end of the fiscal year, which will end March 31 and this is why the appropriation was requested so that it can't allow the Stabilization Fund limit to remain over its limit at March 31, 2006. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Green. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Chairman. It would certainly help, when they are preparing these supplementary appropriations that this kind of information that is provided to us in a more straightforward language.

My next question, Mr. Chairman, as we know that Petroleum Products Revolving Fund is supposed to break even and the Stabilization Fund is meant to protect us from fluctuations of the volatile world market. It's very volatile in the last year; it's probably even more so in the future.

So my question would be to the minister or Mr. Green: can they tell us how the Government of Nunavut will ensure that their Petroleum Products Revolving Fund breaks even in the future? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Minister Simailak.

**Hon. David Simailak:** Thank you. For that, Mr. Green, please. Thank you.

**Chairman:** Mr. Green.

**Mr. Green:** In order for the Petroleum Products funds to break even, there's the funding in there had to come from probably one or two sources. In order for it to break even, if the cost of fuel continues to increase at its current levels, then it would mean that he then would have to increase the fuel prices, or if that were not an option, then the other alternative would have to be some sort of appropriation. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Green. Are there any more questions? Thank you. On page 10. Community and Government Services. Operations and Maintenance. Directorate. Not previously authorized. \$15,000,000, agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Total Directorate. \$15,000,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Government Services. Not previously authorized. \$1,668,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Total Government Services. Not previously authorized \$1,668,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Capital Planning and Technical Services. Not previously authorized. -\$505,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Total Capital Planning and Technical Services. Not previously authorized. -\$505,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Total Department. Page 10. \$16,163,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Open the book to page 11. Economic Development and Transportation. Operations and Maintenance. Economic Development. Not previously authorized. \$500,000. Mr. Barnabas.

**Mr. Barnabas** (interpretation): Thank you, Mr. Chairman. In the 2006-07 business plan there was \$165,000. Is it different than under the not previously authorized?

**Chairman:** Minister Akasuk.

**Hon. Olayuk Akasuk** (interpretation): Thank you, Mr. Chairman. With these new moneys we had to ask for appropriation because we needed more money to demolish the buildings in Nanisivik. Thank you.

**Chairman:** Thank you, minister. I have no other names on my list. Economic Development and Transportation. Operations and Maintenance. Mr. Alagalak.

**Mr. Alagalak:** Thank you, Mr. Chairman. I have a question. It is \$500,000, but that building is pretty small, right? Or are there a lot of little buildings? How many buildings are we talking about here?

**Chairman:** Thank you. Please communicate through the Chair. Minister Akesuk.

**Hon. Olayuk Akesuk** (interpretation): Thank you, Mr. Chairman. I am not exactly sure how many buildings they are, but it is more than one that we are working on. Thank you.

**Chairman:** Mr. Alagalak.

**Mr. Alagalak** (interpretation): Thank you, Mr. Chairman. If you do not know then how would you know that it is going to cost \$500,000 and it might not even be the Nunavut Government's building? Are they residential housing or are they commercial or office buildings? Thank you, Mr. Chairman.

**Chairman:** Thank you. Minister Akesuk.

**Hon. Olayuk Akesuk** (interpretation): Thank you, Mr. Chairman. Some of them are commercial buildings, and some are government buildings, plus schools and other facilities that belong to the government, and there are also the buildings that belong to the mine. I can find out the information that we have the usual facilities like the schools and so on that we are demolishing.

**Chairman** (interpretation): Thank you, minister. We will go back. Economic Development. Not previously authorized. \$500,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Total Economic Development. Not previously authorized. \$500,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Transportation. Not previously authorized. \$18,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Total Transportation. Not previously authorized. \$18,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Total Transportation. Not previously authorized. \$18,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Down at the bottom. Total Department. Not previously authorized. \$518,000. Do you agree?

**Some Members:** Agreed.

**Chairman:** Turn to page 12. Nunavut Housing Corporation. Operations and Maintenance. Nunavut Housing Corporation. Not previously authorized. \$1,357,000. Do you agree?

