

NWT LEGISLATIVE ASSEMBLY NEWS RELEASES

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98-01

FOR IMMEDIATE RELEASE

BHP DISAPPOINTS YELLOWKNIFE SOUTH MLA

Yellowknife (January 12) – Yellowknife South MLA Seamus Henry says he is once again disappointed at the attitude being shown by BHP and some of its officials in respect to the diamond mine and how the North will benefit from the project.

“BHP has to recognize that the Government of the NWT is serious about ensuring that the people of the Territories benefit from this project, however they just aren’t getting the message,” Mr. Henry said. “The Finance Minister’s comment of bringing in a “tax regime that would choke a mule” is starting to look more and more appropriate and attractive to ensure that the North benefits from this diamond mine.”

Mr. Henry was responding to comments attributed to Mr. Graham Nicholls, local manager of external affairs for BHP and a former Deputy Minister of Renewable Resources for the GNWT, that the company’s position on sorting and valuation is clearly outlined in the Environmental Impact Statement. That statement states that cleaning and the final sorting of the diamonds will be done in a location that is readily accessible to potential customers, most likely Antwerp.

Henry asked what makes Yellowknife or another community in the NWT any less accessible than Antwerp is, noting that the largest diamond market is in the USA.

“It’s a lot easier and more economical to travel to Yellowknife and the NWT from the USA than it is to go to Antwerp,” he said.

Mr. Henry acknowledged that the expertise needed to operate a valuation and sorting facility is not readily available in the NWT. However, he also pointed out, that the expertise to build the mine site was not available in the NWT so it was brought in.

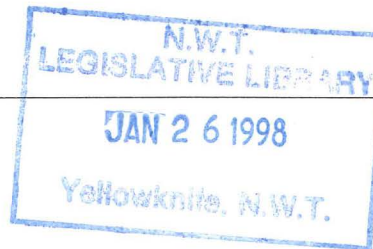
“The same can apply to the sorting for royalty valuation and sale,” he said. “That expertise could be brought in and Northerners could be trained to work in the field, again maximizing the benefits to the NWT.”

Mr. Henry is also angry that BHP appears to be making key decisions, such as a location for the valuation and sorting facility, without even waiting for changes to federal mining legislation. He wants the Federal Government to ensure any amendments to the mining legislation are worded in such a way as to ensure that the NWT and Canada benefit from diamond mining.

He said the legislation could dictate to what degree the diamonds have to be sorted for calculating royalties.

“These diamonds belong to the people of the NWT and they should benefit from this project,” Mr. Henry said. “It is up to the NWT and Federal governments to see this happens.”

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98-02

FOR IMMEDIATE RELEASE

Review Interest Rates, Government Operations Committee Suggests

Yellowknife (January 26) – Members of the Standing Committee on Government Operations want the Government to review the way the Business Credit Corporation charges interest on loans to keep them more in line with those charged by the Commercial Banks.

“This is one way that the Government could help stabilize and stimulate the economy by putting more immediate capital back into businesses,” said Committee Chairman Roy Erasmus. “We want the Government to pursue this idea to see if there is some way that the interest rates can be more flexible in responding to market rates.”

Committee Members want the Hon. John Todd, Minister of Finance, and the Hon. Stephen Kakfwi, Minister Responsible for the Business Credit Corporation, to consider a policy that would allow the BCC to make blanket interest rate reductions when bank interest rates fall far below those charged by the Corporation.

Some Northern businesses have raised concerns with Committee Members about the way interest rates are charged on loans through the BCC. Mr. Erasmus said this policy could be the difference between some businesses staying in business or going bankrupt.

“This is not a bail out but should be viewed as a positive, pro-active way for the Government to help all businesses having loans with the Business Credit Corporation particularly during these difficult fiscal times being experienced in many parts of the Territories,” he said.

The Committee has recently sent letters to both Mr. Todd and Mr. Kakfwi asking them to pursue this suggested initiative in a timely manner and to report back to members for constructive review and comment.

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JAN 29 1998

98-03

FOR IMMEDIATE RELEASE

**THEBACHA MLA CONCERNED BANK MERGER MIGHT HAVE
NEGATIVE IMPACT ON NORTHERNERS**

Yellowknife (January 29) – The proposed merger of the Bank of Montreal and the Royal Bank could have serious, negative implications for the Northwest Territories, says Thebacha MLA Michael Miltenberger.

“My constituents in Fort Smith found out firsthand a few years ago what it is like to have bank services and then lose them when the CIBC arbitrarily shut down its operations,” Mr. Miltenberger said. “We have to ensure that no banking services or jobs are lost in northern communities because of the merger.”

He is calling on northern politicians to lobby the Federal Government and raise the concerns of Northerners. In a letter to the Hon. Ethel Blondin-Andrew, MP for the Western Arctic, he raised four key issues with the proposed merger. These concerns included:

- the potential job loss in communities with branches of both banks;
- the impact reduced competition may have on service changes and other consumer costs;
- the impact of restructuring on communities with only one bank; and
- the long term viability of a single larger bank over two independent banks.

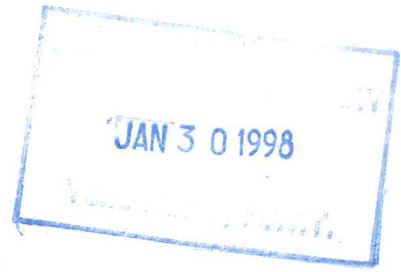
Yesterday, Mr. Miltenberger also expressed his concerns in the Legislative Assembly and got assurances from the Premier that he would ensure the Federal Government, through the Prime Minister and the Federal Minister of Finance, were aware of northerners' concerns.

“Northern communities have worked hard to get banking services and we can't afford to lose any as a result of a merger engineered thousands of miles away,” he said. “We also can't afford any job losses if the merger bank decides to restructure its branches.”

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98-04

FOR IMMEDIATE RELEASE

INUVIK UTILIDOR UPGRADE GETS MOVED UP IN GNWT CAPITAL PLANS

Yellowknife (January 29) – A \$3.2 million capital project to convert Inuvik’s utilidor system to an alternative freeze protection system for the Town’s water and sewer mains will go ahead in 1998, says Inuvik MLA Floyd Roland.

“This has been a long time coming and is good news for the Town of Inuvik,” he said. “Not only will it save money but it will also create work in the community this year because of the size of the project.”

Mr. Roland said the Territorial Government has agreed to provide an additional \$1.9 million for the project in the 1998-99 fiscal year. That’s in addition to the \$900,000 the GNWT had already allocated to the project, money that was transferred from the Federal Government at the time the system was handed over to the GNWT. The remaining \$457,000 for the project is being provided by the Inuvik Utilities Planning Committee.

The Government agreed to move the project up when they discovered the long-term cost savings that could be made by eliminating the high temperature portion of the utilidor system and converting it to an alternative freeze protective system.

Mr. Roland estimated that the Government would recover its \$1.9 million investment in the freeze protection system within three years. Most of the customers currently on the utilidor system and paying the higher costs are government departments and institutions such as the Inuvik Regional Hospital.

In addition to the extra capital funding for the project, Mr. Roland said MACA Minister Manitok Thompson is expected to begin negotiations with the Town of Inuvik to transfer ownership and management of the entire utilidor system over to the town.

