

Nunatsiavut kavamanga  
Nunatsiavut Government

SECOND ASSEMBLY  
OF  
NUNATSIAVUT

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2<sup>nd</sup> NUNATSIAVUT ASSEMBLY 2010 SESSION 7th & 8th SITTING

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**kAVAMALIGIJET  
KAUJITTSIUTINGA**

**PARLIAMENTARY  
REPORT**

*October 5-6, 2010*  
Speaker: Honorable Patricia Ford

**In Attendance:**

Speaker of the Nunatsiavut Assembly, Honorable **Patricia Ford**

President of Nunatsiavut, Honorable **Jim Lyall**

First Minister of Nunatsiavut Affairs, Ordinary Member for Nain, Acting Minister of Lands and Natural Resources, Honorable **Darryl Shiwak**

Minister of Health and Social Development, Honorable **Keith Russell**

Minister of Education, Economic Development, Honorable **Susan Nochasak**

Minister of Finance, Human Resources, Information Technology, Honorable **Daniel Pottle**

Minister of Culture, Recreation and Tourism, Honorable **Johannes Lampe**

Ordinary Member for Nain, **William Barbour**

Ordinary Member for Postville, Deputy Speaker, **Glen Sheppard**

Ordinary Member for Makkovik, **Denise Lane**

AngajukKâk for Nain, **Anthony Andersen**

AngajukKâk for Postville, **Diane Gear**

AngajukKâk for Hopedale, **Wayne Piercy**

AngajukKâk for Makkovik, **Herb Jacque**

AngajukKâk for Rigolet, **Charlotte Wolfrey**

Chair Person for the NunaKatiget Community Corporation, **Jennifer Hefler-Elson**

Chair Person for the Sivunivut Community Corporation, **Edward Tuttauik**

Deputy Minister of Education and Economic Development, **Tim McNeill**

Deputy Minister of the Nunatsiavut Secretariat, Secretary to the Executive Council, **Kate Mitchell**

Director of Legal Services, **Loretta Michelin**

Clerk of the Nunatsiavut Assembly, **Mary Sillett**

Acting Director of Communications, **Bert Pomeroy**

**Absent:**

Deputy Minister of Health and Social Development, **Michelle Kinney**

Deputy Minister of Finance, Human Resources and Information Technology, **Rexanne Crawford**

Deputy Minister of Nunatsiavut Affairs, **Toby Andersen**

*The Nunatsiavut Assembly proceedings  
were recorded in Inuktitut and English.*

*October 5, 2010*

*Assembly commenced at 9:00 a.m.*

**Madam Speaker:** Thank you to our translators, Wilson Jararuse and John Jararuse and to Robert with IT. Welcome to the OKalaKatiget Society, Sarah Abel and Simone Kohlmiester who will be recording this session. The Assembly recognizes the labourers, the ones who set up the meetings and the one who runs around for the Assembly Members. The laborers are Kenneth Sillett and David Millie. The helper is Nancy Rose. I would like to welcome guests in the gallery and if anyone has any travel issues that they need, they could be discussed with Hilda Hunter. I have two gavels here today. This one here is a personal gift from Max Winters that he had made for me. Thank you Max. The second gavel is made by Dinah Anderson and purchased by the Assembly. This gavel includes whale bone, ivory, Hopedale green serpentine, Labrador soapstone, Labradorite, sinews, sealskin, and caribou antler. Thank you Dinah and thank you Barry Pottle for supplying the caribou antler. This is what it is and anybody could look at it throughout the day. We will go on now with Oath of Offices for the AngajukKaat and Chairs of the Inuit Community Corporations.

**President Lyall:** In the presence of everyone assembled here...

**Mr. Anthony Anderson:** In the presence of everyone assembled here...

**President Lyall:** and in full realization of the high calling I assume as a Member of the Nunatsiavut Assembly...

**Mr. Anthony Anderson:** and in full realization of the high calling as a Member of the Nunatsiavut Assembly...

**President Lyall:** and the powers entrusted in me are for the benefit of all Labrador Inuit...

**Mr. Anthony Anderson:** and the power entrusted in me is for the benefit of all Labrador Inuit...

**President Lyall:** I, Anthony Andersen...

**Mr. Anthony Anderson:** I, Anthony Andersen...

**President Lyall:** swear solemnly

**Mr. Anthony Anderson:** swear solemnly

**President Lyall:** that I will be faithful to the Inuit

**Mr. Anthony Anderson:** that I will be faithful to the Inuit

**President Lyall:** and to Nunatsiavut, and will obey respect and uphold the Labrador Inuit constitution

**Mr. Anthony Anderson:** that I will be faithful to the Inuit, and to Nunatsiavut , and will obey respect and uphold the Labrador Inuit constitution

**President Lyall:** and all Inuit laws

**Mr. Anthony Anderson:** and all Inuit laws

**President Lyall:** and I solemnly promise to fulfill the responsibilities as a leader

**Mr. Anderson:** and I solemnly promise to fulfill the responsibilities as a leader

**President Lyall:** and to perform my functions as a Member of the Nunatsiavut assembly

**Mr. Anthony Anderson:** and to perform my functions as a Member of the Nunatsiavut assembly

**President Lyall:** to the best of my ability, so help me God

**Mr. Anthony Anderson:** to the best of my ability, so help me God

**President Lyall:** Diane Gear, AngajukKâk for Postville. : In the presence of everyone assembled here...

**Ms. Diane Gear:** In the presence of everyone assembled here...

**President Lyall:** and in full realization of the high calling I assume as a Member of the Nunatsiavut Assembly...

**Ms. Diane Gear:** and in full realization of the high calling I assume as a Member of the Nunatsiavut Assembly...

**President Lyall:** and the powers entrusted in me are for the benefit of all Labrador Inuit...

**Ms. Diane Gear:** and the powers entrusted in me are for the benefit of all Labrador Inuit...

**President Lyall:** I, Diane Gear...

**Ms. Diane Gear:** I, Diane Gear...

**President Lyall:** swear solemnly....

**Ms. Diane Gear:** swear solemnly...

**President Lyall:** that I will be faithful to the Inuit

**Ms. Diane Gear:** that I will be faithful to the Inuit

**President Lyall:** and to Nunatsiavut, and will obey respect and uphold the Labrador Inuit constitution....

**Ms. Diane Gear:** and to Nunatsiavut, and will obey respect and uphold the Labrador Inuit constitution....

**President Lyall:** and all Inuit laws

**Ms. Gear:** and all Inuit laws

**President Lyall:** and I solemnly promise to fulfill the responsibilities as a leader

**Ms. Diane Gear:** and I solemnly promise to fulfill the responsibilities as a leader

**President Lyall:** and to perform my functions as a Member of the Nunatsiavut assembly

**Ms. Diane Gear:** and to perform my functions as a Member of the Nunatsiavut assembly

**President Lyall:** to the best of my ability, so help me God

**Ms. Diane Gear:** to the best of my ability, so help me God

**President Lyall:** Jennifer Hefler Elson, In the presence of everyone assembled here...

**Ms. Jennifer Hefler-Elson:** In the presence of everyone assembled here...

**President Lyall:** and in full realization of the high calling I assume as a Member of the Nunatsiavut Assembly...

**Ms. Jennifer Hefler-Elson:** and in full realization of the high calling I assume as a Member of the Nunatsiavut Assembly...

**President Lyall:** and the powers entrusted in me are for the benefit of all Labrador Inuit...

**Ms. Jennifer Hefler-Elson:** and the powers entrusted in me are for the benefit of all Labrador Inuit...

**President Lyall:** swear solemnly....

**Ms. Jennifer Hefler-Elson:** swear solemnly....

**President Lyall:** that I will be faithful to the Inuit

**Ms. Jennifer Hefler-Elson:** that I will be faithful to the Inuit

**President Lyall:** and to Nunatsiavut, and will obey respect and uphold the Labrador Inuit constitution....

**Ms. Jennifer Hefler-Elson:** and to Nunatsiavut, and will obey respect and uphold the Labrador Inuit constitution....

**President Lyall:** and all Inuit laws

**Ms. Jennifer Hefler-Elson:** and all Inuit laws

**President Lyall:** and I solemnly promise to fulfill the responsibilities as a leader

**Ms. Jennifer Hefler-Elson:** and I solemnly promise to fulfill the responsibilities as a leader

**President Lyall:** and to perform my functions as a Member of the Nunatsiavut assembly

**Ms. Jennifer Hefler-Elson:** and to perform my functions as a Member of the Nunatsiavut assembly

**President Lyall:** to the best of my ability, so help me God

**Ms. Jennifer Hefler-Elson:** to the best of my ability, so help me God

**President Lyall:** Herb Jacque, In the presence of everyone assembled here...

**Mr. Herb Jacque:** In the presence of everyone assembled here...

**President Lyall:** and in full realization of the high calling I assume as a Member of the Nunatsiavut Assembly...

**Mr. Herb Jacque:** and in full realization of the high calling I assume as a Member of the Nunatsiavut Assembly...

**President Lyall:** and the powers entrusted in me are for the benefit of all Labrador Inuit...

**Mr. Herb Jacque:** and the powers entrusted in me are for the benefit of all Labrador Inuit...

**President Lyall:** swear solemnly....

**Mr. Herb Jacque:** swear solemnly....

**President Lyall:** that I will be faithful to the Inuit

**Mr. Herb Jacque:** that I will be faithful to the Inuit

**President Lyall:** and to Nunatsiavut, and will obey respect and uphold the Labrador Inuit constitution....

**Mr. Herb Jacque:** and to Nunatsiavut, and will obey respect and uphold the Labrador Inuit constitution....

**President Lyall:** and all Inuit laws

**Mr. Herb Jacque:** and all Inuit laws

**President Lyall:** and I solemnly promise to fulfill the responsibilities as a leader

**Mr. Herb Jacque:** and I solemnly promise to fulfill the responsibilities as a leader

**President Lyall:** and to perform my functions as a Member of the Nunatsiavut assembly

**Mr. Herb Jacque:** and to perform my functions as a Member of the Nunatsiavut assembly

**President Lyall:** to the best of my ability, so help me God

**Mr. Herb Jacque:** to the best of my ability, so help me God

**President Lyall:** Wayne Piercy, In the presence of everyone assembled here...

**Mr. Wayne Piercy:** In the presence of everyone assembled here...

**President Lyall:** and in full realization of the high calling I assume as a Member of the Nunatsiavut Assembly...

**Mr. Wayne Piercy:** and in full realization of the high calling I assume as a Member of the Nunatsiavut Assembly...

**President Lyall:** and the powers entrusted in me are for the benefit of all Labrador Inuit...

**Mr. Wayne Piercy:** and the powers entrusted in me are for the benefit of all Labrador Inuit...

**President Lyall:** swear solemnly....

**Mr. Wayne Piercy:** swear solemnly....

**President Lyall:** that I will be faithful to the Inuit

**Mr. Wayne Piercy:** that I will be faithful to the Inuit

**President Lyall:** and to Nunatsiavut, and will obey respect and uphold the Labrador Inuit constitution....

**Mr. Wayne Piercy:** and to Nunatsiavut, and will obey respect and uphold the Labrador Inuit constitution....

**President Lyall:** and all Inuit laws

**Mr. Wayne Piercy:** and all Inuit laws

**President Lyall:** and I solemnly promise to fulfill the responsibilities as a leader

**Mr. Wayne Piercy:** and I solemnly promise to fulfill the responsibilities as a leader

**President Lyall:** and to perform my functions as a Member of the Nunatsiavut assembly

**Mr. Wayne Piercy:** and to perform my functions as a Member of the Nunatsiavut assembly

**President Lyall:** to the best of my ability, so help me God

**Mr. Wayne Piercy:** to the best of my ability, so help me God

**President Lyall:** Edward Tuttauk, In the presence of everyone assembled here...

**Mr. Tuttauk:** In the presence of everyone assembled here...

**President Lyall:** and in full realization of the high calling I assume as a Member of the Nunatsiavut Assembly...



**Mr. Ed Tuttauk:** and in full realization of the high calling I assume as a Member of the Nunatsiavut Assembly...

**President Lyall:** and the powers entrusted in me are for the benefit of all Labrador Inuit...

**Mr. Ed Tuttauk:** and the powers entrusted in me are for the benefit of all Labrador Inuit...

**President Lyall:** swear solemnly....

**Mr. Ed Tuttauk:** swear solemnly....

**President Lyall:** that I will be faithful to the Inuit

**Mr. Ed Tuttauk:** that I will be faithful to the Inuit

**President Lyall:** and to Nunatsiavut, and will obey respect and uphold the Labrador Inuit constitution....

**Mr. Ed Tuttauk:** and to Nunatsiavut, and will obey respect and uphold the Labrador Inuit constitution....

**President Lyall:** and all Inuit laws

**Mr. Ed Tuttauk:** and all Inuit laws

**President Lyall:** and I solemnly promise to fulfill the responsibilities as a leader

**Mr. Ed Tuttauk:** and I solemnly promise to fulfill the responsibilities as a leader

**President Lyall:** and to perform my functions as a Member of the Nunatsiavut assembly

**Mr. Ed Tuttauk:** and to perform my functions as a Member of the Nunatsiavut assembly

**President Lyall:** to the best of my ability, so help me God

**Mr. Ed Tuttauk:** to the best of my ability, so help me God

**Speaker:** We now move on to item number 5. Any tabling of documents and petitions? We'll go on to number 6 now. Minister statements or announcements. I call on the Honorable Minister of Finance.

**Mr. Pottle:** Nakummek, Madam Speaker. I'd just like to bring one announcement to this sitting of this House of Assembly regarding the preparation of budgets for the fiscal year 2011, 2012. As this House realizes, there were three departments which were operating

without a full time Deputy Minister for the duration of the summer because of some vacancies in these departments related to retirements from of Deputy Ministers. According to the Financial Administration Act, Madam Speaker, the first drafts of provisional budgets are to be prepared by each department by October 1<sup>st</sup> 2010. Realizing that we had these vacancies Madam Speaker in the three departments and in particular the Department of Culture Recreation and Tourism Madam Speaker is currently without a fulltime Deputy Minister the Department of Finance, Human Resources and Information Technology has allowed, and is recommending to the Assembly that we extend the timeframe for the first draft of provisional budgets to Tuesday October 12<sup>th</sup> 2010. We will work with the Department of Culture, Recreation and Tourism given they don't have a full time Deputy Minister at this point in time to assist and advise and guide you in the preparation of your budget so I ask the Honorable Members of the Executive Council Ministers of the Department to work with your departmental staff to get the first draft of the provisional budgets to the Deputy Minister of Finance, Rexanne Crawford by October 12<sup>th</sup> 2010. Nakummek, Madam Speaker.

**Mr. Russell:** Nakummek, Madam Speaker. A couple of quick announcements from the Department of Health and Social Development. In July, I was honored to bring greetings on behalf of all beneficiaries of our land claims agreement and the President and our Departments in the opening of the long term care facility in Goose Bay. It was just great to see a lot of beneficiaries enjoy such a beautiful building. It's going to be a place where residents can be cared for many years to come. During that time we took advantage of Minister Jerome Kennedy's presence in Goose Bay, and met with him, as well as Ministers Patty Pottle and John Hickey, and I just like to say that we had a extremely productive meeting. Based on that continued work and relationship, we anticipate several key announcement from both Department of Nunatsiavut Department of Health and the Provincial Department of Health later on this month, where myself and several other Provincial Ministers will be travelling to Nunatsiavut in order to make those announcements. I'd also like to thank Minister Kennedy for his interest and commitment to aboriginal health that is evident in his creation of the aboriginal Health Division within the Department of Health and Community Services. A key role of this Department is to link the aboriginal groups including our Department of Health and Social Development with the province in order to look at the key issues and to start the beginning to address these situations. We have unique situations, and we will require unique solutions. In addition to that my Deputy Minister, Ms. Michelle Kinney has been appointed to the Ministerial Advisory Committee in Mental Health and Addiction. This is going to be key for us moving forward, she will get to provide recommendations to the province and basically that will give us a voice inside of the province in order to deliver more effective programs and services. I guess stepping back a little on the topic of healing lodges, the healing lodges we all know at Little Bay was completed earlier this year and is now being used for programming and clients from the trauma and addictions program were able to enjoy this facility as well as the youth group from Hopedale we hope that in the near future its going to be a facility for everybody to use that's in need whether they have issues or weather or not this is a programming based on helping our youth. The Tasiujatsoak Trust has provided funding for a healing lodge outside of the community of Nain; however a decision was made at the executive level to purchase the existing

building at Iggiak and transform it into a healing lodge that will meet our needs this allowed to accomplish this within this season without missing our construction window as we all know its difficult to build on the north coast. Although this has not been finalized we believe this is going to happen, were in the final stages of making work here, basically we have already used it for youth programming already this summer and that was a great success. These two facilities along with the camp at Pompei Head will be used for all our land based programming will be a great asset to our department. In addition to that I guess out trauma and addiction team I guess you can reference it as the old Saputjivik program, we completed a pilot of program here in Hopedale, which included assessments pretreatment, treatments in continuing care and we have begun another pretreatment program here in Hopedale and we hope that its going to happen here now till mid to late October. Basically assessments has begun in Nain and pretreatment will begin soon and treatment in early January its been well received and there's been much interest, in addition to that I guess I will officially announce the mobile multidisciplinary team in partnership with Lab Grenfell, the Innu and the Labrador Health Secretariat, we have a mobile multidisciplinary mental health team that will provide services in both the Innu and Inuit communities so for the first time we're partnering with our neighboring brothers as we can say in order to provide services where basically we'll travel the communities and do whatever's necessary and that includes everything from the assessments right on through treatment. The funding came from National Crime Prevention to accomplish this, the Province of Newfoundland and basically one position each was put through from the Innu and the Nunatsiavut Government. The team consists of two social workers, clinical coordinator, project coordinator, occupational therapist, behavior management specialist, psychologist and administrative support to go along with all of that. We filled everything except for the psychologist which is a difficult position to fill. This team will be connected to all of these communities through the community wellness teams. So we think that's going to be a great success and we've been headquartered in the old LIDC building in Goose Bay. So if anybody is looking to find anybody, basically that's about it, and I guess I'll finish off by pronouncing another announcement tomorrow. Nakummek Madam Speaker.

**Madam Speaker:** Are there anymore statements or announcements? Honorable Minister of Education.

**Ms. Nochasak:** Thank you Madam Speaker. During the past four months, our Department has been extremely busy with a number of new initiatives, with attempting to get new agreements in place. First I'd like to mention the new agreement with Nunatsiavut Government that signed with HRSDC for the continuation of funding through Inuit pathways for an additional four and a half years. This agreement valued at approximately ten million dollars to give security and continuity for the training and employment programs that can be delivered through Inuit Pathways. The new strategy is now called ASETS which stands for Aboriginal Skills Employment Training Strategy and has a new focus and more time will be spent on developing partnerships and securing employment opportunities before we actually put clients into training. My staff has put a lot of time and effort into securing the continuation of these funds and I would like to commend them for that. On July 17<sup>th</sup> we were able to celebrate the graduation of twenty

students from the Bachelor of Social Work program, which was completed through the St. Thomas University; ten of these students were supported by the Nunatsiavut Government to the Department of Education and Economic Development, and also the Department of Health and Social Development. Ten other students, some of whom were Nunatsiavut Government beneficiaries were supported by the Labrador Grenfell Health. All these students signed a returning service agreement with a respected sponsor and I am pleased to say the majority of them are working. In early September, the second phase of new Bachelor of Social Work program with Memorial University has started with 19 students enrolled in a full degree program, which was specifically designed for Labrador Inuit. With the completion of this program and St. Thomas program as referenced earlier, the issue of having skilled Inuit Bachelor of Social Work designation within our communities and Upper Lake Melville should be resolved. Some of you may be aware that Nunatsiavut government has partnered with Innu nation, Labrador Métis and NalCor Energy to access funds through the ASEP program which stands for Aboriginal Skills Employment Partnership to provide training and work experience so that we can have candidates ready for potential employment at the Lower Churchill project. The organization that we established is called LATP which stands for Labrador Aboriginal Training Partnership that has a head office in Goose Bay and in field offices in locations including Nain. To date we have 72 clients either in training or work experience programs, as many Members of the Assembly are no doubt aware we have a very challenging year in terms of providing training support for all students who applied to us. In particular, we had to reject some of our students in the post secondary students program for funding, and that is the first time in many years that we had to do that. The very positive side of this issue however is that there is increased level of interest of among Inuit to access post secondary education and that is an extremely positive sign. I should note that our large increase in Membership since Land Claims Agreement was signed has also been a part of this issue, the part of the increase and demand for student support. We are hopeful we can address this issue in the current fiscal financing agreement negotiations that are currently underway. NIEC National Inuit Education conference. Two years ago the Nunatsiavut Government joined all Inuit regions in Canada at the National Inuit Education Conference which was organized by ITK as a result the conference of National Education Accord was signed by all Inuit regions. ITK, the Federal Government as well as some different provinces and territories that accord for the basis for establishing the Inuit Education Committee whose purpose was to develop an education strategy. I am pleased to say that the strategy is nearly complete and a close final draft is nearly done. It will be going to the Executive Council very soon. The National Inuit Education strategy will pave a way for Inuit in all regions to work together on developing a model for Inuit curriculum development, capacity building, information sharing regarding all education issues throughout Inuit Nunangait. Currently all Inuit regions are working together on an Inuit Education Economic Development Strategy primarily in relation to Federal Economic Development funding. Both, myself and President Lyall are attending national meetings on this and my Deputy Minister is on the working group. Thank you Madam Speaker

**Madam Speaker:** First Minister of Nunatsiavut Affairs.

**Mr. Shiwak:** Thank you Madam Speaker. I have one brief announcement to make. I have to announce effective as of today the Community Council elections have been suspended by the Nunatsiavut Government until further notice. The reason this was done was to ensure that the rules, the roles and the voters list are compiled properly. The news release will be issued this afternoon outlining this decision. Thank you, Madam Speaker.

**Madam Speaker:** AngajukKâk of Makkovik

**Mr. Jacque:** Thank you Madam Speaker. First of all I'd like to express my gratitude once again to the constituency of Makkovik for the great support in the election for AngajukKâk. I am honored and will do my best to represent to the best of my ability, to ensure we are treated equally and fairly. Nakummek. I would also like to acknowledge two individuals from the community of Makkovik, first of all Craig Mitchell from Makkovik who is attending university in New Brunswick and to acknowledge him for his hard work and dedication in making the Deans list. Congratulations. Well done Craig. Congratulations to Betty Jararuse as well who is attending her graduation in becoming a registered nurse. Thank you Madam Speaker.

**Madam Speaker:** The Ordinary Member for Postville

**Mr. Sheppard:** Thank you Madam Speaker. Just in case I missed somebody I would like to congratulate the newly elected Members, AngajukKaat, community chairs I'd also like to recognize the Department of Nunatsiavut Affairs. Over the past summer we've been working together on an extension of our daycare centre in Postville under DSHD which is very important and as of early September this has come to a conclusion and complete, and therefore we are ready for the license and registrations of our daycare centre in Postville. Thank you Madam Speaker.

**Madam Speaker:** AngajukKâk for Postville.

**Ms. Gear:** Thank you Madam Speaker. I want to say thank you to my constituency for putting me back here again, although in a different role. I will continue to serve them and I really look forward in working with all of you again and I'm sure by working together we can make wonderful things happen for Nunatsiavut. Thank you Madam Speaker.

**Madam Speaker:** Chair of the Sivunivut Inuit Community Corporation.

**Mr. Tuttauk:** Nakummek Madam Speaker. I would like to take this opportunity to thank the constituency of North West River for having faith in me and electing me to represent them for the next four years. I also look forward to serving my constituency the Nunatsiavut Assembly and all the Members of the Labrador Land Claims Agreement. Nakummek.

**Madam Speaker:** The Chair of NunaKatiget Corporation.

**Ms. Hefler -Elson:** Thank you Madam Speaker. I'd like to thank the constituents of Happy Valley- Goose Bay and Mud Lake for electing me as a Chairperson from the NunaKatiget Inuit Community Corporation and I am going to do the best of my ability for the next four years, and I look forward to working with all of you at the same time. Thank you Madam Speaker.

**Madam Speaker:** The AngajukKâk for Nain.

**Mr. Anderson:** Thank you Madam Speaker. I too would like to thank the constituents from Nain for electing me as AngajukKâk. As well I'd like to say congratulations to my colleagues from the AngajukKaat from the Inuit Community Government as well as the Inuit Community Corporation. Thank you and Madam Speaker since I last sat here in this honorable place, there are new faces, as a result of the election for Ordinary Members in May and I would like to say to those Members that I very much look forward to working with them and everyone should remember that Nain is perhaps considered the birthplace of a movement. First it was LIA and then what eventually became Nunatsiavut Government. Nain has always shown strong leadership and as you can see it's the people who are around the table and I hope I too can provide the kind of leadership that Nain has over the years in working with other communities and sharing and we in Nain has been known for sharing the wealth of our resources as well as the great cultural significance that Nain has to offer to ensure cultural language and so on. It is a great honor Madam Speaker to sit in this place and certainly again I'd like to say that I'm very happy that the people of Nain have giving me another chance. Thank you Madam Speaker

**Madam Speaker:** The AngajukKâk for Hopedale

**Mr. Piercy:** I'd like to say the same thing that I'm thankful for the constituents for voting me in and I offered them my candidacy so I hope I can fulfill what I ask, people I asked a few questions and so on and people came to me and there's a few things that I'd like to put forward. The thing right now I'd like to understand how everything's working so maybe seem like I'm slack or anything it's just where I got to catch up to speed right, so I'd like to thank everybody and just give me a few pointers on what I can be doing. Right now I'm feeling really uncomfortable so later on down the road I'd get to talk to you more and I'd like to see where I can fit in and best help my residents so. Thank you.

**Madam Speaker:** The Ordinary Member for Makkovik.

**Ms. Lane:** Thank you Madam Speaker. I'd just like to recognize Paul Mitchell from Makkovik. He came second in the cross country run and is now going on to the Provincials. Thank you Madam Speaker.

**Madam Speaker:** The AngajukKâk for Postville.

**Ms. Wolfrey:** Thank you Madam Speaker. I too would like to congratulate everybody in their new positions and welcome you. Hopefully we can all work together and make things better for all communities. I think that one of the things Rigolet really needs to

look at some economic development so I'm hoping that we can some how can provide some kind of jobs to the people in my community. Thank you.

**Madam Speaker:** I would now like to recognize the Minister of Aboriginal Affairs, the Honorable Patty Pottle, who is in our gallery. Welcome. Do we have any more Members' statements? Ok from here we will move on to oral question period. The Ordinary Member for Postville.

**Mr. Sheppard:** Thank you Madam Speaker. My question is directed to the Honorable Minister of Health and Social Development. I think earlier in the year we discussed and sent e-mails back and forth regarding Health Labrador's routings, scheduling of Health Labrador's planes, I think the main purpose for this was, it wasn't just Postville I think it was all of the coast, the routing of a plane, sometimes you would end up in Cartwright, Black Tickle what have you, and some people are under serious health issues and we discussed this Mr. Minister. I just would like to know, has there been any movement since the last time we discussed this issue? Thank you Madam Speaker.

**Mr. Russell:** Thank you for your question. We did engage I guess the powers to be, the powers that would be with the proper jurisdiction and our concerns have been noted. Yours were well documented and I thank you for bringing the issue forward. There are many points in there, discussions are ongoing but it's not something we have a final say on and we can't appeal to their better nature and especially when it comes to those elders in those situations. Mr. Sheppard we'll certainly do all we can to appeal to their better nature to make some changes going forward. Thank you Madam Speaker.

**Madam Speaker:** Any more questions? The AngajukKâk from Nain.

**Mr. Anderson:** Thank you Madam Speaker. My question is for the Minister of Education. I'd like to start by saying that the Department has done well in recent years in finding programs and with announcement of Inuit Pathways again that is certainly a great benefit. In my community, in Nain, being the largest and perhaps with some of the highest rates of unemployment and lack of housing and poverty that exist, I must say that the Minister of the Post Secondary level of funding is outdated and inadequate, particularly for low income families that are unable to provide support for students with good marks who leave but are unable to obtain any support from home. My question to the Minister is will the Minister stand and tell me that a review is overdue and that there will be a review so that all students from wealthy families as well as poor families can take advantage of what is a wonderful program. It needs to be adjusted to reflect the needs and the level of income of households and its not a universal program that is, funding to students for the same level regardless of the wellbeing of their families, if their wealthy or poor and we must as Inuit at times consider that and that we're to help and to create a level playing field, so I'm asking the Minister to acknowledge that there is a need for a review and for her to confirm that there will be one. Thank you Madam Speaker.

**Madam Speaker:** The Honorable Minister of Education.

**Ms. Nochasak:** Thank you for your question. I believe I got your question correctly, we do understand we do have funding issues, challenges actually with the increase of Membership as well as the interest of Inuit looking towards education and we do understand that the fiscal financing agreement is coming up and we will be looking into funding issues in the very near future. I do hope I answered your question.

**Madam Speaker:** The AngajukKâk from Nain.

**Mr. Anderson:** Well your answer was somewhat helpful but it perhaps did not answer, it wasn't the answer I was looking for entirely. I am asking for a review of the current Post Secondary funding between your Department and students and that level of funding for the low income students from low income families can take advantage of it as well as students from higher income families, because low income families are unable to provide support. I guess what I'm saying is that there needs to be a review so that, let me try to make myself clear. Perhaps the rate should not be the same for each and every student, perhaps if we were going to create a level playing field for all, that perhaps that one of the things your department should look at is the level of support that students can get from their families and that would be reflected on their application when applying for funding. You know it's great and you know we don't want to take away and certainly don't want to see people punished, but I want to see people have a fair chance. It's easy for us and perhaps that's why we never made the adjustment before but for us sitting around this table and that we are able to support our children when they go, and perhaps that's why we're not taking the time. It's easy for me to give my children perhaps, a cell phone or a car, but I know there are students from Nain who try to attend university, who are unable to get any kind, any kind of assistance from their parents, because they just don't have it. They're either on EI or they're on social assistance, and we can't expect those parents to help their children we can't and that's why we have to be as a Government, Madam Speaker, we have to take the responsibility and that's what I'm asking for Minister to consider.

**Madam Speaker:** Would you ask your question and not a statement please?

**Mr. Anderson:** I apologize Madam Speaker for rambling on there with clarifications so that the Minister could understand me and I believe now that she has and my question was would the Minister consider a review of the current Post funding arrangements funding for students and I guess that's my question.

**Madam Speaker:** The Honorable Minister of Education.

**Ms. Nochasak:** Thank you Mr. Andersen. I do understand your question now. Actually I had that discussion yesterday with my Deputy Minister so I do know where you're coming from and there is going to be a meeting in the very near future with the Executive Council in regards with the whole Post Secondary Student Support Program. Thank you.

**Madam Speaker:** The AngajukKâk from Postville.



**Ms. Gear:** Thank you Madam Speaker. My question is to the First Minister, it's regarding the ferry service on the coast this past summer. As you all know we've encountered a lot of problems there's been people turned away because there's not enough room on the Northern Ranger. They've been sleeping here, there, everywhere I want to know if you have any conversation or any discussions with the Provincial Minister of Transportation to see if maybe we could get a bigger ferry or at least have some improvements to our ferry service along the coast. Thank you Madam Speaker.

**Madam Speaker:** The Honorable First Minister.

**Mr. Shiwak:** Thank you Madam Speaker. That's a good question. I'd like to update the Assembly that I do have a meeting scheduled with the Minister of Transportation for the Province, Mr. Hedderson for the 18<sup>th</sup> of this month that will be our basis for discussion is Marine Transportation and the Ferry Service into Nunatsiavut and how we can come to some agreement on how we can improve the service because like myself and I am from Rigolet and we've seen many troubles in Rigolet this summer and things do need to change. We do need a better Ferry Service. That's high on my priority list and I have a meeting scheduled with the Minister. Thank you Madam Speaker.

**Madam Speaker:** The AngajukKâk from Makkovik.

**Mr. Jacque:** Thank you Madam Speaker. My question is directed to the Minister of Health. There is a great concern in the community of Makkovik I guess not only Makkovik but within all of Nunatsiavut regarding ground transportation. Our community would like for you as Minister of Health to lobby Health Labrador to once and for all deal with this problem, our seniors need rides to and from their appointments internal or external, Mr. Minister. Thank you Madam Speaker.

**Madam Speaker:** The Honorable Minister of Health.

**Mr. Russell:** Nakummek Madam Speaker. I thank the AngajukKâk from Makkovik for his question. This issue has been raised and discussed many times in terms of what we have done as a Department in order to address the issue long term, we have included in negotiations not to speak of financial stuff in term for the Minister of Finance but we have included those health items for each community with in our FFA negotiations. We are hoping to secure ground transportation in each community basically in terms of the positions and the vehicles required in order to take of that or that specifically to address the needs of the elders first and foremost. We are trying to work with Lab Grenfell in order to accomplish something in the interim specifically for the winter months which probably will be only for elders. We are still in talks with that and I will update the Assembly accordingly. Nakummek Madam Speaker.

**Madam Speaker:** AngajukKâk for Rigolet.

**Ms. Wolfrey:** Thank you Madam Speaker. My question is to the First Minister. I guess and its kind of a supplementary question on the transportation issue but since you said you were meeting with the Minister of Transportation and I know that the people in my community are now interested in not only having a ferry that they can get on to and go to Goose Bay they want to bring their cars or their trucks here are lots of vehicles in our community and from the experience that a lot of people are having now like going across say the straight of Belle Isle for \$30 two people and their vehicle can go across the straight of Bell Isle and Rigolet is so close to Goose Bay that people in Rigolet are wanting to be able to take their boats, their trucks with them I mean on the boat Is that going to be a part of your discussions with the Minister of Transportation from Provincial? Thank you.

**Mr. Shiwak:** Thank you Madam Speaker. Thank you for the question. Yes that's going to be the vital part of our discussion is the vessel that is currently there and the vessel that needs to be there. Thank you Madam Speaker.

**Madam Speaker:** Anymore oral questions? The AngajukKâk for Hopedale.

**Mr. Piercy:** I'm not sure who to address my concern to for the PCB contamination here in Hopedale, but during the second week in June we had we had a meeting....

**Madam Speaker:** You have to address your question to somebody, to the First Minister.

**Mr. Piercy:** To the First Minister. We had a meeting there in the second week in June and from what we gathered from the Ministers that was at the table it was suppose to take at least six weeks and we had a million dollars to do some more testing and its only lately now that their coming in and the season we have here is short and the other thing we wanted addressed was the residents that is living in the dump sight that's over there, we were looking for if we can get some compensation or something to move forward so that these people don't have to stay there. This is starting to impact their lives, and I'd like to see if anybody from the committee that's here now would go over and see what they have to live in. Then they would have a better understanding to what they're trying to say to us because it seems like they've been talking for quite some time and nobody is really listening to what's going on and there's no steps being taken to help them out what so ever. They ask the same questions and they get the same answers but their still living where they have to live. There's no help offered for clean up. There's no help offered to check the air pollution in their houses and from what I gathered here there is a couple of them sick and were not sure if its running off of what their living on. Thank you.

**Mr. Shiwak:** Thank you Madam Speaker. I think I'll answer this under the Acting Minister of Lands and Natural Resources portfolio. You have to forgive me, AngajukKâk from Hopedale. I'm fairly new in this role and I'm trying to keep up on it and I know that as a Department we have been pushing the Province to address the issue with contamination and we will continue to do so. I'm willing to sit down with your self to discuss the issues with the housing conditions and the dump site over here and I'm

certainly willing to go over and have a look and see how we can move forward with this file. Thank you Madam Speaker.

**Madam Speaker:** The AngajukKâk for Rigolet.

**Ms. Wolfrey:** Thank you Madam Speaker. I guess this is question that I got is that I asked the last time around and it was to the Minister Responsible for Health and Social Development, Honorable Keith Russell. And I'm talking about the Status of Women portfolio that had a Minister responsible for it and then was moved under Health and I had a real concern about that and I remember, and I know Keith was just newly put into the portfolio then the Minister of Health and Social Development and I'm just wondering if there has been any discussion at all about where the Status of Women is put under Health and there is no Minister responsible for it. I just felt that when it was under a Minister, I think that women felt more that Nunatsiavut Government was taking their issues more seriously and where it's only put under a Department, under a Director or Deputy Minister it doesn't have that same weight, I guess. So, I'm just wondering if you had any discussions around that Minister and where it's at. Nakummek.

**Madam Speaker:** The Honorable Minister of Health.

**Mr. Russell:** Nakummek Madam Speaker. That item is going to be brought forward to the next Executive Council meeting by me. At current, and as I said at the last assembly sitting, the same question was brought up and technically it doesn't exist. Although it was given a title and we did create that perception earlier on. I believe that it needs to be formalized as well. That discussion will be held at the Executive level and we will begin to determine how we want to carry that forward. Nakummek, Madam Speaker.

**Madam Speaker:** The AngajukKâk for Makkovik.

**Mr. Jacque:** Thank you Madam Speaker. I'd like to direct my question to the First Minister. There has been some concern by some of the fishers and trappers in our area regarding photo I. D.'s. In the past the Nunatsiavut Government was going to have somebody come into the communities and do photo I. D.'s. Now trappers have to have a photo I. D.'s in order to go trapping. Some of those trappers don't even leave the community, so it's a concern for them. How they can obtain a photo I. D. Thank you Madam Speaker.

**Madam Speaker:** The Honorable First Minister.

**Mr. Shiwak:** I think I understand the question. You want me to address the issue of how to obtain photo I. D.'s or do you want us to look into ways Nunatsiavut Government helping to obtain photo I. D.'s.

**Mr. Jacque:** Nunatsiavut Government was supposed to do photo I. D.'s right?

**Mr. Shiwak:** Thank you Madam Speaker, I certainly will look into this and get an update for you and get a response for you this week or this afternoon. Thank you, Madam Speaker.