**Some Members:** Agreed.

**Chairman:** Thank you. Total Nunavut Housing Corporation. Not previously authorized. \$1,357,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Total Department. Not previously authorized. \$1,357,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Go to page 2 please. Schedule 1. Operations and Maintenance. Appropriations. \$22,144,000. Do you agree?

**Some Members:** Agreed.

**Chairman:** Thank you. I'll ask you to go to Bill 14 in your Legislation white binder. Bill 14 if you're ready. *Supplementary Appropriation (Operations and Maintenance) Act #3, 2005-06*. Definitions 1. Agreed?

**Some Members:** Agreed.

**Chairman:** Application 2. Agreed?

**Some Members:** Agreed.

**Chairman:** 3, Supplementary Appropriations. Agreed?

**Some Members:** Agreed.

**Chairman:** Schedule, supplementary amounts appropriated for the fiscal year ending March 31, 2006. Vote 1. Operations and Maintenance. Total Supplementary Appropriations. \$22,144,000. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. # 4, purpose of appropriation. Agreed?

**Some Members:** Agreed.

**Chairman:** 5, lapse of appropriation. Agreed?

**Some Members:** Agreed.

**Chairman:** 6, accounting. Agreed?

**Some Members:** Agreed.

**Chairman:** 7, commencement. Agreed?

**Some Members:** Agreed.

**Chairman:** Does the committee agree to Bill 14 as a whole?

**Some Members:** Agreed.

**Chairman:** Thank you. Are you agreed Bill 14 is ready for third reading?

**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. I apologize. Thank you. I would like to ask our Law Clerk to come up to the Clerk's table. Agreed?

**Some Members:** Agreed.

**Bill 05 – An Act to Amend the Conflict of Interest Act – Review in Committee**  
**Bill 06 – An Act to Amend the Financial Administration Act – Review in Committee**

**Chairman:** Thank you, Law Clerk. (interpretation) I would like to ask the Minister of Finance if he has any opening comments. Minister Simailak.

**Hon. David Simailak:** Thank you, Mr. Chairman. I am pleased to speak about the proposed amendments to the *Conflict of Interest Act* and the *Financial Administration Act* introduced in this current Legislative Assembly. The Government of Nunavut is responding to the recommendations of the Office of the Auditor General to ensure

financial accountability and good practices of public agencies and to ensure that they will be accountable to Nunavummiut.

These amendments to the *Conflict of Interest Act* and the *Financial Administration Act* will enable the Government of Nunavut to make recommendations concerning the contracting procedures for public agencies, require all public agencies to submit budgets to the financial management board, and clarify that the *Conflict of Interest Act* applies to the boards of public agencies. Thank you, Mr. Chairman.

**Chairman:** Thank you. It has been a long day for the Members of the Legislative Assembly and the staff. I would like to ask the Chairman if he has any opening comments.

**Mr. Tootoo:** It has been a long day and I do have opening comments. However, I think it is appropriate just to deal with the opening comments for one bill at a time. So, if you agree then we will go ahead with my opening comments for Bill 5, *An Act to Amend the Conflict of Interest Act*. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo for clarifying that, yes, that is the process that we will follow, one at a time, and you may proceed with your comments, Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. We do not want to cut corners, even though we have a kind of rounded chamber. The Standing Committee on Government Operations and Accountability has reviewed Bill 5, *An Act to Amend the Conflict of Interest Act*, with the responsible minister and his officials.

The standing committee is in support of the principle of the bills, which is to clarify that the *Conflict of Interest Act* applies to public agencies as defined in the *Financial Administration Act*. These include such entities as Crown corporations and a number of boards that are established by statute.

The Government of Nunavut's Crown Agency Council recommended this initiative in the recommendations contained in the Crown Agency Council's first activities report, which was tabled in the House in November 29, 2005. As members will recall, the Crown Agency Council was established in September of 2003.

The standing committee views this initiative as part of a package of measures to address accountability issues that have been raised by the Auditor General in her reports to the Legislative Assembly. These reports are subsequently referred to this Standing Committee for detailed review and hearings at which the government always anticipates eagerly attending.