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98-05

FOR IMMEDIATE RELEASE

WEST TO ELECT 14-MEMBER LEGISLATIVE ASSEMBLY IN 1999

Yellowknife (January 30) –Residents in the Western Arctic will elect a 14-Member Legislative Assembly in October 1999 based upon the same electoral districts as MLAs are currently chosen.

“In the absence of the ratification of a new constitution for the Western Territory, this decision will clarify many issues regarding the composition of the Western Legislature and the timing of the first election in the Western Territory immediately following Division,” said Michael Miltenberger, Chairman of the Western Caucus. “This arrangement will not compromise the constitutional process currently underway.”

The Western Caucus made this decision in consultation with members of the Aboriginal Summit and it means an electoral boundaries commission will not be required prior to the 1999 election. The decision supports the workplan and efforts of the Constitutional Working Group, the body responsible for developing a new constitutional structure for the new Western Territory.

An amendment to the *Northwest Territories Act* has been sought to allow the 14-Member Assembly to continue as the current legislation requires a minimum of 15 Members to be elected to the Northwest Territories Legislature.

As a result, Members of the Western Caucus currently in the Legislative Assembly will remain in office through to the end of their term in October, 1999.

Mr. Miltenberger said these decisions show that Members of the Western Caucus and their partners in other parallel processes are moving ahead with plans for the new Western Territory after Division. He said Western MLAs are committed to keeping residents informed of developments and will make regular reports to their constituents on progress.

“We are committed to protecting the interests of the Western Territory and its residents as we move through the Division process in the next 14 months,” he said.



Now that the size of the Legislature has been agreed to for the first election after Division, MLAs can focus on the many other decisions and initiatives currently underway to ensure that the Western Territory gets off on the right foot, Mr. Miltenberger added.

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FOR IMMEDIATE RELEASE

HAY RIVER MLA FILES CONFLICT COMPLAINT AGAINST PREMIER

Yellowknife (February 16, 1998) - Hay River MLA Jane Groenewegen has filed a complaint under Conflict of Interest against Premier Don Morin in an effort to clear the air, she said.

"For whatever reason, there is an inordinate amount of suspicion, innuendo and general distrust in the public when it comes to the credibility of this government," Mrs. Groenewegen said. "The public confidence in the integrity of this government has been eroded and I believe that the Premier's Office must address this issue."

Mrs. Groenewegen said she filed her complaint today with the Office of the Clerk of the Legislative Assembly who will forward it to the Conflict of Interest Commissioner, Anne Crawford.

In her complaints, Mrs. Groenewegen alleges that the Premier himself may have contravened the spirit and intent of Section 67 of the Legislative Assembly and Executive Council Act. This attached Section specifically refers to maintaining public confidence, impartiality and the acceptance of any benefits which might erode public confidence.

The Hay River MLA has been approached by several of her constituents, and other Northerners, raising questions in several areas including government hiring and contract awarding practices. Answers that might allay public concerns in this area have not been forthcoming in response to questions in the House or through requests submitted by Ordinary Members to Research.

"It is important that the government is accountable, and perhaps just as importantly is perceived to be accountable, to the people of the Northwest Territories", she said. "If the Conflict of Interest Commissioner undertakes an investigation and finds no grounds for the suspicion, speculation and rumors, nobody will be happier than myself. At this time though, it appears that the 13th Assembly's reputation has been tarnished and this impacts all Members."



Northwest
Territories Legislative Assembly

Member for Hay River

Mrs. Groenewegen said she is taking the Premier up on his suggestion to file a Conflict of Interest Complaint against him to clear the air, and to end the suspicion surrounding the Government to ensure that the next 14 months leading to Division are productive.

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OBLIGATIONS OF MEMBERS

Obligations
of members

67. Each member shall
- (a) perform his or her duties of office and arrange his or her private affairs in such a manner as to maintain public confidence and trust in the integrity, objectivity and impartiality of the member;
 - (b) refrain from accepting any remuneration, gift or benefit the acceptance of which might erode public confidence and trust in the integrity, objectivity or impartiality of the member, and in all other respects act in a manner that will bear the closest public scrutiny;
 - (c) arrange his or her private affairs in conformity with the provisions of this Part and act generally to prevent any conflict of interest from arising; and
 - (d) make all reasonable efforts to resolve any conflict of interest that may arise in favour of the public interest.
- R.S.N.W.T. 1988,c.120(Supp.),s.5.

OBLIGATIONS DES DÉPUTÉS

67. Les obligations suivantes incombent au député : Liste
- a) s'aquitter des devoirs de sa charge et régler ses affaires privées de manière à assurer la confiance du public en son intégrité, son objectivité et son impartialité;
 - b) ne pas accepter de rémunération, de don ou d'avantage susceptible de miner la confiance du public en son intégrité, son objectivité et son impartialité, et agir d'une manière qui soutienne l'examen public le plus minutieux;
 - c) gérer ses affaires privées en conformité avec les dispositions de la présente partie et de la présente loi, et agir, en général, de façon à éviter tout conflit d'intérêts;
 - d) s'efforcer le plus possible de résoudre, en faveur de l'intérêt public, tout conflit d'intérêts éventuel. L.R.T.N.-O. 1988, ch. 120 (Suppl.), art. 5.

98-06

FOR IMMEDIATE RELEASE

CONFLICT COMMISSIONER EXPLAINS COMPLAINT PROCESS

Yellowknife (February 18) – Conflict of Interest Commissioner Anne Crawford expects to know within two weeks whether or not she will hold a public hearing into a Conflict of Interest complaint filed by Hay River MLA Jane Groenewegen against Premier Don Morin.

“Our first effort will be to determine the proper scope of the complaint,” Ms. Crawford said. “If the issue can be narrowed to its essential elements, this will assist everyone in responding to the issues raised.”

Under the *Legislative Assembly and Executive Council Act*, the Commissioner is required to determine:

- that the complaint has been made in good faith; and
- is neither frivolous nor vexatious; and
- that there are sufficient grounds to proceed with an inquiry.

Ms. Crawford expects it will take 10 to 14 days to complete her initial review. This could include examining documents in the care of the government or the parties or any corporate records necessary. She has also requested additional information from both Mrs. Groenewegen and Mr. Morin.

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Northwest Territories Legislative Assembly / ᓄᓇᑦᑦᑦᑦᑦᑦ ᑕᑦᑕᑦᑦᑦᑦᑦᑦ

Member for Iqaluit
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98-07

FOR IMMEDIATE RELEASE

NWT RESIDENTS TO GET HELP WITH INCOME TAX FORMS

Yellowknife (February 20) – Residents in several Northern communities, including nine Nunavut communities, should find the job of filing their income tax forms a little easier this year, says Iqaluit MLA Ed Picco.

“Revenue Canada, after some prodding from the territorial government and in particular Finance Minister John Todd, has agreed to hold tax clinics in 14 communities in the NWT including Iqaluit,” Mr. Picco said. “This means that people in these communities will be able to get help in understanding and filling in their income tax forms.”