**Madam Speaker:** The Ordinary Member for Postville.

**Mr. Sheppard:** Thank you, Madam Speaker. My question is directed to the newly Acting Minister of Natural Resources. It's concerning a caribou hunting zone in Nipishish Lake area, more so for the communities of Postville, Makkovik and Rigolet. Over the past years we have been going in there hunting and gathering caribou, however we have to pay for our permit/license, what have you and it only cost \$30 - \$32 but for some families, \$30 or \$32 in the winter time, for a snowmobile, pays for extra 5 gallons of gas. Before my time of being elected last winter as a hunter I did hear some rumblings of maybe the Nunatsiavut Government or Department of Natural Resources could purchase those licenses and distribute them to hunters in the communities of Postville, Makkovik and Rigolet, where ever, Hopedale if need be. Mister Minister, my question to you is, are you aware of this? If there has been some discussion surrounding this issue, maybe there's others in this room here can add on to the issue of paying for the licenses from the Provincial Government. My question would be, are you aware of this and if so is there going to be anything done for this coming year. Thank you.

**Madam Speaker:** The Honorable First Minister.

**Mr. Shiwak:** Thank you Madam Speaker. I have not yet to be briefed on this issue by the Department. I will be briefed to see if there is something being done by the Department of Land and Natural Resources and when I do have that briefing I will get an answer for you and for this assembly. Thank you Madam Speaker.

**Madam Speaker:** Any more questions? That's it for the questions for now. Then we'll move on to written questions. If anyone has any written questions, the page will pick them up and deliver them to the Clerk. Then we will move on to number 10, Reports of Standing and Special Committees. Before we go on with the rest of the Orders of the Day, we will take a 30 minute recess.

**Speaker:** I call the Assembly back to order. Under 10A - Report of the Ad Hoc Disciplinary Committee. In June, four (4) complaints were filed with the Clerk of the Assembly alleging that the Ordinary Member for Upper Lake Melville, Mr. Max Blake, had broken the rules of conduct, established for elected officials, under the Nunatsiavut Government Code of Conduct. In accordance with the procedures set out in part V of the Code of Conduct as Speaker, I decided to refer all four (4) complaints to an Ad Hoc Disciplinary Committee, comprised of myself as Chair, the Honorable Susan Nochasak, Minister of Education and Mr. Ed Tuttauq, Chair of the Sivunivut Corporation. So, now we're moved down to number 11, Notices of Motions. Mr. President.

**Mr. Lyall:** Thank you Madam Speaker. Informing the Assembly that I will be presenting a motion to, a resolution to establish a Special Committee of the Nunatsiavut Assembly

to look into the affairs of the Nunatsiavut Business Centre Incorporated and make recommendation to its future and the motion will be seconded by First Minister, Minister of Lands and Resources, Darryl Shiwak. Thank you.

**Ms. Nochasak:** Thank you Madam Speaker. I've been notifying the Assembly that I have a motion, a resolution to adopt a recommendation of the Ad Hoc Disciplinary Committee also a resolution to remove Mr. Max Blake from office as Ordinary Member and also I'll be asking the Assembly to receive a report of the Ad Hoc Disciplinary Committee. Thank you Madam Speaker.

**Madam Speaker:** The Honorable First Minister.

**Mr. Shiwak:** Thank you Madam Speaker. To give notice of motion to and a resolution of the Nunatsiavut Government and the approval of the issuance of Inuit Freehold Title for Labrador Inuit Land and parcel 11C to Hopedale Inuit Community Government. Thank you Madam Speaker.

**Madam Speaker:** Any notices of Motion for first reading of Bill, The Honorable First Minister.

**Mr. Shiwak:** Thank you Madam Speaker. I wish to give the Assembly notice that I will be introducing Bill number 2010-07, a Bill for an Inuit lot to be for the protection of the environment in Labrador Inuit Lands in the Inuit Communities and to provide for the environmental assessment for the benefit of Labrador Inuit Lands. I will introduce the Bill for first reading and I will request that the President refer to Bill on Committee on consensus prior to a vote on first reading. Thank you Madam Speaker.

**Madam Speaker:** Any more notices of motions? Then we will go into the motions and I will recognize the Honorable Minister of Education.

**Ms. Nochasak:** Thank you Madam Speaker. Be it resolved, that the Assembly received the report of the Ad Hoc Disciplinary Committee of the Nunatsiavut Assembly regarding the conduct of Max Blake, Ordinary Member of Upper Lake Melville. Thank you Madam Speaker.

**Madam Speaker:** Do you have a seconder?

**Ms. Nochasak:** Seconded by Ed Tuttauq, Chair of Sivunivut Corporation.

**Madam Speaker:** The motion is in order. Would you read that motion again please?

**Ms. Nochasak:** Yes, Madam Speaker. Would you like me to speak to the resolution or would you like for the Assembly to receive.

**Madam Speaker:** You can read the resolution.

**Ms. Nochasak:** Thank you Madam Speaker. I move, seconded by Mr. Ed Tuttau, Chair of Sivunivut Inuit Community Corporation, and the Nunatsiavut Assembly adopts the following resolution, to amend the Code of Conduct to accept the report.

**Madam Speaker:** So we ask for a vote to accept the report of the Ad Hoc Disciplinary Committee for comments. So now we are going to ask for a vote to accept the report of the Ad Hoc Disciplinary Committee. Does the Assembly accept the report?

**Assembly:** Aye

**Madam Speaker:** That is passed. We'll go on to the second 11 B, the Honorable Susan Nochasak.

**Ms. Nochasak:** Thank you Madam Speaker. I move, seconded by Mr. Ed Tuttau, Chair of Sivunivut Inuit Corporation that the Nunatsiavut Assembly adopts the following resolution.

Whereas, Mr. Max Blake, an Ordinary Member of the Nunatsiavut Assembly for Upper Lake Melville used language and displayed attitudes that are sexist and hurtful towards Inuit women on June 4<sup>th</sup>, 2010 while carrying out his functions as a Member of the Assembly and

Whereas, Section 4.3.7 of the Labrador Inuit Constitution and Section 17 of the Nunatsiavut Assembly Act state that a Member of the Nunatsiavut Assembly may be removed from office as a Member by resolution of the Nunatsiavut Assembly adopted with a supporting vote of at least 60% of its Members on the grounds of

- (a) If there is violation of the Labrador Inuit Constitution or Inuit Law,
- (b) Becoming unable to perform the functions of office or
- (c) Unethical or immoral behavior including a serious breach of code of conduct,

include a code of ethics and conflict of interest, guidelines that may be established by the Assembly for its Members, and

Whereas, Madam Speaker, Mr. Blake's language and attitudes are contrary to the principles set out in Section 1.1.3 and 1.1.3K of the Labrador Inuit Constitution and are serious breach of Sections 2.1, 2.4 and 2.6 of the Code of Conduct

Therefore, be it resolved that Mr. Max Blake, Ordinary Member for Nunatsiavut Assembly for Upper Lake Melville is hereby removed from office and

Be it further resolved that the Nunatsiavut Electoral Officer is hereby requested to hold a by-election at the first reasonable opportunity to fill the vacancy for the remainder of the term. Thank you Madam Speaker.

**Madam Speaker:** The motion is in order and the Honorable Minister of Education. Do you have any opening remarks to make on this motion.

**Ms. Nochasak:** Yes, Madam Speaker. The Committee did not make the recommendation lightly or easily. It is a tough decision that sends a loud and clear message about how we expect our leaders to behave. I would also like to add that I think it is important to note that the report does not say that Mr. Blake is hateful, but his behavior and words were hateful on that occasion, particularly towards Inuit women. I feel bad for Mr. Blake, but there is nothing in the report that I would change. Why? Because I feel bad about Inuit women having to hear about those kinds of things that Mr. Blake said about Inuit women, from one of our elected leaders. This decision was not made on personal views. As a committee, reports, evidence and a hearing were all taken into account. And as the Assembly we have to decide in the best interests of the Inuit and in terms of the Labrador Inuit Constitution and the Code of Conduct set as standards for its Leaders to follow. The committee has made its decision and its recommendations. That is not going to change. The basis of our recommendation is in the report. You can see for yourselves what we considered when we made our recommendation. It is now up to the Assembly to make up its own mind. Thank you Madam Speaker.

**Madam Speaker:** Do anyone have any comments on this issue? The Honorable Minister of Finance.

**Mr. Pottle:** Nakummek, Madam Speaker. I guess I'm standing on a Point of Order. I would just like to know if there is an opportunity at this point, Madam Speaker, to propose an amendment to this resolution. Nakummek, Madam Speaker. I propose that this resolution be amended to strike out the last resolution here, "And be it further resolved that the Nunatsiavut Electoral Officer is hereby requested to hold a by-election at the first reasonable opportunity to fill the vacancy for the remainder of the term." The reason that I'm asking for this amendment, Madam Speaker, is that this House of Assembly is making an assumption that this House will be voting in favor to terminate this Member from office which not has been done at this point, so I think that last "Be it resolved" should be struck from this resolution. And that's my amendment. Thank you, Madam Speaker.

**Madam Speaker:** That part will only come into play if the Member is voted out.

**Mr. Pottle:** Should that be a separate resolution, Madam Speaker. Nakummek.

**Madam Speaker:** The whole resolution, if it's passed and "ayes" is voted out and the whole thing kicks in and then if it's voted for "no" then the whole resolution is dead.

**Mr. Pottle:** Thank you Madam Speaker for that clarification on that point. I retract my amendment. Nakummek, Madam Speaker.

**Madam Speaker:** AngajukKâk for Nain.

**Mr. Andersen:** Thank you Madam Speaker. Now since the Member has retracted his amendment, I was going to stand at the Point of Order that any Member can stand and

propose amendment to any motion and I was going to stand and second the motion to amend.

**Madam Speaker:** Any more comments? Mr. Blake.

**Mr. Blake:** Thank you, Madam Speaker. I have accepted full responsibility for what I have done and I have accepted the severe punishment that I have received from my intoxicated state and I have apologized to the Assembly and the public for that incident. The discipline committee suggested that I may be prejudiced and disrespectful to women is ludicrous. Everyone that knows me personally knows that I am not prejudiced or disrespectful to women. I am married for 39 years to the same woman, with two daughter and five grand daughters, a mother, sisters, aunts and lots of women who I love and who love me. I am proud of my Inuit Ancestry and have spent my whole life promoting and fighting for my people. So, for anyone who suggests that I am prejudiced towards my own people is again ridiculous. I still have overwhelming support from my people in Upper Lake Melville and they want to see me back working as soon as possible. I am asking you here today, to let common sense prevail and send me back to work. I was deeply affected by OK Radio Station who made it possible for people to slander me anonymously and was allowed to continue for over two weeks with no intervention to stop it. I endured three months of suspension without pay. I have been punished enough. I deserve a second chance, same as everybody else. Thank you.

**Madam Speaker:** Thank you. Any more comments? If there are no more comments, there is going to be a vote by secret ballot. If you agree with the resolution you mark “yes” if you don’t agree with it mark “no”. You have a paper there in front of you that you can put in your votes now and the votes will be counted.  
Minister of Finance.

**Mr. Pottle:** Thank you, Madam Speaker. I guess, I’m standing again on a Point of Order, just to gain clarification. I’d just like to know where in our Orders of the Day and rules and procedures of the House of Assembly where we make allowances for voting by secret ballot. Madam Speaker, from my understanding as an Assembly Member for the last four years I understood our processes to be open and transparent and I would rather that this motion went to a show of hands as opposed to a secret ballot. If we were to be open and transparent then I don’t think we should be hiding behind the veil of a secret ballot to address this issue. Nakummek, Madam Speaker.

**Madam Speaker:** Now in the Standing Orders that it has to be open handed so as the Assembly which way they want to go, whether is open handed or secret ballot. Who is in favor of a secret ballot? 10 in favour. Who’s not in favor of the secret ballot? 4 not in favour. So we will go with the secret ballot. If someone is in favour of the resolution, you would write “yes”, if they’re not in favour of the resolution, you would write down “no”. The vote for yes was 15 and 2 for no, so the resolution is passed. Thank you Max for being here and coming to this but you are now not an Ordinary Member for Upper Lake Melville.



**Mr. Blake:** Thank you very much. I guess I'll just have to give back my Membership. I no longer want to be part of an organization that has double standards.

**Madam Speaker:** We now go to motion number C. Notice of motion to approve recommendation for amendments to Code of Conduct. So I call upon again, the Honorable Minister of Education.

**Ms. Nochasak:** Thank you, Madam Speaker. I move, seconded by Ed Tuttauk, Chair of Sivunivut Inuit Community Corporation and the Nunatsiavut Assembly adopt the following resolution to amend the Code of Conduct.

Whereas, the zero tolerance rule in Section 4.1 of the Code of Conduct is not serving its intended purpose and is not easy to interpret or apply and

Whereas, the Ad Hoc Disciplinary Committee appointed to investigate and determine complaints against Mr. Blake has recommended that the Assembly amended the zero tolerance rule in Section 4.1 of the Code of Conduct

Now therefore be it resolved, that the Nunatsiavut Assembly hereby adopts the recommendation of the Discipline Committee and request that the President prepare and table a Bill to amend part IV of the Code of Conduct as follows:

- 1) Add to Section 4.1 that an official must not consume alcohol or any illegal drugs while performing a duty or function of his/her office
- 2) Add a clarification that a person is considered to be under the influence of alcohol for purpose of section 4.1 if he/she is hung-over or smells of alcohol
- 3) Madam Speaker add for clarification that the purposes of Section 4.1 a person who attends meetings, conference, workshop, sitting of the Assembly or any other similar event in an official capacity is considered to be performing his/her functions of office while traveling to and from that particular event. While attending any reception or function related to that particular event and join all meals taken place in that public place at any time after the start and before the end of that particular event. Thank you Madam Speaker.

**Madam Speaker:** The motion is in order. Any comments for this motion. AngajukKâk for Nain.

**Mr. Andersen:** Thank you Madam Speaker. I agree perhaps that the Code needs to be read and perhaps amended. So that it is more helpful to the Ad Hoc Committees. Madam Speaker, it seems to me that, while spending a lot of time on Ad Hoc Committees and Disciplinary Committees, you use the Code so much ; we almost know it by heart. We don't care to pay too much attention to most of the Oath of Office of Members, speaks about high calling as a Member of the Nunatsiavut Assembly and the powers that are entrusted to me. These are special things, I think, that Oath. Very sacred and sets out for us what our own personal standard and what we should make ourselves to be. We creates in creating more words now that I suppose we'll have to call in the legal technicians to make more definitions, for example, number 2 of the amendment “ add a

clarification that a person is considered to be under the influence of alcohol for purpose of Section 4.1 if he/she is hung-over or smells of alcohol". You know that's going to be quite difficult. To say that someone is hung-over . There may be a lot of Section 4.1 violations and how can anyone determine if someone is hung-over. And is it going to be acceptable if being hung-over is considered under the influence. On that one, I can't you know. Offer an amendment I suppose, that under number 2 that, if he/she is hung-over. Amendment, my offer to remove that. I can't see any way in the world that someone can honestly, possibly remove from the Assembly because someone jumped and said they're hung-over, and of course if they're hung-over then they're in breach of, if this passes, they're in breach of Section 4.1 and that's grounds to remove them. Sure everyone agrees with that, you know. We're creating some more language that's going to be very hard to interpret, very hard to use. It's going to be a lot harder than the zero tolerance that was already there. They'll be jumping up left, right and center and every where, Madam Speaker, he's hung-over, throw him out. All the complaints that have gone to Ad Hoc Committees, they haven't all been successful. A lot of them got thrown out. Silly, they were. They were all legitimate complaints, as was found by committees. We don't want to make it too easy for people, I mean, we have a set of standards we want to follow them, we want to do well, we take our oath, but what we're doing is creating language so we can go on more witch hunts. Spent a lot of time concerned about people's comments. Very little business, as a matter of fact, over the last four months, only business that's been done have been Ad Hoc Committees and that's a lot and it's stressful, for these people, for these committees. I believe very much that this language is not going to help. Ad Hoc Committee's going to hinder them. I suppose they're the ones who are going to have to determine if the person is hung-over, if that's they're charged with and how are they going to do that. Going to have to get a video or photograph of the people on the day that they were charged because they might not be hung-over anymore. He's fresh as a daisy again. Anyway, this is the reason why I oppose this amendment to take the words, "if he/she is hung-over" and the word "or" has to go as well. "If he/she is hung-over or" and then it would read for the purpose of Section 4.1 "smells of alcohol". Thank you Madam Speaker.

**Speaker:** Were you making an amendment to number 2 here?

**Mr. Andersen:** Yes, Madam Speaker, I propose to amend the resolution by deleting the words in number 2 immediately after 4.1, "if he/she is hung-over or" be removed.

**Madam Speaker:** Do you have a seconder?

**Mr. Andersen:** Not at this time, we don't.

**Speaker:** So, now this statement, just for clarification, would read, "Add a clarification that a person is consider to be under the influence of alcohol for purposes of Section 4.1 if he/she smells of alcohol". Is that correct. Chair of Sivunivut Corporation.

**Mr. Tuttauk:** Nakummek, Madam Speaker. As part of the Disciplinary Committee, we felt it was important to put that section in based on the fact that the legal interpretation for

being under the influence includes being hung-over. However, I do agree with the AngajukKâk from Nain's points about needing to, the potential for more clarity for Ad Hoc Committees, however we feel that if you're going to strike that section I think the Minister of Education is in agreement that we strike the whole section 2. Nakummek.

**Madam Speaker:** Are people in agreement? The amender and the seconder.....

**Mr. Tuttauk:** Sorry Madam Speaker, I move, seconded by the Minister of Education to strike Section 2.

**Madam Speaker:** Is everyone in agreement to striking section 2?

**Mr. Pottle:** I'd just like to back up, if I may, Madam Speaker. I know we're all new to this process and we're still learning. From my simple understanding of an amendment, the first amendment that was proposed, by the AngajukKâk from Nain, should have been voted on and the continuation of the motion has to be read as amended and motion was proposed, Madam Speaker by the Chair of Sivunivut Inuit Corporation and therefore that amendment needs a vote as well before we proceed any further the reading of this motion. Nakummek, Madam Speaker.

**Madam Speaker:** Motion made by the Honorable Minister of Health, where it states, "Add a clarification that a person is considered to be under the influence of alcohol for the purposes of Section 4.1 if he/she smells of alcohol. So we need to take a vote on that. Who's in favour, anyone in favour of that, not in favour? Those in favour of that amendment say "aye", those not in favour that first amendment, "auka". It doesn't pass. That same first amendment, moved by the AngajukKâk from Nain, seconded by the Honorable Minister of Finance. Have a show of hands, who's in favour.

**Mr. Barbour:** Madam Speaker, I think many of the Assembly Members are very confused here. First we have an amendment, proposed amendment, a lot of us don't understand and then have a second amendment and a seconder I just propose that the four people, the mover and the seconder for two of the amendments get together to see what they can come up with so that it becomes clear for all of the Assembly to vote on the propose two amendments.

**Madam Speaker:** Let's go back again to the first where the AngajukKâk from Nain wanted an amendment made, seconded by the Honorable Minister which states, number 2, "Add a clarification that a person is considered to be under the influence of alcohol for purposes of Section 4.1, if he/she smells of alcohol." A show of hands of who is in favour of this amendment. Nine in favour. Show of hands for not in favour of this amendment. Seven not in favour. So, right now that amendment is there. So then, we are into....nine in favour, seven not for the amendment. The amendment is passed. So now we go into the second part where the Chair of Sivunivut Corporation, seconded by the Honorable Minister of Education wanted number 2 completely removed. So all those in favour of having number 2 there completely removed, can I have a show of hands in favour of having it completely removed. Fifteen in favour. Those against having number

2 removed. One. So number 2 is completely removed. Now is there any more comments on this whole resolution. Honorable Minister of Finance.

**Mr. Pottle:** Nakummek, Madam Speaker. As one of the founding Members, I guess, for lack of a better word, of the Code of Conduct and Chair of the Code of Conduct Committee, that worked for approximately a year and a half to put together this piece of legislation that was unanimously supported by the House of Assembly on March 6, 2008, I cannot support this resolution in its entirety. My reasons for that, Madam Speaker, are 1. I believe adding further resolutions to amend this Code of Conduct as an agreement with the AngajukKâk for Nain adds further confusion and poses a greater difficulty for the speaker and an Ad Hoc Disciplinary Committee to make a ruling on a matter of conduct against another elected official. I believe, Madam Speaker that the original Code of Conduct speaks for itself and each and every speaker or Ad Hoc Committee is going to take a different interpretation and add another layer of meaning to that. Therefore that in itself is subjective and I don't see that this resolution proposing any objectivity or any further clarity to make this Code of Conduct more enforceable than it already is. Madam Speaker, I believe that the resolution as it stands amended 1 and 2 is totally redundant and I believe 4.1 of the Code of Conduct states exactly what's in this resolution. It may need some more verbiage to this to give it a little bit more fluff and flow, Madam Speaker, but I believe it achieves the same intent as a Code of Conduct right now is written 4.1. I'd like the AngajukKâk's words; the AngajukKâk from Nain's words in fact that we've all took an oath of office to uphold, not only the Labrador Inuit Constitution but Inuit Laws such as the Code of Conduct. And I believe and I found it sad that we have to stand here in this House of Assembly and treat each other like children. We are adults, Madam Speaker, every one of us should simply ask yourself one question, Madam Speaker, if you are traveling or conducting Nunatsiavut business you should ask yourself the simply question, Madam Speaker, would I be here if it wasn't for Nunatsiavut Assembly business and if you answer no to that then you should be adult enough, Madam Speaker, to make a choice to abstain from using alcohol or drugs while your in a community, at a meeting, in a foreign country, it don't matter. You should be able to exercise your own judgment and we expect each and every adult to do that. Therefore Madam Speaker, again, I'm not going to reiterate and repeat what I've said, but on that note, Madam Speaker, I cannot support this resolution to amend the Code of Conduct. Thank you, Madam Speaker.

**Madam Speaker:** Thank you. The Chair for Sivunivut Community Corporation.

**Mr. Tuttauk:** Nakummek, Madam Speaker. I do agree with the AngajukKâk from Nain and the Minister of Finance in that it leads to more verbiage as the Minister has said to this Code of Conduct. However, on the committee it was felt that clarification was needed for the purposes of the public. People read 4.1 as saying zero tolerance, they don't go on to read, while conducting or discussing Nunatsiavut Government business and that is the intent of these amendments to 4.1 to make it clearer to the public. There will be no consumption of alcohol or illegal drugs while conducting business. The whole situation arises because Section 4.1 is not read in its entirety and all they can see is zero

tolerance of alcohol and drugs, and that's why we propose these amendments and I still support it. Nakummek.

**Madam Speaker:** AngajukKâk for Rigolet.

**Ms. Wolfrey:** Thank you, Madam Speaker. I think that the Code of Conduct is a work in progress, that's my opinion. As you use it and as you see where it isn't clear to the public or to you sitting on a committee then in order to make things more clear and better you need to bring forward these concerns that you found in your business of the day. The Code of Conduct is a good starting point I think, but as we use it and as we realize that some of this needs to be changed, I think it's our duty to come forward and try to make it clearer so that the next people using it, but we can get rid of some of the sittings were we got to look at people's conduct anyway. We were elected here, like the AngajukKâk from Nain said, we took an oath of office to respect and uphold the Inuit Constitution and to have conduct that was accepting to our people anyway, I think that it's a work in progress and that we need to, from committees that have used it to find out if there are flaws in it and to bring it forward. So that's my take on it anyway, because I was sitting on a committee that used it too and we found some flaws, so that's my opinion. Thank you.

**Madam Speaker:** Ordinary Member for Nain.

**Mr. Barbour:** Thank you, Madam Speaker. The question that I was going to ask basically was answered by the Minister of Finance. It was just clarification question.

**Madam Speaker:** Any more comments on this resolution. Then by a show of hands can you show me all who's in favour of this resolution. 12 in favour and 4 against so motion is passed. Honorable President.

**Mr. Lyall:** Just a point of clarification, should the motion read, "as amended"?

**Madam Speaker:** Pardon me? That's deleted. Motion has been accepted as amended, we took number 2 completely out.

**Mr. Lyall:** Thank you Madam Speaker. A resolution to establish a special committee of the Nunatsiavut Assembly to look into the affairs of the Nunatsiavut Business Center Incorporated and make recommendations as to its future.

Whereas, the Members of the Nunatsiavut Assembly are the Members of the Nunatsiavut Business Center Incorporated hereafter referred to as the NBCI. The Nunatsiavut Treasurer reported to the Assembly March 2010, that the NBCI has not been managed or operated in accordance with its bylaws and that its affairs are not in good order.

3. The first Nunatsiavut Assembly directed the President to introduce at the second Assembly a resolution for the establishment of a special committee of the Nunatsiavut Assembly to examine and enquire into the management, functions and operations of

NBCI and to report back to the Assembly with its findings and its recommendations about the future of the NBCI and

4. On 14<sup>th</sup> of May 2010, at the fourth session of the second Assembly the President gave notice of a motion to establish a special committee of the Nunatsiavut Assembly to look into the affairs of the Nunatsiavut Business Center, now therefore, be it resolved, that

1. The Nunatsiavut Assembly hereby establishes a special committee of the Nunatsiavut Assembly to be known as the Nunatsiavut Special Committee on NBCI to examine and enquire into the management, finances and operations of NBCI and to report back to the Assembly with its findings and recommendations about the future of NBCI.

2. The standing committee on rules and procedure is hereby requested to recommend the composition and Members of the Nunatsiavut Special Committee on NBCI to the Assembly at the earliest opportunity.

3. The Nunatsiavut Special Committee on NBCI shall complete its work and report in writing to the Assembly no later than the first day of March 2011. I moved Madam Speaker and it was seconded by the First Minister, Darryl Shiwak. Thank you.

**Madam Speaker:** The motion is in order. Any comments? We have no comments. We'll go into a show of hands, for the motion, raise your hands please. Anyone against the motion. Motion is passed. We'll go into the motion from the Honorable First Minister.

**Mr. Shiwak:** Thank you, Madam Speaker. A resolution of the Nunatsiavut Assembly on the approval of the issuance of Inuit Freehold Title for Labrador Inuit Land parcel 11C to the Hopedale Inuit Community Government.

Whereas, the Hopedale Inuit Community Government has submitted land use application number A2009-074 to acquire Inuit Freehold Title for Labrador Inuit Land parcel 11C for the purpose of the Berry Road Subdivision development and

Whereas, all necessary consultations have been completed on the land use application and no objections were received and

Whereas, section 2.11B of the Labrador Inuit Lands Act states that no private interest may be created or issued in Labrador Inuit Lands within an Inuit Community, within a wild lot, or in relation to specified materials without the written approval of the Nunatsiavut Assembly.

Therefore, be it resolved that the Nunatsiavut Assembly hereby approves the issuance of Inuit Freehold Title to the Hopedale Inuit Community Government for the whole of Labrador Inuit Land parcel 11C reserving there out and there from 4 sub division lot number 9-14, 9-15, 9-16 and 9-17 as selected by the Nunatsiavut Government and agreed to by the Hopedale Inuit Community Government. These four lots are retained for the Nunatsiavut Government purposes. Seconded by Mr. Keith Russell. Thank you Madam Speaker.

**Madam Speaker:** The motion is in order. Any comments on this motion? A raise of hands to accept this motion. Motion is passed. Lunch for an hour and a half. We'll be back here at 1:30

Call the meeting back to order at 1:30 p.m. We're on number 14, first reading of bills. And at this point I'd like to recognize Minister of Lands and Natural Resources, the Honorable Darryl Shiwak.

**Mr. Shiwak:** Thank you, Madam Speaker. It gives me great pleasure to introduce Bill number 2010-07 for an Inuit Law to provide for the protection of the environment in Labrador Inuit Lands in the Inuit Communities and to provide for the environmental assessment and promotional development of Labrador Inuit Lands. The Nunatsiavut Government is at this important stage in its growth with significant land management decisions on the horizon, so it's with this importance in mind that the Department of Lands and Natural Resources carefully developed the framework for environmental protection and development. As the first Inuit region to achieve self government we have a responsibility to become a leader in environmental decision making in order to protect the environment while encouraging sustainable development to increase the quality of life and well being of Inuit. With this role the Nunatsiavut Government will become a model for environmental decision making across Inuit regions of the world. It will recognize the importance of Inuit culture to the environment and while providing a framework for Inuit to make decisions respecting protection and development on our terms. Specifically the Bill provides protection of the environment in Labrador Inuit Lands and in Inuit Communities. It also provides for the Nunatsiavut Government environmental assessments and the promotional developments on the Labrador Inuit Lands. The Bill gives responsibility and powers for environmental protection and environmental assessments to the Minister of Lands and Natural Resources and to the Nunatsiavut Executive Council. It establishes principles and objective to guide the Minister and other regulators and decision makers in the decision making process. The Bill requires the environmental assessment of developments in Labrador Inuit Lands and sets the process to follow for environmental assessments and provides for Inuit participation in the environmental decision making by the Nunatsiavut Government. Small developments would be reviewed and approved by the Minister and the Department of Lands and Natural Resources. Initiative is likely to have significant environmental effects would be assessed by a committee of the Assembly and approved by the Assembly. The process does not duplicate the Federal and Provincial environmental assessments but rather compliments them. Most important of all the environmental protection bill ensures that developments are consistent with Inuit values, culture and knowledge. The Department of Lands and Natural Resources believe the Inuit should participate in decisions affecting protection of the environment and development in Nunatsiavut. The purpose of the Bill is to establish a system in respect of Labrador Inuit Lands and Inuit Communities that would enable the Nunatsiavut Government to conserve and protect the natural environment to ensure its long time productivity. The Bill develops a framework to enable the Nunatsiavut Government to maintain an environment that is capable of sustaining the health of Inuit now and into the future. We have set out various principles of environmental protection within Labrador Inuit Lands and although conservation will play a key role the Bill will ensure that environmental conservation and economic development receive equal priority in decision making by Inuit and Nunatsiavut Government. Rather than laying barriers to development through the environmental protection bill, we will encourage and support

sustainable development in Nunatsiavut including the Inuit Communities. We will also show you that decisions regarding the development and conservation are made with both immediate and long term benefits and consequences in mind. Within the Bill we incorporate the support where the Nunatsiavut Government must plan for each of the Inuit Communities to help increase the quality of life and well being for our community Members. Much of the development within Nunatsiavut occurs within each of our communities. This Bill is designed to support environmental decision making and development processes within the communities in order to increase the sustainability and economic opportunities and prosperity within each community. The Nunatsiavut environmental protection that will require investment of funding for development of lands and natural resources to implement the Bill when enacted. Complementary research and education initiatives will be needed to build information and human resource capacity, additional staffing will be required to carry out environmental reviews of proposed development. However with the building of the two new research centers in Nunatsiavut near completion the time is right for this investment. The return on this departmental investment will be meaningful and will have a positive impact on beneficiaries. The Department of Lands and Natural Resources believes that Inuit have a fundamental right to be decision makers with respect to developments in Labrador Inuit Lands and the Inuit communities. This Bill is a critical first step in developing our independence as an environmental decision making body with our own powers. No longer will we rely on Provincial/Federal environmental assessment process to ensure that Inuit rights, concerns and values are being incorporated into decisions regarding development. With this Bill, the Nunatsiavut Government takes another step towards promoting and supporting the evolution of the Inuit decision for Nunatsiavut. With the Assemblies support of this

Bill we can solidify our role as leaders of Nunatsiavut and create a process where Inuit are central players and key decision makers with respect to environmental protection and the development of our lands. This will deliver benefits, build capacity with our people and help sustain our cultural knowledge. Most importantly we'll build a better future for our people. With that, Madam Speaker, I am pleased to move, second by the Member for Hopedale, Minister of Education and Economic Development, Susan Nochasak, that Bill 2010-07, the Bill for Nunatsiavut Environmental Protection Act be introduced and read for the first time. Nakummek.

**Madam Speaker:** Thank you. I would like to, now like to acknowledge the Honorable President.

**Mr. Lyall:** Thank you Madam Speaker. Madam Speaker, in accordance with standing order 131, I rise to request that the motion to read Bill 2010-07 for the first time, be referred to a committee of consensus to be chaired by myself. Thank you, Madam Speaker. Ok, we do need approval, so I guess we'll just go into committee of consensus now. Thank you, Madam Speaker. For those Members who are new here a committee of consensus.....atmosphere is more relaxed, you can ask as many questions as you want while we, the committee of consensus, I'll point if you want to speak, I'll acknowledge you, we'll run it in Assembly but however it's much more relaxed and ask as many questions as you want.



**Mr. Shiwak:** Madam Speaker, I move, seconded by the Minister from Hopedale, Minister of Education and Economic Development, Susan Nochasak that this committee can sit with the Bill 2010-07 give leave to Mr. Tom Sheldon, the Director of Environment and the Department of Lands and Natural Resources to explain the Bill and its main features and to answer any questions that the Members may have.

**Mr. Lyall:** Excuse me, Mr. Sheldon, before we start I just want to point out that we as a committee of consensus that we call on people in the audience to speak at our Assembly, thank you. There is a motion on the floor. All those in favour, say "Aye", all those not in favour, motion is passed, thank you.

**Mr. Sheldon:** If you have questions throughout the process throw them out there, put up your hand. What, ideally we would like to get out of this presentation and your feedback is to get your views on the basic policies, principles as laid out in the Environmental Protection Act from the go of first reading is to focus on those high overarch things so throughout this presentation, that's what we want to focus on through second reading and subsequent processes if we get there. We can drill down into the weeds and into nit picky details.