Bill 5 was introduced during the fall of 2005 sitting of the Legislative Assembly and subsequent to which introduction the standing committee formally wrote to the Integrity Commissioner of Nunavut in order to solicit his views on the initiative.

The Integrity Commissioner did not make any recommendations for specific amendments to the bill. At the appropriate time, I will table the standing committee's exchange of correspondence with the Integrity Commissioner, which will more likely be in June.

The standing committee also issued a public call for submissions on the bill.

During the standing committee's scrutiny of the bill, members noted that the recent annual reports of the Integrity Commissioner contained language with respect to the issue of conflict of interest rules and guidelines as they apply to senior GN officials. As the House is aware, the statutorily required five-year review of the *Integrity Act* is to take place this year, the Act having been originally introduced and passed during the spring 2001 sitting of the Legislative Assembly. I would anticipate that any recommendations arising from this review will be considered by all members.

Members sought clarification from the minister on the issue of how members of Boards of Directors of Crown corporations and other public agencies will be familiarized with the provisions of the *Conflict of Interest Act*. The committee was advised that the Crown Agency Council will play a major role in this process.

That concludes my opening comments. The standing committee recommends passage of the bill. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Bill 5, *An Act to Amend the Conflict of Interest Act*. Clause 1. Agreed?

**Some Members:** Agreed.

**Chairman:** Clause 2. Agreed?

**Some Members:** Agreed.

**Chairman:** Clause 3. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Do we agree to Bill 5 as a whole?

**Some Members:** Agreed.

**Chairman:** Thank you. Do you agree that Bill 5 is ready for third reading?

**Some Members:** Agreed.

**Chairman:** Thank you. Then we move on to Bill 6. Mr. Tootoo, if he has his comments to Bill 6. Mr. Tootoo.



**Mr. Tootoo:** Thank you, Mr. Chairman. Yes, I do.

**Chairman:** Thank you, Mr. Tootoo. Please proceed.

**Mr. Tootoo:** Thank you, Mr. Chairman. The Standing Committee of Government Operations and Accountability has reviewed Bill 6, *An Act to Amend the Financial Administration Act* with the responsible minister and his officials.

The standing committee is in support of the principle of the bill, which will enable the government to make regulations concerning contracting by public agencies. These include such entities as Crown corporations. The bill will also require public agencies to submit their operating and capital budgets to the Financial Management Board for approval. Recognizing that the Workers' Compensation Board is shared between Nunavut and the Northwest Territories, a modified approval process is provided for in the bill.

This initiative was recommended by the Government of Nunavut's Crown Agency Council. The recommendation is contained in the Crown Agency Council's first activities report, as I mentioned earlier, which was tabled in the House on November 29, 2005. As members will recall, the Crown Agency Council was established, as I indicated earlier, in September 2003. The standing committee views this initiative as part of a package of measures to address accountability and Crown governance issues, thank you Mr. Premier, that have been raised again by the Auditor General in her reports to the Legislative Assembly. These reports are subsequently referred to our committee for review.

Bill 6 was introduced during the fall 2005 sitting of the Legislative Assembly. Subsequent to its introduction, the standing committee issued, again as we try to do on all bills, a public call for submissions to get public input.

During the standing committee's scrutiny of the bill, members sought clarification from the minister with respect to whether or not Crown corporations and other public agencies are presently adhering to the Government of Nunavut's existing contracting rules and procedures. The standing committee has been given to understand that Crown agencies have generally been in compliance. The committee was advised that the Crown Agency Council has been active in working with Crowns in this area.

The standing committee raised questions from a governance perspective with respect to what the appropriate role is of the members of a Crown Agency's Board of Directors in reviewing and approving their organization's budget if ultimate approval is to formally rest with the Financial Management Board.

The standing committee has been given to understand that the bill formalizes approval processes that are presently in place. The standing committee recognizes that the ultimate accountability for public funds provided to Crown agencies must rest with elected officials.

Nonetheless, Boards of Directors of Crown agencies have an important role to play in ensuring sound financial management practices occur in their organizations. The standing committee also recognizes that, by their nature, some public agencies are intended to operate on a day-to-day basis at arms-length from government.