The issue is one that the Iqaluit MLA has raised in the Legislative Assembly on numerous occasions. He said income tax forms are difficult enough to understand at the best of times and the limited resources in many communities mean that many people just chose not to file their income tax forms.

“Hopefully this will mean that people will take advantage of this opportunity to ask some questions and get some help in filling out their income tax forms,” Mr. Picco said.

A tax clinic will be held in Iqaluit March 13, 16 and 17. Revenue Canada officials will be there to provide expert advice and provide the necessary tax forms.

Mr. Picco said he still intends to pursue the matter of having income tax forms translated in syllabics and will speak to Nunavut MP Nancy Karetak about the issue.

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98-08

FOR IMMEDIATE RELEASE

NUNAVUT CAUCUS PLAN HIGHLIGHTS KEY NUNAVUT ISSUES

Yellowknife (February 24) – Members of the Nunavut Caucus released today a report, *Creating Nunavut – The Nunavut Caucus Action Plan*, that highlights the issues related to the creation of a new Nunavut Government that they believe are most important.

“Much work remains to be done in the 400 days remaining until Nunavut is created,” said the Hon. Goo Arlooktoo, Minister Responsible for Nunavut Transition. “It is important that Members of the Nunavut Caucus continue to work to ensure that the current levels of government programs and services are maintained beyond April 1, 1999.”

The report outlines initiatives and ways that Members of the Nunavut Caucus will undertake to continue promoting co-operation with their Nunavut partners including the Interim Commissioner for Nunavut, Nunavut Tunngavik Incorporated, the Nunavut Implementation Commission, and the Federal Government.

Creating Nunavut also lays out four principles that will guide the actions of the Nunavut Caucus to April 1, 1999:

- division will not negatively affect program and service levels in Nunavut;
- the Nunavut Caucus will continue working to create a viable and secure territory in Nunavut;
- the Nunavut Caucus will continue to work with the Western Caucus to ensure that division issues are resolved in an equitable and cooperative manner that protects the interests of Nunavut; and
- the federal government has committed to cover transitional and incremental costs of creating two territories.

Natilikmiot MLA John Ningark, Co-Chairman of the Nunavut Caucus, said it is important that Nunavut MLAs continue to work co-operatively with their Western colleagues in the Legislative Assembly to ensure that both new territories get off on the right foot in 1999.



Copies of the report are available through the Legislative Assembly or through the Legislative Assembly's web site at www.assembly.gov.nt.ca.

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98-09

FOR IMMEDIATE RELEASE

Government Operations Committee wants change to WCB Act

Yellowknife (March 12) – Members of the Standing Committee on Government Operations are calling on the Government to make changes to WCB legislation that allows employers to sue workers.

“The Northwest Territories is the only jurisdiction in Canada where employers can sue employees,” said Committee Chairman Roy Erasmus. “Committee Members feel this is contrary to the principles that workers compensation schemes have been established under.”

The Committee has sent a letter to the Hon. John Todd, Minister Responsible for the Workers’ Compensation Board, indicating their strong support for amending this particular section of the *Workers’ Compensation Act*. Committee Members want all rights of action against all employers and workers covered by the *Workers’ Compensation Act* to be barred from the Act.

Members raised these concerns in the last sitting of the Legislative Assembly, however, Mr. Todd said there wasn’t time to pass a comprehensive bill because of the preparations for Division.

Mr. Erasmus said the Committee is prepared to deal with this one change independently, noting it shouldn’t require a lot of time to prepare the amendment and have it approved by the Legislature.

One option the Committee is considering, should the Government fail to introduce the amendment, is to make the necessary change in the form of a Private Member’s Bill when the House resumes sitting in May.

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98-10

FOR IMMEDIATE RELEASE

Thebacha MLA urges Premier to support Trans Canada Trail in the NWT

Fort Smith (March 13) – Thebacha MLA Michael Miltenberger is urging Premier Don Morin to make a public commitment and provide financial support to ensure that the national Trans Canada Trail follows its natural path up the Mackenzie Valley.

“This project has tremendous potential for tourism in the West, particularly those communities located on the path of the Trans Canada Trail,” Mr. Miltenberger said. “For example, a community such as Fort Resolution could see a log-built interpretative centre explaining the history of the fur trade or perhaps an interpretative centre in Tulita detailing the history of the Sahtu Dene.”

The best part, he noted, is that corporate sponsors may be willing to pay a large portion of the costs for these facilities, noting that in southern jurisdictions corporations have been flocking to the Trans Canada Trail project with offers of support.

Mr. Miltenberger has sent a letter to Premier Morin asking him to support and provide appropriate resources as quickly as he can. In other jurisdictions the provincial governments have provided funding for regional groups to meet and to cover their operating expenses. He wants the Territorial Government to do the same.

Don Jaque, the territorial representative on the Trans Canada Trail has been working on this initiative for some time, however, efforts in the NWT have hit a point where a public commitment and support from the Government is needed, Mr. Miltenberger said.

“The threat that the trail could be moved from the Mackenzie Valley is real unless we move quickly on this,” he said. “We need a commitment from the Premier to ensure this doesn’t happen and that the trail follows its historic path up the valley.”

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FOR IMMEDIATE RELEASE

**CONFLICT OF INTEREST COMMISSIONER ORDERS
COUNSEL FOR GROENEWEGEN**

Iqaluit (March 18) – Conflict of Interest Commissioner Anne Crawford, in a decision released today, has ordered publicly funded counsel for Jane Groenewegen, Member for Hay River, for the preliminary stages of a Conflict of Interest complaint against Premier Don Morin.

“In order to maintain balance and fairness in the process in this case, the discretion of the Commissioner should be exercised in favour of authorizing Counsel,” the Commissioner states in her decision (decision attached).

Mrs. Groenewegen filed a complaint against Premier Don Morin on February 16, 1998. No decision under s. 81(2) of the *Legislative Assembly and Executive Council Act* has been made regarding the good faith, vexatiousness, frivolousness, or sufficiency of that complaint. This decision had earlier been anticipated within a shorter time frame, but it had become necessary to address some preliminary issues, including a request by Mrs. Groenewegen for counsel.

Under the *Legislative Assembly and Executive Council Act* and the *Public Inquiries Act*, the Conflict of Interest Commissioner determined that she had the power to order counsel for the complainant on the basis that it would aid and assist the Commissioner.

There are some constraints on the appointment of counsel, including the need for a reassessment if the process should continue after the preliminary determination.

It has been proposed that a meeting between the Commissioner and counsel be held on March 24, 1998, to obtain commitments as to dates and process to conclude the 81(2) evaluation. “There is no benefit in continuing delay in these very early stages,” Ms. Crawford said.

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March 18, 1998

The Honourable Sam Gargan
Speaker of the Legislative Assembly
Legislative Assembly of the Northwest Territories
Yellowknife, Northwest Territories

Dear Mr. Gargan:

Re: Request of complainant Groenewegen for publicly funded counsel

I am enclosing herewith a copy of my decision of March 18, 1998, regarding the provision of independent legal counsel for Mrs. Jane Groenewegen as it relates to her complaint of February 16, 1998, with respect to alleged contraventions of the *Legislative Assembly and Executive Council Act* by the Honourable Member for Tu Nedhe.

I appreciate your continuing assistance in facilitating these matters.