So, what I'm going to do today is discuss in detail the components of the draft Environmental Protection Act. Hopefully, I'll give each of you an understanding of the Environmental Assessment as it's laid out in the new Environmental Protection Act and also, I'll just briefly touch upon implications of the Environmental Protection Act on the Department of Environment, Lands and Resources. This legislation if it passes will be absolutely meaningless without the corresponding capacity to implement it. So that needs to be taken into account at the same time as this legislation is being talked about, so keep that in the back of your minds, this whole time. This is just to give you an overall perspective of how this path could be carved out how we're passing this legislation through the Assembly, so right now in the October Assembly sitting we're in a committee of consensus, that's what we're doing right now. Subsequent to this, we'll be reconvened as an Assembly and hopefully we get to a voting stage and then during this same week, this same meeting, possibly even today, who knows, we'd like to table the Bill for a second reading and then send it to a special committee of the Nunatsiavut Assembly for public consultation and the period between this Assembly meeting and the next Assembly meeting would be geared entirely towards public consultation and that includes community consultations and that includes consultation with industry, you name it, anyone that wants to comment, can comment, and then hopefully, the next Assembly meeting there can be a report on the public consultation and a vote on the second reading. So, does everybody understand for the most part where we sit in terms of the passage of this? I'm just going to go over the goals of the EPA, summary of the EPA contents, a big picture of you, detailed coverage of examples. I'll talk about Ministers responsibilities under the Environmental Protection Act, Environmental Protection Principles and Environmental reviews. I'll walk through the Environmental review process itself, so that is the equivalent process Provincial and Federal Governments conduct Environmental Assessments. The Nunatsiavut Government now will conduct Environmental reviews and they will run parallel and complement those Provincial and

Federal processes. And then finally, as I said before, I'll talk about implications for the Department of Lands and Natural Resources and specifically the Environment Division. Goals of the Environmental Protection Act, these are laid out in Section 1.3 of the Act. There are some motherhood statements basically, but we're looking to conserve and protect the natural environment in Labrador Inuit Lands in accordance with Inuit culture and values. And you'll see that repeatedly throughout this Environmental Protection Act, whereas Provincial and Federal governments really focused on western science, the physical sciences, and bio-physical sciences. Our Environmental Protection isn't going to duplicate that, we're trying to do Environmental protection and implement it from Inuit knowledge, culture and value perspective. That's why this protection is much different than those other processes. Another purpose is to preserve the long term productivity of the ecosystems within Labrador Inuit Lands and the Inuit Communities, to maintain an environment that is capable of sustaining the health of the Inuit, to foster a cultural heritage as Inuit, to ensure good management of environment and natural resources in accordance with Inuit knowledge, culture and values. The environmental assessment process, I guess, is best set within a larger environmental protection context. Over a year ago during discussion with the Executive Council, regarding the preparation of an Environment Assessment Act, it was basically agreed that Nunatsiavut Government would require much more than a simple system to walk assessments through. It was important to outline roles and responsibilities of the Department of Lands and Natural Resources with respect to Environmental Assessments but also principles of Environmental protection and that's why there's this overarching Environmental Protection umbrella and Environmental Assessment are couched underneath that. A big picture summary of EPA contents, Section 1.2, definitions, 1.3, purpose, 1.4 is principles of environmental protection. If we get into the meat, which is the principles of environmental protection, there are several principles that we've emphasized, in that some of them are, that Inuit have the right to a safe and healthy environment, that conservation and development must receive equal priority and decision making. We'll also follow the precautionary principle. The precautionary principle, basically says if you're not sure of the consequences of a proposed development that's not reason for the development to go ahead. Another one is that the proponent is going to be responsible for cost and environmental review, monitoring and restoration and closure of the affected area. Those are some of the principles laid out in Section 1. In Section 2, there was discussion basically of having the Minister or of actually legislating an Environment Division within the Department of Lands and Natural Resources and it was ultimately decided against this, we felt that as a Department evolves going forward it might develop different divisions within it and we didn't want to have to revisit the legislation in order to organize a department going forward. So, we've basically put all of the responsibilities on Environmental Protection onto the Minister and the Minister can appoint officials within the Department, appropriate officials to carry out the Environmental Protection rules. So, the Environmental Protection, that'll cover objectives, it will also cover science, research and technology, environmental education, protection of water bodies, powers to enact regulations for environmental protection, protections for land, stop work orders, and revocation of permits and those are some of the principles specifically within the Environmental Protection side of things. We wanted to make sure that we also attached to this a process build capacity so that Inuit

have more capacity to implement this down the road. That's why we incorporated things like research within this Environmental Protection Act. And also things like education. This Environmental Protection Act cannot be implemented effectively without either of those, so it's important that those form corner stones of investments to carry this forward. Now this is part 4, Environment Review processes, so it's similar to Provincial and Federal Environmental Assessment processes. Part 4 defines how environmental reviews will be carried out by the Nunatsiavut Government. It goes over the types of initiatives that we require for review and approval, how, what triggers environmental review on Labrador Inuit Lands, the information required for environmental reviews and also the purpose of environmental reviews. There are two types of reviews that the Nunatsiavut Government would conduct under this legislation. One is summary reviews, and the second one is detailed reviews. Summary reviews are similar to screening level risk assessments with the Federal Government, so therefore, the initiatives that might not have real significant impacts on the land or the water. Detailed reviews are for projects that will have significant effects on Labrador Inuit Lands. For example, the Lower Churchill Project, if that was on Labrador Inuit Lands that would undergo a detailed review under Nunatsiavut Government Legislation. A Uranium Mine and Mill, that would undergo detailed reviews, so anything big, would undergo a detailed review. Within Section 3, also outline how we are going to harmonize environmental assessment processes. So, we're going to have Federal and Provincial processes running and at the same time we're going to have Nunatsiavut Government processes running. We want to avoid duplication where ever possible. In order to do that, we're going to harmonize some processes. Now, there's two ways you could do that. We could do it systematically, you could say, every single project we're going to harmonize in this way. Our opinion is that we wanted to go project by project to determine where it is most appropriate to harmonize those specific developments or projects that are being proposed. This section also talks about cost or reviews and also power to enact subordinate legislation. We're going to get into a little bit more details here. Under the Minister's functions, so this is Section 2. These are the rules that the Environment Division would be carrying out. It's not called the Environment Division within the Environmental Protection Act, as I stated before, but the rules are the same could rise as a priority there. Responsibilities under the Environmental Protection Act include protection of the environment in Labrador Inuit Lands and the Inuit communities. This is another important thing that our Department and also the Executive Council felt with this legislation was that we need to increase the support mechanisms and the cooperation between the Nunatsiavut Government and Inuit Community Governments to make processes with respect to development, move more efficiently within communities. We don't want to have separate processes for Labrador Inuit Lands that are just outside communities and completely different process for communities. It doesn't make sense from a developers perspective and I don't think it would make sense from an ordinary beneficiary on the ground perspective and we want this legislation to have as much impact as possible, so in order to do that we felt where are you going to have the most impact and it is going to be if you include Labrador Inuit Lands and Inuit Communities. So we wanted to positively contribute that way to provide that support mechanism. Other responsibilities under the EPA, environmental review of initiatives, administration would be the process of the Environment Division. The Minister would appoint individuals within the Lands and Natural Resources to achieve

the purpose of this Act in accordance with the principles. Straight forward. To protect and promote a safe and healthy environment, to prevent, control and abate, that is essentially to stop or minimize, environmental degradation including pollution, to ensure conservation and sustainable use and development of natural resources, to provide support and perform functions necessary to implement the Environmental Review process and that's laid out in Chapter 4 of this Environmental Protection Act, to develop recommendations for laws, policies and programs in relation to environmental protection and sustainable development in Labrador Inuit Lands and Inuit communities. This is just something I wanted to flag here. This is an example of a new best practice that's happening within a northern environment. This is an example of a new sub division in Iqaluit and the basic question that they're asking along with the Canadian Institute of Planners and Natural Resources Canada, is how can we build the most sustainable communities possible, and they're looking at things like building according to the topography, so building on pilings rather than building right down on the ground, where shifting permafrost can affect quality of your housing. They're looking at simple things like, orientating the direction of your house, so that windows face the sun for the most part. Face south for passive solar heating. Another simple thing that they're putting in place is every single house that's developed will have wind locked, double door entrances, to prevent that heat loss, for example, my house within Nain right now, I have a single door facing to the north east, in the winter time the house shifts, cracks in the walls form, the doors pulled off the hinges and there's actually snow in my house, so simple things like double vestibule doors that don't add cost but could provide significant energy savings and significant cost savings to the people living there. These are some of the reasons why we wanted to potentially include the communities in this Environmental Protection Act. I think there's best practices out there that together we can work towards achieving.

**Mr. Pottle:** Tom, can I ask you a quick question?

**Mr. Sheldon:** Certainly.

**Mr. Pottle:** I'm just using this as an example, not a hypothetical question, just an example that is a reality for some municipalities or communities. A town or community may have a by-law that says that your front door must face the street per say. How would you get around this issue if there was such a by-law that stated that the front entrance had to be facing the street and to be able to then fall in line with the whole sustainable community notion with respect to having your major entrances facing a different way.

**Mr. Sheldon:** That particular example is one where we would strive to work with the communities in order to implement it. At the end of the day, in terms of those types of by-laws, community jurisdiction will reign and hold the day, but for this Environmental Protection Act we want to provide that support, so that communities can make those types of informed decisions and we can provide resources to communities to help them in that process. Other departmental responsibilities would be to provide recommendations for the establishment and maintenance of protected areas, to administer the exploration Foreign Standards Act. Negotiate and implement bi-lateral and multi-lateral

environmental agreements, harmonize environmental assessment agreements and agreements for environmental management within monitoring. Something like that would be the monitoring partnership with Vale, the Inuit Monitoring Program at Voisey's Bay and Environmental Management Board, that's made up of three levels of Government right now. There are current examples of those types of agreements. We would review and approve monitoring the follow up programs in relation to work plans and environmental effects of approved initiatives. These are things we thought were important and definitely related to Nunatsiavut's ability to successfully implement this going forward. We want to be able to develop and implement research and education programs for Inuit and others in relation to the environment, sustainable development, the conservation and protection of the environment, environmental reviews and Inuit values and knowledge in relation to the environment. We also wanted to develop environmental research policies, priorities and programs and direct and implement research programs and projects in relation to the environment, environmental base lines, environmental protection, and environmental reviews. The idea of both of those things is that before a proposed development is even put on our plates, as a Government we would have base line information for those areas that we could consult, so that we're not starting from scratch every time we go to make a decision about development, we have a base line of knowledge there. Whether it's Inuit knowledge or Western science knowledge we establish that knowledge and we archive it, so we are getting ahead of the process and being proactive rather than being reactive. This is another one that we felt was important, to develop and carry out a program to collect Inuit knowledge and values in relation to the environment and maintain a central and living archive of Inuit environmental knowledge and values as the foundation for environmental reviews and environmental decision making by the Nunatsiavut Government. Clearly this would be done in cooperation with other departments within the Nunatsiavut Government, but right now, the most current living archive besides Inuit themselves, the most current document that we can solve is "Our Footprints Are Everywhere" which was published in 1972. It's not a living archive, clearly there's been things that have happened within the past 40 years that would be central to decision making processes and I think, we through this Environmental Protection Act can create an opportunity to gather that knowledge, create a living archive, so that it would be accessible, searchable database and rely on that for environmental decision making. Another responsibility would be to advise the Executive Council on matters relating to environmental issues. So the Minister can develop regulations to prevent environmental degradation, protect environmental quality, he can also enforce and implement policies, plans standards, guidelines and programs for environmental protection, set standards for environmental quality in establishing missions limits, facilitate environmental reviews and this is do just a catch all statement, the last one. The Minister shall present an annual report to the Assembly regarding the implementation of this Act and that's going to be done every year, so that the Assembly and the Nunatsiavut Government can track the successful implementation of this Act both from an environmental review perspective but also with respect to all the environmental protection principles that we've laid out in terms of gathering that base line knowledge, archiving Inuit knowledge that type of thing. So those are the Ministers responsibilities. One thing that I wanted to point out, I should have pointed out at the very start, is that this Environmental Protection Act, it creates a framework for decision making. This is

not the silver bullet that's going to answer all of our decisions with respect to development. It's really important to note that, to make an analogy, this is getting us on the game board. We're at the starting line now. Subsequent to this, what we have to do is develop regulations, policies, guidelines, standards, all those types of things that would then fall under this Environmental Protection Act in this framework, so there's still a ton of work to do. What this Act does is essentially, puts more work onto the Department of Lands and Natural Resources. Having said that, we think that it's extremely important work for the Government going forward, for decision making purposes.

**Mr. Andersen:** I suppose it does put a lot of work on the Department, but the Minister is going to have these responsibilities and the Executive Council. How are we, in the Inuit Communities, going to be able to keep up with all of this?

**Mr. Sheldon:** At this point, we need to work out the exact relationship between the Community Governments and the Nunatsiavut Government. At this point I'm really looking for the Nunatsiavut Government to play that supportive role with respect to environmental decision making processes. We completely understand that capacity is limited within Inuit Community Governments; it's limited within the Nunatsiavut Government. These are important decisions going forward. How do you sustainably develop communities, this is a hugely important question going forward. The exact relationship needs to be worked out, but the principle is there in terms of the cooperation and we really want to play that supporting role for communities.

**Mr. Shiwak:** We really don't know at this point right?

**Mr. Sheldon:** It's tough to say exactly what would be the financial implications of this form of Community Government perspective at this point. These are the questions that can be asked, but the bottom line is for Community Governments, we're not looking for this to be a burden, we're looking for it to be a blessing, for communities to be able to rely on us for these things.

Some of the objectives of environmental protection, this is part 3. A natural diversity of plant and animal life, flourishing water bodies and wetlands, good quality ground water, a natural marine environment with flourishing coastal areas and islands, a balanced landscape that preserves the cultural, social and environmental relationship and interconnectiveness between Inuit and their surroundings, sustainable forests, a non toxic environment, reduced climate impact, clean air, a built environment that is aesthetically pleasing, safe, healthy, energy efficient, functional and of durable quality. These are types of principles that, where I really see Community Governments and Nunatsiavut Government working in cooperation with each other. Building communities that are durable quality, things like that. As I said before, one of the key things to implement this Act is going to be the promotion of research. Research is going to be key, to inform decision making going forward. We need to conduct research that allows us to better understand and explain the environment in accordance with Inuit knowledge, culture and values and in accordance with scientific knowledge. We need to develop innovative technologies and systems to deal with environmental problems and we need to strive to obtain sustainable development in Labrador Inuit Communities and Labrador Inuit

Lands. We also need to promote environmental education programs in order to build capacity for the implementation of this and those environmental education programs would be with respect to a better understanding of the environment in LIL and Inuit Communities and increased appreciation and application of Inuit knowledge, culture and values in relation to the environment. I would love it, if somebody from, some youth from Nunatsiavut started really taking environmental science in numbers, to be able to ride that capacity for future implementation, really promoting some hard core sciences to Inuit from Labrador, I think would be important and that would go along with the research. If you provide education and outreach opportunities associated with research, hopefully we'll galvanize some interest that young Inuit take over these environmental decision making roles. So these get into more of the specifics regarding the actual land itself. No initiative is to be located within 50 meters of a body of water without prior approval of the Minister, without consent of the Assembly. There will be no approval for water use in Labrador Inuit Lands that cause significant degradation to aquatic environments, deposit tailings in a body of water in order to generate energy from mining, manufacturing or industry or for consumption outside of the Labrador Inuit Settlement area. Without Assembly approval you can't do any of those things. With Assembly approval there's flexibility there. With respect to Inuit Communities, the Nunatsiavut Government is going to provide support for Inuit Communities, with respect to environmental projects and undertaking. This is to ensure that Labrador Inuit Lands and Inuit Communities are moving together on the environmental protection front and they're moving in locked step with one another and are in unison. This also provides clear direction to the outside world in terms of, what are the expectations within Nunatsiavut regarding environmental protection and also potential development. So, I think that clarity for all players helps. The Minister can issue stop work orders, so that anytime a project isn't going as it should, say that conditions have been put on a project and they're not being followed, the Minister can issue a stop work order and revoke any permit that was previously issued and authorized by the Nunatsiavut Government. And this gets into what needs to be done after this environmental protection is through and it rashes starting on this stuff now because it's a big load of work. The President may enact subordinate legislation to better define environmental protection objectives, to define worth in a manner of defining legislation to achieve or advance an environmental protection objectives, to recommend the designation of environmentally sensitive areas and establishment of protected areas, prohibit and regulate the lighting of fires and burning of waste, prohibit waste, including waste affluence, manage waste, regulate waste disposal, prohibit and manage storage of fuels, prohibit or restrict biological, chemical or physical release of substances, establish assessment and rehabilitation criteria for contaminated sites and prescribe measures for clean up of contaminated sites and pollution, determine the duties and rights of potential people that are going to have interests in Labrador Inuit Lands and authorize environmental monitoring and developments, environmental audits, environmental site assessments and those types of things. The President is also going to set fees to offset costs of environmental protection and to recover costs incurred by the Nunatsiavut Government and establish a system for payment for environmental ecological services in Labrador Inuit Lands. So all those types of things need to be done and organized in order for this legislation to have some meaning to it. The President may also enact a legislation to promote and advance science

research and technologies in relation to the environment, sustainable development and Inuit environmental knowledge and values, promote and advance environmental education and establish offences and potential fines, those sorts of things associated with Labrador Inuit Lands. That's a quick overview of some of the principles and policies that are incorporated into the Environmental Chapter of the Act. I know we're going over this fairly quickly; hopefully it's not too quickly. Are there any questions about some of the principles, policies and objectives that are incorporated into the Environmental Chapter side of things?

**Ms. Wolfrey:** Tom, it is really quick for me anyway. I was traveling and didn't see this stuff until, almost now. The thing is, I think that I would have to be careful in totally supporting this stuff without realizing what implications this has on the Inuit Community Government to be in control of development in and around your own community. I haven't had a chance to grasp some of it and I might never grasp half of it, but anyway, I really wonder what I'm doing and will my Inuit Community Government Council support me in supporting legislation that lets the Minister responsible for the Environment make decisions totally based on things that are around our community or in our Community Government boundaries. I got some serious, and don't ask me what they are, but it sets some little red flags up there in my experience of being on the Inuit Community Government before it was an Inuit Community Government involved in the Council. I'm a little bit leery of some of it but maybe it's a learning process for me but I really want to see this go to the community so that we can get other people's concerns or whatever before I put my vote to yes, accept this. I want to know what people think and to give them a chance to comment.

**Mr. Sheldon:** I definitely agree. It needs to go for community consultation and we've set aside...normally public consultation, for example, within Provincial Government processes is 30 days. We've set aside a chunk of time of up to 100 days to be able to do this and to have that for our public consultation with communities. I definitely anticipated some concerns and potential apprehension from communities. The one thing that, I guess, I would like to reiterate, is that we are definitely looking to play that support role. For example, if a Nunatsiavut Government environmental assessment process is agreed upon, and really truly believed by the Assembly for Labrador Inuit Lands, I would like communities to be able to say yes, we want to go through that same standard, recognizing that most people are going to be affected by development within communities. There's some real potential to establish best practices here within Labrador Inuit Lands, but also within Inuit Communities and there's going to be a learning curve, there's going to be dynamics that need to be worked out in terms of cooperation but I think if we can set those principles and standards of environmental protection and sustainable development high with Labrador Inuit Lands and Inuit Communities then as a Government we're really moving forward together on the environmental protection front. It would be difficult to say we're going to do all this on Labrador Inuit Lands but communities you're on your own. I think there's a real opportunity for linkages there for that support role and this important mechanism to be in place. Definitely the intention of this is not to create a burden to really play that support role. I definitely understand the apprehension. I'm assuming that when we go through public consultation, if we get to



that step following this Assembly meeting that we'll hear that more, but I would like to see the communities and Labrador Inuit Lands having those same standards right across the board. It projects this real model for environmental protection to beneficiaries but also to the outside world.

**Ms. Wolfrey:** I agree with you and I'm going to tell you a little bit of my apprehension now. In our communities, too we're concerned about economic development and the way for our communities to sustain themselves, if we're going to continue like we are, Rigolet is going to be a bunch of us old people sitting around drinking coffee and going to our cabins and hunting and stuff, we're not going to have any young people left in our communities to carry on and to enjoy all of this beautiful environmentally protected areas. I don't want us to create something that's really against development and I don't think development should come at any cost but I really think that we got to start thinking about how our communities are going to sustain themselves, when we know we have minerals, when we know we have resources and we want to keep everything like it is because with development there comes some stuff that's not always what we want. I just don't want us to....I am just really afraid that in passing some of this that we'll forget about some of the economic development opportunities, yes, we're certainly environmentally protected as much as it can be, but with most development, especially mineral development there is going to be some changes to our land. I think we got to have a balance whether we're going to keep everything like it is, we'll have everybody move away and have a beautiful Nunatsiavut, that's what it is, our beautiful land and having a lot of people moving away, our young people. We got to make a balance. That's what I'm afraid of, is that we're looking at our Lands Resource Plan and now we're looking at this Environmental Protection and to be honest with you, some of the stuff with the Land Resource Plan, I know I shouldn't go there, but I'm just going to a little bit, there's some concerns in all the communities that there is no land designated as Resource Development and then they went to a consultation process and you know what? There's still no land designated as Resource Development and now I'm wondering will this protection further move us away from economic development.

**Mr. Sheldon:** I'll just take a quick answer or a quick stab at responding here. I guess we look at and in developing this we looked at this, yes, as an Environmental Protection Act but in order to help create and foster sustainable development. For example, one of the key principles of environmental protection 1.44 – Environmental conservation and economic development must receive equal priority in decision making by Inuit and the Nunatsiavut Government. That's a concrete example of a clause that we've worked into the Environmental Protection Act so that what we're doing is creating best practices for development, we're not creating barriers for development. We really see this Act as being, yes, a best practice but also providing clarity to developers that hey is it written there? That's what we're doing? They have clarity, developers have clarity, and our Government has clarity on how to develop going forward. I don't think this puts up barriers at all to a company, it puts up a process by which Inuit can make their own decisions, but I think that's a valuable process to go through for developments on Labrador Inuit Lands and communities. Economic Development was definitely part of

the equation, a big part of the equation when developing these best practices for environmental protection.

**Mr. Shiwak:** That's what we're trying to do is have that balance, this is like a tool, and it's like a framework for the companies to have to follow to create that development. We're not trying to deter development, we want development, but we want development on our own terms and this is one way that we're going to get it. I agree with you, we need development, and I am from Rigolet as well and I agree that Rigolet needs it just as badly as anybody else and I want to see that happen.

**Ms. Wolfrey:** My concern though, is that when we sanction this we're giving the power to the Minister instead of leaving some of that power with the Inuit Community Governments to make some of those decisions. I'm going to be finished now so that other people can have a chance. I got to think before I can vote yes on this.

**Mr. Pottle:** I'd just like to say a couple of things, I guess to complement what Tom was saying and to address some concerns raised by the AngajukKâk for Rigolet. I don't see this as taking away any power or authority that the Inuit Community Government may deem to have. As part of this, I think this is a compliment and way to support the Inuit Community Governments to look at Economic Development issues to sustain your communities. I think Tom already reiterated it and this Act sets out a process where we don't duplicate, not knowing the Canadian Environmental Assessment process or the Provincial Government Assessment process it also sets out a process whereby the Nunatsiavut Government in consultation with the Inuit Community Governments can look at the best interest of the community with respect to economic development. I think it'll also provide some certainty to proponents with respect to wanting to come in and develop in our lands knowing that we have environmental protection and possible regulations coming out of the Environmental Protection Act itself to ensure that there are certainty with respect to what can be achieved and what cannot be achieved in development so I see this as a compliment to engage not only beneficiaries but the Inuit Communities in looking at future development for our communities as well.

**Mr. Jacque:** Tom, in your opinion, how you feel, what do you think of the impacts of the potential of uranium mining will have in our area.

**Mr. Sheldon:** This particular Act, I think what it does is, it creates, first of all, a framework that companies, not just Uranium companies know what they need to do in order to go through the process of establishing a mine on Labrador Inuit Lands. I think that's a huge thing, it provides clarity to all stake holders and all parties. Whether that's Joe Beneficiary on the ground or whether that's your largest mining company out there. I think in terms of who will go through the environmental review process, I don't think that a company is going to look at this and say, "Oh gee, that's not worth our time" at all. I think a company is going to look at that and say "that's a valuable process to go through in order for our company to be able to best develop within Labrador Inuit Lands". I think a lot of the principles that are incorporated into this don't fall from that western science perspective that all Provincial and Federal Governments Legislation really emphasizes. It

speaks to Inuit culture, values, knowledge and developments with respect to those. I think a wise company and a company that you would want developing on Labrador Inuit Lands will look at this process and say “hey that makes sense for us” and makes sense for Inuit too. I don’t think it’ll have a negative impact, I’m not saying it’ll have a positive impact, but I am saying for sure it’ll have clarity, it’ll make things clear to all stakeholders involved. And at the end of the day I think that’s really, really absolutely key for development within Labrador Inuit Lands. One of the other things, just to quickly, maybe step back for a second is the phrase that is spoken about over and over and over within this Environmental Protection Act is sustainable development. It’s not no development because, I think, an Inuit and the Assembly needs to define for themselves, what does sustainable development mean to you, it does not mean no mining potentially. It means mining so that cultural practices can be maintained so those types of things, but there’s a potential through this legislation to develop a subsequent policy regarding sustainable development where Inuit can define it for themselves. Some aspects like Charlotte was being concerned about, I think maybe that her resoluting to sustainable development is worked into this on purpose; it provides Inuit the capacity to be able to determine what development means for them and how they want it to be proceed.

**Mr. Sheppard:** Thank you, Tom. I guess after listening to the version that you gave us I have no other choice but to speak. We all know there’s a proposed development some 23 kilometers away from Postville. I’m not opposed to any kind of development within or without Nunatsiavut or Labrador Inuit Lands however, I think you did mention public consultations to take place down the road where ever and when ever. Out of the past public consultations that we’ve been experiencing in our communities when it comes to any sort of development whether it’s off shore fishery, whether it’s the lands and resources, what have you I guess it’s geared more so to the person that like to go out to a public place and to interact with people. There is a percentage of people in each coastal community within Nunatsiavut that doesn’t move from their homes and who is very concerned about whether it’s Uranium development, whether it’s off shore oil and gas, what have you. So is there anything drafted or proposed to be drafted in the nature of what type of consultation that will take place?

**Mr. Sheldon:** If this gets to the second reading, a special committee of the Assembly will be formed to bring it out for second reading. It’s proposed that I will be on that committee. We don’t have anything specifically drafted yet for this consultation. I can tell you though from the summer of my experience how I do things. I do things a little bit outside of your traditional let’s go to your board room and talk. This past year we did something in Nain, a research forum in Nain. There’s some lessons learned from it, but we also did some outside the box things that got people talking about it. We did things, it sounds hokey right now so don’t laugh. Things like research bingo, things like speed dating. They sound very funny and fluffy but you know what...over 400 people from the community of Nain showed up to some of those events. So, when you’re talking about engaging the public, I think we will, through that special committee of the Assembly think outside the box, think different ways of doing things, think about going into the individuals homes if necessary. I want, this is going to be a pretty land mark, a lot of

things are going to hinge on this Environmental Protection Act. So I want that public consultation especially with communities to be meaningful, I want them to feel like they own this after it's done. We'll try and do things that really engage communities.

**Mr. Andersen:** Tom, I know that in the beginning you said let's try and stay away from too much nit picky stuff so if I am you can tell me I am ok? More or less what you said, Tom, that standard set of rules for once see that for Labrador Inuit Lands and the Inuit Community Government lands and there's quite a difference because us guys, the Inuit Community Governments, we have all the people and on Labrador Inuit Lands there are very few people, there are no communities and setting rules then is a little bit different, like ...and we're going to give up some powers, I guess, and I believe that the standard set of rules might be good but again, when they said that the regional government they're going to dictate to us sewer systems, how reservoirs are built, those kind of things that we know a lot about, we know a lot as communities, not me per say but, you know what I mean, these communities doing that kind of work for a number of years, probably know much more than the Minister, there's no question of that. We're going to have to give up something here, that's what Community Governments are going to be a little bit afraid of. There is quite a bit of difference between Labrador Inuit Lands and the land inside the boundaries that is now under the control of the Inuit Community Governments and our own lands are very small. I don't believe there are going to be too many mines within any of the five community boundaries, we'd be pretty lucky if that happens. But you know what I'm saying Tom. Thank you.

**Mr. Sheldon:** I realize what you're saying. We're really not looking for communities to give up any power within their Community Government lands. What we're looking for communities to do is go through those same processes and same principles that would be done outside Labrador Inuit Lands. A lot of the principles that are established within this Act or proposed within this Act are... I think people would agree they would apply within an area that has relatively few people for an area that could have a lot of people. They're general good practices and principles. What you brought up there in terms of there's a lot of people in communities, that's exactly why we want to rack the communities into this. I'm not a Community Government expert by any means but and I'm not aware if any Community Governments have environmental protection plans in place, sustainable development plans in place, those types of things. As far as I know there aren't and we thought, as a department, this would be a good way to start that conversation and really start working towards a sustainable development in communities and outside of communities. We're not looking to take away powers whatsoever at the end of the day.

**Mr. Andersen:** Sorry to interrupt you there Tom, but there are no written plans of course but there are unwritten ones and it's common sense that the communities have used for a period of years.

**Mr. Sheldon:** I agree.

**Mr. Shiwak:** We're trying to get to the community consultation stage of this so they can move to the second reading and for that we do need your support. If there are concerns, like what you bring forward, we need to hear them so we can work through to see if this is what the Assembly wants, what the community wants. We want to do this as Tom says with you not without you, in conjunction with the communities. So it would be good to hear from each and every one of communities on this Bill.

**Mr. Lyall:** Any more questions?

**Mr. Sheldon:** This is the equivalent of Environmental Assessments from Provincial and Federal perspective. These would be environmental reviews from a Nunatsiavut perspective. An initiative that is defined under part 1, and that's a proposed project undertaking and development that requires any type of environmental assessment and any level must undergo an environmental review with the Nunatsiavut Government before it can be approved by the Assembly or the Minister. If the initiative triggers a summary assessment at the Provincial or Federal level, so anything that triggers a registration or a screening level assessment at the Provincial or Federal level would undergo a summary review at the Nunatsiavut level. These are for things that aren't necessarily major significant projects. If the initiative triggers a detailed assessment at the Provincial or Federal level, so that would be the equivalent of say this panel review process for the Lower Churchill Hydroelectric Generation Project, other things would be comprehensive studies, remediation and they'll undergo a detailed review at the Nunatsiavut level. We really wanted to, by creating these triggers decrease the burden on the Department of Lands and Natural Resources to create our own traditional environment assessment cause that's a lot of work. However, we put a clause in there. The Minister may decide to order an environmental review of an initiative that does not require an assessment. And that for example, something that might not be triggered at a Provincial or Federal level would be a proposed development, a small scale development on an important cultural site for Inuit. That might not be caught within the Provincial or Federal legislation, but a Minister could catch that on behalf of the Nunatsiavut Government and say we need to do an environmental assessment here and run that through the process in order to make a decision from our end. Things that are excluded from environmental review, temporary camps for harvesting, temporary research camps, cabins, houses, dwellings and associated structures used for non commercial purposes. The Minister can also decide to order an environmental review of such an initiative if the scale, intensity or cumulative effects of the initiative would cause significant environmental effects. The proponent would register the initiative with the Minister and then following the review of the registration, the Minister can decide to either exempt the initiative from the environmental review with the consent of the President. As soon as it's registered, the Minister can say at that point if they feel that this is not going to cause any impacts whatsoever, there's no point for this to go on any further, with the consent of the President, they can exempt it from environmental review. Information used for environmental review. The proponent must provide all of the environmental assessment information supplied to the Provincial or Federal Governments to the Minister and to the Inuit Community Government of each community that may be directly affected by the initiative. The proponent must publish a notice of the initiative in each community that

might be directly affected and the proponent must supply a copy of the information to an Inuk who requests it. The information provided for a Provincial or Federal assessment would be used for an environmental review but the Minister may request additional information if required. The information provided to the Minister regarding environmental effects of the initiative will be assessed from the perspective of Inuit knowledge, values and culture. The Minister will seek knowledge from the communities and integrate it into the decisions that Nunatsiavut Government makes about initiatives. The Minister may share this Inuit knowledge with a proponent and public where no person has proprietary right to the Inuit knowledge collected for review. If company A collects Inuit knowledge for the purposes of review they do not own that Inuit knowledge, and that's important that Inuit own the Inuit knowledge and only Inuit are going to own that Inuit knowledge under this Environmental Protection Act. They can use it for purposes of environmental assessment but they'll never own it. The purpose of environmental reviews is to ensure that decisions and initiatives are based on Inuit knowledge, to ensure that decisions about initiatives are made following identification of any risks to the environment and human health and the measures that will prevent or minimize those risks. To ensure that decisions about initiatives are made in accordance with Nunatsiavut Governments objectives of environmental protection as laid out in Section 3, to ensure that decisions about initiatives are consistent with the cultural, environmental and economic values of Inuit. We'll move into specific summary of reviews. Those apply to most summary in detail reviews, now we're going to get into ... Walk a project through summary review and walk a project through detail review. Summary review is triggered by the start of a summary assessment under Federal and Provincial law. In making a decision about an initiative the Minister shall consult with Inuit and the relevant authority, consider advice and recommendations of his/her department and other departments or agencies as appropriate. In terms of consultation with Inuit, Inuit may make comments to the Minister on the initiative within the period prescribed in the regulations in person, by mail, by e-mail or fax and that comment period will be established subsequently through regulations. The Minister can convene a round table. Purpose of a round table...to obtain the advice and views of Inuit on the environmental effects of an initiative, to obtain Inuit knowledge to use in the environmental review, to seek consensus among participants with respect to the effects of an initiative and the advice to give to the Minister with regards to the initiative. Round table participants would consist of the Minister, and his/her designate, Inuit who may be reasonably affected by the initiative, or who possess knowledge about the environment or about Inuit environmental values in relation to the initiative, the AngajukKâk of the Inuit Community or communities in close proximity to the initiative, the relevant authority or any other person the Minister considers necessary and the proponent, as an observant or by invitation of the Minister to provide further information or to participate. With respect to these round table conferences, reasonable effort will be made to convene round table conferences in order...at the site of the initiative, on the land and then third would be in meeting rooms in the Inuit community closest to the initiative. Round table conferences, we want to take them out of the board room and put them on the land. That doesn't take away from consultation with Inuit, be it public consultation, but we'd like decisions to be made about initiatives at proposed sites of initiatives. For example, if people were to make a decision in the future regarding the iron strand up north, for example. It makes

no sense to make that decision having not seen the site. It makes sense to make that decision on site, seen the site with your own eyes and having personal experience with that site. We really want this to be a core principle of how the summary review is carried out. Department of Lands and Natural Resources would ensure that all information is framed in terms that are appropriate and relevant to Inuit. They collect Inuit knowledge for consideration and incorporation into decisions on the initiative, they would consult with other departments and agencies and they would evaluate the information regarding the initiative. They prepare advice and recommendations for consideration by the Minister and they would administer the round table process to organize conferences, take notes, do little logistical organization of all these things, that kind of stuff. Finally, they would prepare a final report. Minister's decision: So following consultation and all applicable requirements in the Act and the Labrador Inuit Land Claims Agreement, the Minister may approve the initiative, approve of the initiative with terms and conditions, and refuse to approve of the initiative or order the initiative to be subjected to a detailed review. The project, through the review process, the summary review process, the round table and the Minister feel as though this project is going to have significant impacts. We didn't necessarily anticipate them up front, that's why we steered it into a summary review process, it's clear that there are significant impacts here. Let's go to the detailed review...let's gather more information and then let's make a more informed decision, so that option remains there. The Minister's decision must be delivered to the proponent and must be published on the NG website. So, that's the summary review process. It would go to the Minister, a consultation process would have to take place, a round table would be formed if deemed necessary, that round table would make a recommendation to create a final report and then the Minister would make a decision based on that final report. These are for small projects, for example...an environmental assessment that would undergo this type of summary review for a small scale quarry within a community or just outside of a community, it would be outside of a community.

**Ms. Wolfrey:** Tom, that's something right now that, well, I mean our community thinks we got some jurisdiction over, like small rock quarries and things like that, that's why, I don't know if we do, I just think we do, and the other thing, I think that we got to think about how much money we are going to be spending here, like ... you said something you didn't know about the Iron strand and we shouldn't be making decisions about the Iron strand, stuff like that, but for me and Rigolet, unless something was happening way in back of the Mealy Mountains, I mean, we're almost familiar with the land around our communities, most people are familiar with...it's outside the town boundaries but still they're familiar enough with their area if they still go there to .... Not have to go on the land ...expense of having to go on the land and I don't know to what extent ...but unless it was for me unless there was a way inside the Mealy Mountains or somewhere in between Rigolet and Makkovik, on the barrens or something like that up in Double Mer. We would have to see how expensive it would be on the land and ...I'm being nit picky, I know.

**Mr. Sheldon:** Couple of things with respect to on the... I completely acknowledge that people in communities are really familiar with the lands surrounding those communities and all the land along the coast. The proponent may not be familiar with how Inuit view

that land and it could be extremely valuable for local people to explain their perspectives of that particular site to that proponent at site with the proponent. The second thing too is...the Minister, his/her designate, or partner in this round table process might also not be familiar. By going on the land just lets everybody get on the same page and get on the same page from a perspective of how Inuit view and value that land, not from a board room perspective, how the land is valued on a piece of paper. That was the thought process with that. I'm going to back up with that. I corrected myself after I said it, but this environmental assessment process within Labrador Inuit Community Government Lands does not happen unless there is NG, Nunatsiavut Government or Trust money associated with it. It is the only jurisdiction that, through which an environmental assessment could be carried out, so for things like quarries, if there's no Trust money involved or there's no NG money involved, then an environmental assessment process through this Act could not be carried out, there's no jurisdiction on the Land Claims Agreement to do that, that's laid out under Section 3.6 of the Act.

**Mr. Pottle:** Just a point of clarification, I guess maybe I missed a link in this but, up front and what's stated here that if there's to be assessments the proponent is responsible for paying that, am I right in making this assumption in the summary review as well?

**Mr. Sheldon:** Summary reviews won't be costly.

Detailed reviews are a little bit more complex. They are stepped up a level, to an Assembly level. This would be for things like a proposed Uranium mine and mill. I'm not going to go through it at this table but if any of you are interested later on, I have an example of how a proposed Uranium mine and mill would be walked through Provincial and Federal Environmental Assessment Legislation and at the same time our proposed Nunatsiavut Government legislation and how harmonization would take place at each step. It's a long complicated process, so I don't want to get bogged down in details here.

**Mr. Lyall:** I have indications from the floor that a couple of people want to break. Could be break for 15 minutes and come back?

We'll reconvene, Committee of Consensus, Tom when ever you're ready, go ahead.

**Mr. Sheldon:** We finished off with the summary review process and now we'll just get into detailed reviews. For those of you anticipating with eagerness, the conclusion of this presentation, there will be about 12 more slides.

For detailed reviews, and remember these are triggered by registration with the Federal or Provincial Government for environmental assessments that will create things like panel reviews and comprehensive studies. Things above screening level assessments, so these are significant things. For detailed reviews approval of the Assembly is required. An initiative that requires a detailed review must be approved by the Assembly in order to proceed. For this purpose the Assembly may refer the initiative to a committee of the Assembly for study and recommendations. The Assembly issues the Terms of Reference for the committee. Terms of Reference will outline procedures for consultation with Inuit, requirements for circulation of information about initiatives, details about public hearings. The Minister or his/her designate is going to be the Chair of the committee and the Department of Lands, and Natural Resources is going to facilitate committee work



and provide assistance and advice, ensure all information is framed in relevant terms for Inuit, evaluate information on the initiative and prepare recommendations for the committee. The committee shall before provides its advice for the Assembly, consult with Inuit about the initiative, public hearings, written submissions, collection of Inuit knowledge in relation to the initiative for incorporation into the decision making process. They'll consider and evaluate the information supplies to the committee for purposes of the environmental review, they'll provide the proponent and relevant authorities the opportunity to make presentations to the committee, the committee proceedings shall be public but the committee itself maybe in camera, so that's in private to prepare its report and recommendations to the Assembly, the Minister would present the committees report and recommendations to the Assembly. Following consideration of the committee and the Minister, the Assembly may approve the initiative, approve of the initiative with terms and conditions and refuse to approve of the initiative. The Assembly's decision must be delivered to the proponent and it also must be published on the NG website. For each individual environment assessment, harmonization may or may not take place. It will take place where it's appropriate and where it's not appropriate it won't take place. The purpose of harmonization agreement with the Province and the Federal Government for both would be to make the environmental assessment more efficient and effective and I guess it's important that harmonization agreement will have no effect on the power of the Minister or the Assembly to decide whether or not the initiative on Labrador Inuit Lands can proceed. And if so on what terms and conditions. So, the cost of the reviews, those are responsibility of the proponent and the Minister may require that the proponent make payments towards the cost of review before they start with the review or at any time during the course of the review and once the payment is ordered, the Minister may order that the review shall not commence or continue until the payment is made. For detailed reviews, essentially you walk through, essentially the same process, except if it's bumped up a level to the Assembly level, and the reason for that is we didn't want to bombard the Assembly with every single decision regarding developments on Labrador Inuit Lands. It would simply be too much work, it would be a waste of your time, so we figured for the important decisions and those are the ones that are going to undergo detailed reviews, all of those would go to the Assembly. For projects that will have less impact those will managed entirely by the Department of Lands and Resources and that's simply trying to manage the capacity issue between what the Assembly can manage and what the Department of Lands and Resources can manage. This is something that I want, so that's the summary review process for Nunatsiavut. This is something I wanted to emphasize, the goal today is to obviously have discussion about this and get thoughts and input on it. That hopefully, gets it to that next most important stage which is the stage where we can bring it to communities for a long meaningful public consultation period. We set out a deadline of January 31<sup>st</sup>, or we may, that deadline is yet to be prescribed but it'll be prescribed by the special committee of the Assembly. That consultation period can be as long or be as short as necessary, we anticipate 3 months or something like that, if we can have that special Assembly's report prepared for, the committees report prepared for the next sitting of the Assembly, that would be ideal, but that timeline will not compromise the consultation process, but if it's longer than that, it takes longer than that, that's a valuable process to go through. So, hopefully as a result of this Assembly sitting, there can be agreement in general on the policies and principles and the overall

objectives of this piece of legislation and then we can create some significant amendments or not or for sure have significant consultation after this Assembly sitting is done. So, in order to do that, this would be to be tabled for second reading and at that point it would go to the special committee and they would conduct their public consultations to the communities. So that's the end of your entertainment for today. Thanks.