The standing committee would wish to take this opportunity to reiterate its views that the business or corporate plans of Crown agencies should be tabled in the House in a timely fashion on an annual basis, similar to the business plans and budgets of GN departments.

The standing committee notes that while the bill will amend the *Financial Administration Act* to enable the government to regulate the contracting procedures of public agencies, it is not entirely clear if the government will amend the existing *Government Contract Regulations* made under the Act to simply provide that they apply to them in the same way that they currently apply to departments, or develop new regulations to apply specifically to public agencies.

The committee understands that the Crown Agency Council will be reviewing this issue. The present regulations provide detailed rules concerning tenders, proposal calls and other contracting procedures. The committee concurs that it is important for clear rules to apply to public agencies.

During the minister's appearance before the standing committee, members expressed concern with respect to section five of the present *Government Contract Regulations*. This section gives authority to the Cabinet of the day to enter into or direct a contract authority to enter into a contract, notwithstanding any other provision of the regulations.

The Cabinet is required to record its reasons for doing so in cases where it exercises this authority. Given that the frequency with which this provision is used by the government, and its reasons for doing so, is not readily apparent to Members of the Legislative Assembly or the public. A Written Question on this issue was recently posed in the House by a committee member.

The government's response to the question is anticipated to clarify the number of times that this provision has been exercised since 1999, other than the one we know about, and the circumstances in which it was deemed necessary.

Although the standing committee recognizes that there may, on occasion, be genuinely extraordinary circumstances that justify the use of this type of provision, it is incumbent on the government to be fully transparent when doing so.

The standing committee urges the government to give careful consideration to the question of whether this provision will also apply to the contracting activities of public agencies.

In 2005, the regulations were amended in order to update references to the NNI Policy. Previously, the regulations referred to the old Business Incentive Policy. On a related

matter, the standing committee has noted that one of the priorities of the Department of Economic Development and Transportation, as stated in its business plan, has been; “to be focused on ensuring a standardized application process within the GN prior to the anticipated 2006-07 expansion of the NNI Policy to include Crown Agencies and Municipal Governments.

Members have expressed concern as to whether adequate resources will be available to municipalities to enable them to fully comply with the policy.

Mr. Chairman, that concludes my opening comments and again the standing committee recommends passage of the bill with the few questions to be answered. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister, do you have witnesses you would like to bring to the table? Minister Simailak.

**Hon. David Simailak:** Yes, I do, Mr. Chairman.

**Chairman:** Thank you, Minister. Does the committee agree to bring the witnesses?

**Some Members:** Agreed.

**Chairman:** Thank you. Sergeant-at-Arms, could you please escort the witnesses in?

Thank you. Minister, could you please introduce your witnesses.

**Hon. David Simailak:** Thank you, Mr. Chairman. On my right is Mr. Tootoo, the Assistant Deputy Minister of Finance, and on my left Diane Buckland who is the Director with the Department of Justice, legislation division. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister Simailak. Members, we are on Bill 6. Going through clause-by-clause, page 1, Bill 6, *An Act to Amend the Financial Administration Act*. Clause 1. Do you agree?

**Some Members:** Agreed.

**Chairman:** Clause 2. Agreed?

**Some Members:** Agreed.

**Chairman:** Clause 3. Agreed?

**Some Members:** Agreed.

**Chairman:** Clause 4. Agreed?

**Some Members:** Agreed.

**Chairman:** Clause 5. Agreed?

**Some Members:** Agreed.

**Chairman:** Clause 6. Agreed?

**Some Members:** Agreed.

**Chairman:** Clause 7. Agreed?

**Some Members:** Agreed.

**Chairman:** Thank you. Is the committee agreed to Bill 6 as a whole?

**Some Members:** Agreed.

**Chairman:** Thank you. Is the committee agreed that Bill 6 is ready for third reading?

**Some Members:** Agreed.

**Chairman:** Thank you. Thank you, Minister Simailak and your officials. Thank you. Right now I would like to ask the Minister of Justice if he has opening remarks. Thank you.