Yours truly,



Anne Crawford
Conflict of Interest Commissioner

cc. *Hustwick, Wetsch, Moffat & McCrae*
Jane Groenewegen
Law Clerk to the Assembly
Lucas, Bowker & White



**IN THE MATTER OF A COMPLAINT MADE
FEBRUARY 16, 1998, BY JANE GROENEWEGEN
WITH RESPECT TO ALLEGED CONTRAVENTIONS OF
PROVISIONS OF PART III OF THE
LEGISLATIVE ASSEMBLY AND EXECUTIVE COUNCIL ACT
BY THE HONOURABLE MEMBER FOR TU NEDHE**

**REQUEST OF COMPLAINANT GROENEWEGEN FOR
PUBLICLY FUNDED COUNSEL**

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March 18, 1998

**IN THE MATTER OF A COMPLAINT MADE
FEBRUARY 16, 1998, BY JANE GROENEWEGEN
WITH RESPECT TO ALLEGED CONTRAVENTIONS OF
PROVISIONS OF PART III OF THE
LEGISLATIVE ASSEMBLY AND EXECUTIVE COUNCIL ACT
BY THE HONOURABLE MEMBER FOR TU NEDHE**

**REQUEST OF COMPLAINANT GROENEWEGEN FOR
PUBLICLY FUNDED COUNSEL**

Mrs. Groenewegen's request

On February 16, 1998, Jane Groenewegen, the Member of the Northwest Territories Legislative Assembly for Hay River, filed a written complaint with the Clerk of the Assembly pursuant to the Conflict of Interest provisions of the *Legislative Assembly and Executive Council Act* (the "Act").

The complaint was forwarded to the Conflict of Interest Commissioner that same day pursuant to s. 80(2) of the Act. The complaint suggested that the Member for Tu Nedhe, the Honourable Don Morin, had failed to comply with s. 67 of the Act. In the three-page document Jane Groenewegen referred to specific individuals and identified categories of transactions which she felt violated the Act, but the wording of the complaint was generally quite broad.

On February 17, 1998, the Commissioner replied, acknowledging the complaint and providing to Mrs. Groenewegen a Request for Materials and Information which was designed to allow the Commissioner "to define the scope of [the] complaint and to complete the required screening under s.81(2) of the *Legislative Assembly and Executive Council Act*." On the same day a separate Request for Materials was provided to Mr. Morin.

Mrs. Groenewegen first indicated that she would require counsel to prepare her response in a letter on February 18, 1998. She was referred to the Management and Services Board which generally reviews and determines the level and need for services to Members. On February 24, 1998 the Commissioner wrote to the Management and Services Board, indicating support for this request on the basis that it would assist the Commissioner to have Mrs. Groenewegen represented.

On March 2, 1998, David Hamilton, Clerk of the Assembly, in his capacity as Secretary to the Management and Services Board, advised the Commissioner that the Board

had not approved independent counsel for Mrs. Groenewegen in this matter. However, the Management and Services Board did indicate that Mrs. Groenewegen was eligible, as are other members, to take advantage of the services of the Law Clerk to the Assembly. However, this would be "...not to act as Ms. Groenewegen's 'advocate' but to provide Ms. Groenewegen with general legal advice and information on the production of documentation to your office." While this assistance would be valuable, the limitations in this case are such that this could not be considered independent legal counsel of the type requested by Mrs. Groenewegen.

On March 2, 1998, Mrs. Groenewegen requested that the Commissioner appoint independent counsel for her at public expense. On March 6, 1998, the Commissioner solicited submissions from the Law Clerk to the Assembly, Ms. MacPherson; the complainant, Mrs. Groenewegen; and Hustwick, Wetsch, Moffat & McCrae, counsel for Mr. Morin, on the following question:

Given the circumstances described in the enclosed materials is there a legal, factual and procedural basis for the Commissioner to order independent Counsel for the complainant in this matter, pursuant to s.82(2)(b) of the *Legislative Assembly and Executive Council Act*?

After receiving three submissions, these were circulated on March 11, 1998. Participants were given two days to submit replies if desired. Two replies were received and these were again circulated on March 14, 1998.

I have read all of those submissions and thank all counsel for their cooperation and input.

The Commissioner's Authority

The initial problem facing the Commissioner on receipt of Mrs. Groenewegen's request is to determine if there is a legal basis to order counsel for a complainant in the current circumstances.

The *Legislative Assembly and Executive Council Act* addresses the issue of the Commissioner's power to engage counsel in s. 82(2)(b) where it provides that:

82.(2) In the conduct of an inquiry, the Conflict of Interest Commissioner
...
has the powers of a Board under the *Public Inquiries Act*, including the power to engage the services of counsel, experts and other persons referred to in section 10 of that Act; ...

While the grant of this power is in the *Legislative Assembly and Executive Council Act*, the Commissioner also acquires the authority of a Board under s.10 of the *Public Inquiries Act*, which states:

10. The Board, if authorized by the statutory instrument establishing the Board, may engage

...
(b) the services of counsel

to aid and assist the Board in the inquiry.

The statutory instrument establishing the office of the Conflict of Interest Commissioner is the *Legislative Assembly and Executive Council Act*, under s. 79. Through s. 82(2)(b) it expressly authorizes that the Commissioner may engage counsel. The two provisions are consistent, if differently worded, in authorizing the appointment of counsel.

Pursuant to this power, the Commission has already engaged its own counsel, without objection from the Management Services Board. However, the issue being addressed at present is whether this power extends to engaging counsel for the complainant.

Relying on the wording of the Act, it is clear that the Commissioner may appoint counsel for a complainant. The test to be used in evaluating the request is whether, in the opinion of the Commissioner, the appointment of counsel for this particular complainant would "aid and assist" the Commissioner in the "conduct of an inquiry."

Is this an "inquiry"?

The authority of the Commissioner to act in this matter is dependent upon the current process qualifying as an "Inquiry" under the legislation. The Assembly's Law Clerk raises the issue that an Inquiry has not yet commenced, suggesting that the 81(2) determination is required before the Inquiry is initiated. She suggests that the Commissioner can only exercise the powers provided in 82(2), including the powers to engage counsel, experts and other persons referred to in the *Public Inquiries* legislation, after the appropriate 81(2) determination has been made.

There are a number of reasons why I am not persuaded by this argument. In examining the current and previous versions of the Act it appears that the only logical conclusion consistent with all the usage in the Act, is that the Inquiry process begins when a complaint is received by the Commissioner.

In any number of cases, the powers provided in 82(2) to retain counsel and experts may be required to make a determination under 81(2). A single piece of evidence could be determinative of a complaint. However, it might require expert evidence as to fair market value, materials from a body with a statutory bar to releasing that evidence without subpoena, or evidence of an individual taken under oath. It is hard to imagine that the legislature desired that the entire matter be compelled to a hearing even when it could be simply resolved and the Member promptly cleared by the exercise of the Commissioner's powers.

In addition, the wording of 81(2) does not have any time frame attached to it. Even if the Commissioner determines that the complaint has the basic components required and that it survives the 81(2) test, it is entirely possible that this section could be triggered at another point in the process when new evidence of bad faith or insufficient grounds is raised.