**Mr. Lyall:** Go ahead, Will.

**Mr. Barbour:** Thank you Mr. Chairman, just to comment on, I'm not sure that I necessarily heard it from Tom, Walt or from Darryl. This draft legislation has been supposedly in the works since early March of 2008 with the intent that we would have some kind of legislation, environmental legislation by the end of March 2011 I think that message has to be important especially to the newer assembly Members. The other comment that I do make and I heard Tom clearly when he said it, the document itself is almost meaningless without additional staff to go with it and I think it's important for the Assembly to understand that as well.

**Mr. Lyall:** Thank you. Ed, go ahead.

**Mr. Tuttauk:** My question is to the Acting Minister of Lands...In your preamble to this, you mentioned that it would take departmental investment and funding. Have you determined what funding and investments that it would require for this?

**Mr. Shiwak:** We did go through what we think it would take to get this done, Tom can go into more detail on the level of funding but we figured at least two positions to carry out this Environmental Protection Legislation. I'm right on that, right Tom?

**Mr. Sheldon:** Yeah.

**Mr. Tuttauk:** Did you come up with a dollar amount?

**Mr. Shiwak:** The Director level positions, so you're looking at, you have that up there?

**Mr. Sheldon:** Yeah, in the interest of time I had cut out some slides here but we can go over those, I'm just trying to get to a part where... Our estimates to carry this out are that we would need two additional full time staff to carry this environmental protection act out. Proposed working titles, that, proposed working titles right now, but they wouldn't be firm, would be an Environmental Protection Analyst, potentially Environmental Protection Coordinator. We would also need to get consultants on an as needed basis, so these would be for environmental reviews, depending on the scope of the initiative and the review. You could need five to six different consultants, for other environmental review responsibilities that are right across the board, we would maybe need one, maybe two consultants at any given time. This would be it, for example, for a large scale project, the cost permanently would be two full time staff approximately, that's 100 K's all inclusive, so that's everything, salary, benefits, travel, that type of stuff. Professional

fees would be, may be around 75,000 and during a detailed environmental review, that's something that the proponent is responsible, it could run up to 300,000 more, for example a Uranium mine and mill, so what you're looking at here is this number, right there, 275 is what we feel as a department would be a minimum investment to carry out both the environmental protection Chapter of this legislation as well as the environmental assessment of this Chapter of this legislation.

**Mr. Lyall:** Any more questions or comments? Jennifer.

**Ms. Hefler-Elson:** When the review was being done on projects, giving the detailed assessment would be done and there's going to be an environmental management board set up, would that cost be shared between different departments including Nunatsiavut, Federal, Provincial and the proponent?

**Mr. Sheldon:** For the Federal and Provincial process or if they're harmonized, say under the Canadian Environmental Assessment Agency, that will still happen regardless of whether we implement this Nunatsiavut Environmental Protection Act or not and yes for developments on LIL, for example, we could appoint if it was a panel review, we could propose to appoint specific people and the Province would do the same and the Federal Government would do the same. What's different for our legislation is that the review would be done entirely by Inuit and demand that the review would be done entirely by Inuit. So, for example, I'm just throwing this out there, for the Lower Churchill Hydroelectric Generation project, it's not on LIL, I'm just throwing an example out there. Before that even got to the Environmental Assessment stage at the Provincial and Federal Government levels, they decided, hey, we're going to split transmission, we're going to split generation and talk about them separately. The comment that I continually get from Inuit and actually most other groups that are engaged in the processes, it makes no sense to split those, why would you do that. So those are examples of projects where under our own legislation we could say we want these to be reviewed holistically as one environmental review because that's how Inuit think it is appropriate to review that and that review will be conducted by the committee of the Assembly and it will be entirely Inuit based, so there's real distinction although there's some similarities between what's happening at a Federal and Provincial level and what's happening at the Nunatsiavut level, there is some real key distinctions, it will give Inuit a lot more ownership of the process and the outcomes of that process as a result. I don't know if that answered your question. Within the Nunatsiavut Environmental Protection Act we would, the Assembly would appoint 100% of the people that are on that committee reviewing the panel.

**Ms. Hefler-Elson:** I know that the Environmental Management Board for Voisey's Bay when it was set up, it worked quite well, if there was a trigger for improvement they had to be issued by either the Federal or Provincial Government and it had to be reviewed by the Environmental Management Board, so I was just wondering if that was the kind of thing that you were thinking about with Environmental Management Boards for any big projects that might happen.

**Mr. Sheldon:** Yup and that would be the possible outcome of the Environmental review process, so for example, if you were to do an environmental review of, say another Voisey's, Voisey's Bay 2, part of the conditions and terms that could be attached to that project going ahead is the establishment of these environmental management boards, so that could be a possible outcome of the process for sure, but this allows Nunatsiavut and the Assembly to be very prescriptive about, hey, these are what we think are best practices to go forward and if that includes a framework like that then that can happen.

**Mr. Lyall:** Any further questions? Since there's no further questions or comments, I move, seconded by the Member for Rigolet, Minister of Lands and Resources, Darryl Shiwak, that the Members rise from the committee of consensus on the first reading of the Bill 2010-07, and that the Minister report the committee's decision to the Assembly for purpose of the former vote on the first reading.  
We will now resume the Assembly.

**Madam Speaker:** I will now ask the Assembly if they approve the first reading of Bill 2010-07 by a show of hands.

**Mr. Pottle:** A point of order Madam Speaker. I believe we have to go through the process for first reading before you ask for, whether or not the committee has reached consensus because we haven't done that at this point in time. Nakummek, Madam Speaker.

**Madam Speaker:** Minister of Lands and Resources to introduce the Bill and explain why you are supporting it.

**Mr. Shiwak:** Sorry, Madam Speaker, didn't I do that with my opening remarks to the Bill? I introduced the Bill then stated why I supported it and then was convened and committee on consensus.

**Madam Speaker:** The Honorable First Minister.

**Mr. Shiwak:** Thank you, Madam Speaker. I apologize for the delay here. Ms. Speaker, I move, seconded by the Member for Hopedale, the Minister of Education and Economic Development, that Bill 2010-07, a Bill for Inuit Law to provide protection of the environment for Labrador Inuit Lands and the Inuit Communities and to provide for the Environmental Assessment towards developments of Labrador Inuit Lands through committee on consensus had been read for the first time and I support this Bill because I believe it's crucial for us in moving forward with development of Labrador Inuit Lands. I think that this will give us some framework that did not exist in the past and now Inuit can control development on Labrador Inuit Lands and also protect the environment at the same time. I don't see it as a hindrance. I think that if we work together as an Assembly we can utilize this Bill for the best, for the future of Inuit in Nunatsiavut. Thank you, Madam Speaker.

**Madam Speaker:** Do any other Member want to speak on this motion? If no other Member wishes to speak, the Honorable Minister of Finance.

**Mr. Pottle:** Nakummek, Madam Speaker. I echo the sentiments of the First Minister and the acting Minister of Lands and Natural Resources, I believe I'd like to reiterate the sentiments of my colleague Mr. Barbour the Ordinary Member for Nain, who made comments which I missed while I was in the bathroom on the committee of consensus. This was a process we started in 2008 in anticipation of a proposed development on Labrador Inuit Lands that had some overlapping Labrador Inuit Settlement Area. This was a piece of, this was one tool that the Assembly felt that was necessary in order to deal with future proposed developments in Labrador Inuit Lands and within the Labrador Inuit communities in addition to having Environmental Protection Legislation there was also a requirement that the Assembly believed that we needed to also have regulations regarding development in Labrador Inuit Lands and in our communities. This Act, Madam Speaker, sets out the beginning of the preliminary stages of that process with Environmental Protection Legislation and will also come as we heard through the presentation from the Director of Environment, Mr. Sheldon that we need to develop regulations in order to deal with development on our land as well. In addition, we also believe that as an Assembly in order to be ready for development on Labrador Inuit Lands we also needed to give ourselves time for the land use plan to be developed as per Labrador Inuit Land Claim Agreement. We have a moratorium currently in place on milling, mining and processing of Uranium in Nunatsiavut and we believe that in order for that development to possibly proceed we needed to prepare ourselves and to be ready for this such development and I believe this piece of legislation will give us that tool, equip us and get us the right to participate and have a say on development in Nunatsiavut. I support this Bill on first reading and in order for this Bill to get the consideration that it should we have no other choice, I believe, Madam Speaker, to approve first reading if we want this Bill to go second reading so that we can hear from the Inuit and other stake holders who have a vested interest in development, therefore, Madam Speaker, I support first reading of Bill 2010-07. Nakummek.

**Madam Speaker:** Thank you, Honorable Minister. Any more comments, from anyone? If no other Member wishes to speak, does the Minister of Lands and Natural Resources wish to conclude the debate?

**Mr. Shiwak:** Yes, Madam Speaker, I wish to conclude the debate on first reading of Bill 2010-07. I move, seconded by the Member for Hopedale, the Minister of Education and Economic Development, Susan Nochasak, that the debate be closed and a vote taken on the motion of first reading of Bill 2010-07, a Bill for Nunatsiavut Protection Act. Thank you.

**Madam Speaker:** and the Inuit communities and to provide for the Environmental Assessment of proposed developments on Labrador Inuit Lands has had first reading. I would now like to ask the Minister of Lands and Natural Resources to give notice for second reading.

**Mr. Shiwak:** Thank you, Madam Speaker. I wish to give the Assembly notice of and introducing the second reading of Bill 2010-07 a Bill for Inuit Law to provide for protection of the environment of Labrador Inuit Lands and Inuit Communities and to provide for the environmental assessments of proposed developments on Labrador Inuit Lands. I've asked the President to request that the Bill be referred to a committee of consensus for further, for second reading I also move that a special committee be struck to consult the public about the Bill and to report back to the committee of consensus on second reading of Bill 2010-07.

**Madam Speaker:** I acknowledge the Minister of Lands and Natural Resources.

**Mr. Shiwak:** Thank you Madam Speaker. I'm pleased to move and seconded by the Member for Hopedale, Minister of Education and Economic Development, Susan Nochasak, that Bill 2010-07, the Bill for environmental, Nunatsiavut Environmental Protection Act be introduced and read for the second time. Thank you.

**Madam Speaker:** The Honorable President.

**Mr. Lyall:** Thank you Madam Speaker. Madam Speaker, in accordance with the standing order 131, I rise to request that the motion to read Bill 2010-07 for the second time be referred to a committee of consensus to be chaired by the speaker and to be convened following receipt of the report of the special committee of the Nunatsiavut Assembly on Bill 2010-07, that the Minister of Lands and Natural Resources' proposal. Thank you Madam Speaker.

**Madam Speaker:** Thank you. The Minister of Lands and Natural Resources.

**Mr. Shiwak:** Thank you Madam Speaker. I move, seconded by Member for Hopedale, Minister of Education and Economic Development, Susan Nochasak, that a special committee of the Nunatsiavut Assembly on Bill 2010-07, a Bill for Nunatsiavut Environmental Protection Act be struck for purposes of consulting the public about the Bill and reporting its findings to the committee of consensus with the following terms of reference. The committee shall be comprised of the Minister of Lands and Natural Resources, who shall be the Chairperson, the Director of Environment, who shall be the Vice Chairperson, two Members of the Assembly to be nominated by the committee by rules and procedures. The committee shall consult with Inuit with respect to the Bill 2010-07, a Bill for Nunatsiavut Environmental Assessment Act, consult Federal and Provincial authorities with respect to the Bill, offer opportunity to the general public to provide views with respect to the Bill, report its findings and recommendations to the committee as a whole on second reading of Bill 2010-07, a quorum of the committee shall be any three of its Members, the committee may convene public meetings and may meet in cabinet for purposes of preparing this report which shall be public. Information of submissions to the committee shall be public; the committee may make its own rules of procedure and establish timelines for the purpose of completing its mandate in accordance with these terms of reference. The committee shall reports its findings to the committee of consensus on second reading of Bill 2010-07 no later than January 31<sup>st</sup>,

2011. The committee shall, as its first order of business, establish a budget for its proceedings and submit the budget for its approval to the speaker and the Minister of Lands and Natural Resources, who shall after considering the committee's budget establish an upper spending limit for the committee and shall be funded from the appropriations for this and in the department under the current budget. Thank you Madam Speaker.

**Madam Speaker:** Thank you. Is the Assembly in favour?

**All:** Aye.

**Madam Speaker:** The committee on rules and procedures will meet tonight to nominate two Members for the special committee, having regard to the requirements of the constitution regarding the formation of committees and they will report to the Assembly tomorrow on who the committee Members are. This is the end of the business for the day so we will now adjourn for the day.

**Madam Speaker:** Ullakut illonasi. Good morning. I would like to call this Assembly to order. To begin, I'd like to ask our Elder, John Jararuse to do our opening prayer.

**Mr. Jararuse:** Prayer in Inuktitut.

**Madam Speaker:** Nakummek John.

**Madam Speaker:** I would like to mention that when the Labrador Inuit Trusts come in for their report, we'll probably go into a Committee as a Whole and I'd also like to say that we're thinking about changing the Orders of the Day after that to include the business we have for tomorrow so that we could clue up by the end of the day. We'll go on to number four, any tabling of documents and petitions? We'll go on to number five, Ministers Statements or announcements. The Honourable Minister of Finance.

**Mr. Pottle:** Nakummek, Madam Speaker. On June the 24<sup>th</sup> to the 25<sup>th</sup>, 2010, myself and my colleague, the Minister of Lands and Natural Resources, William Barbour as well as the Executive Secretary to the Nunatsiavut Secretariat, Kate Mitchell at the honor of the request of the President of Nunatsiavut to represent the Nunatsiavut Government as delegates to both the Inuit Tapirisat Kanatami, ITK and the Inuit Circumpolar Council, ICC 2010 annual general assemblies in Iqaluit, Nunavut. Following the aforementioned and the annual general assemblies when then had the further privilege of traveling to Greenland again at the request of the President of Nunatsiavut to represent the Nunatsiavut Government as delegates to the 11<sup>th</sup> annual Assembly of the Inuit Circumpolar Council from June 28<sup>th</sup> to July 2<sup>nd</sup>, 2010. Madam Speaker I am honored to stand here and report to the Nunatsiavut Assembly that Nunatsiavut Government receive commendation and praise from ITK and ICC and our participation and representation as delegates to the Annual General Meetings and the General Assembly in Nuuk. I had previously committed Madam Speaker to the assembly to produce a written report and the ITK\ICC AGM and the ICC General Assembly and that commitment still stands

Madam Speaker but I had to defer my work on this report because of scheduling and departmental priorities relative to working without a full time Deputy Minister. Now that the Department has a full time Deputy Minister I will ensure that this written report is produced and tabled at the next session of the Assembly. I would like to extend a thank you Madam Speaker to President Lyall on behalf of myself and Kate Mitchell for having the confidence in us to represent the Nunatsiavut Government at the ITK\ICC AGM and the ICC General Assembly. Nakummek, Madam Speaker.

**Madam Speaker:** Thank you Honorable Minister. The Honorable Minister of Health.

**Mr. Russell:** Nakummek, Madam Speaker. A couple of more announcements from my Department and extension from yesterday. I'd just like to give mention I guess to the Child, Youth and Family Services Steering Committee, both myself and my Deputy Minister have been asked to participate as Members of a Steering Committee that will direct and oversee the design of the new Child, Youth and Family Services delivery model for Labrador. The Department of CYFS has recognized that there are many unique issues inherent and delivering services in Labrador which require special attention. For this reason they've established a special team to design a delivery model for Labrador. The Steering Committee will be responsible for providing high level direction to the working group, approving the working plan, ensuring a consultation process with stakeholders of CYFS and ensuring that it's built into that work plan and then we'll be reviewing options for service delivery that will be represented by the working group. I'd like to give mention also to the Foster parents gathering, our department in partnership with Labrador Grenfell, the Department of Health and Community Services and CYFS and the Department of Labrador and Aboriginal Affairs will be hosting the first ever Foster Parents gathering in Nunatsiavut and that will take place the weekend of October 15<sup>th</sup>-17<sup>th</sup> here in Hopedale and we'll have special guests from the Child Welfare League of Canada, several Provincial Government Departments, the Executive Director of the Provincial Foster Families Association and approximately twenty five foster parents from within Nunatsiavut. Next I'd like to speak briefly to our seniors' survey; we've conducted a senior's survey in all communities inside of Nunatsiavut in 2009-2010 with the exception of Nain which we hope to have completed as soon as possible. The results have now been compiled and a report that will be shared at the Elder's Gathering and then will be available to all Department of Health and Social Development offices and I guess plain language summary sheets will be provided for each community as soon as translation is complete. There's a lot of valuable information in here and it should help us in aiding and assisting better service delivery for our seniors. Next, I'd like to recognize the initiative of "Take Back the Night"; in all communities in Nunatsiavut we celebrated "Take Back the Night" with marches and activities. For the first time this year everyone has participated. This is a great compliment to the annual celebration that we've had in Goose Bay and it's great to see this initiative is getting more recognition, is becoming more widespread and it's excellent to see the participation of so many women. Next, I'd like to move on to the topic of video releases. In front of you here today we have two videos; the first one entitled "The Courage to Remember" was launched in Hopedale on September 23<sup>rd</sup> of this year and this was filmed by Nav Igloliorte and is the collaboration of between the Legacy of Hope and



our department of Health and Social Development's Aboriginal Healing Project; "The Courage to Remember" is a documentary of the Labrador Inuit and narrates multi generational impacts of residential schools. It provides a vehicle for the reflections of fifteen individuals who gathered in the fall of 2008 to remember and reflect on their childhood experiences in residential schools. The second video I've provided today is "Free My Spirit" and this was produced by our department with funds provided by the National Aboriginal Youth Suicide Prevention Strategy. The Hopedale Youth Support Group and Facilitator share their personal stories and reflect on community issues preventing a very moving and powerful story about vulnerability and courage and I encourage everybody to check these videos out as well as share them with Members of your respective corporations, Inuit Governments and anyone in your office. Also other copies will be made available upon request. I'd also like to mention that our department has contributed to the production filming and that we provided participants towards a new Inuit specific pre-natal video which was coordinated by Pauktuutit. The video was launched last week in Happy Valley Goose Bay and will be available on loan from all Department of Health and Social Development offices. I'd like to thank my staff for all of their hard work and for everybody who participated. Nakummek, Madam Speaker.

**Madam Speaker:** Nakummek, Honorable Minister. Are there any more Ministers' Statements. The Honorable Minister of Education.

**Ms. Nochasak:** Thank you, Madam Speaker. First I would like to mention the wood for the seniors' project. I had several communications with Minister Patty Pottle on this issue. As you realize this is a Provincial Government initiative and not a Nunatsiavut Government initiative. There are challenges with getting the wood from Goose Bay as vessels are full with coastal freight. We have agreed to work with Minister Pottle to assist however we can. We have checked into using the LIDC barges to get wood to communities but that is not an option as LIDC barges are currently committed on other projects. In future years as we work with the Provincial Government we may want to recommend taking wood from Postville as shipping is easier to accommodate from there. In the meantime I will work with the Provincial Government in any way I can to ensure this wood arrives to the communities. Also, I'd like to comment on the potential question for the CDO funding. I am very much aware of the concerns regarding the funding for the five CDO positions. I can assure you that all of the information in the reports have been provided to ACOC and to the Department of Innovation, Trade and Rural Development. As well as proposal with potential projects and initiatives was forwarded to my Deputy Minister, Tim McNeil for the Inuit Community Governments. As most communities are aware we did have challenges on reporting financial information to ACOA and some concern about that however, as a result of our recent contract with ACOA I'm confident that we will soon have this resolved and funds will begin flowing again. I can assure you that if progress is not made soon on file we will schedule a meeting with ACOA in St. John's during the week of October 31 at the latest. Thank you, Madam Speaker.

**Madam Speaker:** The Minister of Culture, Recreation and Tourism.

**Mr. Lampe:** Nakummek, Madam Speaker. I would like to say a few statements as Minister of Culture, Recreation and Tourism. The Torngasuk Culture Centre, I would like to mention briefly, Madam Speaker, just a short statement on the Torngasuk Culture Centre, as the Minister responsible for Minister of Culture, Recreation and Tourism, before I came on as Minister to the department work had begun on planning or getting an idea of how to get a Torngasuk Culture Centre to help with our culture, our language and our history and certainly I believe that we need to have a concept and that concept has been gotten. We have a few pictures on the wall here that the assembly can see and Isabella Pain, Senior Negotiator for the Nunatsiavut Government will put forward a proposal on what costs the centre will need and for me as a Minister this is very important for our culture, our language and certainly our beautiful land and we as Inuit today, we are fortunate that we are still able to see our way of life., our language and who we are but preservation is very difficult so we have to find ways of keeping our culture, our language and our way of life and I hope that everyone here will realize that not all beneficiaries of today and our children, our grandchildren will live to know what we know today so we have to have something, a tool, a foundation to show our children and our grandchildren of who we are and I know the assembly as decision makers will have a hard decision to make in terms of the proposal that will be put forward but I as Minister do support a proposal that will be put forward because I believe that it is very important to Nunatsiavut Inuit to know about historic land marks like the historic communities that were left behind, for example Hebron was relocated, out people were moved from Hebron and also Nutak. And in 1918 the Spanish Influenza wiped out a whole community and not just Hebron and Nutak also in Zoar back in 1865 to 1895 a community was there and back in 1927 to 1928 human remains of Inuit, Madam Speaker were removed and those are historic landmarks that I believe that have to be preserved through a culture centre and I believe that we can show a lot of pictures and videos, even books, artwork and everything else to show the future of who we are today because not all will be able to see what we are able to see today. I know that this work had been started five or six years ago by a committee of Isabella Pain, Ken Kennedy, Judy Rowell, William Barbour and Sheldon Baikie. We have an architect, Todd Saunders who was here a couple of days ago but due to time constraints he had to leave but I wish he would have been here to show the assembly what ideas he had, what concepts he has of our Torngasuk Cultural Centre. I know that this is a lot to say but I do believe that as Inuit we have to show the world of who we are and the culture that we have and not just the world, our children and our grandchildren and I do believe that we have to leave something behind to our children and our grandchildren of the future and as Isabella is presenting her proposal I will speak more on this. Nakummek.

**Madam Speaker:** Nakummek, Honorable Minister. Any more Ministers Statements or Announcements.....then we'll go on to number six Member's Statements. The Ordinary Member for Nain.

**Mr. Barbour:** Thank you, Madam Speaker. With the permission of my colleague, the Acting Minister of Lands and Natural Resources I wish to make the announcement that had been announced back in the Spring Sitting of 2009 where the then Minister of Lands and Resources announced that we have received funding for Research Facilities, two

separate pots of funds, one for the Nain Research Facility can now safely say that is just pretty much complete and within budget and the second Research Facility in kANGIDLUASUK, St. John's Harbor or the Base Camp for the Parks Canada Base Camp Operation, that one is just about complete, that was a very remote sight operation. We had the pleasure this summer, the Executive Council of pointing out to the Federal Minister of Environment just what we're planning to do there and what kind of research we are able to do in that facility. I can point out to the Assembly, that facility in kANGIDLUASUK, St. John's Harbor had used as much green technology as possible which is what responsible corporate citizens if you will are doing today we can point that out now. This is one of the few good news stories along with the Minister of Health, along with the Minister of Finance pointing out that we do have good news stories to bring forward. One of the things as the Minister of Finance has pointed out there is a report that has to be forth coming, the one thing that is still not complete that we don't have final numbers on both budgets. It's fair to say that with the remote operation in kANGIDLUASUK it's very possible that we may have just live within budgets, it's very possible we may have gone a bit over but we don't have those final numbers, Madam Speaker just a good news story is done on time and is done in a very short period. Nakummek.

**Madam Speaker:** Nakummek Ordinary Member from Nain. The AngajukKak for Hopedale.

**Mr. Piercy:** Thank you, Madam Speaker. My question is directed to Minister of Health and Social Development.

**Madam Speaker:** Excuse me, Point of Order, this is not question period at the moment, its Member's Statements.

**Mr. Piercy:** Oh okay I'm sorry that's it for now, thank you.

**Madam Speaker:** Okay. The AngajukKak for Rigolet.

**Mrs. Wolfrey:** Thank you Madam Speaker. I'm just going to make some comments I guess in reference to the Minister of Culture, Recreation and Youth, it was really good Johannes to hear you speaking Inuktitut. When I came to meetings first in the early eighties almost all around the table everybody was speaking Inuktitut and it was the first time for many, many years that some of the words that I know when I was young was coming back to me but I just want to say I think anyone who could speak Inuktitut should speak Inuktitut around out table. It's something that gives us, we hear a little bit of some of this stuff and we might remember some of the stuff that we used to hear and I find really good to hear you speak Inuktitut and that's all I got to say. Nakummek.

**Madam Speaker:** Nakummek AngajukKak from Rigolet. Anymore Member's Statements. AngajukKak from Nain.

**Mr. Andersen:** Thank you Madam Speaker. It was good to hear very positive statements from the Ministers and even from my colleague from Nain and I'm not a crooked guy Madam Speaker, I'm a good guy and a happy guy and that's why I want to speak about something that's not so positive in my community and that is at this time there are approximately thirty head of households that will not qualify for EI and that's quite a large number and we all know the reasons with Ten Mile Bay not opening, we had about a three week char fishery and I guess the global economic down turn had impacts and the lack of exploration and it is still having very negative impacts on our communities. I'm sure that some of the AngajukKaat here in conversations that I have with them, I'd like to feel the same way. But I would like to say in trying to work with this, I'm trying to find make work projects and sometimes a lot of people don't like to hear that word and I know that the Provincial Government has changed it to Community Enhancement but it is still make work and as Governments we still have to try to find ways no matter how short term to see that people can put food on their tables and the number is higher in Nain this year then last year. Let me say that noticeably absent from the equation is the Nunatsiavut Government who has no community enhancement money and I hope that from my statement that we'll listen and realize what's happening in our communities. I should say that perhaps you should already know that. In the next few weeks it is our intention and some of my colleagues I've spoke with in the last couple of days are going to work with me. I should say that the Provincial Government still has no program in place for this year and it's reaching a time of the year when it's harder to do projects and those community enhancement projects should be started now, not in November but they should start at the end of the construction season and at the end of fishing seasons when it makes more sense when you can still do cosmetic work to community buildings like painting. It's sometimes hard to create projects so I wanted to make the other side, Madam Speaker if you will the other side aware of what's happening in some of our communities and how desperate we are to try and find alternatives to this crisis that we are in. Thank you.

**Madam Speaker:** Nakummek, AngajukKak from Nain. Any more Member Statements. The Ordinary Member from Postville.

**Mr. Sheppard:** Thank you Madam Speaker. I'll be very brief. I just like to recognize the Minister of Health and Social Development and your Department for providing us with DVD's. I can assure you and your department that they will not become dust collectors in my home. Also I'd like to acknowledge Johannes Lampe, The Minister of Culture, Recreation and Tourism for his speaking in Inuktitut. My memory just goes back to I guess the mid to late eighties and probably just beyond that when I sat on the Labrador Inuit Association Board of Directors and as we were sat around the table it was the days of Sam Andersen, there were more times that we had our headsets on listening to the interpretation of people sitting around the table speaking in Inuktitut and I very much appreciate that Mr. Minister and I can't help but think that this is where we originated from way back in the 70's when the LIA were formed, they were the people that opened up their arms up to us as settlers to welcome us in to the association and today I can't express how much I appreciate when I hear people speaking in Inuktitut. Thank you, Madam Speaker.

**Madam Speaker:** Nakummek Ordinary Member from Postville. Any more Members' Statements? Okay, then we'll move on to oral question period. AngajukKak from Hopedale, would you like to ask your question now?

**Mr. Piercy:** Thank you, Madam Speaker. My question is directed to the Minister of Health and Social Development. At this time I think its one person working over at our building for Inuaggualuit, Infant Inuktitut Immersion Program, I think there's two now laid off because there's no funding for it. My question is that the system was in place now for a few years and it shows good response and the kids that's coming through the immersion program is doing pretty good and if you look at it that's the stepping stone of where you can carry from infant to childhood and then to adulthood. My question is if I got these women over there laid off why wasn't something in place this summer when everybody had a month off, why was the funding not worked on through the season because from what I gather the budget was already put forth and from what I'm picking my pieces at is that the question that funding was there why didn't, the results came back to you, why wasn't the funding kept for the next season if everything seemed to be good from the reports that were put forward? Thank you, Madam Speaker.

**Madam Speaker:** The Honorable Minister of Health

**Mr. Russell:** Nakummek Madam Speaker. I'd like to assure the AngajukKak for Hopedale that this item is being discussed within our department. It is my understanding and I will make sure if this and get back to you. From the beginning of the program the funding wasn't from the Department of Health and we did come in and I guess as a stop gap measure if you will provide funding only for a limited amount of time. We are in support of the initiative, we are looking into it and talking about what can be done but I don't have an answer at this time but I can assure you and this assembly that we are discussing it, we want to make sure that such initiatives as this continue and will do all we can to assist, I guess that's about all I can say but I know that it is under review right now and I know that you're rightfully to be concerned as the AngajukKak for Hopedale and I will get back to you before the weeks end and let you know what the discussions have been within my department. Nakummek, Madam Speaker.

**Madam Speaker:** The AngajukKak for Makkovik.

**Mr. Jacques:** Thank you, Madam Speaker. My question also is directed to the Minister of Health. It was to our understanding that a new Day Care facility was to be constructed in the community of Makkovik this fiscal year. The contract was granted to Postmill Lumber, we'd like clarification why this project came to a halt. This too can create employment on our community. Thank you, Madam Speaker.

**Madam Speaker:** The Honorable Minister of Health and Social Development.

**Mr. Russell:** Nakummek, Madam Speaker. To the AngajukKak for Makkovik it's my understanding at this point that everything was a go, we had the green light for everything

as you know and the contract was awarded, scheduling was in place, it came down to a permit issue which is my understanding right now. Basically I don't have an update at this particular time as to exactly where we are within that process but it was a permitting issue that end up I guess throwing a wrench into the gears if you will. Nakummek, Madam Speaker.

**Madam Speaker:** The Honorable Minister of Culture.

**Mr. Lampe:** Nakummek, Madam Speaker. To the question put forward by the AngajukKak for Hopedale, I'd like to add to the Minister of Health, just last week from my Department, our Director\Language Coordinator put forward a letter, a proposal to the Tasiujatsoak Trust in regards to the Inuagguait Language Nest, we still didn't get a response to that proposal but I'm sure that once we get a response our Language Coordinator will forward that response to you. Nakummek, Madam Speaker.

**Madam Speaker:** The AngajukKak for Rigolet.

**Mrs. Wolfrey:** Nakummek, Madam Speaker. My question I guess is for the Minister of Education and it is about the CDO's and I heard you say that you were going to have a meeting before October 31<sup>st</sup>, this summer in Rigolet the Director Tourism had negotiated I guess with some tour boat companies\cruise ships to come into Rigolet and Rigolet had to hire a Coordinator to run these things because everybody in the office is busy, the AngajukKak is busy, the Manager is busy, the Town Clerk is busy so we had tour ships coming in and they only informed that they were coming in normally our CDO would have taken care of this. The other thing and I'm speaking on I think behalf of all of the communities talking about the CDO's, I want to be kept informed, we're not really informed. The question the two times that I was here came to the floor, we hear it here and then it's until we get back here again that we're not hearing anything. So I'm just wondering will you inform us after the October 31<sup>st</sup> meeting, what is going to happen. Are we going to get our CDO's, what's going to happen if we don't because really we need somebody to do this work like the AngajukKak from Nain was saying we have to look for short term projects and right now I think Rigolet is really starting to think about more than that. We've got some innovative ideas about what can happen for jobs for our community and that's my job, it's my job to come here and make sure that we're kept inform so I'm asking you will you keep us informed or somebody keep us informed as to what happened after the October 31<sup>st</sup> meeting if it got to wait until then. Nakummek.

**Madam Speaker:** The Honorable Minister of Education.

**Ms. Nochasak:** Thank you, Madam Speaker. Thank you for your question Charlotte, AngajukKak from Rigolet. Yes, that would be no problem to keep you informed and I apologize for not keeping anybody informed because I've been looking at this file and been trying to get updates as well from ACOA and my Deputy Minister have been waiting for a response that's pretty much why nobody had got any kind of response from anybody so I couldn't report on that but that will be no problem to report to you guys after we get a response and I do understand how important the CDO's are to each

community, I really do understand that they are an asset to every community that we have in Nunatsiavut. Thank you, Madam Speaker.

**Madam Speaker:** Any more questions? The AngajukKak from Nain.

**Mr. Andersen:** Thank you, Madam Speaker and my question is for the Minister of Health, the Minister was a Member of the first Nunatsiavut Assembly and he knows that there was a special committee to try to implement the recommendations of a special committee of the Transitional Nunatsiavut Assembly and those recommendations were based on hearings in the communities that the committee was to hear on the impacts of alcohol and drugs that are having in our communities. The Minister is also aware I'm sure of the recent plebiscite in Nain, the question was asked whether or not it was a yes or no, should alcohol be banned in our community and the Minister is also aware Madam Speaker although the answer is no, they did not want a ban but there were a number of questions raised out of that and the Minister is aware from my Council that there is still a call from the community for assistance and help in dealing with some of those impacts that alcohol and drugs are having on our communities or my community at least. I want to ask the Minister will he give assurance that a Special Committee, will he give assurance that he will give another Special Committee put in place, will he take the lead to insure that there is a committee to continue to try to implement those recommendations that we receive from the communities as it is now almost six months into this second Assembly, there is still no Special Committee, this sitting is drawing to a close and what I'm asking Madam Speaker is will the Minister stand and give assurance that this will be done and if he will stand and say that he will give some indication as to when it will be done. Thank you.

**Madam Speaker:** The Honorable Minister of Health.

**Mr. Russell:** Nakummek, Madam Speaker. I thank the AngajukKak from Nain for his question it's a very serious issue I agree. I guess there was a little confusion as to I guess when the Assembly was dissolved, the committees was dissolved, all of that, I give the AngajukKak from Nain my assurance of this, is that when the communities can form their own committees and begin to have recommendations within those committees so when you have recommendations by people of the community for the community and those recommendation call for action that I will be there to take the lead to help these communities execute on these recommendations. Whether that it's executed by a special committee of the House of our Assembly from my department involving AngajukKaat, Inuit Community Governments, Corporations, what have you, I'm not a 100% sure of when that committee or what that committee will look like, I do not have that information right now that will have to go to Executive Council I believe for discussion about how we'll carry forward and my assurance is this when the communities call for action and they're ready to stand up and make to recommendations of what they want done in relation to the topics of alcohol and drugs and those recommendations that were in previous reports generated by committees that the Department of Health and Social Development and myself as Minister will be there to aide the communities and recommendations and the action plans to make those recommendations happen. As for

the timing I give you my guarantee that it will be looked into and that I will talk to each AngajukKak, each Community Chair about what we can do in our communities inside of Nunatsiavut and outside of Nunatsiavut as well. I hope that answers your question. Nakummek, Madam Speaker.

**Madam Speaker:** The Ordinary Member for Postville.

**Mr. Sheppard:** Thank you, Madam Speaker. My question is directed to the First Minister, Minister Shiwak, I guess I go back five or six months ago and re-iterate did I not hear the question proposed last spring in the sitting of the House requesting better and more formal information from the Executive Council meetings to the Ordinary Members, AngajukKaat of the Assembly. We, as the Assembly Members, whether you are AngajukKak, Ordinary Member, we have a responsibility in our constituencies. My responsibility in my constituency is to be responsible to my constituents. If I'm asked a question and I can't answer I have to forward my question on. If I don't get an answer to my question asked how can I be responsible to my constituents? My question would be, can we as Assembly Members, AngajukKaat look forward in the near future, I kindly ask once again for information to be provided to us as Ordinary Members and AngajukKaat. Thank you Madam Speaker.

**Madam Speaker:** The Honorable First Minister.

**Mr. Shiwak:** Thank you for the question, very good question. What we are doing and what we have done is that we requested that each of the Ministers of the Executive Council forward any relative information from their department on to the Assembly Members. We will continue to do so because we believe communication is one of the things that we are lacking, that we need to do better and we will continue to make that commitment to forward that information on to the Assembly Members so that everybody's informed so that when we do come to this table that we are not out in the cold and I have to admit I've done a very poor job myself but I will do better in the future. Thank you, Madam Speaker.