### **Bill 09 – An Act to Amend the Exemptions Act – Review in Committee**

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Chairman. At the time of division, the *Exemptions Act* was adopted for Nunavut. This Legislation had not been changed significantly for a very long time and does not reflect the current economic reality of the times in which we live. An example of such an unrealistic situation is that of limiting the exemption on a house and buildings occupied by a debtor in the lot on which they are situated to \$3,000.

The purpose of the *Exemptions Act* is to describe items of necessity which can not be seized by a person who is owed money from a person who owes them money. When a court has awarded a judgment giving the creditor the right to seize property from a debtor the Act lists the types of goods and property which can not be seized. The exemptions currently available under the Legislation are not justifiable under Nunavut's economic circumstances.

Under the proposed amendment, certain amounts will be capped; however, these amounts will be set by cabinet, rather than appearing in the act itself. This arrangement will allow greater flexibility to reflect Nunavut's changing economic circumstances from time to

time. It is necessary to amend this legislation so that it will be fair to those who are in debt, while at the same time, also retaining some means of relief for unsecured creditors.

Thank you, Mr. Chairman. Those are my comments. I'll be pleased to respond to any questions that members may have in the Committee of the Whole.

**Chairman:** Thank you, Mr. Premier. Does the chair of the standing committee have comments? Mr. Mapsalak.

**Mr. Mapsalak:** Thank you, Mr. Chairman. The Standing Committee *Ajauqtiit* has had the opportunity to review Bill 9, *An Act to Amend the Exemptions Act*.

The standing committee recognizes that this bill is intended to update legislation that does not reflect current economic reality. The committee supported the principle of the bill.

During the review of the bill, members recommended including an amendment to exempt from seizure money paid as compensation received arising from the recently-announced residential school settlement. Members are pleased that the minister was able to work with the committee to amend the bill, making it more of a made-in-Nunavut piece of legislation.

Members raised the issue of the treatment of Registered Retirement Savings Plans. The committee was pleased to receive a commitment from the minister to review this issue, and look forward to future government initiatives.

The standing committee supported the bill at the clause-by-clause stage of standing committee review.

This concludes my opening remarks. The committee recommends the passage of the bill to all members. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Mapsalak. Minister Okalik, do you witness that you would like to bring to the table? Minister Okalik.

**Hon. Paul Okalik:** Yes.

**Chairman:** Thank you. Does the committee agree to bring in the witnesses?

**Some Members:** Agreed.

**Chairman:** Sergeant-at-Arms, escort the witnesses in, please.

Thank you. Minister, please introduce your witnesses.

**Hon. Paul Okalik** (interpretation): Thank you. On my right is my Deputy Minister from Justice, Markus Weber, and to my left is Mr. Thomas Druyan. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. We are on Bill 9, *An Act to Amend the Exemptions Act*. Clause 1. Do you agree?

**Some Members:** Agreed.

**Chairman:** Clause 2. Do you agree? Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I'm not sure in the minister's opening comments he said under proposed amendments certain amounts would be capped. I don't think he can clarify here under this section. It talks about a lot of individual things that an individual may own.

I'm just wondering if he could indicate if these are the things that are going to be capped, or what kind of caps are they looking at putting in place. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Okalik.

**Hon. Paul Okalik:** What we've decided to do is place the capped amounts in the regulations. For example, instead of \$3,000 it would be \$35,000 in the regulations. We are putting it in all the regulations so that in the future we do not have to come forward with amendments and fall behind like the one we have, the current statute. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. In Section 2, they are talking about tools and instruments, motor vehicles, all-terrain vehicles, snowmobiles, watercrafts, and other chattels ordinarily used and needed by the debtor in hunting and fishing for food.

I am just wondering if what this is stating here, would that amendment and those things would be excluded under the exemptions act so that, regardless, how would they determine whether an individual is going to use it for hunting, for food, to be able to exclude it between someone that just uses it for recreational purposes. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Okalik.