The wording of previous versions of the statute confirms this understanding of "Inquiry". There is a distinction made between the hearing portion of the Inquiry, and the Inquiry as a whole, including the requirement that a "hearing" be conducted in public. This does not mean that automatically on determination that the 81(2) standard has been met that the matter must go to a public hearing. The Commissioner may find in certain cases and circumstances that another process will protect the rights of those involved, maintain natural justice and expeditiously resolve the matter at hand. It simply means that any Inquiry is composed of a number of parts, one of which may be a hearing and one of which may be a process under 81(2).

Finally, s. 82(4) requires the Commissioner to conduct an Inquiry in accordance with the rules of natural justice. Surely this requirement of fairness should be taken to apply to the entire process, from the time the complaint is received to the time that a report is made to the Speaker under ss. 81(4) or 83(1). Consequently, no portion of the Commissioner's work can logically be taken out of the Inquiry phase and placed in an unregulated void.

For all these reasons I conclude that we are currently engaged in an Inquiry.

The mandate of the Management and Services Board

It is suggested by Counsel for Mr. Morin that the *Legislative Assembly and Executive Council Act* creates an exclusive jurisdiction for the Management and Services Board to hire counsel for Members of the Assembly. He concludes that by ordering Counsel for Mrs. Groenewegen the Commissioner would infringe on the prerogatives of the Board and the Assembly.

The mandate of the Board is contained in s.37 of the Act which states:

37. (1) Subject to this Act, the Management and Services Board may
- (a) provide services to members, including but not limited to,
 - (i) the seating of members in the Legislative Assembly,
 - (ii) research services for members,
 - (iii) the production of the debates of the Legislative Assembly and the minutes of Special and Standing Committees of the Legislative Assembly,
 - (iv) engaging consultants,
 - (v) public affairs services for members, and
 - (vi) the provision of adequate space for the operation of the Legislative Assembly;
 - (b) administer the indemnities, allowances, expenses and benefits to which members are entitled;
 - (c) establish the organization of the Office of the Legislative Assembly;
 - (d) determine the remuneration of officers of the Office of the Legislative Assembly;
 - (e) establish security procedures for the Legislative Assembly;
 - (f) establish an appropriate decor for the Legislative Assembly and an appropriate decor and dress for the opening ceremonies of the Legislative Assembly; and
 - (g) compile the annual estimates for the operation of the Legislative Assembly.

It is suggested that on two occasions, in her capacity as a member, Mrs. Groenewegen has requested, and the Board has not approved, counsel for the purpose of this complaint. This may be true, but the Board's decision is a process separate and distinct from that of the Commissioner. Mrs. Groenewegen only has access to the Board as a potential source of funding because she is a Member. The Board has made its own decisions, for its own reasons, on her entitlements as a Member.

It is clear that a person does not need to be a Member of the Legislative Assembly to file a complaint with the Commissioner. The Enforcement provisions of the Act state in s.80(1) that *any person* who believes on reasonable grounds that a Member has contravened any provision of this Part may file a written complaint with the Clerk. The Commissioner's authority to appoint counsel is not an authority to appoint counsel for Members, which could conflict with that of the Board, but to appoint counsel for complainants or other parties in the complaints process. The two authorities are distinct. With the greatest of respect for the mandate of that body, it is clear that the decisions of the Board, however important they may be in another context, are not relevant here.

As a result, I conclude that the exercise of authority by the Commissioner is not impeded by the functions or decisions of the Management and Services Board, however they might have been exercised.

Basis for Exercise of Authority by Commissioner

Given that the Commissioner has the authority to appoint publicly funded Counsel for the complainant in this process, the issue becomes the appropriate basis for such a decision. Not every complaint and not every complainant will be entitled to Counsel. The decision is within the discretion of the Commissioner in each instance, and is far from automatic.

The authority to appoint must be exercised in a manner consistent with the mandate of the Commissioner. The Assembly looks to maintain the confidence of the public in government and in the affairs of government by creating a complaints process in which individuals (some of whom may be Members of the Assembly, but in their individual capacities) can challenge the acts of elected Members. In doing so the Assembly implicitly anticipates that, almost without exception, the complainant will have fewer resources at his or her disposal than will the Member complained against. It also anticipates that the acts complained of may not be immediately open for public scrutiny and may require additional resources to articulate.

In the context of s. 81(2), it is neither the role of the Commissioner to solicit and enhance a complaint nor to restrict and limit a complaint. It is the role of the Commissioner to make clear to the complainant the threshold requirements for a complaint and the information needed to cross that threshold. The complainant must be given a fair and adequate opportunity to meet those requirements. Failure to do so leads to the implication that process has overwhelmed substance, and that even in a forum designed to promote confidence and fairness in government, only the most sophisticated, legally trained, articulate, and perfectly informed need apply.

Where there is a request to the Commissioner for assistance, the decision will depend on the facts in each case and on an evaluation of the complaint as presented. This will include a review of the following factors:

- a) the complexity of the complaint;
- b) the nature of the evidence and documentation related to the complaint;
- c) the consequences of the decision at issue to the party applying;
- d) the experience, resources and training of the party applying;
- e) the extent to which the applicant's interests are otherwise represented in the process; and
- f) any negative effects including delays to instruct or change counsel or the creation of excess complexity in proceedings.

This is the basis upon which the request of Mrs. Groenewegen must be assessed.

Assessment of the Groenewegen Request

Having identified the relevant factors the current complaint must be assessed using that standard.

a) the complexity of the complaint

This complaint involves an allegation of multiple relationships between a Member and two other individuals actively engaged in business in this jurisdiction. In addition to the named individuals the complaint involves a home, an office tower, and multiple government contracts involving a number of departments and agencies. All of the allegations appear to relate to incidents and transactions within the Northwest Territories and within a recent time frame.

The level of complexity appears at this point to be fairly high, but is contained within defined parameters of time and geography.

b) the nature of the evidence and documentation related to the complaint

The complainant specifically requests counsel on the basis that the evidence and documentation available to her to substantiate her complaint may be subject to a number of constraints including privilege, various forms of procedural confidentiality and issues of liability.

The Commission has declined to review the documentation pending a decision by Mrs. Groenewegen as to which documents she is prepared to submit to a process which may, at some future point, become public. In any event, the documentation offered will be provided to Mr. Morin for his response.

The classification and restrictions on the use of documentary and other evidence appear to be particularly complex in this complaint.

c) the consequences of the decision at issue

At first viewing the impact of any decision by the Commissioner would appear to fall exclusively on Mr. Morin. However, in reviewing the case law it becomes clear that the interests of a person who "is liable to be discredited in the eyes of the public if [her] allegations upon proper inquiry should prove to be unfounded"¹ are of adequate substance for the courts to recognize a right to representation and participation in the process.

¹ *Re Public Inquiries Act and Shulman* (1967), 63 D.L.R. (2d) 578 at 580.

In this case, by making a complaint Mrs. Groenewegen has put her political and personal credibility into considerable jeopardy and the consequences of a decision of the Commissioner will have substantial impact on her.

d) the experience, resources and training of the party

Mrs. Groenewegen is a Member of the Legislative Assembly in her first term of office. She is not a Member of a political party which could offer her advice, research support or resources. Her background is in business, but she does not appear to have training or extensive experience in the law.