**Madam Speaker:** The Honorable Minister of Health.

**Mr. Russell:** Nakummek, Madam Speaker. I asked this question I guess that is directed towards our First Minister as Ordinary Member for Upper Lake Melville, not as Minister of our Health department I guess just to set up the question as the elected representative, as the Ordinary Member for the three communities in Upper Lake Melville, from Mud Lake through Goose Bay into North West River, there's a lot of talk as you guys can imagine about resources development these days and my question is toward the topic of Lower Churchill Development or the proposed Lower Churchill Development, our family Members, our fathers, our grandfathers, we've hunted, fished and trapped along that river for years, for decades, we've done the same in our bay and it's in our backyard and as we talk about resource development those with proposed developments in their backyard are concerned and they know they will be affected in some way, shape or form. I truly believe that the beneficiaries of our Land Claims Agreement that reside in Upper Lake



Melville will be severely affected by the Lower Churchill Development and it is my understanding in this point in time that we may not necessarily as a Government and as a people I guess has a right to be at that table when I guess the proponents of the development are saying that Upper Lake Melville will not be affected, we are going to be affected, I believe we are going to be affected severely and I believe that if we in Upper Lake Melville, although outside of the Land Claims area, outside of Nunatsiavut are affected then Nunatsiavut and Nunatsiavut Government by association are therefore affected. I believe we have to take an official stance on where we stand with all of this and that we cannot tolerate of even the thought of not being brought to the table, not being subject to the benefits and the opportunities associated with the development and my question to the Honorable First Minister or the Honorable Minister of Lands and Natural Resources in this case is I guess subject to availability in your next trip to Upper Lake Melville will you commit to a meeting with my colleagues, the Chair of NunaKatiget and the Chair of Sivunivut and myself as Ordinary Member to have a long discussion about where we stand in Upper Lake Melville in relation to the proposed Lower Churchill Development. Nakummek, Madam Speaker.

**Madam Speaker:** The Honorable Minister of Lands and Resources.

**Mr. Shiwak:** Thank you, Madam Speaker and thank you to the Minister of Health and Social Development for a very good question. You're absolutely right that the Lower Churchill Development is outside of LISA. Nunatsiavut Government also believes that it will impact LISA, Lake Melville and possibly as far as Rigolet. We believe that very strongly, we have put that position forward to the panel, we are going through a process right now trying to get involved in that process on Lower Churchill. It is in my opinion that Nunatsiavut Government sometime in the very near future will have a stance on Lower Churchill once we have a response back from the panel. Yes, I will commit to meeting with the Members for Upper Lake Melville and sitting down and having a good discussion because I believe that it is important, it is important to have all of the views expressed as I have met with Members from Rigolet. It may have a very devastating impact in Lake Melville, we don't know but we need to get involved, we need the research done, we need to make sure our case is put forward and a solid case based on research, based on facts and yes, I will meet with you. Does that answer your question? I will let you know the dates when I'm back in Goose Bay. Thank you, Madam Speaker.

**Madam Speaker:** The AngajukKak for Rigolet.

**Mrs. Wolfrey:** Nakummek, Madam Speaker. My question is for the Honorable President. In the past this Assembly had committees struck on Language, Education, Alcohol and Drugs and I know that the former AngajukKak for Rigolet was sitting on maybe the Language Committee or some of the committees but I'm wondering where those appointments are. Are we going to set up those committees again or are they extinguished or what? Thank you.

**Madam Speaker:** The Honorable President.

**Mr. President:** Thank you, Madam Speaker. I'm not sure what committees you are referring to. Could you clarify exactly what committees?

**Mrs. Wolfrey:** Thank you. When I came to....I might have to ask one of the other AngajukKaat because when I came to Rigolet in this position I was told that the former AngajukKak was sitting on I thought they said a Language Committee and at one point to me there was an invitation to a Research Committee or something or other like that. I don't know if they were committees that were just struck for a certain purpose or are they on-going committees? Standing Committees of the Assembly.

**Comment [c1]:** Can this be changed to Former AngajukKak instead of saying Danny Michelin?

**Madam Speaker:** The Honorable President.

**Mr. President:** Thank you; I'll get the Minister of Finance to answer your question

**Madam Speaker:** The Honorable Minister of Finance.

**Mr. Pottle:** Nakummek, Madam Speaker. Nakummek AngajukKak from Rigolet for your question and thank you to the President for deferring the question to me for an answer. Any Standing or Special Committees that are set up by the Nunatsiavut Assembly become I guess for lack of a better term null and void with the dissolution of the Nunatsiavut Assembly in order for a Special Committee or a Standing Committee of the House of Assembly to be re-struck by the Assembly the interested individual who would like to have another committee struck needs to make that request to the committee on Rules and Procedures for the consideration. The Committee on Rules and Procedures then Madam Speaker will bring forth a motion to the House of Assembly to seek approval from the House to have those committees struck and the Committee on Rules and Procedures then will bring forth names to the Assembly for appointments to those Special or Standing Committees. I trust that answers the AngajukKaat question for Rigolet. Nakummek, Madam Speaker.

**Madam Speaker:** The AngajukKak for Hopedale.

**Mr. Piercy:** There's something on my mind with the arena for Hopedale and I was going to direct my question the Minister of Finance but I think it would be better if I directed to all of you because the arena and the sports complex where.....

**Madam Speaker:** Excuse me you have to direct your question to one person.

**Mr. Piercy:** Sorry but if I say what I got to say then somebody can come in because with the arena itself affects everybody in the whole community because the plans we had for the arena and the complex is regards to education, health because if you look at health everybody says everybody's getting obese because nobody is exercising and then you look at it from the recreation prospect and then you can look at for tourism, you can set the whole thing up that when the cruise ships do come in you got tourism set up so that the local artists can have everything from their carvings to the artwork all set in place. So, my question to you is that my community is in hard shape right now for a place to go

because right now we've set up here at the afterschool building, so after school our kids come here and do what ever they need to do, so we got that upset and we got the support group upset. I never looked into where everything was going or if it's going ahead with all of the projects was taken care of in this building. So, basically what I'm saying is that my Council has exhausted every where they can go looking for money and like I say it's just an Inuit Community Government, they got a bit of money from here, they got a bit of money from there so my question is directed to basically all of you because everything in town with regards to the arena\sportsplex is affecting everybody in town.

**Madam Speaker:** Excuse me; you have to direct your question to one of the Members.

**Mr. Piercy:** Okay it's directed to the Minister of Finance.

**Madam Speaker:** The Honorable Minister of Finance.

**Mr. Pottle:** Nakummek, Madam Speaker and Nakummek to the AngajukKak for Hopedale for your question. Your question is a timely one I was asked the same question by your Town Manager, Kitora Abel through the Minister of Education and Economic Development on the same issue. I had a Member of the Tasiujatsoak Trust provide me with written information yesterday relative to your question which I provided to your Community Government yesterday. To give you an answer there were two letters that were written; one in June 2007 and June of 2009; the letter in June of 2007 came to the Trustees and they were requesting at that time funding from the Trust in the amount of \$400,000.00 dollars and the funding was approved subject to your committee providing satisfactory evidence to the Trustees that the land selections, land zoning and building code requirements related to the construction of the arena had been resolved. Upon the completion of the project you were to forward a brief report summarizing the activities that were undertaking and an accounting for disbursements of the funds received from the Tasiujatsoak Trust. In June 30<sup>th</sup>, 2009 there was another letter that was sent to the former AngajukKak for Hopedale, Judy Dicker stating that the responses from the Tasiujatsoak Trust for request for funding submitted on behalf of the Hopedale Arena Committee with respect to the proposal to construct an outdoor skating facility and laterally a natural ice arena for the youth of Hopedale. In March of 2009 the Trust received correspondence from the Town Manager and from the AngajukKak and from the Chair of the Joint Management Committee from the Deputy Minister of Finance respecting funds from the project on the basis of all for going forward the records indicate that the Trustees committed \$400, 000.00 dollars to the project in 2007 which only approximately \$100, 000 dollars was drawn down and distributed to that committee to date. The release of the balance of \$300, 000.00 was conditional again upon land selection, land zoning and building code requirements. The land selection, the land zoning and building code requirement conditions have been satisfied as I just stated following the solicitation of funding commitments from other entities including the Provincial Government, the Nunatsiavut Government and the Hopedale Inuit Community Government and the further request for funding in the amount of \$426, 000.00 dollars was submitted to the Trust on behalf of the Committee. At the meeting of the Trust in May of 2009, Madam Speaker the Trustees approved the Committees request for additional funding in the amount of

\$426,360.00 dollars and acknowledges the satisfaction of the conditions of the release of previously approved \$300,000.00 dollars to the Committee. As a result of some clerical errors and the deterioration of dasher boards originally retrieved from Davis Inlet the committee requested a further \$303,000.00 from the Trust for the project. The latter request was received and we are pleased to advise that this has been approved. We understand with the foregoing approval for funding in the aggregated amount of approximately 1,030,300.00 the Committee and the Hopedale Inuit Community Government can proceed to solicit tenders for the construction of the project. Madam Speaker the onus is on the Inuit Community Government of Hopedale to move this proposal and advance this initiative further, the funds are there, you need to go and you need to do your homework in order to access these funds. Nakummek, Madam Speaker.

**Madam Speaker:** Any more questions. The Ordinary Member for Postville.

**Mr. Sheppard:** Thank you Madam Speaker. My question is for the Acting Minister of Natural Resources. Mr. Minister can we be assured here, me and my colleague from the constituency of Postville, when we leave here can we be assured of I guess providing information to our constituents that the Land Use Plan is on schedule, the Environmental Protection Legislation is on schedule whereby it will meet the date of March, 2011. Can we be assured of that at this sitting? Thank you Madam Speaker.

**Madam Speaker:** The Honorable First Minister.

**Mr. Shiwak:** Thank you, Madam Speaker. I can assure you right now that we are on schedule with the Land Use Plan and with the Environmental Protection Legislation. What happens between now and March 31<sup>st</sup> deadline is not in my control but we will certainly try as a Government that we meet that deadline but right now we are on schedule with the Land Use Plan and with the Environmental Protection Legislation. Thank you, Madam Speaker.

**Madam Speaker:** The AngajukKak for Nain.

**Mr. Andersen:** Thank you, Madam Speaker. My question is to the Acting Minister of Lands and Natural Resources. Madam Speaker for a few years now our scientists, our hunters who told us that the Torngat Mountain Caribou Herd is in trouble and we know as well that the George River Caribou Herd is in trouble and there were a lot of rumors and very few caribou Madam Speaker. Some of those rumors were around cuts to quota and bringing back kill per household something that for many years we have not been used to. Can the Minister tell us if he has had meetings with his Provincial counterpart from the Provincial Wildlife and is there any truth to these rumors or is there any talks toward that and that the Province may in fact introduce quotas for Nunatsiavut for the George River Caribou Herd?

**Madam Speaker:** The Honorable Acting Minister of Lands and Resources.

**Mr. Shiwak:** Thank you Madam Speaker. Thank you AngajukKak from Nain. I do have a meeting scheduled with my counterpart, the Minister in Goose Bay next week to discuss that very issue. The final results aren't in on the George River Caribou Herd. We're hoping to have that number next week. We have had no solid discussion on how we are going to move ahead with this issue. If the numbers are considered very low and it seems like they are then there may have to be measures out in place to control hunting of the George River Caribou Herd. We as Nunatsiavut Government also must consider how we are going to approach the issue because we have a responsibility to the George River Caribou Herd as well but we will be working with the Provincial Government and the other stakeholders in this on the issue because the George River Caribou Herd is vital not only to Nunatsiavut but to Labrador and to Quebec as well and we must all work together to control the hunting if need be of the George River Caribou Herd but like I said the numbers aren't final, the Province is waiting for the final results to come in and I expect the Minister to share it with you next week and from there we will have more information to yourself and to the rest of the communities and rest of the Government. Thank you, Madam Speaker.

**Madam Speaker:** Any more questions. If there are no more questions we'll move on to number eight, written questions. Does anybody have any written questions today? No questions so we'll move on to number nine, Reports of Standing and Special Committees and first of all for the record I just like to make clarification that in last May when the Rules and Procedures Committee were appointed there was six on the committee and Standing Order states there need to be three to five, so five at the most. Now that Sarah Leo is not here anymore she was also on the Rules and Procedures Committee now that she's not on our committee its set out right with five Members. I just wanted to make that clear for the record. Now I'd like to call upon the Honorable Minister of Finance.

**Mr. Pottle:** Nakummek, Madam Speaker. This is not a report per say of a Standing or Special Committee but I was asked to put forward the motion as per the recommendation or the two resolutions that were passed yesterday Madam Speaker to appoint committees of the Assembly and the Special Committee to investigate the Nunatsiavut Business Centre and to bring recommendations on the future of that Business Centre, Madam Speaker and the other House of Assembly Committee relative to the Environment Protection Act that will be conducting consultations regarding that act as per the resolutions yesterday Madam Speaker. Therefore, Madam Speaker as again for the two Resolutions put forward to the House of Assembly during yesterdays session to strike two committees of the House of Assembly namely the Nunatsiavut Special Committee on the Nunatsiavut Business Centre Incorporated and the Committee of the House of Assembly to conduct consultations regarding the Environmental Protection Act or Legislation. I move Madam Speaker, seconded by the Ordinary Member for Makkovik, Denise Lane that the Assembly approve the recommendation from the Committee on Rules and Procedures to appoint the following individuals to serve on the Nunatsiavut Special Committee; Rexanne Crawford, the Deputy Minister of Finance, Human Resources and Information Technology and the Chair of the Sivunivut Inuit Community Corporation, Edward Tuttauq and myself as Minister of Finance, Human Resources and Information Technology and to approve the recommendation from the committee on

Rules and Procedures to appoint the following individuals to sit on the House of Assembly Committee to hold consultations on the Environmental Protection Act; the AngajukKak for Postville, Ms. Diane Gear and the Ordinary Member for Nain, Mr. William Barbour. Nakummek, Madam Speaker.

**Madam Speaker:** This Motion is in order. Are we in agreement with this?

**Assembly:** Aye.

**Madam Speaker:** The Motion is passed. We are now going to take a thirty minute break and we'll come back with the Labrador Inuit Trusts.

**President Lyall:** We will break into a Committee as a Whole for the presentations by the Inuit Trusts. Thank you.

**Madam Speaker:** The House will convene as a Committee as a Whole and I would like for you to hold your questions until the end of the presentation and we are going to go through lunch here today. After the presentation will we clue up with the rest of our Assembly business?

**President Lyall:** Madam Speaker I am going to ask everyone around the table to introduce themselves. I don't know if everyone is aware of whom Mike is. I think it's important that he knows who we are. Jim Lyall, I'm the President of Nunatsiavut; Danny Pottle, welcome Mike and Isabella, I'm the Minister of Finance and Human Resources; welcome back Mike, hello to Isabella, I'm Keith Russell, Minister of Health and Social Development; Johannes Lampe, Minister of Culture, Recreation and Tourism; Darryl Shiwak, First Minister, Minister of Lands and Natural Resources; Patricia Ford, Speaker of the House; Diane Gear, AngajukKak for Postville; Glen Sheppard, Ordinary Member for Postville, Deputy Speaker for the Nunatsiavut Assembly; Hi good to see you again Mike, Isabella, we both know each other, Ordinary Member for Nain; Wayne Piercy, AngajukKak for Hopedale; Charlotte Wolfrey, AngajukKak for Rigolet; Denise Lane, Ordinary Member for Makkovik; Herb Jacque, AngajukKak for Makkovik; Ed Tuttauq, Chair of the Sivunivut Inuit Community Corporation, North West River; Jennifer Hefler-Elson, Chairperson of the NunaKatiget Inuit Community Corporation, Happy Valley Goose Bay; Good day; I'm Tony Andersen, AngajukKak for Nain; Susan Nochasak, Minister of Education and Economic Development. Hi, I'm Isabella Pain I am the Senior Negotiator for Nunatsiavut Government but I'm also a Member of two Trusts that we're going to speak to you about today, I'm a Member of the Settlement Trust and also the Tasiujatsoak Trust;

**Mr. Flatters:** Thank you Isabella, my name is Mike Flatters and I'm from Calgary. I am a Lawyer practicing firm there but most important is that I'm a very lucky person to be here with your Assembly. It's a real honor to be here, to be able to speak with you; to be able to work with you and thank you for the opportunity to do that. We hope we are going to cover a lot of territory in a fairly short period of time with the idea that if we get through the meat of the matter we really hoped that we open up a few questions for each

of you and we hope that with time permitting we'll get through all of the questions that might come up and at the end of the day the key is that we get a few messages that we think are important across to the Members of the Assembly so that you are able to think of them in the goodness of time.

**Ms. Pain:** I'm just going to give you a quick overview of what we want to do for you today. We want to go through a quick introduction and give you the background to some of the Trusts and how we ended up where we are. We're going to talk about the summary of the Nunatsiavut Government Finances overall. We're going to talk to you about two things which are really important which are called OSR and the FFA or Own Source Revenues and Fiscal Financing Agreements. Inflation, something called RISKS. We're going to take a break and then we're going to go into part two, I don't know if we will actually have a break but then we're going to change tones and go into something we call part two which is then to speak about the individual Trusts; to give you a summary of each of the Trusts; to talk about the Finances; to talk about the Trustees of each of those Trusts and then to talk to you about some recommendations that we have. We're going to be fairly informal. Myself, Mike, President Lyall and Minister Pottle will be speaking to some of these slides and we may jump in just to clarify, we think somebody is missing a real key point so I hope you don't mind but we are going to try and keep it informal so that we get across everything that we think is really important to get across today. You'll notice we only have an English power point up here on the projector. I do have a couple of copies in Inuktitut that are printed as handouts if people would like them in Inuktitut and we will send these slides around to everybody, we'll provide them to Hilda to send to everybody so that you'll have a copy of all of this information when you're back at home. With that I guess we'll just get straight into what we want to talk about. The presentation is going to cover some areas which are of great importance to Nunatsiavut, to the beneficiaries to the Land Claim Agreement and to the Government itself which are the development of the structures which protect the money which are identified in Chapters 19 and 23 of the Labrador Inuit Land Claim Agreement. Chapters 19 and 23 are the Trust money and basically the implementation fund. We will also talk to you about the structures that were created to protect the money that was received from VALE pursuant to the Impacts and Benefits Agreement we have with VALE. There's not going to be enough time for us to go into all of the discussion, everywhere we might want to get into in this discussion but we will try to answer any questions you have. We are going to ask if you keep the questions to the end just so we can keep going through and try to get through all of the information which may answer some questions you do have. We're not trying not to give you time to ask questions but we really want to get through the presentation first. Some of this discussion will be technical. We're going to give you some numbers, we're going to be talking about taxation and some technical terms, we're going to try and keep that, we're going to try and use as much plain language as possible but it may not always get there. We will try to use examples that illustrate what it is we're talking about so that we can give you real examples with real dollars about the point that we're trying to make with you. So, hopefully it will be clear and as we say hold your questions and if we can get to them we'll try and get through all of the questions.

**Mr. Flatters:** Some of you will have been in this room as a matter of fact a couple of years ago when we tried to provide an overview of the Labrador Inuit Trusts and we thought it was important to start out at the very beginning to make sure we all started from the same place and that place has to be an understanding of what is a Trust and as simple as it may appear at the end of the day believe me it can be a very complex topic. Courses are devoted to it in law schools and books and books are written about the concept of the Law of Trust. In an attempt to try and make sure we're all understanding it I used an analogy the last time I was here where I said that you have to appreciate that a Trust isn't something that you touch and it's not something that you go and register like a corporation. A Trust is something that's created because of somebody's intention. Somebody has to intend to create a Trust and how do you create a Trust? You need three things; you need Trustee; you need a Beneficiary and you need Trust Property. So a Trust is an old concept dating many, many centuries back for dealing with property. So property can be land, it could be a snowmobile, it could be this pen, it could be money and all of those are properties. So, why would you use a Trust? You might use a Trust because somebody has property and wants to set up rule book for the use of that property. The analogy I used when I was here the last time subject to being pelted with, pens and tomatoes and buns. I used the example of a pen and I said at that time; I use Isabella: If I wanted to award this pen to the student in the Hopedale Elementary School with the best mark in Social Studies at the end of the year and I knew that I wasn't going to be here I would give the pen to Isabella and say I'm giving you this pen and in Trust, Isabella for you to give it to the student who finished Hopedale Elementary Grade Four Social Studies with the highest mark. And Isabella says "Well I don't know who that is" and my point is you don't need to know who it is yet. I hope I defined that person carefully enough so that you know what to do with this property as a Trustee when you find that beneficiary and you'll ask the Principal of the school who had the highest mark, Isabella would award the pen to that student. So, in that context we're going to use language at different times here but in context this pen is the Trust property. It could have been a snowmobile, it could have been cash, and it could have been real estate. Isabella is the Trustee; she's the person whose received it and is burdened now with dealing with this Trust property. She has to protect it because otherwise Mike will be real sad. I gave up my property, the pen, in order that it could be given to a beneficiary that I wanted to describe and I didn't know their name because I didn't yet who was going to end up with the mark but I wanted the student with the best mark in Social Studies to have this pen" So what I've just spoke of in five minutes would be reduced to two pages in s Trust Deed and I would hand it to Isabella and I'd say "I'm the set lore of this Trust, I sign it and I say accompanying the Trust Deed is my pen and I hand it to Isabella and Isabella, if she decided to accept the Trust would sign it as "Trustee" And so whenever Isabella forgets why she has that pen she opens her drawer and see it in her drawer and say "oh what's that pen here for" hopefully it's attached to the Trust Deed and she goes and reads the Trust Deed and the Trust Deed is like a rule book. It's a rule book for the Trustee about what you should do and what you should not do with that pen. At this point it's really key I think for me to just make sure that you understand that the Trust Deed, those two pages or forty pages of rules is the key to the whole relationship. It sets out the rules about what to do with the Trust property and what's expected of the Trustee. I can just tell you in a sentence what's expected of Trustee; a



Trustee is expected to perform to the highest levels of responsibility and they owe the highest duty that is known at law to the beneficiaries of the Trust. They have what's called something called a fiduciary duty and that is to act only the interest of the beneficiary and in the best interest of the beneficiary not in their own personal best interest. So that's the concept of a Trust and we'll get into the reason they were created in this context. You might be sitting here thinking well I came here to the assembly meeting, I didn't come here to find out about pens and pieces of paper but I can tell you the concept of Trusts is an important backbone to Nunatsiavut Government and to Nunatsiavut. The way that things have evolved and emerged both in advance of completing a Land Claims Negotiations and subsequent to the completion of the Land Claims Negotiations. Trusts are playing a very important role in the assemblies life and I'll describe very briefly to you what and I'll say the collective we and I'm more than happy to share any blame that should go along with the history of things in terms of they "why are there trusts"? As part of the team it was provided advice to the negotiating team. We saw a couple of things coming down that track that we thought were important to identified for Nunatsiavut and possibly to protect obviously it's everybody else's call, at that time it was the call of the negotiating team and subsequent to that it's been the call of the President and Minister of Finance at different times as to what steps should be taken but at the end of the day the reasons are always the same. The first reason is that like it or not in the world we live in somebody who has a lot of money like the Nunatsiavut Government could have under the Land Claim Agreement becomes a target for lawsuits, it's a sad fact of life in our world but the deeper your pockets the more interested the people get in going after you and making life a nuisance. So, in one respect the money was intended to be creditor proofing against any claims that might be made against the Nunatsiavut Government and at the time we were thinking of frivolous lawsuits since then I've seen other instances where owners of land ultimately be barely ultimately responsibility for example reclamation and clean up after industrial projects and so if you were to say do you want your land claims money to be used for those purposes and if the answer is no I don't particularly want to have it called upon to meet somebody else's obligations that defaulted to me then I'd say then you might to set it aside in a Trust and the reason is why is it creditor proof there? I'll just take a second to explain this because it gets really critical for you to understand this. If we were to go back and take the example of the pen and the student and instead of it being a student lets say it was the local business person that spent the most volunteer hours in the community was going to get this pen then low and behold that local business person has a horrendous season and they lose money and the bank calls on a loan. The bank says well what do you own? And until Isabella awards the pen to that person they don't own this pen. They have a right to it but Isabella as Trustee is the owner of the pen and if somebody in the bank were trying to collect from that business person in Hopedale and say I want the pen, the answer is it's not my property. So if somebody were to sue Nunatsiavut Government and say I want the Chapter nineteen and twenty three money, the answer is it's not my property. So, that's an attempt to try and explain to you one reason why we would recommend the establishment of the Trust. The second I that the Trust income is intended to support and fund Nunatsiavut Government operations, administration and hopefully some day programs and services. So, if you were asked why are the Trusts there and why do they matter to Nunatsiavut Assembly the answer is firstly they're do for

creditor proofing reasons, secondly they are there to provide a source of investment income to Nunatsiavut Government and the third reason for the Trust and this a pretty complicated one but this is one that you and Nunatsiavut are probably the first or second out of the gate. I know see in other parts of the country versions 3, 4 and 5 of what's called the own source revenue agreement but suffice to tell you that the reason these Trust are in place is to help you keep as much of your money as possible and so as in turn not to loose it to something called the Own Source Revenue regime and we'll get into that details with you in a few minutes but I just wanted to highlight if you were to ask and walk away from here today and say why are those people creating these Trusts; three reasons; 1) creditor proofing the Nunatsiavut and those funds; 2) to supply a sources of investment income to fuel operations and 3) to maximize your keep of the investment income you earned through not having it eroded or lost under something called the Own Source Revenue regime. So, that's and overview and if nothing else, there won't be test at the end of the discussion but you'll be akin to as you walk out of here and you of that guy Flatters down at the end of the table; why are there Trusts? I hope you reMember those three things.

**Ms. Pain:** The next slide we want to get into is just to give you a quick overview of some of the Revenue expenses that Nunatsiavut Government has and this is taken from the current budget that we're in right now. Dan did you want to do this or did you want me to go through it?

**Mr. Pottle:** No, you can go through it.

**Ms. Pain:** Okay. So the sources of Revenue that we have this year; we have investment income from Trusts, that's about 5 million dollars this year that we'll have. We also have agreements with the Federal Government to receive the portion Personal Income Tax from people who live in the Land Claim Agreement\Land Claim Settlement area and we also get a portion of GST back from the Federal Government. This year that's going to be about 3.7 million dollars. Fiscal Financing Agreement, we get 30 million dollars from that agreement. That's to pay for certain programs and services that we provide on behalf of the Federal Government to our beneficiaries. We have other contribution agreements, about 3 million dollars. Those contribution agreements are basically funds that Nunatsiavut Government receives through proposal writing so we write proposals to the Federal Government for other programs and services and we get an agreement with them for a year. Funding is usually for one or two years. Our mining royalties; about 1.2 million dollars this year and other expenses which might be some leases or some other things like that are about \$864,000.00 dollars. Our expenses; the administration expense of this Government right now is about 13 million dollars a year, that's how much it costs to operate and the programming dollars is about 30 million dollars which is equal to the FFA Budget so we spent all of the money in the FFA Budget. The important part about this slide is to note that the Fiscal Financing Agreement which you'll see are Revenue equals our expenditures right now. It' that particular source of money which will be clawed back by the Federal Government once the Own Source Revenue kicks in. So, right now we're spending as much as we are getting. We're going to get into a little more detail on the OSR but the OSR is like a tax on that money so as Nunatsiavut Government

are going to have to find some of our own funds in future to fund those programs. So, the total Budget for 2010-2011 is about 44 million dollars and our expenses equal that. Its 44 million dollars we're not making or saving any money. Our revenue and expenses are equal, we're not earning anything, not in Nunatsiavut Government, and it's all done through the Trusts.

**Mr. Flatters:** Just a note, as Isabella pointed out the Fiscal Financing Agreement delivers 30.9 million dollars and your program and services that are delivered are about 30.9 million dollars and then there's an aggregated number of 44 on the next page, so, there's a difference of about 13 to 14, well if you add up the 5, the 3.7, the 3 and the 1.2 and the .8, that's what covers your administration expenses. It's not about delivering a unit of medicine through a health door, that's covered under the FFA provision but the salary of the President is serviced through the 13.8 and so are all of the other salaries that are covered under that group. So, on one level they're sort of, I'll call it administration expenses and then on another level there's Programs and Services expenses and at the end of the rest of the world read the Province and Canada don't care about how big your administration expense gets, they don't care because in their mind they're not contributing a penny towards it. What they do care about is what you agreed to take down in Programs and Services and they say I will support the delivery of Programs and Services in Nunatsiavut and beneficiaries to the Land Claims Agreement that other people are entitled to get else where in Canada up to some standard and that's the standard that's achieved through the Fiscal Financing Agreement. What they've said and we'll support you, not an your administration expenses and we'll support you in those Programs and Services to the fullest extent in the near term, in the mid term and in the long term we'll support you but you have to put your money on the table first and then we'll make up the difference. That's what Canada and the Province say to Nunatsiavut Government that is what the core of the Fiscal negotiations were about in the Land Claims Agreement. They said as happens in the rest of Canada and your Premier contest with Canada about transfer payments and how much goes to and from Quebec, to and from Alberta and to and from Newfoundland and Labrador so to Canada says of Nunatsiavut and the Province says of Nunatsiavut, "hey if you guys are really doing well, why don't you put your money on the table to pay for these Programs and Services, why should we, the people of Saskatchewan and the people of British Columbia through Canada be paying for the delivery of Health Services in Nunatsiavut. That's the core issue that's in play at all times, it's all about transferring and sharing and who should bear the cost. Own Source Revenue regime is the term Canada uses to say I want you to tell all the rest of us, Canada how much money you made this year because I want you in time to pay some of your money to pay for the Programs and Services that are being delivered in your communities and so under the terms of something called the Own Source Revenue Agreement with Canada and the Province, Nunatsiavut has agreed that a share of it's, something called Own Sources Revenues will be accounted for and applied first to pay for Programs and Services funding in the future. So, the best way to get into this now is to go back and say okay Mike so what's Own Source Revenue? Apparently you're telling me Mike that Canada is keeping a score board and they want to know what Nunatsiavut's Own Source Revenues are. So, how do you know what they are? Well under the terms of the agreement, it's known that what it will consist of is something

called Nunatsiavut Tax Capacity and that'll be the money that Nunatsiavut gets from tax sharing agreements from Canada and the Province, actually just Canada on Personal Income Taxes and GST as Isabella has showed you that number is about three point something in aggregate. What else is in Own Source Revenue? Well, Business Income Capacity if Nunatsiavut Government carried on a business and made a profit that money would be included in competing Own Source Revenue. Property Income Capacity is also included and that might include rent or fees or licenses that you charged for people, that would be included in competing Own Source Revenues and finally fees and other charges capacity, so if any of you had been burdened like I have for the last thirty years of my life with tax stuff you'd look at this thing and say that looks a lot like a tax return, your business income, your property income, there's a couple of odd ball ones there, tax capacity but basically it's like a tax return of Nunatsiavut Government and then what's permitted and what was negotiated were specific exclusions from you Own Source Revenue to reduce it. So Revenue from certain sources it was agreed won't be included in competing your Own Source Revenue. Those exclusions may only occupy about a page of about a twenty page agreement but I can tell you those exclusions are the most important part of that agreement for the purpose of preserving Nunatsiavut Revenues and fiscal capacity going into the future and we can get into that more detail a little bit later but in essence if you were to look at a tax return you'd say that looks a lot like Nunatsiavuts On Source Revenue report an they were intended to look something the same and the reason is because at the end of the day call it what you want, transfer payments between the provinces, Own Source Revenue sharing with Nunatsiavut Government, it's a way for other levels of Government specifically Canada and in this case the Province to tax, to take away Nunatsiavut Revenues and say they don't take them away and go and use them themselves but they say they take them away and say I want your dollars to be the first dollars to pay for the program. Once you've reached a certain size or a certain amount your money will pay for the Programs and Services in your land. So, think of it as a tax and so if for example you were to say well I don't want to think of it as a tax, tell me it really is Mike, what happens? Well that last line on that screen tells you what happens as if Own Source Revenue reduces the Federal and provincial funding for agreed upon Programs and Services. So we could take an example on the next page and hopefully this I'll illustrate this and we can come back to this later on if the bell rings or the shoe drops later on and you think hold it maybe that was best illustrated on that form but the important thing to know is that the computation of Own Source Revenue, those four elements of capacities, business, property and income tax, those stay the same. What changes is in a schedule to the Own Source Revenue Agreement and it shows what percentage of Nunatsiavut Government Own Source Revenues is required to be contributed. So the Governments of Canada and the Province of Newfoundland and Labrador said we'll give you time to build up your war chest, we'll give you time to build up your capacities so we won't scrap very much off the top at the beginning. So in the example we've shown you in year 2012 the Nunatsiavut Government Own Source Revenues were 4.9 million dollars, 3.something of that was personal income taxes and GST, the tax capacity. At 1.25 percent which is the prescribed percentage in 2012 Canada says we're not going to give you \$62, 000.00 dollars that we might otherwise give you to support Programs and Services in your communities and so under the current FFA the budget was 30.9 million dollars, what you got was 30.91 in

this year because or would because they say \$62, 000.00 dollars, your share of your Own Source Revenues should be applied to Programs and Services so we'll pay the rest says Canada and the Province. You fill in at the top; we'll fill in at the bottom. What happens in year 2030, what people got to have to be looking out for is that the rate under that agreement changes from 1.25% to 50%. 50%, that's the highest personal income tax rate in this Country, so you think hold it a second here did we just get sold down the river here or what? What had just happened? Well, just to put numbers on it if we're not watching this Own Source Revenue machine we are going to get gonged on the fiscal financing agreement by the year 2030. In particular they're going to say well your Own Source Revenues, your share of it this year is 2.48 million dollars, thank you very much. The amount we'll give you for funding this year will reduce in the future to 28.4 million bucks. So where's the other 2.48 going to come from? Well, Canada will argue. You've got that much, you earned in Business Income Capacity Property, Income Capacity, Tax Capacity and other sources and the truth is that's right yes Nunatsiavut did earn it but frankly like anybody else I'd rather keep it for a rainy day. I don't necessarily want to put it all on the table today and use it and so if you're telling me that Canada is going to cut back the funding by the year 2030 on today's numbers by 2.8 million dollars, you say darn it there's 2.8 million that we can't put aside for the future we got to use it today in 2030 to pay for the Programs and Services that are being delivered in the communities. So just to stop right there, we covered a lot of territory in a fast period of time but believe me the point of this is to make you as Assembly Members and Elected Representatives aware that the machine runs on cash like just about everything else on with an eye of the future you want to make sure that you're preserving and conserving as much of your wealth as possible so that you can decide what do with and if we were to figure out a way to deliver the same amount of revenue to you but without it counting as Own Source Revenues you would have another 2.8 million dollars to do what you as Nunatsiavut Government want to do with it as opposed to being obliged to put it towards agreed upon Programs and Services. Nothing to say then to putting them into Programs and Services is wrong but I come from the school that I am more than happy to see Canada pay its fair share of what its agreed to pay everybody else and if I could keep something for a rainy day why wouldn't I structure my affairs so that I can keep as much as possible and at the same time maintain if not increase the level of Programs and Services that are being delivered in your communities. So that's an attempt to illustrate for you and maybe that we want to come back to that number, maybe that's a useful illustration later on but at the end of the day the point is that where you saw that 2.8 million dollars going towards Programs and Services and gone then you say well you know we were using some of that to pay for the 3.some odd billion to run the Administration side of this Government. Guess where the 2.8 came out of? It came out of the Admin side and with nothing else going on there's be cutbacks at Nunatsiavut Government, there's no money to pay the admin, 2.8 short because it went to pay for Programs and Services. So it's an attempt to remind you there's Admin and Program and Services but they get combined when the rest of the world looks at Nunatsiavut and says have a good day, I hope you got enough money to pay for what you need to pay for and you say I want to deliver Programs and Services and I want to pay the salaries of the Elected Representatives Members. How am I going to make up the 2.8 million that's been cooked into the system to pay for Programs and Services in the future and the answer is roll the dice, drum roll, it's going to be to

increase your investment income. That's what has to be the hole filler in this big equation. Your investment income is going to have to increase and remember Isabella pointed out in this current year's budget. Investment Income was budgeted at 5 million dollars. In that example we'd say Investment Income better go up to 7.8 million bucks to make up the 2.8 million dollar difference. We're counting on it to do that. If we can do better than that, wonderful. We use the term hide the Own Sources Revenue, that's even better so what we're going to be talking about for a bit here is how to do both of those things, increase your Investment Income and how to hide the Own Source Revenues so that you don't have to put them on the table with and into Programs and Services. We're going to just take a minute here and going over some points that may be old hat to some of you and on the other hand may not be and to the extent that they're old hat I can tell you that everyday I wake up I learn something new about this side of the equations so in any event I encourage you here to hang in with us on this because this is really critical.

**Mr. Pottle:** Before you go any further maybe you can bump back to that slide and speak a little bit about Investment Income and whether or not that's OSR'able because I think some may have missed that.