**Hon. Paul Okalik:** Thank you. If the debtor wants to pursue it from the creditor, they would have to apply to the court. The court would decide at the end of the day after reviewing the situation if that is the actual case; if the snow machine is required by the person then the court would determine that it should be exempted. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. What about any other hunting equipment like rifles, dogsleds, or anything that someone uses for hunting? Are those things excluded? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Okalik.

**Hon. Paul Okalik:** Thank you, Mr. Chairman. That would fall under the same subsection, defined as other chattels ordinarily used and needed by the debtor in hunting or fishing. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. What about vehicles, like if someone owes money and cannot pay. They have a vehicle, but for all intents and purposes here in Iqaluit, the furthest you could live away is Apex, and to be able to get back and forth to work and bring your family back and forth, would a vehicle be excluded in those circumstances. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Okalik.

**Hon. Paul Okalik:** Thank you, Mr. Chairman. It could be but at the same time, vehicles are usually secured items where you get a bank loan, they usually require you to sign that off in the event that you cannot pay it off and the bank can repossess it. So, it could vary. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. In subsection 2, it says the following money including income acquired through investments is exempt under the execution. Would that mean like if someone is working and they have a pension and I guess that pension that they have, is that something that is excluded or is it partially excluded from the creditor going after it. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Okalik.

**Hon. Paul Okalik:** Thank you, Mr. Chairman. I think the member has hopped on to the next one and perhaps we should approve this one first before going on to the next one. Thank you, Mr. Chairman.

**Chairman:** Thank you. To clarify the matter that is being discussed, it is still under that same section 2. So I will allow you to respond to that Mr. Minister. Mr. Okalik.

**Hon. Paul Okalik:** Thank you, Mr. Chairman. The clause referred to that I thought was the next one, subsection, yes; it deals with situations where it protects the debtor in the

event that they may get monies from residential school situations. So that's what it's there for; it's not there for other purposes. It's in the event that they get awarded some of the money that shouldn't be collected by the creditor. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. Then I guess, I don't know if it's in here, is it already included in the Act where pension income would be excluded, or like say for example, where we can put our retirement money away in RSPs and things like that, would that be something that's either protected or partially protected under the *Exemptions Act*? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Okalik.

**Hon. Paul Okalik:** Thank you, Mr. Chairman. We discussed this at length at committee and there is some protection for federal pensioners, but in some cases, they are largely unprotected, RSPs. So I said I committed to the committee that I will take this under advisement and see if we can introduce a separate piece of legislation that will protect RSPs. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I know another issue that relates to this. I know people that work have a pension whether it is federally or territorially, have some exemptions that are there on that, but for those individuals that are self-employed, their pension is their RRSPs and they have no protection at all in cases like that.

So will the minister, as indicated, look at bringing forward some separate amendments to deal with RSPs, would he commit to including, to make a more level playing field, for example, for people who are self-employed that they have some level of protection that their RRSP funding, the money that they put away for their pension because they don't have a pension that's contributed into it by an employer. So would the minister commit to looking into and bringing that forward at the same time? Thank you, Mr. Chairman.

**Chairman:** Mr. Premier.

**Hon. Paul Okalik:** Thank you, Mr. Chairman. That's exactly what I committed to do with the committee and that we will be working on that. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. (interpretation) Any more, Mr. Tootoo? Thank you. I have no more names on my list here. (interpretation ends) Bill 9, reprint, *An Act to Amend the Exemptions Act*. (interpretation) Clause 2. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. The next page, Clause 3. Agree?



**Some Members:** Agreed.

**Chairman** (interpretation): Clause 4. Agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 5. Agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 6. Agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 7. Agree? Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. In here, Clause 7, it talks about the special circumstances or family under the debtor. Can the minister give us an indication of any kind of ideas of special circumstances that they had in mind when they included that section? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Okalik.

**Hon. Paul Okalik:** Each case is different, there may be very special circumstances that require some exemptions that aren't covered by this legislation and we are leaving it to the court's discretion to look at those exceptional cases. So we don't want to close the door completely. We want to leave the door open. Things may fall through the cracks, and it will be up to the court to decide in those situations. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Do you have any more questions, Mr. Tootoo? Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. It says here that the Nunavut Court of Justice may on application increase an exemption. Who is the onus to make that application to increase the exemption?