Whether or not publicly funded counsel is provided as a resource for other participants in the complaints process is not a factor in deciding whether to provide counsel for Mrs. Groenewegen.

e) the extent to which the applicants interests are otherwise represented

At this point in the process there is no participant with an equivalent interest to that of Mrs. Groenewegen. No other participant is advocating in favour of the complaint, nor looking to sustain its merits. Mr. Morin's obvious interest is to negate any complaint and that of the Commissioner is to evaluate the materials provided and ensure a fair process for all involved.

It is clear that the role of Commission counsel cannot be to act as a proponent at all levels of the process, as this only leads to procedural bias of the type prohibited by the Supreme Court of Canada in *Régie des permis d'alcools*.²

f) any negative effects

There has been no representation that providing Counsel for Mrs. Groenewegen would have negative procedural effects. The request for counsel was made in a timely manner and is not intended to create disturbance or delay. It does not appear that having counsel would duplicate an existing function or create excessive delay or complexity in proceedings.

While some of the above factors weigh more heavily than others in this assessment, it is clear that the cumulative value supports Mrs. Groenewegen's request. There is no obvious procedural disincentive.

In order to maintain balance and fairness in the process in this case, the discretion of the Commissioner should be exercised in favour of authorizing Counsel. To have a balanced process assists the Commissioner in reaching a fair decision on the merits of the matter. A transparent and fair decision is to the benefit of all involved.

² 2747-3174 *Québec Inc. v. Québec (Régie des permis d'alcool)*, [1996] 3 S.C.R. 919.

Implementation of decision and constraints

The complainant Jane Groenewegen is entitled to retain Counsel at the expense of the Commission to participate in the complaint process. The terms of this retainer include:

1. This order is in effect pending the section 81(2) determination;
2. In the event that the process should continue thereafter, the needs of the complainant will be reassessed on the criteria provided. In the event of a hearing she will be required to meet the "interested person" standard set in s. 7(1) of the *Public inquiries Act*;
3. Mrs. Groenewegen may select counsel of her choice;
4. Counsel must be entitled to practise law in the Northwest Territories;
5. The fees and expenses of Counsel are to be reasonable and rates are to be specified in advance and approved by the Commissioner;
6. The accounts of Counsel may be taxed in front of the Clerk of the Court.

The continuing process

The process of evaluating this complaint is now into its fifth week.

Neither Mrs. Groenewegen nor Mr. Morin has responded to the requests made by the Commissioner for information on the day following the complaint's filing. Mr. Morin has made a series of requests for further time and Mrs. Groenewegen has raised a concern that releasing documentation may be a breach of some other obligation she may have.

It is true that Mrs. Groenewegen has lacked counsel in the process, but she appears to personally have had the resources needed to initiate this complaint. If she wishes her complaint to be taken seriously she is under a substantial obligation to produce supporting details and materials. It is not the role of the Commission to engage in games of speculation and hide and seek. I expect that promptly upon obtaining and instructing counsel, she will be forthcoming with documentation needed and with answers to the questions put to her on February 17, 1998.

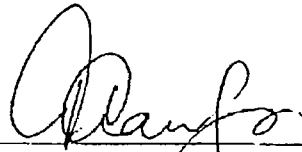
In the case of Mr. Morin, the first two questions put by the Commissioner on February 17, 1998 were extremely simple. He was asked to identify his place of residence in Yellowknife and to provide information on the process followed by the Government of the Northwest Territories in making direct appointments. It should be within his ability to muster a response to both of these questions promptly. While the third question was a little more

involved, albeit optional, it is anticipated that this could be promptly answered following further disclosure from Mrs. Groenewegen.

It has already been proposed that a meeting between the Commissioner and counsel be held on March 24, 1998, to obtain commitments as to dates and process to conclude the 81(2) evaluation. There is no benefit in continuing delay in these very early stages.

I look forward to meeting shortly with those involved and to obtaining your cooperation in the remainder of the process.

THIS DECISION RENDERED this 18th day of March, 1998, at the Town of Iqaluit, in the Northwest Territories.



Anne Crawford
Conflict of Interest Commissioner

FOR IMMEDIATE RELEASE

CONFLICT COMMISSIONER DECLINES TO STEP ASIDE

Yellowknife (March 23) – Conflict of Interest Commissioner Anne Crawford has received and denied a request from Counsel for Premier Don Morin that she step aside by reason of apprehended bias.

In a decision released to the parties late Friday, Mrs. Crawford stated “I find all three alleged grounds of bias to be without merit and refuse to disqualify myself.”

Mr. Morin had suggested that Mrs. Crawford should step down from an Inquiry she is currently conducting into a complaint made by MLA Jane Groenewegen on February 18, 1998 which alleges that Morin has contravened the conflict provisions of the *Legislative Assembly and Executive Council Act*.

The three grounds of apprehended bias stated by Mr. Morin were 1) comments allegedly made by the Commissioner 2) the Commissioner’s retainer by Nunavut Tunngavik Inc. and 3) the Commissioner’s failure to dismiss Groenewegen’s complaint on procedural grounds.

The Commissioner refused each ground, stating that they were, respectively, “unfounded in fact...fundamentally flawed....and having no merit” adding, “Having disposed of these matters [of bias] it once again appears possible to proceed with the substance of the Groenewegen complaint.”

Commissioner Crawford and Counsel for the parties intend to meet in Edmonton on March 24, 1998 to work out the procedures needed to complete the 81(2) preliminary review, which is still pending.

Decision attached.

**IN THE MATTER OF A COMPLAINT MADE
FEBRUARY 16, 1998, BY JANE GROENEWEGEN
WITH RESPECT TO ALLEGED CONTRAVENTIONS OF
PROVISIONS OF PART III OF THE
LEGISLATIVE ASSEMBLY AND EXECUTIVE COUNCIL ACT
BY THE HONOURABLE MEMBER FOR TU NEDHE**

**REQUEST OF THE MEMBER FOR TU NEDHE FOR
COMMISSIONER TO DISQUALIFY HERSELF**

Anne Crawford, Conflict of Interest Commissioner
Legislative Assembly of the Northwest Territories
P.O. Box 747
Iqaluit, NT
X0A 0H0

March 20, 1998

**IN THE MATTER OF A COMPLAINT MADE
FEBRUARY 16, 1998, BY JANE GROENEWEGEN
WITH RESPECT TO ALLEGED CONTRAVENTIONS OF
PROVISIONS OF PART III OF THE
LEGISLATIVE ASSEMBLY AND EXECUTIVE COUNCIL ACT
BY THE HONOURABLE MEMBER FOR TU NEDHE**

**REQUEST OF THE MEMBER FOR TU NEDHE FOR
COMMISSIONER TO DISQUALIFY HERSELF**

Mr. Morin's request

On February 16, 1998, Jane Groenewegen, the Member of the Legislative Assembly for Hay River filed a written complaint with the Clerk of the Legislative Assembly pursuant to the Conflict of Interest provisions of the *Legislative Assembly and Executive Council Act* (the "Act").

The Commissioner commenced an Inquiry under the Act.