**Mr. Flatters:** Right. Okay go back to the numerical example.....

**Mr. Pottle:** Just speak a little bit to the Investment Income of whether or not they're OSR'able.

**Mr. Flatters:** The point of the Trust is to make Investment Income not subject to Own Source Revenues calculation and to illustrate it, suppose that Nunatsiavut Government had a hundred dollars and went out and bought a bond that said "I'll pay you back a Guaranteed Investment Certificate and said "thank you for the hundred dollars, I'll pay you back a hundred dollars in 2 years plus 3% interest per year". Nunatsiavut Government would earn \$3 dollars in the first year, \$3 dollars in the second year of interest income on the bond because Nunatsiavut Government owns the bond. We took Nunatsiavut Government dollars, bought the bond and they said who should we issue the bond to, issue it in the name of Nunatsiavut Government, that's who bought it. That interest income would be included in computing Nunatsiavut Government Own Source Revenues as Property Income Capacity. So you say well the good news is we earned \$6 dollars, the bad news is it just got added to our Own Source Revenues and it's going to be included in the claw back mechanism. If a Trust intern owns the bond, if the Nunatsiavut Government settled the one hundred dollars on the Trust and the Trust went out and bought the bond, the \$6 dollars of investment income will come into the Trust and at that point the Trust says I've got \$6 dollars of investment income this year and Canada said be quiet I don't need to hear about you Trust, you're not on my scoreboard. What about that Nunatsiavut Government, how much did it make? Did it make 3 or 6 or what? The answer is no, they didn't make any. Oh, then we'll fill in zero for this year on the Property Income Capacity line for you Own Source Capacity report. Have you given away or lost and forever lost the \$6 dollars? Not if your Trust Deed says that a beneficiary of the Trust is Nunatsiavut Government. In effect you protected it and some might say hidden it, maybe, maybe you've hidden it, you've played within the rule book

by saying my investment income is accumulating in a Trust where it doesn't show up on my Own Source Revenue score board. Next question is what about when we need it, we need to pay the salaries tomorrow morning and don't you recall Mike that \$5 million dollars was budgeted from investment income for the year to pay overhead and the answer is when that formula, specific exclusions. If we were to make a distribution from the Trust to Nunatsiavut Government that's when Canada would leap in off of the building and say aha Property Income Capacity eh, you got money from the Trust, we were waiting for that and you'd say we did get money from the Trust but we received it in a form that specifically contemplated in the exclusions so we add \$6 dollars of Property Income Capacity, we subtract \$6 dollars because of one of the exclusions and you Own Source Revenue Capacity is zero but you've got \$6 dollars in your hands to pay salary and that in a nutshell is what the Trusts are about. When we said point number three was to minimize Own Source Revenues we weren't kidding. The Trusts are there to allow you to build up as much investment income as you can without triggering Own Source Revenue inclusions but at the same time when you need the cash we have back doors built into those Trusts and into this agreement to allow us to distribute money to the Trusts to Nunatsiavut Government in a manner that we'll not be included in Own Source Revenue Calculations and if you were to ask well is that fair the answer is you're darn right it's fair because I'm here for Nunatsiavut Government, thank you very much and we were big people all at the same negotiating table and we all had the chance to look at what was being proposed. I can tell you that more recent Own Source Revenue agreements are no where near as good as yours, they plugged a couple of the holes that they've found out were put in the first time around so as much as they might try in subsequent negotiations to try and plug some of those holes I think you'll be in good shape to push back and say no and that's the deal when negotiated and it may be that others have agreed to something else but those exclusions were thought about long and hard and with a vision of how to distribute by the Nunatsiavut Government but thanks I appreciate that maybe that's an important point to just make sure. Is there any uncertainty at this point? We're going to keep moving through the presentation here but is some of this starting to stitch together at all for you or is it just so oblique that we just come back? Holding together so far? Then we're going to roar ahead, the finish is thrilling believe me. So in terms of whether it's Nunatsiavut Government or the Trusts how are you going to maximize your investment income? Well that's the same thing that you're all doing when you put money into your RRSP's, it's the same thing that Warren Buffet does when he wakes up in the morning and Bill Gates does when he looks at his whopping fortune and says why would I let it sit here and not grow? How do I make it grow? Some of them pick up the phone and phone other and others just like Warren Buffet go out and do things. So rough and dirty what you have to remember is that your investment income of Nunatsiavut Government, held directly by Nunatsiavut Government, not very much of it or indirectly through the Trusts is going to be a function of how much capital you have invested and what rate of return you get on that capital. So its capital times a percentage rate of return would equal your income for the year and so in the Summer of 2010 as this notes that this that total of your Chapter nineteen and twenty three dollars that have been received to date under the Land Claims Agreement is in the order of \$170 million dollars, it's a staggering number and yet in the long, long term I wake up every morning and I worry and I think I hope there's enough, I hope

there's enough and you think how could there not enough Mike? Well if you go on the principle that you're going to protect your capital and I'm going to come back and I'm going to be carried out of this building screaming it and you will throw me out of the building because you'll had heard it enough....protect you capital! Without protecting your capital it's a losing game and so in the case of a \$170 million dollars there's two things that are going to go into it; how much capital is it worth or what was the rate of return that year? How well did you do in investing? So on a \$170 million dollars you can see that 4% earnings you're talking about \$6.8 million dollars, that's more than the \$5 million dollars that was budgeted for this fiscal year for Nunatsiavut. If we got 1 percentage point more, it's up to \$8.5 million dollars, it's a big number. 1 percentage point makes a difference of \$1.7 million dollars and if you doubled from 4% and you had an unbelievable year where you earned 8%, look at the difference \$13 million dollars in investment income. So it's a function of two things, how much capital have you got at work and what rate of return did you get and that is what your investment income of your Trusts or if you held it directly would be. Capital times rate of return equals income.

**Ms. Pain:** The next slide we have we wanted to illustrate a real example of about how eroding your Trust Capital, the money that you have initially can reduce your investment income and we want to use a real example so we use the per capita distributions that were made out of the Chapter 19 money to all beneficiaries so the \$5000.00 dollar payouts were going to show you what impact that had on our capital. Using it as an example, if you look at the green chart we know that in summer of 2010 we had a \$170 million dollars and Mike just went through the numbers at the bottom there. It showed you we could have made, if we had an 8% return we could have made \$13 million dollars. We know, if you look at the very bottom line in the table, the \$5000.00 dollar payout actually cost us, it eroded our capital by \$21 million dollars. That's how much of the capital that we spent making a \$5000.00 dollar payout to our beneficiaries. If we had not spent that capital we would have had a \$191 million dollars of capital right now being in invested and earning interest. So let's look at the difference, we would have had a \$191 million dollars, at a 4% rate of return we would have earned \$7.6 million dollars compared to \$6.8. We would earning an extra million dollars a year even if we were only earning 4% rate of return now which is more money we could have had to spend. If we were earning 5%, if we had the full \$191 million dollars we would have earned \$9.5 million dollars this year compared to \$8.5 so we would have had another million dollars there and if we had a really good year and we were earning 8% we would have been able to have a rate of return or earn \$15 million dollars. \$1.6 million dollars more if we had not spent that money and that's a real life example of showing you what happens if you spend out of your Trust capital. It's less money you have to invest, less money you have earning interest for you, less money you have going forward into the future. So even though people thought that the \$5000.00 dollar payout wasn't a lot of money, in reality it's not just the \$21 million dollars, it's the loss you have every year because you've eroded your capital by \$21 million dollars.

**Mr. Pottle:** Isabella if I may add to that and we hear it all the time and as recently as last week, why aren't the Nunatsiavut Government giving beneficiaries x number of dollars on an annual basis or a quarterly basis. That is one of the reasons why and the other



reason for that people should be aware of is that by way of example if we give dollars to people who are on a fixed income, people who are pensioners by way of example or people who are on income assistance or social assistance we are in essence making that their life a little bit harder because the Federal and or Provincial Government is going to index that and reduce the rate of income that they provide you in pensions or they provide you in income support so I mean you're losing, we're not helping you we're putting you in a harder situation that your probably are already in as this slide illustrates if we continue to do that we continue to erode our capital month after month, year after year and in a matter of a couple of years we'll be broke, we won't have anymore money so we might as well shut our doors and that's the message I think people should keep in mind and when you hear beneficiaries coming to you and asking you those questions why aren't we doing that these are some of the reasons why. Thank you.

**Ms. Pain:** The other thing that we want to bring to your attention is that I'm sure that you're all aware but in the Land Claims Agreement there are two streams of payments. We get money from Chapter 19 and Chapter 23. Both of those streams of payment have a payment schedule, they don't go on forever, they do end and so what we did was we wanted to give you a table that shows you when that money is going to end and how much we expect to have out of the Land Claim dollars. So summer of 2010, we'll go back to the same amount, our fair market value we had in Chapter nineteen and twenty three dollars was \$170 million dollars, and we've showed you the rates of interest you can earn there. In five years we will have \$264 million dollars that is because we are still receiving payments from the Federal Government through the Chapter nineteen and twenty three dollars at a rate of return of 4% that means we could be earning \$10.5 million every year. If we protected our capital, didn't spend any of the capital, saved it all the investment income could be \$10.5 million dollars a year and at a rate of 8% it could be \$21.1 million dollars every year that we would be earning on a fair market value of \$264 million. In ten years from now we will be at the end of our payments. The last of our payments from the Federal Government will be received by us and that will be at a fair market value of \$275 million dollars. We won't have any more money from the Feds coming in, that's going to be it that's going to be all. We have to think about that amount of money as our capital, this has to last, not only us but your children and your grandchildren. This is all the money that there will be coming from the Federal Government through the Land Claim Agreement. If we keep and protect the capital the \$275 million on an annual basis if we invest the money and earn a rate of return of 4% we could be earning \$11 million dollars a year. If we invested it well and we had a good year, if the markets were good we could be investing it and getting a rate of return of 8% which is an extra \$22 million dollars a year. So we have to think about the fact that the money will come to an end, the money that we do receive from the Federal Government will be ending. It will be worth \$275 if we don't erode capital. So this is a best case scenario showing you on the chart.

**Mr. Flatters:** In a simple world you'd say oh glory in ten years in a good year we could have another \$16 million dollars a year available for Nunatsiavut Government to do things that Nunatsiavut Government wants to do. You can top up Programs and Services or it could create its own Programs and Services but that's the goal is to say that at the

end of the day the cards should land on your table, Nunatsiavut Governments table to then deal out and say this is what we, Nunatsiavut Government believe is the most and highest used of our fiscal capacity is be it another nursing station, be it another school, be it another recreation centre. You don't get those choices if you don't have the extra \$16 million dollars. That's the prize, it's the ability to call the choices at your call, not somebody else's. Now there's one nasty that's going to get in the way of you having full freedom to make that call and that's inflation because if you said well you know Mike I could see the day where even ten years from now where Nunatsiavut Government would be about the same size and so you know that budget of \$13 million dollars and your saying that there might be another \$16 million on the table there from the last chart that means there's another \$3 million even after we cover our costs to do something good with and I'd say be careful, don't count the 13 as a constant number even with the discipline that saying you're not going to grow. What will happen is that that 13 of operating costs is going to reduce because of the cost of inflation, salary increases, benefits increases, cost of supplies, staples, staplers, paper, telephone, it's going to go up we know that. We're living in a period right now in the last couple of years it's highly unusual low, low rates of inflation but we know that historically you better look out because if inflation sets hold and gets hold again the dollars you have today, the \$13 million dollar you have today won't buy you the same level of Government in the future because inflation won't let you. So the other objective here is that you have to say okay there's fiscal financing and Own Source Revenue monster up there trying to eat some of our money up and then there's the risk of eroding capital eating in the ability to earn income, that's out there too and know you're telling me there's another one, it's inflation, that's going to eat away at my investment income and the answer is yes it is. It's a reality and if you turn your eye away from that you're fooling yourself. You're better to look it straight in the eye and say lets budget, this is Mike Flatters speaking, who am I to say to you what you could do with your own resources but I'm suggesting to you that having watched other movies you have to look it in the eye and say I'm going to contain this, I'm going to control this and I'm going to leave it to the markets to be able try and grow Nunatsiavut Government revenues to beat inflation. So what's going to beat inflation? Well taxes aren't going to go up that much, your tax capacity hopefully as tax payers we see our tax bills go down a bit as opposed to going up. So if you're to look out and say how am I going to grow Nunatsiavut Revenues to keep pace with or to even to get a head of inflation? Then you ask yourself, what happens if I don't? Describe to me exactly what it is? So, this is an attempt to try and illustrate free-a-graphically what we were informed about for the trends and this is really just trending, but trying to give you an example in another format. The dark blue line is an estimate of Nunatsiavut Government admin expenses going into the future, adjusted for inflation. And I forgotten to be quite honest with you what rate of inflation we use, but we are pretty conservative. If you look at the light blue line, you can see what's happened to investment income. And like the rest of the world, the markets tanked in 2008 and 2009, so you saw it go down and even if it comes back and when it does come back, it's going have to try and beat that increasing line that is dark blue, that's your over head, your admin expenses are going keep going up, and it, just to take a line, even that ten million dollar line on the left hand column and if you just draw a straight line across it, follow across it, say well, we'll just keep making ten million dollars, the answer is, look at the gap that is growing there, between that

straight line and purple one. It's a short fall that's caused by inflation. Now, that last one, the orange line is of combined: taxes, business income, and investment income summary assuming a minimum rate of return on your funds and assuming a certain rate of inflation. And the point is, if you protect your capital odds are you're ahead of the game. Your orange line is up above your blue line and it's giving you room, the difference between those lines is room for you to make choices as a Nunatsiavut Government, about what programs and services to enhance for your constituents. If it falls short, it's no choice, and its cut back time. Cut backs at admin level, cut backs at salaries, cut backs at staff. And that's just the cold hard facts and if you want to pick up a newspaper and read about how ugly it looks, read anything about the state of California right now, that is bad, bad news on the horizon there, and in that case, there that got the opportunity to collect taxes themselves but, it's a hopeless case in California and so now you got the risk of California issuing a bond to save us, saying "We'll pay you back in three years, a hundred dollars plus eight percentages per year" and we'll all say "No thanks, I'll take a pass on that one" Because I don't think that hundred dollars is going to be re-paid in three years, I think your gone. You're going to default on your debts. And so, if you think, well it couldn't happen to me, all they have to do is book themselves to the boarder, things happen, and so, being cautions, being conservative doesn't sound very flashy and it's not real popular, but its very prudent. And it's saving for the tough times that you don't have control over, so that you're not forced to make some really, nasty, nasty, decisions as a Nunatsiavut Government. So, that's the point of that slide, it's simply to see that gap if you manage things well you can get ahead of that line, if you don't, look out. So, of all those sources of Revenue to Nunatsiavut Government, we're suggested to you that that one that has the best chance of beating inflation is your investment income. And that is the advice that we received from a number of people all over the country, frankly, is that your tax Revenues as I say, I don't think that you want to be the ones that are raising taxes on your constitutions in order to pay overhead. I don't think you want to get out of the business directly because the risk is, if it's a good business and your looking for good work return there is also a risk that you can lose. That's the nature of business, so in your equation, that best place to look for the ammunition to beat inflation in the future is going to be your investment income and that's a simple fact, and that what the models we built on, for at least five, five or more years now is with a view to using your investment income as the back bone of your Government. This is addressing the point that we addressed when your Minister of Finance raised it earlier and that is, if the Nunatsiavut Government invest it's Chapter nineteen and twenty-three money, the income would earn, earn, would have been Nunatsiavut Government own source Revenue, so then you say "Good for you Mike, you beat inflation, but you fool you sucked us right into that Own Source Revenue machine and we got chewed up in there" So, the point is, if the Trust does the investing, the Trust investment income does not get included in Own Source Revenue, so it won't get chewed up by the Own Source Revenue machine and the fiscal finance agreement. It'll sit there and it'll grow. Answer, what if we need the money to pay salaries? They are coming and due in two weeks. The answer is: we have ways of getting the money out of the Trust where it won't be included in Nunatsiavut Government Own Source Revenues. If we don't really need to go into those mechanisms that are a classic one of, trust me, but there are means in that Own Source Revenue agreement for distributing funds out to Nunatsiavut Government without it being included in the Own

Source Revenues. So, without getting into those then, we'll turn to you could fairly ask. "So, Mike you say investment income is going to beat inflation eh? That's the one we're counting on? Tell me what are the sources of investment income, what's it all about? What's being pursued here?"

**Ms. Pain:** Basically there are three sources of investment income that we're looking at in investing in. Canadian Equities, which is shares in companies listed in Canada, so we can go out and we can buy shares in certain companies that are in Canada. And that's what all of the Trusts do. We have some Canadian Equities; those are things like, Canadian Helicopters or Canadian Tire. We can go out buy some shares we get a return on those investments. It's investing only in Canadian companies. We also, can invest in Foreign Equities, and those are shares of companies that are not listed in Canada. So, they are not Canadian companies, but we can our investment policy let's us go and make some investments in Foreign companies and as an example, Foreign Equities are things like ballet and Microsoft. Not saying that we own either of those two companies, those are just examples that you would know of Foreign companies that you could invest in, if you are looking at investing in Foreign Equities. The last type of place you would go if you wanted to invest your money is to something called Fixed Income, which are basically Bonds. And those are things like Canada savings bonds or bonds from other companies. So, those are three different things that we look at when investing money: Canadian Equities, Foreign Equities, and Bonds. So, the Canadian Equities and Foreign Equities are commonly referred to just the stock market investing in the stock market, that's probably how you would of heard it, so, those are the three sources of investment income from investing in those types of companies or markets.

**Mr. Flatters:** The point of this slide is to give you a snap shot of a day in the life of some of the individuals in this room who have this responsibility and some that continue to have the responsibility. Trustees of these Trusts much like when I took the example earlier and said "Isabella, hold this pen." Isabella has a really high responsibility because she has the highest duty that known at law to protect this pen and make sure it's there to be awarded to either the student or the business person that we described earlier on in the day. So, the Trustees of these Trust that have the land claims money in them, go to bed ever night and say "I pray that it's all there tomorrow morning" I hope it's properly invested, I'm confident that it's properly invested, I'm confident it's safe and I'm confident it's growing. How do you know that? We'll, as Trustees, the Trustees have had to jump into the deep end of the pool, right off the bat, and they have to learn, they have had to learn some pretty basic and also some very advanced investment theories. We've had the benefit of a really good coach. A man based out of Montreal, who is a teacher by heart, but who is businesses to advise people in the role of Trustees, like ourselves, and other businesses about how to select good investment managers and how to measure their performance. So, with the help of this fellow, those of us who are Trustees have created something called an investment policy for these trust monies. Say what the investment policy is; we'll get to that in a minute. What else do you do? Well, ok, the investment policy is a vision or a plan. How do you implant it? Well I can tell you, that I do not pick up phone each day and place an order with a broker and say "I'll buy ten thousand shares of Microsoft with Nunatsiavut Government money" That does not happen. We hire

professional traders, professional investment managers to take those funds and place them into the market, with within guide lines that we give to them. So, we hire consultants and we hire investment managers to manage these Chapter nineteen and twenty-three monies, they're the ones that make the call to say "I want to buy ten thousand Microsoft or I want to sell five thousand Canadian tire" No body calls me as a Trustee and say "Mike we're about to sell five thousand Canadian tires, is that ok?" That does not happen. We hire the managers, we say you get paid a fee, you better do well. Because if you don't do well, it's as easy to fire you as it is to hire you. And you are paying your gasoline expenses in your home town out of your fees that you earned from the managing of this money; you don't want to have to shut down your car because we fired you, because we're not paying your fees anymore. We're watching what you do managers, and you better do well. And finally, in the context of having hired them and as I said, we review them. We watch them, and you would be stunned to find out the amount of information that is out there in the investment industry that compares the performance of managers to each other, compares the performance of managers to indexes or averages across markets. Not only as against manager but, as against market as a whole, there is so much data out there, it's staggering and these investment managers basically walks around in a very transparent world. Everything they do, we see, and every result they record, we're able to monitor. If we see a under performing manager, we fire them. It's that simple. It sounds kind of hard, it is hard, but being soft is not a place to be if you're managing the money that belongs to Nunatsiavut Government and the beneficiaries of the Labrador Inuit Land Claims Agreement. There's no place for being soft, because I as a Trustee, took on the duty to do the best I can do, for the beneficiaries of that Trust. And doing the best that I can do for those beneficiaries does not include accepting third or forth rate performance from a manager. I'm not going to do that. I'm happy to be their friend, but, I tell you this, I'm not going to hire you after this month, because you are just not doing the job. But you say, "We're doing pretty well" pretty well doesn't count, I'm sorry, I have a higher duty than pretty well. I got a duty to be looking for the best, so that's the burden and the opportunity that we take on as a Trustee. You manage the managers, you don't make the calls yourself about buy or selling, you hire good people to manage the money. And you meet with them, and you look under their hood and you check what it is that fires their engine, you look in the back seat to see who is helping and you try and learn as much as you can about them, and at the same time you are learning about their competitors. So, that you know where they fit in at the market place. So, that's the role of the Trustees in connection of the investment of the money, and Isabella I'll let you talk about the investment policy.

**Ms. Pain:** So, what we do as Trustees, when we hire a investment manager, we give them our investment policy, we have developed a investment policy as Trustees for each of the Trusts, that tells us we are going to allocate our investments between the Equities, either the Canadian or Foreign Equities which are riskier and between Fixed Income which are bonds and are safer. Historically, Equities would have better rates of return than bonds, over the long term, they go up and down, in the short term but, if you look at the trends, they general out perform bonds so, if you need to make more money you need to be in Equities. Bonds, they do perform, they perform well, just not as well as stocks, they are safer, you know if you put your money in bonds, you'll get some money back,

and your money will always be there but you won't earn enough to out perform and to be out inflation and all of your other rising cost. What we have done, in terms of our investment policy is we have a mix. We have come up with a mix of a certain percentage of allocated to Foreign Income, to Foreign Equities some to Canadian Equities and some to bonds, we want to ensure that we protect our money but we also want to ensure that we're getting a certain rate of return to meet Government needs going forward. In recessions Equities which are the stocks they do decline, they do go down in value; we saw it in two thousand and eight. We looked at our statements and I know you guys have seen our statements that everybody said "What happened in two thousand and eight? Where's our money? What happened to our money?" Well, we we're in stocks, and the value of stocks declined. It's not that we lost our money, it's that the value went down, we stayed in and they money is starting to return in its value. "I don't know if you want to expand on that Mike, in equation two thousand and eight"

**Mr. Flatters:** Yup, we can. I have no doubt that there were stories spreading through the communities about what happened to the Nunatsiavut money in a horrible investment year. And so I think it's best to face it square on. So, what, short of what I'll just say More than happy to make sure to make time for questions on this one later to, but, understand that what happened in two thousand eight was a combination of to the Trust funds, was a combination of two things; one was Global Markets just went in the tank. And we all suffered that. The second thing is that in one instance that we had a manager that we're not sure that was doing the best job of managing that could have been done. And so as a result at that any point in time through two thousand and eight and early two thousand nine, if you ask "What does the report look like compared to last month?" We get a report every month. What does the fair, what is the book value at, the historic cost and what's the fair market value of the portfolio that the managers hold for the Trust? If you looked at them for the number of months the value at the end of the preceding month was higher than the value of the end of this month and that is just simply because those stocks that were owned by the Trusts we trading at a lower price on the close of trading then they were at the end of the previous month. Did we sell them? Did we trigger a loss? No. We didn't sell them. We stuck in there and we hung in there and we said there is no point in selling into a losing market because what are you going to do with the cash? Are you going to go out and buy another stock that you are more confident that is going to go up? Or do you have faith in your managers that they bought good companies and the whole level of the water has gone down but when things turn around, when the economy turns around, do you want your money with the companies that they think were good companies or do you want to take it out and go and start playing the market and figuring out, well there must be somebody who is better. Well there is nobody that is better than say Intel at making chips. And so, if you had invested at Intel I can tell you it went down like that. Do you want to get out and go and invest in General motors? No. We don't want to get out, we don't want to go and worst than that we don't want to be in General Motors. So, we're going to ride it out. At the time, anytime along that cycle you could have said though, "Have you lost money?" The answer is, the value of the portfolio has gone down, have you lost it? You only lose it when you sell it. Crystallize the loss when you sell it. For the most part we did not sell anything, we stuck it out. The second part of that was that we had a manager that we think under performed us. And that manager is no

longer a manager with your funds. It's that simple. They were fired. Because we thought that they didn't do a very good job of dealing with a bad situation. And although I missed the first twenty minutes of it because I was on a phone call about something else, I can tell you that there are three individuals in this room that sat in a meeting with a representative of that investment manager and by the time I entered the room I could already see the smoke coming out of the ears of those individuals from your team. They were some in sense that the explanation was being giving by that manager. The decision was made that day. I know that the markets have been bad, I know that everybody have been hit but that explanation doesn't cut it, that does not cut it based on what we hired you to do. What you told us you were about; you weren't doing what you told us you were about. You were out there trying to make up ground because you had changed your style and that was enough for us to say "We are out, we're not with you anymore" So, that sort of two things that happened in two thousand eight, the market really tailed off and in one small piece, one piece of the portfolio, was had a manager that was exacerbating that loss that virtue by their own style change that came unannounced to us and so, once we realized the style change has been implemented we said "we're out" We chose you because we thought you were good a protecting capital and at making pretty good returns. When you're out there chasing returns then there's terminology in that industry and one of them that is illustrated to me is "Are you out there chasing rates of return or are you out there trying to protect the capital and earn a rate of return on it?" Chasing rates of return is about guessing who is going to shoot up the fastest and that's about a whole lot of speculation that's about timing. There are a whole lot of elements that go into that. On the other hand there are other managers who say "I have tried and true method" there is nothing spectacular about this, I don't always end up in first place, but over time I'm usually in the top quarter because for example this manager says "I worked for companies that have high free cash flow. Free cash flow gives you choice. choice to invest in new machinery, choice to take over a competitor who is hurting in a down time. So, we pick managers based on their style and to be quite blunt we have never picked a manager who is the one that chased rates of return. Because as Trustees we've always ranked protecting the capital higher than their rates of return on their investment because to take an example this is the one is often banged and bounded about, and if I am using one you know then I apologize, but for those of you that never heard this one I found it really illustrative and that I'll probably buff it as I say it but, if you lose a hundred dollars in market value, something is worth three hundred and goes down to two hundred then the next year, so I have lost a hundred dollars and that was one third; to make it back up I now got two hundred, do I have to make it a third? To make it back? I don't, I have to make more than a third just to get back to three hundred and I won't bore you longer with them but I'll just let you think about that one because it's a really powerful illustration that to go down and come back up to where you were takes twice as much as what it took to go down, and so, if you were to ask yourself in the long run what are you trying to do here? The Trustees would say, "I am trying to provide enough investment income to allow Nunatsiavut Government to make choices in the future about what programs and services it would like to deliver. How do I do that? I try and provide enough investment income. How do I provide enough investment income? I protect the capital. Because other wise I'm fighting a losing game, I am asking somebody to double their rate of return in order to just get back to zero. That sounds a lot like chasing rates of

return to me. As opposed to sound and investment principles and so we took it on the chin no question about it, like everybody else did. I can tell you, you did not take it on the chin as severely as some other Trusts that I will talk to you about later on. Nor, did you take it on the chin just as badly as some pension funds and these are highly skilled personal running these funds.

**President Lyall:** I just want to make a quick point Mike, I'll let everyone here we had more than one manager. We got rid of one that wasn't performing well, the other two managers kept on. I just want to get the impression that we make sure everybody knows that we never had the entire pop under one manager.

**Mr. Flatters:** Thank you. I want to get back Isabella's point, we have a manager for Canadian equities that frankly we're very pleased with. We have a manager for fixed income investments that frankly we are very pleased with. We had a manager for Foreign Equities that we were not pleased and we've replaced him. But we think we've been fortunate with the managers that we've chosen particularly for Canadian Equities.

**Mr. Russell:** I would just like to make one point if I may. Mike you used a great word there, exacerbate. We, the reason why that rumor mill began and things were really bad and I mean you know a lot of people understand the basics of what happened. But the bottom line was the way it hit the public was in the form of a question from an average beneficiary. And the problem being is the Government, we didn't address it, we didn't go, you say the beneficiary of the Trusts being the Nunatsiavut Government and then the beneficiaries of Nunatsiavut Government and our Land Claims Agreement being the Labrador Inuit were never addressed the political representation was never addressed; it was never brought to this house and it was never as you said dealt with it head on. If that had been done we would have been able to minimize all the negativity, all the conations that arrived from that which said we were doing something wrong, there was something shady going on, all of the things that anybody and any group of people that get together and talk are going to run over that ground, they're going to do that. We never did a good job of addressing the situation and speculation was wild and when questions were asked even then they weren't answered. So, that's something to keep in mind going forward and I mean if something were working on as a Government I know in terms of communication, internal and external but it's something we can't afford to go through over and over again it's something that we have to be very prived to be dealing with. It's just we could of nipped it in the butt long before it got out of hand but when requests were made and information wasn't given and I mean it's in the past we're not going to harp on it. But, we ourselves, you know, we're responsible for not addressing with it and dealing with it in any type of timely fashion and that's why it got to where it was.

**Mr. Pottle:** I don't want to take away from this presentation but I just want to respond to Keith's point and I think Isabella or Mike raised it sometime ago when you prefaced your discussion around, you've probably heard a lot of rumors in Inuit communities regarding what happened in the stock market. We heard rumors, some of those rumors were perpetrated by politicians as well even though people may have say the information never have come to this House of Assembly. Politicians have a duty and owness to find out



that information on behalf of their beneficiaries which in some cases never happened and so I just wanted to make that point as well. Thank you.

**President Lyall:** I also want to make a quick point as well; I don't want to get into this discussion again. I went to every community, held public session and answer all their questions on where that money was. And I find it rather; Keith said "Why are we going back to it? I went to every community in Nunatsiavut and explained what happened to the twenty million dollars that was lost.

**Mr. Flatters:** I can assure you that as one of the Trustees; I know that I am a better Trustee this week than I was several weeks ago. And we've all learned a lot as we've gone along here and so that's one of the key things that we learned going through that one. And, to be quite honest with you, I'll say this and this has been echoed by our coach and that is that is as Trustees, I'll say I'm a grey hair but I'm the only one that is a grey hair I think in that crowd. I still think I am relatively young but as Trustees, we've seen more in five years than in a lot of investment managers and pension fund administrators see in twenty. We've had an incredible series of events; economic events. We started investing Nunatsiavut money just after the so called dot com bubble burst so, early two thousand's, internet stocks we're all out of site and then crash, they came down. Since then, our market run and then we've seen a crash that goes back, digs back to the nineteen thirties. We've seen Foreign Equities go out of favor because of the Canadian dollar has gone up in value. We've seen everything in five years that you might get in a career. And, so to that extent while we are bruised and battered we feel we are pretty lucky to be able to learn from all of this on the job if you will. And I think we came out of it a lot better than a lot of your peers and I can talk to that a little later on to again. So, in terms of going back to the beginning and saying as Members of the Assembly and Elected Representatives and you're running a Government, what's going to be the biggest risk to you as a Government to maintaining your levels of programs and services in the future? What have you got to watch out for? And we're here to suggest to you just based on what we know and we know that you know more than we do in terms of the bigger picture but from our little corner of the world we're just going to suggest to you that a few things that we'll all have to keep our eye on; our inflation, eating away at the value of a dollar that you earn and bumping up the cost of doing what you do. Investment performance is going to give you room to wiggle and room to do really good things. Annual program and service budgeting is something that has to be done with discipline. It can't be done frivolously, it's a critical exercise. F.F.A changes, there might be some; they might decide to change the whole F.F.A regime. In which case, it's back to the bargaining table and Isabella and her team will be back there with her with six ounce boxing gloves on ready to go at it again with them. O.S.R changes, they could try and change them, we hope we're in a strong position to push back at anytime. Misplaced expectations from beneficiaries that can put a lot of pressure on Nunatsiavut Assembly and elected Members in terms of being able to maintain your programs and services as if you bend every time without reason. If you bend over all the time you're going to find yourself backed into a corner eventually. Although you all know and I'm the first one to understand that you're here for the beneficiaries. Your not here for anybody else, you're here for beneficiaries of the Land Claims and the Members of your constituencies and

finally what I call discipline or lack of it. You got to hold hard and go hard and be strong and be very determined about what your up to because otherwise that's a big risk to you to being able to deliver a constant let alone improving level of program and services to your Members. So, Isabella, what would you do to maintain programs and services?

**Ms. Pain:** Well, the things that we came up with that as Trustees that we think about everyday, how do we ensure that Nunatsiavut Government has the money it needs to maintain the level of programs and services we as beneficiaries expect and as Government we want to provide, you have to minimize O.S.R to maximize F.F.A and I hope you understand those acronyms by now but, we have to minimize our Own Source Revenues and we do that by using the Trust vehicle rather than having Nunatsiavut Government earn the investment income. We see that you cannot erode Trust capital; you have to protect the money that we are receiving from Chapter nineteen and twenty three, we can't eat into that amount of money otherwise we'll earn less every year forever going forward; we have to protect the capital. We also have to invest to beat inflation that means we have to have money in the markets as much as we see that we can lose, but that is the only way that we can actually make enough money going forward to run Government. Something else we have to do is to try and develop new sources of Revenue, find other ways to make Revenue to earn income, in terms of our communities. The other thing that we need to do is to manage expectations. We know that sometime that we see amounts of money like we are talking about a hundred and seventy million dollars, people think that's a lot of money and it is a lot of money. But, it's not a lot of money when you think about how much that can do in thirty years from now. That money has to last forever and so we really have to manage expectations that we see the numbers on the page and it's the people really excited but we need to think about what that means for Inuit going forward into the future. The other thing that we need to do is to make every dollar count, sometimes we think you know if we're not talking about big numbers it doesn't really matter but every dollar that we spend on something that we don't necessarily need to spend it on is a dollar that we have lost. Every dollar that we earn is a dollar that we can use to create to generate more revenue going forward. So, every dollar does count and we have to ensure that we are doing everything that we can do to manage all of the dollars. So, that is the end of the first part of our presentation, I'm not sure if this is a good time for a quick break so people can eat. What we want to do next is to get into the each individual Trusts themselves.

**Mr. Barbour:** Just one comment there though that and you did say it correctly Isabella, because even though that we are not in a formal way with the Speaker, using all the rules of the assembly but this isn't Assembly sitting, it's being recorded. That figure of a hundred and seventy million dollars will get out to beneficiaries the expectation will now be even greater when we get back home, just a comment.

**Ms. Pain:** Part two is where we get into the actually Trusts that we have established as Nunatsiavut Government and that we have managing the money for the Settlement Trust the investment money that we have and also the Tasiujatsoak Trust. So, were going to go through each of the Trust talk about what the objects of the Trust are and who the beneficiaries of the Trust are and then we are going to get into some of the financial

numbers and the value of each of the Trust and then we are going to get into some of the recommendations because these Trusts one of the Trust actually means more people on it and so we are going to get into some recommendations about that. So, Mike is just going to start with just a description of each of the Trusts

**Mr. Flatters:** Thanks Isabella, I'll describe for you two of the Trusts. One being something called the Settlement Trust and the second one something called it Implementation Trust. It might be worth while just before I get into the description of both of those to answer the question that is inevitably going to come up. Why two Trusts? Why not just one? And the short answer is O.S.R. Canada agreed to give very special treatment to the money that came pursuant to Chapter twenty-three of the Land Claims Agreement and said that investment income derived from the Chapter twenty-three money through a Trust could be received by Nunatsiavut Government without including it in Own Source Revenue. And so for the purpose of purifying that stream of money, we recommend that it would be set off and set aside in its own Trust, so, that we can always satisfy Canada that money that was received by Nunatsiavut Government came only from Chapter twenty-three money and money invested with it. So, briefly the two Trusts that are related to these Land Claim monies are the firstly the Settlement Trust and you will see that it was created in March one of this year so, just this year we have been slow getting it out of the gate and frankly it was partly because we were tinkering with exactly how the object should be set up. And remember to have a Trust, you need Trustees, you need Trust property and you need beneficiaries. Sometimes beneficiaries are also described as the objects of the Trust. And so, we were struggling for sometime with the strictures that were imposed under something called the Tax Treatment Agreement that was entered into with Canada and it said "If you take your Chapter nineteen monies and set them aside in a Trust any investment income that's earned by that Trust will be exempt from Income Tax not O.S.R but from Income Tax. So, they said how ever in order for that money to accumulate tax free we insist that, firstly there would be a broad range of beneficiaries so that would include Nunatsiavut Government but it also includes Inuit Community Government's, it includes beneficiaries of the Land Claim Agreement, it includes registered charities and it includes non-profit organizations that exist for the benefit of Inuit. So, really broad range of beneficiaries or objects and dedicated to receiving the Chapter nineteen money so that no matter what happens that Chapter nineteen money can build up and compound without being eroded by income tax. We had other ways to minimize income tax on that but we said if you are going to give it to Nunatsiavut we will take it. And at the present time what they said was in order for it to be exempt from tax we want it to be able to pursue various types of social purposes. And so the objects of the Settlement Trust include, as you'll see up there a really broad range of social, cultural, housing, health, education and economic assistance to all eligible beneficiaries. So, in time, that Chapter nineteen money is going to become the subject of some really hard decision making at the Trustee level about complimenting existing Nunatsiavut programs or creating its own. My own view this is just me speaking as it would be silly to be redundant and I hope at the end of the day I hope that it compliments what Nunatsiavut Government is up to do, there is no point in competing but at the same time they left it open to the Trustees to in effect create a program or a objective that could be satisfied with those monies. In the near term, the money, income that's earned on the

Chapter nineteen funds inside that Settlement Trust is going to be going to Nunatsiavut Government to enable the Nunatsiavut Government to pay administration expenses. So when we were describing a combined pot of a hundred and seventy million dollars earlier in Chapter nineteen and twenty-three funds and showing four percent, five percent and eight percent on that. That number is probably going to be needed for the next few years to support Nunatsiavut Government until you get out to when you got two hundred and fifty million dollars of combined capital and then knock all of the income from the two Trusts will necessarily be needed to pay Nunatsiavut Government overhead. But, in the interim we have anticipated that while the Trusts are smaller, a hundred and seventy million dollars is not small but it is smaller than two hundred and fifty. While it's at the hundred and seventy mark combined and given these markets it's going to take everything it can get to fuel Nunatsiavut Government admin expenses. So, in the near term the income will be dedicated to Nunatsiavut Government in long term it will have this very flexible range of goals and objectives that can be pursued with the funds. The second Trust that has been set up is something called the Implementation Trust. It was set up a number of years ago largely because it was easier to do and in effect what Canada said was if you set up a Trust with only one beneficiary the Nunatsiavut Government and only put into it, Chapter twenty-three money then you will be allowed to take the income from that and distribute it to Nunatsiavut Government and it won't be included in the Own Source Revenues. It was a concession by Canada to say in effect you know that Chapter twenty-three money is there to help you get going and then when we said what about putting it into a Trust, just for creditor proofing, they said fine by us go ahead and do that and so they said therefore a path or a trick from the Chapter twenty-three Trust the Implementation Trust to Nunatsiavut Government is not included in Own Source Revenue. And as a result there is only one beneficiary, it's the Nunatsiavut Government. I'll let Isabella jump in next.