Is it the courts, to take that onus, who they apply to? Maybe I could just get some clarification on how that process is supposed to work. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Okalik.

**Hon. Paul Okalik:** Thank you, Mr. Chairman. The onus would obviously be on the debtor to apply for an increased exemption under the Act. So, that's how it is now.

The court would then decide, after reviewing the situation if the situation warranted an increase. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. On the next page, it talks about regulations and it indicated that the commissioner on the recommendation of the minister may make regulations. Can the minister indicate when... he already indicated that they're increasing the exemption on homes to \$35,000; do they have a set of regulations already in place to go along once this kicks in?

When are they planning on bringing forward the new regulations dealing with this?  
Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Mr. Premier.

**Hon. Paul Okalik:** Thank you, Mr. Chairman. We would like to move forward on this. After we pass this legislation, then work with Nunavut Tunngavik Incorporated, consulting with them on the regulations and put them in place; so hopefully before spring. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister. Do you have any more questions, Mr. Tootoo?

**Mr. Tootoo:** Thank you, Mr. Chairman. What happens in the transition time when we pass this and it comes into force? Do we have to wait for the regulations for it to come into force with the exercise? If not, then it comes in right away, what happens if cases come before the court prior to regulations being developed? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Tootoo. Minister Okalik.

**Hon. Paul Okalik:** Thank you, Mr. Chairman. This Act or any portion of this Act comes into affect on the day, or days to be fixed by the Commissioner when the regulations are put in place.

So we're still working under the same, the old rules up to that point. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister Okalik. (interpretation) We're on page 3. Let's look for the page first. We're on page 3. Clause 7. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 8. Do you agree?

**Some Members:** Agreed.

**Chairman:** Thank you. Do you agree to Bill 9 as a whole?

**Some Members:** Agreed.

**Chairman:** Thank you. Do you agree that Bill 9 is ready for third reading?

**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. Thank you, Mr. Okalik. And I thank your officials.

Thank you. We have been working on the bill. We're going to request that the Speaker return. Thank you.

**Speaker** (interpretation): Going to the orders of the day. Item 20. Report of the Committee of the Whole. The Chairman, Mr. Kilabuk.

### **Item 20: Report of the Committee of the Whole**

**Mr. Kilabuk** (interpretation): Thank you, Mr. Speaker. Your committee has been considering Bill 5, Bill 6, Bill 9, Bill 12, Bill 13, and Bill 14 and would like to report that Bill 5, Bill 6, Bill 9, Bill 12, Bill 13, and 14 are immediately ready for third reading. Mr. Speaker, I move that the Report of the Committee of the Whole be agreed to. Thank you.

**Speaker** (interpretation): There is a motion on the floor. Is there a seconder? All members have their hands up, so Mr. Okalik is the seconder. The motion is in order. All those in favour. Opposed. Abstentions. The motion is carried.

Item 21. Third Reading of Bills. Mr. Simailak.

### **Item 21: Third Reading of Bills**

#### **Bill 05 – An Act to Amend the Conflict of Interest Act – Third Reading**

**Hon. David Simailak:** Thank you, Mr. Speaker. I move, seconded by the honourable member for Rankin Inlet South/Whale Cove, that Bill 5, *An Act to Amend the Conflict of Interest Act*, be read for the third time. Thank you, Mr. Speaker.

**Speaker** (interpretation): There is a motion on the floor. All those in favour. Opposed. Abstentions. The motion is carried. Bill 5 has had third reading.

Third Reading of Bills. Mr. Simailak.

#### **Bill 06 – An Act to Amend the Financial Administration Act – Third Reading**

**Hon. David Simailak:** Thank you, Mr. Speaker. I move, seconded by the Honourable Member for Iqaluit West, that Bill 6, *An Act to Amend the Financial Administration Act*, be read for the third time. Thank you, Mr. Speaker.

**Speaker** (interpretation): There is a motion on the floor. The motion is in order. All those in favour. Opposed. Abstentions. The motion is carried. Bill 6 has had its third reading.

Third Reading of Bills. Mr. Okalik.