On March 10, 1998, Hustwick, Wetsch, Moffat & McCrae, Counsel for Mr. Morin, located in Edmonton, sent a letter to the Office of the Conflict of Interest Commissioner in Iqaluit, Northwest Territories. The letter was sent by Canada Post regular mail and arrived at the Iqaluit office late on March 17, 1998. No copy was sent by facsimile or through Commission Counsel Lucas, Bowker & White, located in Edmonton.

In that letter Mr. Morin's Counsel requested that the current Commissioner "temporarily step aside ... in relation to the Complaint made by MLA Jane Groenewegen. Our client has a reasonable apprehension that you will perform your duties in a [biased] manner."

The letter went on to state:

We emphasize that our client is not alleging that you are actually biased [against] him but that the following factors and circumstances could cause a reasonable person to determine that there was an apprehension that you may act in a biased manner.

On March 19, 1998, a copy of that letter was provided to Counsel for Mrs. Groenewegen.

Alleged Grounds

Three grounds for the bias application were asserted by Mr. Morin's counsel, who stated:

1. You previously sat as a member of a Commission of Inquiry that inquired into a conflict of interest complaint against Mr. Morin. That inquiry was held on the 13th, 14th and 15th days of March, 1995. Following the conclusion of the hearing, at which our client was completely exonerated, you made comments to his sister wherein you suggested that Mr. Morin may have been cleared of any wrong doing but that he was not innocent.....
2. You have acted, and continue to act for Nunavut Tunngavik Incorporated, a politically active organization whose leader, Jose Kusugak has made numerous critical and politically directed statements against Mr. Morin.....
3. On the face of the document received from Jane Groenewegen, there has been no formal complaint lodged. In review of the documents submitted through the Clerk, we are unable to discern any specific allegation of a contravention of the *Legislative Assembly and Executive Council Act*.....You have sought out further documents, sought further clarification of the nature of the complaint, sought legal counsel for your position and for Ms. Groenewegen and insisted that our documents be issued through the Clerk of the Legislative Assembly without regard to the ongoing confidential nature of your inquiries.....

.....By allowing the process to continue, we submit, constitutes a reasonable apprehension that you are biased [against] Mr. Morin."

The full text of the letter is attached to this decision.

Allegation re: Purported Comments

This allegation lacks any substantiating detail. Counsel is aware that it lacks detail and is also aware that the Commissioner has no independent memory of any such incident or comment.

This is because Mr. Morin personally wrote to the Commissioner one month earlier on February 18, 1998, in a letter identified as "Private and Confidential", and made the same allegation. At that time the Commission replied, "I can only consider [the] contents [of your letter] if I am able to share them with Ms. Groenewegen and with the public as required" and continued:

The minimal description you have given me of a conversation in which I divulge some form of bias rings absolutely no bells with me. You would need to provide some details of location, time, context and comment for me to assess your assertion.

This is Mr. Morin's application, and he is entitled to submit any grounds of bias which he feels appropriate and any supporting materials and detail he feels sufficient. He has chosen once again to submit an allegation which provides no name, no date, no place, no context and no actual quote.

I have no intention of spending yet more time pursuing details which could have been offered if they exist, which have been clearly requested, and which may or may not ever become available, or capable of substantiation.

The allegation is unfounded in any fact and is contradicted by Mr. Hustwick's assertion in the same letter that "our client is not alleging that you are actually biased..."

I will not agree to step aside on this basis.

Allegation re: Retainer with Nunavut Tunngavik Inc.

This allegation correctly identifies that I have acted and continue to act as counsel to Nunavut Tunngavik Incorporated. Nunavut Tunngavik has no involvement in this complaint. I also act for many other businesses, individuals, government and aboriginal organizations. I represent them on a variety of legal issues and do not solicit or adhere to their political perspectives.

When the Assembly chose to appoint a lawyer in active practice in the Northwest Territories as Commissioner, they knew that the individual chosen would have multiple points of contact with the community. The Members knew that I had acted in the past for the Metis Nation, the Dene Nation, the Native Women's Association, and the Inuit Tapirisat. They knew I had worked in Dogrib communities, in the South Slave, in Yellowknife and in Nunavut, in the private and public sectors. They knew that I had acted for and was familiar with many Members, past and present. They viewed my many connections to an active community territory-wide as an asset, imparting a perspective of realism and a knowledge of Northern conditions.

The position of Commissioner is a four year term position, without retainer and paid on a modest hourly basis. There is no pension. I am not likely to quit my day job. The Commissioner is selected by the Members on the and with the knowledge that this is not a full time position and the Commissioner under these circumstances cannot be expected to be closeted from all personal and professional contacts. I will also take it that the Assembly knew what it was doing when it made the appointment. I am not prepared to transform what was seen as an asset in the appointment process into a grounds of disqualification.

As part of his argument for my disqualification Mr. Morin suggests that I would be required to share all information I gather as Conflicts Commissioner with Nunavut Tunngavik, as an "ethical duty towards your client."

This suggestion is fundamentally flawed. No client is entitled to know the contents of another client's file. Each client is entitled to absolute confidentiality. Where the clients' interests being advanced clash, there can be a conflict, but this could rarely be found on purely political grounds. Every band council and mining company, every day care committee and development corporation has a political perspective. It is their right to do so in a democratic

society. It is equally a fundamental democratic principle that an independent bar is not taken to adopt the political or personal opinions of those it represents.

Mr. Morin chooses to present his allegation with absolutely no substantiating or supporting information. There are no references to press releases or newspaper articles, and no details of issues purportedly at the source of the conflict. I do not intend to engage in a paper chase to request Mr. Morin to substantiate what he has chosen to allege in only the broadest of terms.

I do not accept that my work for Nunavut Tunngavik Incorporated is a source of bias.

Allegation re: Activities as Commissioner

It is argued that the Groenewegen complaint lacks detail and requires additional specifics. This may well be the case, and is, in part, the reason why Mrs. Groenewegen was given eleven questions on February 17, 1998, in an attempt to define the scope of her complaint. A copy of those questions was provided to Mr. Morin at that time.

In a letter from the Commissioner dated March 10, 1998, and copied to all involved Mr. Morin's request that Mrs. Groenewegen be compelled to provide details of her complaint was dealt with. That correspondence stated::

It is not consistent with natural justice to require Mrs. Groenewegen to make decisions as to the details of her complaint and supporting documentation "on the eve" of a decision which might provide her with counsel. It is fair to set a clear time limit thereafter.

Notwithstanding this requirement to insure fairness to Mrs. Groenewegen and to allow her time to instruct her counsel, Mr. Morin's counsel appears to suggest that by taking these steps the Commissioner demonstrates bias.

Counsel suggests that failure to dismiss the complaint on the Commissioner's own motion constitutes bias. Counsel suggests that requesting "further clarification of the nature of the complaint" constitutes bias. Counsel suggests that retaining Commission Counsel constitutes bias.

It would appear that, in Mr. Morin's opinion, any activity other than dismissing the complaint out of hand will constitute bias.

There is little logic and no merit in this allegation. I do not intend to step aside on this basis.

Decision

I find all three alleged grounds of bias to be without merit and refuse to disqualify myself.

I would suggest that there need to be grounds considerably more compelling or logical or well documented before I would put aside those duties that the Assembly, during a period of rational deliberation, asked me to undertake.