**Ms. Pain:** Ok the Tasiujatsoak Trust it was created in two thousand and two as a result of the impacts and benefits of the agreements with Voisey's Bay Nickel Company at the time and its objects are to receive and invest the money that's come from that I.B.A. The eligible beneficiaries out of the Tasiujatsoak Trust there is a number of them, it includes the Nunatsiavut Government in charitable organizations with a specific criteria and a community or a class of Inuit. Some of the other things that they do are to disperse funds to enable Nunatsiavut Government to meet its obligations under the I.B.A. That's one of the first calls under that Trust is that we have to provide enough money to implement what's in the impacting benefiting Agreement so to insure that we have the staff to do the work and all those things. To assist the seven community volunteer centers, to meet community needs, another object is to reduce a negative impact so that the Voisey's Bay project and also to promote social, cultural, education, language and business initiatives. And this Trust was established in two thousand and two so it's the longest running of all the Trust that we are talking about today. So, Trust fund balances one of the things that we wanted to talk about here is just to tell you that the value of each of these Trusts. The Settlement Trust to date has a value of sixty-nine million one hundred eighty-seven thousand six hundred and twenty-two dollars. The Implementation Trust has a hundred-one million four hundred twenty-nine thousand seven hundred and forty-three dollars. And the Tasiujatsoak Trust has one hundred thirty-one million nine hundred thirty-two

four hundred and twenty-eight dollars, now, while the Settlement and Implementation Trust don't have specific allocation in them, under the Tasiujatsoak Trust we want to talk to you a little more about allocations that have already been made so even though you have seen value or the balance being one hundred thirty-one million some of that money has already been allocated to other things that are required and some that have been decisions of the Trust. We want to just give you a quick chart to show you some of the contributions that have been made by the Tasiujatsoak Trust over the past number of years this isn't a complete listing of all projects but it is just to give you some examples of the money that has flown from the Tasiujatsoak Trust to various Nunatsiavut Government Departments. So, the Department of Culture, Recreation and Tourism has received one point nine million dollars and some of the things that's been for is the Rosetta Stone, new Cultural Centre and a number of the language programs that are currently being funded so the LAITP and other things that Torngasuk is doing. The Department of Health and Social Development, about two million dollars has been given to the Department of Health. That has done certain things including the Healing centers, the one just outside of Hopedale and the one that will be outside of Nain, Daycare building in Nain to provide for the salary of the Healing Coordinator also the purchase of the wheelchair accessible bus that's used in Happy Valley Goose Bay and also for some of the salaries under the mobile Mental Health team. To the Department of Nunatsiavut Affairs, the contribution from the Trust was for five point eight million in which is to help with the construction cost of the Assembly building here in Hopedale. The Youth Division, four hundred and seventy seven thousand and that has gone to annual things like the Youth Gatherings and the Youth Symposiums as well as the Elders Conference and other things like Kajak Courses. And also to Inuit community Governments so far the contributions have been six point seven million dollars and that's for various capital works and recreation facilities funding and again those are the contributions to date but as I said, a lot more has actually been allocated decisions have been made to allocate but have not actually been spent yet. Some of the allocations and disbursements that have been made in total since the Tasiujatsoak Trust was created, disbursements to funding applications so funding applications we've received from various projects including; Nunatsiavut Government but also people like OKalaKatiget Society, the Region Inuit Women's Group to other organization's in our communities. We've made disbursements of seventeen million dollars. Capital works, a decision has been made to allocate twenty million dollars to the Inuit Community Governments in each of the Communities up to twenty million dollars for capital works in the communities and allocations have been made of three point five million for a senior's home. The allocation is there, it hasn't been spent yet until the department of Health and Social Development is ready to take that project down and a number of things have to be done before that. They're ready to do that, but the allocation has been made to put towards a seniors home. Volunteer centers have received four point nine million dollars to date. Recreation centers, the AngajukKak from Hopedale was asking about that earlier today, there has been money allocated to each of the Inuit Community Governments of four million each so they can use that for recreation facilities in each of their communities. None of the communities have actually accessed this funded money yet because they are searching trying to find other partners to invest in these recreation facilities because some of them will cost more than four million dollars each and so we are looking at Provincial Funding or other funding sources to

partner to be able to allow the Inuit Community Governments to build a recreation facility for the community needs. One of the requirements of the Trust deed, Mike spoke this morning about the Trust deed being the rule book that the Trust has to follow; it's the guide that you have to look at. The Trust deed for the Tasiujatsoak Trust requires that a certain amount of the money received under the Tasiujatsoak Trust is set aside in something called a Heritage Fund. What the Heritage Fund is money has to be saved for future, so we can't touch it we have to put so much into that Heritage Fund and we can't spend it even as Trustees. The value of that right now is fifty million dollars. A decision was also made that there would be allocation for economic development of ten million dollars, that hasn't been spent or dispersed yet but it has been allocated.

**Mr. Flatters:** One of the points of this portion of the discussion with you is to raise your awareness and for us to help you become more aware of whom the Trustees are and to what extent they are serving the right propose. And so, to that end we wanted to bring your attention firstly that the Trustees under the Settlement Trust were defined as being firstly in the first iteration of the Trust deed, as being the President, the Minister of Finance, the Deputy of Minister of Finance and two other individuals. And one of those individuals should not be an eligible beneficiary and there must be at least one male and one female Trustee. So, at this time the Minister of Finance and the President are obvious, the Deputy of Minister of Finance is in the course of being a new Deputy Minister of being appointed, has been appointed and the other two individuals are Isabella Pain and myself. We were asked at the time by the drafts people that we would agree to do that. In connection with the Tasiujatsoak Trust the Trustees presently are; five persons and they are the President, the Minister of Finance, two non-beneficiaries who are; myself and Sharon Pevie and one eligible beneficiary who is Isabella Pain and lastly, the Implementation Trust was set up as you noted earlier and it was initially set up with four Trustees. At this point in time there are only two of those Trustees still sitting, they are; Sharon Pevie and myself. We're obliged to recommend replacement Trustees to Nunatsiavut Assembly and Nunatsiavut Assembly will make a decision on who the Trustees of the Implementation Trust should be and in that regard the rule book says there should be two eligible beneficiaries and there should be one person who is not an eligible beneficiary and within the two eligible beneficiaries' category one must reside in of the LISA area and the second must be a Government person during their term of appointment. So, remember that the Implementation Trust is there to basically invest the Chapter twenty-three money and churn it out to Nunatsiavut Government from time to time because it's not included in O.S.R. It helps pay for Nunatsiavut Government admin. The Settlement Trust right now is being invested in being applied towards in paying Nunatsiavut Government admin and the Tasiujatsoak Trust has its own rule book where it's much more discretionary in terms of how it disperses its funds. So, one of the trends that we've noted and this will be echoed in a second here when we show you what has been recommended so far, with respect with the Implementation Trust is that the time and the attention that is devoted to the investment side of the life of a Trustee really should be about eighty to ninety percent of their time. They should be thinking about the investment policy, they should be monitoring the investments they should be monitoring the investment managers and so one of the things that we have noticed is that either you've compressed that knowledge into a smaller group or you just start off from the beginning

and say do you need as many Trustees as you have? Because in time you are going to build up some knowledge and some capacity with this whole investment industry, so in light of that, Sharon Pevie and I have will be forwarding to Nunatsiavut Assembly a recommendation that for the time being that the Trustees of the Implementation Trust consist of three individuals. This was concocted a couple of weeks ago and at the time we were integrating different thoughts and so at that time we said and we canvassed would you be willing to and I said yes I would be happy to as Isabella said she would be happy to and at that time we recommended as well Wyman be involved because Wyman had a really good feel for the ebb and flow of Nunatsiavut Government at administration expenses and what was needed in terms of one communication between the Trustees and the Department of Finance and secondly he had a pretty good handle on what the investment side was about having watched it from a distance for a couple of years actually. So that was the suggestion that Sharon and I will be putting forward, obviously its up to the Nunatsiavut Assembly to decide what it wants to do. What we do know is that in time we've learned the following about Trustees qualifications and I'll let Isabella describe it because sometimes it's like looking in a mirror and sometimes you're a bit frightened to see what you see there but any event.

**Ms. Pain:** So what we think that we need to see in Trustees what the qualifications are for people who want to be Trustees and who are on the Trust; are people who are educated and have experience with Trusts so people who know something about money, about money management, a little about the investment world and it's good if you have experience with Trusts so that you understand what the importance of the rule book and understanding your obligations as a Trustee that you can't make any decisions in relation to about, with your feeling in mind, it has to be based completely on the rule book that is there before you. We've also find it very helpful in terms of having people who have corporate knowledge about Nunatsiavut Government operations and I say this from the perspective of the Tasiujatsoak Trust number one because we get so many applications from Nunatsiavut Government from various departments; it really helps when you have people who are familiar with what Nunatsiavut Government needs are and where they want to go in what direction? It helps influence, you know, when you have limited funds where you should disperse them and where they can be fit in line with Government priorities. Also with the Settlement Trust we think we have the same thing having people who understand Nunatsiavut Government as operations and some of the corporate knowledge about how we have ended up in this situation in relation having the Trusts understanding the importance of the Trust and also understanding the implications for O.S.R, if you do certain things. The other really big thing is to have people who are willing, interested and a key is have the time to learn about investing. One of the things that we found is that we've been through a number of Trustees and we'll speak about that a little in a minute but people have to have the time to read a lot, you get a lot of documentation, we have to read a lot of documents but you have to be willing to learn about it. We've given you just a very, very quick over view here and we tried not to be too technical but you have to be willing, interested and having the time to learn about investing because that is big component of what you do. Meeting with investment managers reviewing their, what they have done, reviewing their performance and then you know, looking at your investment policy, creating investment policy and then

changing it or re-working it as you move forward. Another big qualification is people who can say no. There are so many demands because there are so many needs we understand that but there comes a point that when you have to be able to say no because if you didn't say no, you'd start to eat into your Trust capital. So having people who can say no number one to request for financing but you also have to be able to say no to your investment managers at times as well because they will ask you to make investment decisions, some may be more riskier than others and you have to be willing to be able to say no to them as well. So, you have to have people who are going to be able to make some tough decisions. I'm going to ask Dan to speak to this particular slide.

**Mr. Pottle:** Thank you Isabella. This slide speaks to some challenges, experienced by other elected officials and as Trustees. One of the biggest things that been learned I guess over time with respect to having political people on Trusts such as the Trust that we have put together there is a lot of constraints on elected officials regarding learning about investment which Isabella talked about it takes a lot of time, it takes a lot of dedication sometimes political people do not have that time because were already heavily burdened with respect to our responsibilities as elected officials, whether that is a Minister or the President or another Elected Official who may be asked to sit on a Trust. By way of example, I mean one of the constraints that we find as well to make the point is, since the Nunatsiavut Government was formed and came into being in two thousand and five, we had seven Finance Ministers. So, I mean there is not that whole consistency that's required and the obligation on a Trustee to continue learning and continue to be up to speed as one Minister portfolio changes you shift with another and I'll use myself by a way of example, just coming into this I have to start all over again from square one, which takes up a lot of time. My own professional and personal time but a lot of the time of the Trustees as well because they are trusted for give upon with educating and bringing me up to speed. Other constraints on that is, by way of example is the President of Nunatsiavut. Jim has a lot of responsibilities I mean you know he's the spokes person for Nunatsiavut Government, he's the head of Government and he is also on other entities as I.T.K, which we know there's four or five times a year that he has to travel to fulfill his obligations as a person sitting on the I.T.K board, by way of example and again the demands on elected officials by beneficiaries and by the Nunatsiavut Government with the respect to saying no. People often times think because you're a politician you have to say yes to everything which not often the case and because some people are new and some people have to grow into their roles, it takes a while to used to saying no and being comfortable around that I believe. We have learned from some experience from other non Nunatsiavut Government Trust by way of example. Initially the Nunavut Trust which was worth one point one billion dollars included elected officials on that Trust and I believe that they experienced some of the same constraints and challenges that we find as elected officials sitting on Trust. The Trust Deed was amended several years ago to remove elected officials from that Trust for those reasons that we're outlining. It was amended because again of the time an expertise demands and conflicts with Nunavut Tungavik Incorporated, which is basically the entity set up in Nunavut to over see the Land Claims Settlement, that's the organization the entity that's set up to over see the Implementation of the Nunavut Land Claim Agreement and the Chief Operating Officer



reports significant improvements in the operation of the Trust since those changes have been made.

**Mr. Flatters:** I've had that privilege not only of being lucky to work with people that make up Nunatsiavut Government and all of the people that work with them but I've also had that privilege of working as outside council to a Trust that was set up in Alberta for the Sampson Band and I will give you a really short story one that one but it was product of years.....and so Sampson Band fought with Canada for a number of years in court to in effect improve the rate of return. They said what you have been giving us over the years doesn't even come close to what would have been earned if a Trustee had properly invested this money in the markets and so as a result as this litigation finally Canada agreed and the court ordered that money be set aside, three hundred-fifty million dollars be set aside in a separate Trust and that it be managed for the benefit for one beneficiary, the Sampson Band. On that Trust their chief and council Members are not entitled to be Trustees, that was part of the Agreement with Sampson Band was that they said we want to keep this as arms length as we can from chief and council, we recommend that and in fact the Trust deed required that the Trustees be experienced business people so they have five very senior, very experienced people who run that Trust. They've already had to say no. Sampson Band wanted money beyond what the Trust deed formula prescribed for them and the Trustees have said no and that was a tough pill to swallow for Sampson Chief and council they had to do some cut backs because of that but even with those experienced people at the helm, I can tell you that they are really working hard to be able to meet their distribution requirement on a pot that is about where you're going to be in a few years and in their case they're dispersing a minimum of seventeen million dollars a years and those Trustees are working really hard to be able to generate enough income to disperse seventeen million dollars a year. But that was another example we've come across in a addition of the Nunavut Trust where people have said you know you would want to think twice about weather or not that you want to elect and official on their. It's putting them in a tough spot and is it in the best interest of the beneficiaries to have them there if there's a chance of turn over? And so it's with that in mind frankly, that the thought is emerging about weather to recommend that the Trust Deeds be amended to populate them with Trustees who do not as a position or as a right constitute as elected officials? So, to take for example the Settlement Trust Deed where it says the President and the Minister of Finance, the suggestion would be no, not just because they are the President and not just because they are the Minister of Finance should they be a Trustee. What's the best compassion for a Trustee group to run this Trust? And so that's the thought at this point in time is simply to put out for consideration possible amendments to the Trust Deeds with respect to elected officials and this a more technical one and that has to do with the Implementation Trust and that is probably the set of fixed distribution policy from that Trust rather than giving the Trustees the discretion about how much to disperse each year to the Nunatsiavut Government. We learned earlier on, we saw from the side lines the battle that went on between the Nunavut Trust and Nunavut Tungavik Inc. and we have heard first hand that in fact; part of the problem was that N.T.I would come without a budget and just simple say that we think we need this much and meanwhile the Trustees of the Nunavut Trust were saying well I got to have some formula because on the other hand I've got to build up my capital base here. How much

are we spending each year? How much do I have to make sure is being churned off here? So, there was a clash a couple of years ago, as I understand it, where they just sort of drew lines in the sand and said I'm not funding you until you come in with a budget and a couple of other things, so on that level the Nunavut Trust experience certainly brought a bunch of other things to head and we thought it was kind of interesting, you always learn from what everybody else is doing right and we thought in that case that it was an interesting experience in the case of the Implementation Trust to say, don't put in the hand of Trustees to play gate keeper. The Sampson Trust has a formula it says it's some percentage of the fair market value of the fund and it makes it easier for the Minister of Finance, he'll know, going into a budget year, how much is going to be dispersed from the Implementation Trust. It's a formula, it's fixed and then the job belongs to the Trustees to earn the requisite investment income. So those are some thoughts.

**Mr. Pottle:** If I just may add something else to those recommendations Mike I mean we've been starting to banter around the idea, by way of example people make it a little bit antsy or concerned that there is a not political people on these Trust. I mean one way of addressing that is to strike a Standing Committee of the House of Assembly specific to Trust so that the Trust we ensure that the Trust are meeting their reporting requirements by way of example that's set out in the Trust Deed. We would be for lack of the better word a watched dog to over see and monitor the activities of the Trust and to ensure that the Trustees are reporting back to the Nunatsiavut Assembly, as for the terms and conditions set out in the Trust deed itself.

**Mr. Flatters:** And if I could just add one other thing and that is to loop every good story should tie from the beginning to the end but in the context of what we were chatting about before, I'm going to share with a you a couple of things that I've learned working with the Sampson Band and working with some people who were interested in the Nunavut Trust both of them have said clearly "If we had it to do it over again we would've put the brakes on capital erosion a long, long time ago" and if you want to hear a sad story go and think about the Sampson Band Trust, three hundred and fifty million dollars is not chump change that is a lot of money. It used to be in that account over a billion of dollars, through disbursements from INAC to the band chief and council to band Members, distributions per capita distributions and through depleting oil fields that don't put as much royalties in each year, what use to be over a billion dollars is now three hundred and fifty and that is part of why the Sampson Band fought so hard to get this Trust set up. They said enough, that's it, that's what we are living on. I can also tell you that the Nunavut Trust is right where it was in nineteen ninety-three, so if you said that they settled something like a billion dollars on the Nunavut Trust I suggest to you that you would probably find out that the Nunavut Trust is around a billion maybe a bit more than a billion and if you ask them if they are happy with that, the Trustees, they'd say no, were not happy at all. Because going back to our earlier slides, what do you think one of the things that have over taken them? Inflation, nineteen ninety-three to two thousand ten, they are in the same place as they were at that time, that's a scary thought to have lost that much to inflation and so I've just shared that with you as experiences I've come across where a couple of organizations have said "Boy, if we had to do that over again, we would put the brakes on." So, that's, I think Isabella as much as we have in the way of

our fixed or staged presentation and I don't know whether Dan or Jim you want to say anything more and probably the best is yet to come here in terms of saying "lets open it up for chat and discussions and questions."

**President Lyall:** I really don't have anything to say, I think the presentation was really good and I am sure that everyone here around our table understood it and I think the best way to get some feedback is just listen to the comments and questions from around our table.

**Mr. Flatters:** Let me say this, I was instructed a long time ago, no question is a dumb question, believe me. Believe me, in this area, any question is a good question. Yes sir?

**Mr. Tuttauk:** I thought that it was a very informative presentation and it really helped. However, you, earlier in your explanations you slightly mentioned the issues that happened in two thousand and eight. Now I'm pretty sure that it's going to come to bare in some of these questions now. I found your tables and your graphics very helpful in explaining some of the, how the investment works, what, if you could create a graphic to explain, I'm going to say, the twenty-one million dollar loss but actually that's not a really good term but what came into play to create that figure of a twenty-one million dollar loss, I'm just going to say loss?

**Mr. Flatters:** I'll try and explain sir, please keep asking if I am not getting to the core of it but, I would say to you that, I'll take an example of what we've learned afterwards. You'll recall that in September of two thousand and eight, there was a crisis that sort of hit and there was a company called Lemman Brothers that was a big investment bank out of New York that collapsed and Lemman Brothers shares were listed on it, Foreign Stock exchange, on the New York Stock exchange. So you and I could have gone and bought a share of Lemman Brothers and earned a share of their investment banking business income. The Foreign equity managers that were managing our investments in U.S and non U.S stocks were convinced that Lemman Brothers was a really good buy at a dollar; they were even more convinced that Lemman Brothers was an excellent buy at eighty cents. They were stunned to find out that they can buy Lemman Brothers at twenty cents and what happened is that these guys kept going after a bad dog. They said I think that this thing is going to turn around we think it's going to turn around and we are going to be so happy when this share is trading at fifteen dollars that we bought it for twenty cents. Well they chased the wrong dog and that dog doesn't bark anymore and so it's gone, it went under, and so you ask yourself, how could you honestly how could of you invested that last dollar to buy Lemman Brothers at twenty cents? And they will look at you straight in the eye and say we thought it was going to turn around and you say well with the benefit of hind sight, I can see that you really, you really guessed wrong and they say, Yup the benefit of hind sight and that's the nature of markets is that we don't necessarily all agree about where the markets are going to go and that's what makes us all unique. Say the investment managers and in that case that was one example of what the Foreign Equity manager that was retained by the Trustees was doing. And when you then interviewed them afterwards and said, well that's not your style, what happened? Well there was some changes inside the company and in fact what happened was that the guys that run

the models, their so called, there's two species of investment managers; there are guys that are called the Quant's. Quantitative Analysts who use models to predict things, they integrate data and they say based on this data, here is what is going to happen. The other managers are called Qualitative Managers. They will say yeah, I know what the Flintstones are telling me over at the Quantitative bench but you know what I've just had lunch with the President of City Bank and its bad, it's really bad out there, like we shouldn't be investing anything right now, we should have it all in cash. So you get these competing views about whose information you rely to make a decision about what to do with the last dollar and what we found out was that these Foreign Equity managers were relying more and more on their Quantitative analysts and less and less on their Qualitative analysts and at the time we hired them. We specifically were not interested in Quantitative analyst approaches, so to come back and say what happened? I'd say our manager shifted style on us and do you know that at the time? No, you don't know that, you know about it afterwards. So that's when you go on bases of who's good, who's trust worthy who is a track record. These guys had an excellent track record and what happened to them was really pretty shocking for Wall Street standards. So that is an attempt to start to answer that question.

**Mr. Tuttauk:** Ok, so if you want to do it graphically, if you could go back to that table with the green, with the percentages there.

**Mr. Flatters:** The one hundred and seventy million?

**Mr. Tuttauk:** Yeah, yeah, ok, that one there, ok, our initial investment say was a hundred and seventy million dollars

**Mr. Flatters:** Yup

**Mr. Tuttauk:** So, at the four percent, our return would be that six point eight. So how would, if our initial investment was a hundred and seventy million, how do we get down to, I'm going to use that figure again, down twenty-one million dollars? If you could put it into a graph, like a table like that.

**Mr. Flatters:** What it would look like is that you would have said at the end of that year, if you had a good year and you earned four percent you would have had a hundred and seventy-six. So your graph would have started here and would have inched up like that. And then we say well, what actually happened that year? Did you earn four percent? No, the value of that portfolio, the holdings in that portfolio were trading at an aggregate fair market value on the last trading date of a hundred and forty-nine million dollars. And say, what happened to the six million? I thought we were going to earn four percent? No we didn't? The economies around the world went into the tank and even Microsoft and Intel were trading at prices that were below they started the year out. So you say what do I do? You tell me what I own right now? Then I say, you still own a hundred shares of Intel and twenty shares of Microsoft but I'm just telling you the month end report that the fair market value that if we were to try and sell it tonight would be a hundred and forty-nine million dollars. So it started the year off there, the trade, the fair market value of it

declined and so now where we are at, it's come back pretty much too where it was at the beginning. And you come back and you say why? Why was that? It was two things. Generally, everything went down but secondly, some went down even faster than others. And you say well there's how many explanations are there for why some went down even faster than others probably as many explanations as there are investment managers but one that we now know of is that our manager went chasing a bargain in Leman Brother Shares that turned out to be not worth anything. So, they've dragged the whole value of the portfolio down. There were other parts of that portfolio believe it or not that were earning positive returns. But the Foreign Equity portion dragged it down so much that it went into a decline from compared to the beginning of the year to the end of the year. And if you ask, did you sell? The answer: no. We didn't sell anything, we just waited it out and one thing that I guess, I'll just jump in here and make this observation as well is that, from the investing world side, you have an incredible luxury. Especially in the Tasiujatsoak Trust and that luxury is something called a long term horizon, a long term view? Manager after manager after manager, academic after academic will tell you, as Isabella did that over the long term equities out perform fixed income instruments. And if you can wait for the long term over time you'll do better in equities. And so here, we learned a lesson earlier on about what can happen with equities to, not only can they can give you better returns in a good market, they can exaggerate a down market. They can bring you down. And that's what happened with the portfolio at that time. The other, there was, well there was also a bit of luck and timing when you look at the aggregate of the Trust capital, in the context of the Tasiujatsoak Trust, the Tasiujatsoak Trust was in the process of changing managers because it had grown and the original managers were really designed to manage a smaller portfolio and the Tasiujatsoak Trust received a lumpy amount of cash and the Tasiujatsoak Trust sat on the cash. It did not go into the down market, so it didn't suffer the same fate that the Chapter nineteen and twenty-three money did, it was invested in January and February of that year. By the time the down market had hit it was too late to pull it out put it into cash. That's the worst thing you can do, is crystallize your losses instead you better just ride it out and wait for the market to come back. That's an attempt to explain, some very complicated facts.

**Mr. Tuttauk:** It's a little clearer now

**Mr. Flatters:** Yes

**Mr. Tuttauk:** A little

**Mr. Russell:** If I can just add my two cents to that, I think to get a graph or a visual representation at what you're looking to see here can't be accomplished without a schedule over time of the amount of payments that were received any dispersed that went for expenses, fees, the money that we pay the Trustees all of these things verses you know the time period where basically what it should be along with the actually rates of return instead that has occurred over the set amount of time to. You won't be able to see that unless you have that and exploit more complex than just this little visual representation here. So, that would be much clearer if you had it done in that form for sure.

**Mrs. Wolfrey:** I just got a question about the managers. Are their precautions now that you can take or that you do take to look at managers who under perform are there regular evaluations or assessments or things like that done now? And if that was done, well I don't want to go into what was done before hand because it's gone now and so just now, are there better precautions or assessments done to catch that before it can get to that extent?

**Mr. Flatters:** That's an excellent question. The short answer is yes, by quite a lot. I'll give you a bit of background as I've learned, come to learn, is that most managers have their good years and their less good years and so the norm is usually you should measure a manager on their performance over a least four years. That'll give them time to prove weather or not they're theories or an analyst is correct. Another suggestion from a wiser person to me was five years will generally tell you that you should expect that they'll have two great years, they'll probably have two not so great years and it's what they do in the fifth year that really demarcates the good ones from the not so good ones. One thing that's and I'm going to come back and answer your question but I think that this will help illustrate in part, it's easy with in retrospect to find out who is a bad manager. You say well, you know they didn't perform very well and then when you start grilling them that you find out that well, gee things changed inside that office didn't they but one of the things that will happen and we have seen it, with respect to our Trust and I've seen it with respect to the Sampson Trust is that some managers will have a theory. They'll say I think inflation is going take off this quarter and so they'll position themselves for an inflation cycle and with that usually comes an increase in borrowing cost. So interest rates on bonds generally start to climb up. So they say I think it's going to start in the next quarter so what they will do is that if they had old bonds that were issued and earning two percent and they think inflation is going to take off they're going to sell that two percent one in order to be in cash to be ready to buy the three percent one that they think is coming and somebody else will say I'll gladly buy your two percent one from you today because I don't think inflation is coming for another five years. And so they buy, gobble up the two percent one and the guy that used to own the two percent is sitting there in cash as says, ok client I'm ready to put the money into the market for you and you say what did you get? Sorry, all I can get was point five percent. And you say what happened? Well inflation didn't take off as soon as I thought it would. And you stop and think, well hold it a second, let's go back and check your credentials are you still the same guys we hired? You know, your bright people, you work hard, you got a lot of data, you made a bad call on a very hard to predict thing. So some guys will look for a quarter like they are doing awful and then when the market turns the way they thought it would, their program kicks in and all of a sudden they look like the best performer for that quarter. So, it's hard to guess, it's not guess work it's hard to predict who is going to be the best time month after month but within our procedures we're much more rigid than we were before about examining performance on a quarter by quarter basics. And in particular examining whose is who inside the company to find out if there have been power shifts and to get that information as fast as possible and this fellow that is what we call our coach, that's his business, is to stay on top of that information and so he informs us on a quarterly bases about performance relative performance by these managers.

**Mr. Jacque:** Isabella on one of your slides earlier you indicated that there was three point five million dollars allocated for a senior's home. How long has those dollars been sitting there and is there going to be any gain from interest and will it remain there? Thank you.

**Ms. Pain:** The three point five million was allocated by the Tasiujatsoak Trust in May of two thousand and eight. The decisions were made that the money would be set aside for that purpose. It's no earning any interest in terms of the senior's Home project but it is being invested by the Tasiujatsoak Trust so the Tasiujatsoak Trust is still getting investment income from that money and when D.H.S.D is ready, it will be given to them for a senior's home. But the decision was made in two thousand and eight.

**Mr. Russell:** I'll track this to I guess Mike, I guess: Charlotte had a really good point about watching the performance of the management or the consultants that I guess that we use in order to manage their portfolios and I am just trying from the general conversation here that, I mean that their portfolios are from a combination of a foreign and domestic equities and fixed but the ultimate responsibility lies with the Trustees and I mean we are all well aware of our twenty-one million dollar de-valuation I guess we can all it. It's hard to say weather or not I mean everybody knows the markets all took a hit and that's beyond the control of any Trustee of, you know but having said that what percentage can we say or can we even say that in this point of time that twenty-one million dollars was lost to A) being the market and B) being the individual consultant that we did release. I mean because ultimately you have to, you have to make, you know the market is beyond control, I mean it is what it is, it was a global event, it's not something that is specific to us everybody was hit. But the percentage of that attributed directed to that consultant is the responsibility of the Trustees because you indicated earlier Mike that reporting is done monthly so thereby if a reporting is done monthly and Trustees have access to that information then they should have been able to, you know depending on the allocation of whether it was market or consultant failure, then you should be able to recognize that trend over a course of time and whether or not it was caught in time or I hope you know what I am getting at here.

**Mr. Flatters:** In that particular instance what was happening is that Foreign Equity portfolio was sliding about in sync with the index foreign equities. So there's a measuring stick that all managers have and there's a couple of them but one is called the index and that is sort of the average of how all Foreign Equities are doing, their performance, the fair market value declined, was about at pace with the index until about the last month or two and then in the last month or two it out paced the index and then by the time it bottomed out it was coming back faster than the index so by the time we spotted that there's really something odd going on here, it had already turned the corner and frankly had we known, you know, at the beginning of the month two that where we were about to head that we're going to go for another bad month. Probably what we would have stayed with them, if only, if all we knew was that, there predication are a little different then everybody else's. We would have not stuck with them if we have known that there had been a shift inside the company in terms of chasing returns and going to this quantitative

model. And that's the sort of stuff that you only pick up on quarterly or semi annually. But the irony was that they lead the market, they let the index down and at the end and yet came back faster than the index and you know some people will tell you for example in a funny market like we're in right now even in Canadian Equities some of the best managers we have would never buy a gold stock, they would never buy one that was a producer of gold because they say it's just too risky, it doesn't meet my model. Does it produce free cash flow? No, it chews up capital to build a mine and then it's got a lot tied up. So they say I would never go near a gold stock. Well right now that index, the Canadian stock index is being driven by gold, it's up and the biggest piece of that is gold and so you say were not getting the same performance as the index and answer is no you shouldn't be expecting to because we're not in it. We're not there because we want to protect your capital first and then we'll take smaller games along the way, but we won't put it on a gold stock that could just tube over night. And that is just one illustration, but it is a good question I guess and it goes back to Isabella's point about certain criteria for Trustees that it's not something that's I'll say a once in a quarter sort of wake up and flick through, it's everyday, it's once a week. You're looking for what's going on your thinking about things and you're looking for signals and if you're not sure, this fellow, the coach will be called, we will call him.

**Mr. Russell:** You've just illustrated I suppose, my next point, exactly is about at what point do we realize that concept of the Trustees, it's just not going to be adequate going forward to have people who have other jobs who have other commitments and are involved in other things such as the whole idea of eliminating the Politician's from the mix to, but I mean at what point do we have to enter into a management and to have staff of Trusts as, I know we don't want to make them into entities as much as we can but I mean at what point do we lean towards management of the Trust themselves as opposed to having Trustees having the ultimate say. I would like a little discussion on that if you could and I think also after that perhaps it would be good to get into how we pay these consultants in terms of the fees that are set out to weather or not it's percentage of their performance as well as the money paid towards the individual Trustees as well.

**Mr. Flatters:** Well, let's start with the latter one first, if you want. The Trustees earn a per diem of two hundred and fifty dollars a day for meetings and that's it for when they meet those who are outside, those who are employed with Nunatsiavut Government earn no additional income for being a Trustee. The consultants fall into two types: One I'll call the coach, the advisor he's paid a fee that's a function of a number of hours he works in providing information reports to us. I'm trying to think Isabella, the, I think last year I'm going to say it's was in the neighborhood of twenty thousand dollars, something like that. The managers, the investment managers are paid on the bases of a percentage of the amount of money you have invested with them. And it goes up in grades so that the first fifty million they might charge you a half of one percent and then the next hundred million they might charge you a quarter of one percent of the funds under management. So it's a fee based on the amount of funds they have under management. They win if you give them more money to manage or if the portfolio grows if they do well. They lose if the portfolio goes down in fair market value, they earn less let's put it that way. And so typically these investment managers are paid quarterly and in the last year you know I



don't have the numbers at my finger tips but I can tell you this that I, as outside council to the Sampson Trust that has five investment managers, the fees that the Labrador Inuit Trust are paying to their investment managers are right on par. They are right in the same. There's a basket of about twenty investment managers out there that are all really good and they are all priced about the same, some are a bit more expensive than others, we've tend to avoid the most expensive ones. We've tended to grab and take what I'll call more in the norm. So the managers, right now we have three. One for fixed income who are typically the lowest fees, the next is for Canadian Equities it's a company called Beutel Goodman, they are in the, of the three fees we pay, they are the middle range and the Foreign Equities we've just hired a new mangers and they're slightly higher fees than the Canadian Equities. And what they will tell you and what you will appreciate in time is that, what you say well so what do you do for the money? Basically you pick up the phone and you buy and sell stocks right? And he says, well that's the end product of what I do. I've go people who go in and kick tires at General Motors and ask questions of management so they got a large staff of people that go around pulling data, extrapolating it, interpreting it, taking economic trends, making predications, going out visiting the companies that they invest in. And so they've got over head they make no bones about it, they are high overhead companies and at the end of the day, what they do is manifest it in buy\sell but at any point in time what's going into the decision weather to buy or weather to sell a lot of research that's gone into making a top forty list and a price point list so that is a stock hits a certain price that's a buy. If it hits a certain price it's a sell, we're out, and we're going to take our profits, so there is a lot of overhead in these firms but your, the reality is and we've seen it a couple of times, for me alone, I don't dare to speak for other's but we were approached by a couple of investment management firms and by one other advisory firm and in each case they said well there's this issue of, we can get you ten million dollars of this particular issue of shares of this company or ten year notes that are going to be issued by these guys at five percent rate of interest. Would you like to buy them? And in all cases, I really felt uncomfortable. I said I'm not an investment manager, I can't make that call, all I can do is take the data that I get from the various of services that are around and examine how well other managers are doing, but I don't feel confident to be able to say yeah, order us up ten million of that. I would never do that. So, I stay away from the investment decision and I'm reinforced in my thinking on that by watching what I see out in Alberta, and I'm just going to use this as an example and it leads into you first question and that is; can you afford to have what are less than full time people working as Trustees? And I think the answer is yes. And I take a look at the Sampson Trust in particular as a good example and there they went out and they've got a, what I am going to call a real blue chip group of Trustees. They've got a former President to guarantee Trust, they've got a Director of Telus, they've got a chair man of Canadian Natural Gas or Canadian Natural Resources, C.N.R.L, they've got a former actuary who is retired and one Aboriginal Chief from an adjoining first nation. And these guys are as sharp as I've seen. They are really sharp and so I've watched them as we've gone along frankly so I am thinking well there are some good habits to pick up here. And what's interesting Keith, is that they have reposed the investment function to the managers they hire. They've said our job is to set the investment policy and our next job is to watch them like hawks. But after that I'm going back to being the chairmen of or the chief operating officer of the Canadian Natural Resources Limited and I am going to bring my

specifics oil and gas knowledge to the Trustee meeting and when they meet with managers who come in for interviews quarterly, you see in particular one of them bating the manger and saying why aren't you buying more of this? And it's not necessarily his stock but he's saying why you aren't more into this? And it's a way of testing the managers to see how strong and firm they are about their beliefs about what they are investing and why? And if they say does it meet our criteria? You say that's a good answer, you don't tell it to them you wait until they've left the room and then you say that's a good answer, that's a very good answer. So, in that context I don't know that we necessary ever reach the point to where you need to have full time Trustees, what I think is approaching is the day that these Trusts need the equivalent of a full time manager to be pulling loose pieces together so that the Trustees are not pulling those loose pieces together themselves as well as trying to do the most important things. So I think that could be coming someday and the three Trusts could share one manager and they will be well served to have that discipline and frankly the other thing I am seeing from some of the other Trusts that I have seen is an Accounting System that's more current and that has much to do with protecting the Trustees frankly from personal liability for loss and negligence as it is about improving rates of return it doesn't do anything about improving rates of return but it assures the Trustees that their cheques in balance and controls are in place.

**Mr. Barbour:** Keith kind of touched on the question that I was going to ask you. My question is more for Danny and to Jim, in terms of thinking of getting elected officials away from the Trust, you know, I've listened to you Mike and Isabella both and both examples of Sampson Band and Nunavut Trust, I'm sure you guys have had time in terms of potentially recommending that to the Assembly. In terms of both of you, how far are you in terms of that thinking?