### **Bill 09 – An Act to Amend the Exemptions Act – Third Reading**

**Hon. Paul Okalik:** Thank you, Mr. Speaker. I move, seconded by the Honourable Member for Baffin South, that Bill 9, *An Act to Amend the Exemptions Act*, be read for the third time. Thank you, Mr. Speaker.

**Speaker** (interpretation): There is a motion on the floor. The motion is in order. All those in favour. Opposed. Abstentions. The motion is carried. Bill 9 has had its third reading.

Third Reading of Bills. Mr. Simailak.

### **Bill 12 – Appropriation (Operations & Maintenance) Act, 2006-07 – Third Reading**

**Hon. David Simailak:** Thank you, Mr. Speaker. Mr. Speaker, I move seconded by the Honourable Member for Iqaluit East, that Bill 12, *Appropriation (Operations & Maintenance) Act, 2006-07*, be read for the third time. Thank you, Mr. Speaker.

**Speaker** (interpretation): The motion is in order. All in favour. Opposed. Abstentions. The motion is carried. Bill 12 has had third reading.

Third Reading of Bills. Mr. Simailak.

### **Bill 13 – Supplementary Appropriation (Capital) Act #3, 2005-06 – Third Reading**

**Hon. David Simailak:** Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the Honourable Member for Nanulik, that Bill 13, *Supplementary Appropriation (Capital) Act #3, 2005-06*, be read for the third time. Thank you, Mr. Speaker.

**Speaker** (interpretation): The motion is in order. All in favour. Opposed. Abstentions. The motion is carried. Bill 13 has had third reading.

Third Reading of Bills. Mr. Simailak.

### **Bill 14 – Supplementary Appropriation (Operations & Maintenance) Act #3, 2005-06 – Third Reading**

**Hon. David Simailak:** Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the Honourable Member for Amittuq, that Bill 14, *Supplementary Appropriation (Operations & Maintenance) Act # 3, 2005-06*, be read for the third time. Thank you, Mr. Speaker.

**Speaker** (interpretation): The motion is in order. All in favour. Opposed. Abstentions. The motion is carried. Bill 14 has had third reading.

Third Reading of Bills. Item 22. Before we end this sitting, Mr. Clerk, will you ascertain if the Commissioner of Nunavut is prepared to enter the Chambers to give assent to Bills?

### Assent to Bills

**Bill 05 – An Act to Amend the Conflict of Interest Act – Assent**

**Bill 06 – An Act to Amend the Financial Administration Act – Assent**

**Bill 09 – An Act to Amend the Exemptions Act – Assent**

**Bill 12 – Appropriation (Operations & Maintenance) Act, 2006-07 – Assent**

**Bill 13 – Supplementary Appropriation (Capital) Act #3, 2005-06 – Assent**

**Bill 14 – Supplementary Appropriation (Operations & Maintenance) Act #3, 2005-06 – Assent**

**Commissioner** (interpretation): Please be seated. As Commissioner of Nunavut, I hereby assent to the following Bills. Bill 5, *An Act to Amend the Conflict of Interest Act*; Bill 6, *An Act to Amend the Financial Administration Act*; Bill 9, *An Act to Amend the Exemptions Act*; Bill 12, *Appropriation (Operations & Maintenance) Act, 2006-07*; Bill 13, *Supplementary Appropriation (Capital) Act #3, 2005-06*; Bill 14, *Supplementary Appropriation (Operations & Maintenance) Act #3, 2005-06*.

Thank you.

>>Applause

**Speaker** (interpretation): Item 22. Orders of the Day. Clerk.

### Item 22: Orders of the Day

**Clerk** (Mr. Quirke): Thank you, Mr. Speaker.

Orders of the Day for June 9, 2006:

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 Committee of the Whole of Bills and Other Matters
20. Report of Committee of the Whole
21. Third Reading of Bills
22. Orders of the Day

Thank you.

>>*Applause*

**Speaker** (interpretation): We will resume on Friday, June 9, 2006 at 10:00 in the morning.

Sergeant-at-Arms.

>>*House adjourned at 21:28*