**Mr. Pottle:** To be quite honest with you William we have only started looking at this, this summer. And we really haven't, we thought we've bantered around the idea. We wanted to put this in a form of a presentation to see what kind of feed back we can possible get from the Assembly. And I mean the next step is to, you know, for Jim and I as politicians to sit down and look at a time frame of when we would make this recommendation and how we would that.

**President Lyall:** Could I just quickly add to Danny's and I think this issue was discussed before Danny became Finance Minister. It 's a period of time that we've, if you don't mind Dan, Diane, the Finance Minister, shortly after Todd was the Finance Minister then there was Danny. I have decided there for probably four or five month before Danny arrived on scene, but Danny is very supportive of doing that and like I said we report to you when we are ready to do it.

**Mr. Pottle:** And if I may add to that Jim, one of the, I think I may have touched on it in giving some rational for why we believe that it might be a good idea for a Trustees, for Politian's not to be Trustees and I think Mike and Isabella touched on this as well, how can I say it? Trusts to a certain degree are supposed to operate at arms length from Government and they are not supposed to be influenced by Politian's not to say that

never happened in our Government because I don't think it did. But the danger for me as a Politician of having Politician's on a Trust, I mean if a Politician is highly influential by way of example and they have a lot of, they have a lot sway potential I guess in order to be able to influence maybe some of the decisions and put pressures on the Trust to do that which may not be in the best interest of the Trust in that, in it's self.

**Mr. Barbour:** I think it should really be given more thought. I really feel that, I have some understanding in trying to help Mike and Isabella set up our first Trust, the Tasiujatsoak Trust and I didn't know what they were talking to me about. But I am sure a lot of us here for their first time listening to this, where am I trying to go with this? It's part of your presentation that Trustees have to learn to say no and many times Politician's don't know how to say no, just a comment.

**Mr. Flatters:** If I may just, there is one other comment and it goes back to a good point that Keith was making about sort of being vigilante, one element that, again by comparison and this is just information this is not totting any horns but Trustees of the Sampson Trust in particular having a former actuary who he spent his life sort of monitoring these kinds of things. They have observed where their Trustee payments are just way, way more than what you're paying your Trustees. I won't divulge the numbers but its way more. His observation was what he called something called the management expense ratio or M. mer he said I can't believe how low it is for this Trust the Sampson Trust, he said this is incredibly low sort of looking about out at things like endowment funds, pension plans and similar entities that are constituted to invest and earn rates of return and meet obligations. One of the things that I've been mindful of is frankly our ratio of expenses to income and we've operated pretty tight right from the beginning and quite frankly what it reminded me of was William Barbour's comment about the first time we met as Trustees of Tasiujatsoak Trust and it was a small little Trust at five or eight million dollars compared to where things are now and you found out for example that not many investment managers were interested in managing your money. Five million is not even worth opening the account up for crying out loud. So, we found out that there was a sub-set of managers that were interested and then as you grow you find out a bunch of things and not the least of which is you say I still like keeping an eye on that bottom line and you raised a really good point Keith about seeing graphs and so on. It's one thing to be looking at gross return, the number that really matters is net after expenses, after management fees, investment manager fees and overhead and that's something that as long as I am ever involved that'll be something that I'm always keeping an eye on because I was reminded of it listening to this guy out in Alberta about your management expense ratio and you want to keep that low. There's no point kneading into the Trust Capital to pay a bunch of overhead that you don't need to.

**Mr. Russell:** Thank you Mike for that comment. I'd just like to expand on that I guess I mean this is not a Corporation, I guess the comparison be drawn, we're shareholders in the sense that we're beneficiaries and that the people who we represent are beneficiaries and all that but I would just like to say that we have to be more I won't say vigilante but I'll say diligent in terms of our roles and our responsibilities to everybody that voted to put us here in terms of understanding exactly what's happening with these large amounts

of money, in terms about where the allocations, the disbursements if you will, you know if somebody makes an application to the Trust and I know we've got a limited amount of time here and you don't have to go into every one but I think it's important that we know, I mean in terms of Herb made reference to money for seniors home, stuff like that. We need to know every single one, it's okay to have some of them up here to illustrate an example especially with the new Assembly here to address the concepts of what we're trying to achieve here but in the past we haven't had issues with timeliness of financial reporting and in some you know we don't want to get into having our own activities of Trusts in contravention to the rules laid out in the Trust Deeds and we are responsible as politicians to make sure this stuff happens and the Trustees are even more so responsible to make sure that happens but I think we really need a regular reporting to this House in terms of the allocations, the exact projects as per some of the examples that were given here and every single one that money has been allocated to and how we arrived at justifying that stuff. Not to say that we need to be micro managing the Trustees but this is a large amount of money that in your own words Mike as we said earlier has to last for our children, for our grandchildren and for our grandchildren's children in most cases in order to sustain this Government in perpetuity. So I mean we've got a big responsibility and even though this is not interesting to a lot of people it's our duty just as it is for a Trustee to get up to speed on investment, I mean even the basics and as they illustrated in the slide eventually leading to advanced concepts in investing we have to understand what's going on with this stuff to because regardless of the small amount of dollars that takes to administer our Government, the real money behind our Government is in these Trusts. The real money, all of the Federal payments, we have to understand the schedules of those and the realities as Mike and Isabella has illustrated here. In a few years those payments are going to start to decrease and then our reliance on having to use our own money in order to administer this Government is going to go up if we don't keep an eye on things, if we don't speak about what we think about what's going on and know the details of everything we're a disservice to everybody that put us here and everybody we represent.

**Mr. Andersen:** Yes and boy let me say that you talks longer and faster now that you're a Minister, I'm really impressed. The nineteen and twenty three Chapter dollars, you know we've talked about this before, I think the expectations we're so high and money was going to start to flow right after the agreement was signed and things like that but and you know the presentation was very helpful in realizing that we have some ways to get yet and if you think of the Trusts then the investments is being a tree and money growing on those trees it's going to be some years yet before Dan Pottle and Jim Lyall can run around the tree raking up leaves. That's pretty much how you know because it's not two years from now that there's going to be a lot of money for extra programs that we want to do and as politicians it's very hard to do. I spoke today of thirty heads of households in Nain that don't have enough work to qualify for EI this year so it is hard on us politicians to try to manage communities and try to ensure that there are people doing well and tell them that well you know we got a hundred and seventy million there but no it's not the right thing to do we got to try to find other ways to govern and run our communities. It isn't easy and we have to realize that, we have to wait and hope that these Trusts do well.

**Mr. Flatters:** Two things Tony, one is that's the best analogy I've heard in a long time about Capital and Income, that if you keep hacking away at the branches to that tree it'll never yield any leaves and so it's those leaves that we we're hoping are twenty twos dropping off each time and you've got to protect the trunk and the branches and the second point you raised is I think the last point that Isabella had on her list about discipline; it's easy, real easy for Mike Flatters to come in here and talk to you about protecting capital and saying no then I leave and go get beaten up up in Calgary by a oil and gas clients or somebody else but worst than that Canada Revenue Agency but the hard part is lays in your hand is to inject the discipline and the foresight to guide your beneficiaries to a real good future which I think lies ahead of you for sure.

**Mr. Piercy:** One more point about the one hundred and seventy there, when I went around talking to people for my campaign for running for AngajukKak, people is still asking when is the next payout for the five thousand dollars and after seeing this model I think if our beneficiaries saw what we had to put up with and I think the five thousand dollars, I think there's going to have to be something wrote upon saying that if we get the five thousand dollars now what's our kids and grandchildren going to have to run of off . I think it would be suitable to say that now would be time to show the people that we're up against this here, once the last of the payouts is gone that's it, it's left up to us. But the thing the people got to realize is it's for our kids and our grandchildren and they'll carry on from that.

**Mr. Pottle:** Thank you Wayne for that and it's so good to hear people thinking in those terms. One of the things that we're currently working on with the Director of Communication is to somehow condense all of this into something that is concise, clearly understandable so that we can publish this in the nest quarterly newsletter that will go out to each of the beneficiaries so that should be in their hands and I think that we all have an owness and responsibility to help our beneficiaries start understanding that and I think this presentation did a whole lot to help everybody understand and realize that because comparative to the last presentation that the Trust done I mean you know this is a lot more easy to understand, a lot more easy to absorb and I think be able to bring back and articulate that back to our constituents so I'm glad to hear you thinking like that, its great news.

**Mr. Flatters:** Just to echo one other point and I'm just going to repeat it; the best story of all for anybody looking in on Nunatsiavut would be to find out that Nunatsiavut Assembly learned from the mistake Sampson Nation made and Nunavut Trust made and I'm not to suggest that they are to blame but I'm just saying.

**Mr. Pottle:** Are there any more questions for Mike or Isabella, or Jim or I?

**Madam Speaker:** We'll now take a fifteen minute break.

**Madam Speaker:** On our orders of the day, we're going down to number 11 tabling of document, so at this point I will pass my chair over to the Deputy Speaker.

**Mr. Sheppard:** At this time I would like to seek unanimous support from the Assembly to appoint the Honorable President to chair this part of the Assembly sitting.

**Mr. Speaker:** Thank you Deputy Speaker. 11A tabling of the Ad Hoc Disciplinary Committee. I will ask Charlotte if she wants to table, sorry AngajukKâk for Rigolet to table the report.

**Ms. Wolfrey:** Nakummek Mr. Speaker. I wish to give the Assembly notice that I will be introducing the report of the Ad Hoc Disciplinary Committee

**Mr. Speaker:** Point of order.

**Madam Speaker:** Just a tabling.

**Ms. Wolfrey:** I wish to give the Assembly notice that I will be tabling the report of the Ad Hoc Disciplinary Committee of the Nunatsiavut Assembly regarding the conduct of Patricia Ford, the Speaker for the Nunatsiavut Assembly and Ordinary Member for the Canadian Constituency.

**Mr. Speaker:** Thank you. Is there any Notices of Motions? AngajukKâk for Rigolet.

**Ms. Wolfrey:** I wish to....

**Mr. Pottle:** Point of order Mr. Speaker. Just a technicality Mr. Speaker, I believe you have to ask the Assembly whether they want to accept the tabling of the document. Nakummek, Mr. Speaker.

**Mr. Speaker:** Thank you Minister of Finance. Does the Assembly accept the tabling of, accept the notes of motions, tabling of the document, sorry. Are there any Notices of Motions? AngajukKâk for Rigolet.

**Ms. Wolfrey:** Thank you Mr. Speaker. I wish to give the Assembly notice that I will be introducing the report of the Ad Hoc Disciplinary Committee of the Nunatsiavut Assembly regarding the conduct of Patricia Ford, Speaker of the Nunatsiavut Assembly and Ordinary Member for the Canadian Constituency and that following the report, I will be introducing a motion to receive the report and to request the Nunatsiavut Executive Council to prepare a resolution and amendments to Legislation recommended in the report other than recommendation number 2 for consideration at the next Assembly. I also give notice that in the capacity as a Member of the Assembly, I will introduce a motion in accordance with standing orders 22 and 23 that Patricia Ford be removed from office as Speaker of the Nunatsiavut Assembly.

**Mr. Speaker:** AngajukKâk for Rigolet, do you have a seconder? Thank you AngajukKâk, could we have the motion please.

**Ms. Wolfrey:** Mr. Speaker, it is my difficult duty to present the report of the Ad Hoc Disciplinary Committee of the Nunatsiavut Assembly regarding the conduct of Patricia Ford, Speaker of the Nunatsiavut Assembly and Ordinary Member for the Canadian Constituency. We had an Ad Hoc Committee made up of Glen Sheppard, Sarah Leo and myself to look into a complaint against Pat Ford. The report is included in your package and the report found that Patricia Ford was not in breach of 4.1, but there was questionable conduct as per Section 5.5 G2 of our Code of Conduct. As a result, of the breach as a result these are the recommendations and the motion that I'm going to make. With that Mr. Speaker, I move, seconded by the Member for Postville, Glen Sheppard, that the Assembly receive the report of the Ad Hoc Disciplinary Committee of the Nunatsiavut Assembly regarding the conduct of Patricia Ford, Speaker of the Nunatsiavut Assembly and Ordinary Member for the Canadian Constituency and the Assembly request that the Nunatsiavut Executive Council to prepare resolutions and amendments to Legislation recommended in the report other than recommendation number 2. The recommendation that the Assembly considering removing Pat Ford from Speaker, from office as Speaker of the Assembly for consideration of the Assembly, I'm going to move that motion later on.

**Mr. Speaker:** Thank you AngajukKâk from Rigolet. I want to speak to the motion. AngajukKâk from Rigolet.

**Ms. Wolfrey:** The report is in your package. I think there's three main recommendations that we want the Nunatsiavut Executive Council to look at. Those recommendations are that, in our Code of Conduct the use of illegal drugs and alcohol is all in the same sentence. We want to try to make sure that if there's illegal drugs being used that it's a more serious offence to some degree and that it be looked at in a separate light that was one thing. The second recommendation that's really important to us is that we wanted to make sure that any elected official under investigation step aside from their public duties and in the case of the Speaker to not review any more Code of Conduct or not to be on a Disciplinary Committee to review someone else's conduct while they're under investigation themselves as I think there's some uneasiness about this and I'm going to give you an example of what we're talking about.....if a policeman was under investigation that policeman would be given desk duty and that's sort of what we're talking about here. While someone is under active investigation they should step aside from their duties and do some of the other things that they can do. We're not saying take their job away from them but we're saying what would be as desk duty, I guess and the third thing that's in the report is that we found in the course of our working with this that the roles and responsibilities of the Clerk needs to be clarified so that there's assurance that the clerk doesn't have, checking back and forth to see that this is what he/she should be doing, but there needs to be some clarifications, make it more plain, what the clerk's responsibilities are in the Code of Conduct. Thank you Mr. Speaker.

**Mr. Speaker:** Thank you AngajukKâk from Rigolet. Is there anyone else who would like to speak to the motion? Honorable Minister of Finance.

**Mr. Pottle:** Nakummek, Mr. Speaker. I don't know what I'm speaking to, I'm really confused about this process here. On the standing orders of the day relate to, there was a motion done, AngajukKâk for Rigolet, she introduced a notice of motion, she was going to introduce a motion to terminate Patricia Ford's term of office as Speaker of the Nunatsiavut Assembly. We jumped to, I believe, Mr. Speaker 12B a motion to receive the Ad Hoc report committee of the Nunatsiavut Assembly regarding the conduct of Patricia Ford, Speaker of the Nunatsiavut Assembly and Ordinary Member for the Constituency of Canada. This report was tabled under 11A and we jumped again to 12B and I really don't know what we are asked to, what we are being asked to speak to, Mr. Speaker, so I'd like to have some clarity on that before I speak any further. Nakummek.

**Mr. Speaker:** Thank you Minister of Finance. I guess we'll speak to 12B seeing that tabling of report on Ad Hoc Disciplinary Committee was tabled so we'll go to 12B, motion to receive the report of the Ad Hoc Disciplinary Committee that was a motion that the AngajukKâk from Rigolet made. AngajukKâk for Rigolet.

**Ms. Wolfrey:** Thank you Mr. Speaker. I think what I did was made a notice that I did 12B first and that was what was in my notes, so I'm really sorry for that. But 12B is what I said, I was going to table a report and then I made a motion to accept the report and then I sort of spoke to the most important recommendations in that report. I'm really sorry if I confused anybody but it is 12B where we're at and I'm sorry but the next motion to terminate Patricia Ford's term as Speaker of the office, Speaker of the Nunatsiavut Assembly is coming next. I'm really sorry I did 12B first. This is the information that I had here and that was how it was listed; I hope I didn't confuse everybody. So, we're at 12B.

**Mr. Speaker:** Thank you AngajukKâk for Rigolet. Anybody want to speak to the motion referred to under 12B? Minister of Finance.

**Mr. Pottle:** Nakummek Mr. Speaker. I have the report in front of me which I've reviewed several times. On page 13, part 6, recommendations and these recommendations speaks time and time again to the Nunatsiavut Assembly. This report was tabled to be accepted by the Nunatsiavut Assembly, now I'm hearing something else and a request coming out of this report is to ask the Nunatsiavut Executive Council to go back and review these recommendations. I believe if these recommendations are to be considered, they should be considered by the whole Assembly, Mr. Speaker. It is incumbent on any Member here, sitting around this table to follow through on these recommendations if they so choose. I don't see the onus being put back on the Executive Council to go back and to review these recommendations. Nakummek, Mr. Speaker.

**Mr. Speaker:** Thank you Minister of Finance. The understanding is, the basic note dictates that the Assembly request that the Nunatsiavut Assembly take into account to prepare resolution and amendments to legislation recommended in the report other than recommendation number 2, for consideration at the next session of Assembly. Thank you for your patience. Based on number 2 resolution that the Assembly requests the Nunatsiavut Executive Council to prepare resolutions and amendments to legislation



recommended in the report other than recommendation number 2, the recommendation that the Assembly consider removing Patricia Ford from office as Speaker of the Assembly. So the Executive Council should prepare resolution at the next sitting of the Assembly with regard to the motion that was put before you. I'd like to take a 2 minute break. Thank you.

The question for the Minister of Finance, you wanted clarification on the motion, is it clear to you now?

**Mr. Pottle:** It's clear, yes.

**Mr. Speaker:** Are there any other questions on the motion?

**Mr. Tuttauk:** Nakummek. Yes, the Minister of Finance needed clarification. Could you give that clarification to me please?

**Mr. Speaker:** The clarification that the Minister of Finance was asking for, he wasn't quite sure which motion we were referring to, whether it was the report on Ad Hoc Disciplinary Committee or the motion to remove the Speaker. We are now dealing with the motion to receive the report on the Ad Hoc Disciplinary Committee and also that the Assembly request that the Nunatsiavut Executive Council to prepare resolutions and amendments to legislation recommended in the report for consideration at the next session of the Assembly except recommendation number 2. Minister of Health.

**Mr. Russell:** Nakummek Mr. President. I'm not sure if I'm standing on point of clarification or order or what, but in the "Be it resolved" section of the proposed resolution, part 2 says the Assembly requests that, etcetera, etcetera, other than recommendation number 2 and in brackets it says the recommendation that the Assembly consider removing etcetera, etcetera, when clearly on page 13 of the report under Section 6 recommendations. Recommendation number 2 is dealing with travel claims and outstanding balances, it has nothing to do with removal of anybody, so to me.....

**Mr. Speaker:** There are two motions presented to Assembly. We're dealing with the motion to receive the report and recommendations of that report. The second motion for the removal of the Speaker, which has not yet been dealt with. Minister of Health.

**Mr. Russell:** I understand that Mr. President. It says recommendation number 2 of the report. Recommendation number 2 of the report references travel claims, recommendation number 2 in brackets says recommendation to consider removal...

**Mr. Speaker:** Minister of Health, I agree with you it should be motion number 2 not recommendation. That should read motion number 2 instead of recommendation number 2. Minister of Finance.

**Mr. Pottle:** Are you now proposing Mr. Speaker that this resolution be amended, I just don't understand. Again, I have this resolution in front of me. The first part of the resolution says, "Be it resolved that, 1. the Assembly receive the report of the Ad Hoc

Disciplinary Committee of the Nunatsiavut Assembly regarding the conduct of Patricia Ford, Speaker of the Nunatsiavut Assembly and the Ordinary Member for the Constituency of Canada” and the second thing that you want resolved through this resolution is the Assembly requests the Executive Council to prepare resolution and amendments to legislation recommended in the report and I reiterate the Minister of Health’s point, other than recommendation 2, if this is recommendation 2 in the report that you have, if this is what’s on the floor, then that’s not consistent with what’s in the report, therefore I cannot support this resolution and I think it should be taken off the table immediately. Thank you, Mr. Speaker.

**Mr. Speaker:** Thank you Minister of Finance. I will ask the AngajukKâk for Rigolet if she’s ready to accept the wording of resolution to read, number 2, the Assembly requests the Nunatsiavut Executive Council to prepare resolutions and amendments to legislation as you recommended in the report, period.

**Ms. Wolfrey:** Yes.

**Mr. Speaker:** Does your seconder agree with that? Minister of Finance.

**Mr. Pottle:** I believe the Speaker is out of order. You are fluttering a recommendation and you are giving advice to the AngajukKâk for Rigolet, this is not the time and place to do that. I don’t believe, I have not heard, an amendment coming to the floor from that effect, to that effect, therefore I don’t think the Speaker or the President if you’re holding that chair and taking on the role of the Speaker, I don’t think that is your role and responsibility, I think that is totally out of order.

**Mr. Speaker:** Thank you Minister of Finance.

**Ms. Wolfrey:** I move to make an amendment to the motion that I just made, seconded by the Honorable Member from Postville, Glen Sheppard...

**Mr. Pottle:** Point of order Mr. Speaker.

**Mr. Speaker:** Minister of Finance.

**Mr. Pottle:** Again I see a process that is unfolding that I believe is unparliamentary, Mr. Speaker. We have a proposed amendment by a Member of the House of Assembly without a seconder and she’s speaking across the table asking the person whether or not he is willing to second that. Should that not be done before an amendment is proposed and I did not hear a response from the AngajukKâk for Postville. Nakummek, Mr. Speaker.

**Mr. Speaker:** Thank you Minister of Finance. Ordinary Member for Postville.

**Mr. Sheppard:** Thank you Mr. Speaker. I think to get this issue sort of under control or partly resolved, I think the House should recess for a few minutes. Thank you.

**Mr. Speaker:** We shall recess for 10 minutes. Thank you.

We're still debating to receive the report of the Ad Hoc Disciplinary Committee, is there any further debate on the motion?

**Mr. Sheppard:** I would like to make an amendment to remove number 2, which was debated with much confusion, states the Assembly requests the Nunatsiavut Executive Council to prepare resolutions and amendments to legislation recommended in the report other than recommendation number 2, recommendation that the Assembly consider removing Patricia Ford office as Speaker of the Assembly for consideration at the next session of the Assembly, this would be seconded by the AngajukKâk for Rigolet, Charlotte Wolfrey.

**Mr. Speaker:** Thank you. You said you wanted to leave number 2...

**Mr. Sheppard:** Yes, Mr. Speaker, exclude number 2.

**Mr. Speaker:** Thank you. Any debate on the amendment? All in favor of the amendment. Thank you. I will now ask for a vote on the motion as amended. All in favor. Passed, thank you very much. Our next motion is the motion to terminate Patricia Ford's term of office as Speaker of the Nunatsiavut Assembly. I think, Charlotte, you wanted to speak to that. You have to move that first, I'm sorry.

**Ms. Wolfrey:** I move, seconded by the Member for Postville, Glen Sheppard, and Whereas standing order number 22 of the standing orders of the Assembly states that the Speaker term of office may be terminated by a vote of at least 2/3 of the Members and Whereas standing order number 23 of the standing orders of the Assembly states that the Speakers term of office may only be terminated pursuant to Section 22 for reasonable cause, such as abuse of his/her discretionary authority, conviction of a criminal offence or the inability to perform his/her duties due to illness and Whereas the report of the Ad Hoc Disciplinary Committee of the Nunatsiavut Assembly regarding the conduct of Patricia Ford, Speaker of the Nunatsiavut Assembly and Ordinary Member for the Canadian Constituency shows that the Disciplinary Committee finds that Ms. Ford engaged in questionable conduct and Whereas the Speaker represents the Assembly and Whereas the Speaker is charged with the responsibility for implementing Nunatsiavut Assembly's Code of Conduct and whereas Ms. Ford's conduct as reported by the Disciplinary Committee suggests that she is not fit and proper person to represent the Assembly or to implement the Code of Conduct by taking charge of Disciplinary proceedings that may be brought against other elected officials in the future and Therefore be it resolved that Ms. Ford's conduct as set out in the report of the Ad Hoc Disciplinary Committee of the Nunatsiavut Assembly regarding the conduct of Patricia Ford, Speaker of the Nunatsiavut Assembly and Ordinary Member for the Canadian Constituency constitutes reasonable cause for termination of her office and Be it therefore resolved that Ms. Ford's term of office as speaker be and is hereby terminated.

**Mr. Speaker:** Thank you AngajukKak for Rigolet. Would the Speaker or seconder like to speak to the motion? AngajukKâk for Rigolet.

**Ms. Wolfrey:** Thank you Mr. Speaker. I'd like to just preface my notes by speaking of the above comments. First of all we thought this was going to be happening tomorrow, so when I was going to leave tonight to prepare my thoughts and to put something together but I do have some things to say. And I'd like to start off by saying to Pat there's nothing personal here, I know you work hard and I know you put in 110%, I know that, but for me after a lot of soul searching and with a heavy heart and with deep disappointment I come here to do this, however, the impacts of drugs and alcohol on our youth and on our communities is too great to ignore. Also, I have obligations under the Code of Conduct. Under Section 2.7 it told me that I needed to review a questionable conduct, whenever and where ever one of my colleagues or one of my co workers but especially my colleagues were doing some questionable conduct and I was obligated to reveal questionable conduct to the Nunatsiavut House of Assembly and here are some questions I have to ask the Assembly Members. The person charged with the highest calling is our Speaker. There are a couple of questions I think the Assembly should answer. Do we want a Speaker who admits to doing drugs? Do we want a Speaker who made such a bad judgment call? Do we want our Speaker making judgments on other Code of Conduct places, say someone who's accused of things, to do with alcohol or drugs? Then that person can look at our Speaker and say, who are you to judge me? Or who are you to discipline me? When our Speaker admitted to doing illegal drugs and I really think that this is something serious we got to think about. I think that the integrity and the credibility of our Government is at stake. That's what I think and that's why I come here doing this hard job but it's not up to me, it's up to you in the Assembly to decide. I can only bring forward conduct that I thought was questionable and that we as our committee thought was questionable but it's really in your hands. Because the precedent has been set about a secret ballot I ask that we do this under secret ballot, I really ask everybody to really look into their hearts and to look around them and to say is this what we really want? I'm going to leave it at that. Nakummek, Thank you.

**Mr. Speaker:** Thank you AngajukKâk for Rigolet. Any body else want to speak to the motion? Ordinary Member for Postville.

**Mr. Sheppard:** Thank you Mr. Speaker. I could not more agree with the AngajukKâk from Rigolet has said. I feel that, since elected in May, that our Government has become crippled, our Government has been wounded. And Ms. Ford, I've known you for some time. This is absolutely nothing personal. I have an obligation here to stand under the Code of Conduct; I have a constitution to go by. I don't think this is about friends, brothers, sisters, what have you. This is about Government and I say the same as the AngajukKâk from Rigolet had said when we vote, let's vote from our hearts. We've heard all kinds of comments on the street, lot of them, most of them I've kept under my hat. My job here today is to, I guess, we can't do more than protect our decision, our recommendations that we forward on to the Assembly. We all stumble, we all fail.

When we receive an official complaint, we have no other choice but to bring it forward to the Assembly. Thank you, Mr. Speaker.

**Mr. Speaker:** Minister of Finance.

**Mr. Pottle:** Nakummek Mr. Speaker. I'll be up front and make my point. I'll take my position on this and give my reasons for that. Mr. Speaker, I cannot support this motion to remove Patricia Ford from the offices of Speaker of the Nunatsiavut Assembly for the following reasons: There was an Ad Hoc Disciplinary Committee that considered and took into consideration factors relating to this incident that is outlined in the report from the Ad Hoc Committee. Mr. Speaker, I believe that the people who are proposing this motion has gone further than this report has given them the authority to do. I fail to understand, Mr. Speaker, why, if these, the AngajukKâk for Rigolet and the Ordinary Member for Postville, has these concerns, why, as Members of the disciplinary committee did they not make these recommendations in this report to remove Patricia Ford from her position as Ordinary Member of the Canadian Constituency. Mr. Speaker the report point blankly states that the Disciplinary Committee did not find Ms. Ford guilty of misconduct as per 4.1 of the Code of Conduct. It states also that they found her to be, for lack of a better word, in need of counseling as per the Code of Conduct. Each and every one of us, Mr. Speaker probably at times needs the same kind of counseling. We have the onus and responsibility as Members of this House of Assembly to know and understand the Code of Conduct and the implications for behavior. Mr. Speaker, I believe that the mover and seconder of this motion is passing judgment on Ms. Ford which should have been done, I believe, Mr. Speaker as per the report laid out before us in this House of Assembly. Mr. Speaker, why did these two Members of the Disciplinary committee not integrate some of their thoughts and their processes into this report. Time and time again, Mr. Speaker, I read, "there is no violation, there was that, there was that", there was no violation, there was no violation therefore she is not guilty of violating the Code of Conduct in my opinion. There is also an assumption being laid here, Mr. Speaker that Ms. Ford is entrusted with, possibly, making further, as the Speaker, be entrusted with implementing the Code of Conduct if there are complaints relevant to or making the assumption that there is going to be another incident, how can we say that? I hope, Mr. Speaker, through not only yesterday's proceedings that today's proceedings, that each and every Member of this House of Assembly has learned a valuable lesson and I would be sorely disappointed as a Member of this House of Assembly if an issue like this comes to this table again. I think and again in closing, I think these findings and I believe these findings should have been integrated into the report of the Ad Hoc Disciplinary Committee therefore; I cannot support this resolution to remove the Speaker from office because again the Ad Hoc Disciplinary Committee found that she was not in violation of the Code of Conduct. Nakummek, Mr. Speaker.

**Mr. Speaker:** Thank you Mister Minister. AngajukKâk for Rigolet, you will have a chance for a closing remark. Minister of Health.

**Mr. Russell:** Nakummek, Mr. Speaker. I agree, wholeheartedly with the Minister of Finance. I too will not be supporting this. It was my understanding that when we

adopted this Code of Conduct that it was there to stop, I guess, the issues we've had over time with people consuming alcohol while on the job, while in representation of this Government, this Assembly and the duties that go with that. We've had some conversation over this sitting and I've heard terms like "witch hunt" and I've heard terms like "it's up to us to make that judgment call, to be grown ups". When you're on Government business then you have to make those grown up decisions to be a representative of the people and to be decent in your actions while you're on the job and I'm sure none of us wanted to come into this job knowing that the details of our personal lives would be picked apart and scrutinized and brought before a kangaroo court of sorts, where people can just be open to all kinds of criticism and beat down for no reason that is a part of something that happened on the job. We're all Canadians, we have rights, we do and we're here to do a job and when we're on the clock, you're on the clock and you better be held to that highest standard, I agree with that. We also have personal lives, so shall we go after each other now you heard somebody poached a fish or ran a stop sign or swore at somebody. How far are we going to take this? Are we going to get to a point where I guess that we start to police ourselves and when you come to work on Monday morning, first thing is blood test and urine sample and you got to take a lie detector test about your weekend? I mean, how far are we going to take this? Really. While you're on the job, you're on the job, be a grown up, be a mature adult and do the best. You came here to work for the people of Nunatsiavut. Well let's do that to the best of our abilities. We've had enough negativity up to this point. I'm not in favor of continuing to spend as was given reference to earlier in this sitting of spending day after day after day and dollar after dollar of which we all can acknowledge we don't freely and readily have in order to deal with these issues and do one thing but paint ourselves in the public eye as a group that just wants to steadily tear each other apart. I have no interest in that. To reiterate one sentiment, from my colleague, Minister of Finance, the report was accepted, the report clearly stated that Ms. Ford did not contravene the Code of Conduct. To me, end of story. End of story and I won't harp on this point, but I'll say this is a job, the life of a politician is extremely temporary, we all know that and look on the table at these new faces, some of us won't be here next time around. We've got some good friends that are not here today and they've moved on and had to look for other work. Are we going to say, we are going to continually act as a Government that's going to contribute in the defamation of character of good people around this table and further limit their career opportunities after the short life of a politician? Are we going to say that when ever somebody comes in whether they have, you know they have mildness in their heart or they have hate for an individual or hate for an individuals family, are we going to say that we're going to take every single recommendation and send out e-mails across our organization and press releases out to the media and engage in open dialogue such as this, that every single incident will reportedly generated, tabled, put into our official HANSARD for all the world to see whether it has merit or not. We just can't go down that road every single time. It's time we do two things, in my opinion, we must grow up as adults and act like elected representatives for the people, and we're working for the people and two adhere to our own legislation and when somebody doesn't contravene an act and we don't contravene an act there should be no more issue to it. I'll close by saying one simple point here too. I can look at Ms. Ford and I can say it's up to her what she does in her life, but if I was her, I would sue everybody involved, I would sue this

Government and I would expect all legal costs, anything that has happened between now and then to be cost to the Nunatsiavut Government. Nakummek, Mr. Speaker.

**Mr. Speaker:** Thank you. Ordinary Member for Nain.

**Mr. Barbour:** Sorry Mr. Speaker, I had been asking the page for some water. I didn't put my hand up for that purpose.

**Mr. Speaker:** Anyone else wish to speak to the motion? Ordinary Member for Nain.

**Mr. Barbour:** I agree with the Minister of Finance and the Minister of Health. It has been a difficult two days for many of us. In favors and in a precedent that was set yesterday, we do have a motion put forward by the AngajukKâk from Rigolet and seconded by the ... What I do ask is that there was a precedent set yesterday and while I appreciated the fact that there was arguments about transparency and openness, there was a precedent set yesterday about a secret ballot and we do have a motion I request Mr. Speaker, that same process be followed, in this case. Thank you.

**Mr. Speaker:** Thank you. Chair of the NunaKatiget Inuit Community Corporation, Happy Valley – Goose Bay. Upper Lake Melville.

**Ms. Hefler-Elson:** Thank you Mr. Speaker. I want you to know that I'm a little bit nervous speaking here today, because I'm new. I know we're talking about alcohol and drugs and believe there is a lot of use in all of our communities of drugs and alcohol and I know marijuana is considered a soft drug, that doesn't make it a not illegal drug, it still is an illegal drug and as a role model for the Nunatsiavut, myself, I know that I myself don't use any type of illegal drug. I'm not sure exactly... The point I'm trying to put across, I guess, is we all have to decide ourselves as to what kind of role model we are going to be when we are off the job, which I would consider myself to be on the job quite some time during the day. I don't know if I'm right or wrong, but I know that as a person representing beneficiaries in Happy Valley – Goose Bay that I don't condone or would like to see our Members smoking drugs after hours, whether they're on the job or not. Thank you, Mr. Speaker.

**Mr. Speaker:** Thank you. Would you like to speak to....Anyone else want to speak to the motion besides...

**Ms. Ford:** Thank you, Mr. Speaker. I have read the report, so I know what's in there and I know exactly what I did and I know I made an error in my personal judgment, while I was on my time off and not working, on holiday. Three people was there and it was an error for me to do that at that time and I realize that. There was no way in going through this court did I ever intentionally do anything wrong if there was something wrong there, and like it goes on from time sheets or whatever there was never anything intentionally done wrong. I am very interested in keeping my Speaker position, I am very confident in myself that I can do this Speaker's position involved with respect to this Government and I think the only thing here that happened was I made a wrong judgment call with myself

at that point where I wasn't working that night with two people there, I made a wrong judgment call on what I did but I did tell the truth about it. Thank you.

**Mr. Speaker:** Thank you. AngajukKâk Rigolet.

**Ms. Wolfrey:** I have some closing remarks. We did not go on a witch hunt, I can tell you that. And I can tell you that we didn't have a chance to request or to recommend a penalty because, no, we didn't find a Breach of 4.1 we could only look at the issue of 4.1 and no Patricia, you were off duty, we fully acknowledge that you were off duty and that I don't think you were discussing Nunatsiavut business. So the only alternative for me, for my conscience, Charlotte Wolfrey, was to take a political stance and that's what I did. And in 2.7 of the Code of Conduct that the Minister of Finance said yesterday that he wrote the code of conduct so he knows it is my duty to report to the assembly so I guess in 2.7 he knows that I have a duty and an obligation to bring wrongful, what I see as questionable conduct to this floor and that's what I have done. Now to respond to something that the Minister of Health said, first of all as Minister of Health you, I don't think should be condoning smoking drugs and you're not judge and jury....

**Mr. Pottle:** Point of order Mr. Speaker...

**Mr. Russell:** Point of order indeed...

**Mr. Pottle:** ...not to mention not to try to say that's this person or that person is condoning anybody's behavior, Mr. Speaker. I did not hear anybody saying that, therefore I think the AngajukKâk for Rigolet is Out of Order and she should keep her remarks specific to her motion in her closing argument. Nakummek, Mr. Speaker.

**Mr. Speaker:** Thank you Minister of Finance. Charlotte, could you keep your remarks to your motion please?

**Ms. Wolfrey:** And that we paint ourselves by our actions but that I cleared my conscience. I came here and I tried to do what I thought was right and actually what I think a lot of people think is right and that is to try to make sure that our Government is respected, has integrity and has credibility. In looking at 2.7, like I said, there was an admission that drugs was smoked and I felt an obligation to come here and to try to make sure that our Government, that the person who rules the Speaker of the House in our Government brings credibility and integrity to that. I can only bring forward this motion and there can be a vote on it and I'll accept the vote and I done my duty, what I feel is my duty to my constituents and to Labrador Inuit. Nakummek.

**Mr. Speaker:** Thank you AngajukKâk. Any....the Ordinary Member for Canada, Speaker would you like to respond...two Members spoke to....have a secret ballot. If a Member calls for a secret ballot, the vote should be by secret poll...I believe there's a precedent for using this procedure from the First Session of the Second Assembly. I will now ask for a ballot. If you support the motion, vote yes, if you don't support the motion, vote no. I will ask the Clerk of the Assembly, Assistant to the Clerk to count the ballot. I



have the result of the vote, 11 no, 5 yes. So the motion is defeated. Speaker comes back to the table, thank you.

**Madam Speaker:** Before everybody leaves here today, could you please leave your binders behind, you can take your information out from the binder, you can take that, leave the binders here. The charter is scheduled to leave tomorrow at 8 o'clock in the morning to go to Nain and will be back here 9 or 9:30 going south. I would like to now call on our Elder John Jararuse to say a closing prayer.

**Mr. Jararuse:** Prayer in Inuktitut.

**Madam Speaker:** So we are now adjourned.