Process

Having disposed of these matters, it once again appears possible to proceed with the substance of the Groenewegen complaint.

I look forward to meeting with Counsel on March 24, 1998, to develop a schedule to advance this process.

Any efforts which could be made by Mr. Morin's counsel to maintain and respond to contacts with Commission counsel would be appreciated. The Commissioner expects to receive all communications and to make all future procedural arrangements through her Counsel's offices.

THIS DECISION RENDERED this 20th day of March, 1998, at the Town of Iqaluit, in the Northwest Territories.



Anne Crawford
Conflict of Interest Commissioner

HUSTWICK WETSCH MOFFAT & McCRAE

BARRISTERS AND SOLICITORS

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March 10, 1998

Northwest Territories Legislative Assembly
Conflict of Interest Commission
P.O. Box 747
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*JOHN A. McCRAE
*DOUGLAS C. HODGSON
RODERICK C. PAYNE
*GORDON P. PETERSON, Q.C.
Counsel

**Attention: Anne Crawford - Conflict of Interest Commissioner,
Legislative Assembly of the Yellowknife, Northwest Territories**

Dear Madam:

**Re: CONFLICT OF INTEREST COMPLAINT - FEBRUARY 16TH, 1998
JANE GROENEWEGEN, M.L.A.**

IN ASSOCIATION WITH
AHLSTROM WRIGHT
Sherwood Park
L. E. LEE AHLSTROM, Q.C.
(Also N.W.T. Bar)
GEORGE R. WRIGHT

*Denotes Professional Corporation

On behalf of our client we hereby formally request that you temporarily step aside as the Conflict of Interest Commissioner in relation to the complaint made by MLA Jane Groenewegen. Our client has a reasonable apprehension that you will perform your duties in a bias manner.

We emphasize that our client is not alleging that you are actually biased toward him but that the following factors and circumstances could cause a reasonable person to determine that there is an apprehension that you may act in a biased manner:

1. You previously sat as a member of a Commission of Inquiry that inquired into a conflict of interest complaint made against Mr. Morin. That inquiry was held on the 13th, 14th and 15th days of March, 1995. Following the conclusion of the hearing, at which our client was completely exonerated, you made comments to his sister wherein you suggested that Mr. Morin may have been cleared of any wrong doing but that he was not innocent. We would suggest this comment indicates an attitudinal bias toward Mr. Morin.
2. You have acted, and continue to act for Nunavut Tunngavik Incorporated, a politically active organization whose leader, Jose Kusagak, has made numerous critical and politically directed statements against Mr. Morin. The Canadian Bar Association Code of Professional Conduct states that a lawyer holding a public office who sees the possibility of a conflict of interest should declare such interest at the earliest opportunity and take no part in any consideration, discussion or vote with respect to the matter in question.

March 10, 1998

Page 2

Furthermore, a solicitor has an ongoing duty to inform his or her client. As Megarry J. says in Spector v. Ageda (1971), 3 All E.R. 417 at 430 (Ch.D.)

...what he can not do is to act for the client and at the same time withhold from him any relevant knowledge that he has...

By reason of your relationship with Nunavut Tunngavik, you will be required, as their solicitor, to share all information that you gather as the Conflicts Commissioner. This is your ethical duty towards your client. This conflicts however with your position as Conflicts of Interest Commissioner in that you are obliged by statute not to share information with your client.

Moreover, the mere fact that you have acted for a political organization which is contrary to Mr. Morin and will assess a complaint against Mr. Morin is enough, in our submission, to raise a reasonable apprehension that you will not act in good faith in assessing the complaint.

3. On the face of the document received from Jane Groenewegen, there has been no formal complaint lodged. In review of the documents submitted through the Clerk, we are unable to discern any specific allegation of a contravention of the *Legislative Assembly and Executive Council Act*. Notwithstanding the foregoing, and bearing in mind that the Northwest Territories Legislation does not entitle the Conflicts Commissioner to conduct an inquiry on their own without a complaint, you have sought out further documents, sought further clarification of the nature of the complaint, sought legal counsel for your position and for Ms. Groenewegen and insisted that our documents be issued through the Clerk of the Legislative Assembly without regard to the ongoing confidential nature of your inquiries.

We submit that the foregoing actions in and of themselves raise an apprehension that a reasonable person would determine you are acting in a biased fashion. In short, Ms. Groenewegen's complaint was not a complaint at all and authority exists under the legislation to dismiss a complaint immediately for insufficient grounds to warrant an inquiry, or request that a member file an amended complaint specifying exactly which provisions, with details, of the *Legislative Assembly and Executive Council Act* were contravened. It is a fundamental tenant of procedural fairness that a person know what they are being accused of and, in our submission, it has been impossible for us to determine through the complaint filed by the member for Hay River what exactly Mr. Morin is accused of. By allowing the process to continue, we submit, ~~constitutes~~ a reasonable apprehension that you are biased toward Mr. Morin.

March 10, 1998

Page 3

We ask that you act immediately to preserve the integrity of the office that you hold and ensure that our client receives a fair and impartial inquiry of a properly laid complaint. Our client demands that you temporarily step aside as Conflict of Interest Commissioner on the grounds that there is a reasonable apprehension of bias because of the items enumerated herein.

Yours very truly,

HUSTWICK WETSCH MOFFAT & McCRAE

Per:


C. JOHN A. HUSTWICK, Q.C.
JAH/bb

98-11

FOR IMMEDIATE RELEASE

Western Caucus to hold Strategic Planning Workshop

Yellowknife (April 13) – Members of the Western Caucus will hold the first of three Strategic Planning Workshops later this week to continue planning for the Western Government following Division.

"This is a crucial step in the planning for the new government in the Western Territory," said Michael Miltenberger, Chairman of the Western Caucus. "We have to make some decisions in the coming months to help lay the groundwork for the West to carry us beyond April 1, 1999."

The main objectives of the first workshop are to:

- review the broad strategic direction set out in the *Agenda for Change* document;
- discuss priorities for recommendations to the Finance Minister for inclusion in the 1999/2000 budget planning process;
- update Members on initiatives outlined in the Action Plan for a Transition to a New Western Territory; and
- recommend follow-up measures which may include suggestions for Ministers and administration.

The Hon. Charles Dent, Minister Responsible for Western Transition, said these three objectives would dominate much of the discussion in this first workshop with financing and future strategic actions being key to the discussions.

"We are committed to looking after the interests of the Western Territory and will be working together over the next year to do just that," he said. "However, it is important that we continue to work in partnership with our colleagues from Nunavut in the best interests of all residents of the NWT."

The first workshop will be held Wednesday, April 15 and Thursday, April 16.

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FOR IMMEDIATE RELEASE

SCHEDULE SET FOR INITIAL STAGES OF CONFLICT OF INTEREST COMPLAINT

Iqaluit (April 14) – Conflict of Interest Commissioner Anne Crawford has outlined a schedule for the continuation of the investigation into the conflict of interest complaint filed against Premier Don Morin, following meeting with lawyers for both Mr. Morin and the complainant Mrs. Groenewegen.

Mrs. Groenewegen, the Member for Hay River, has been given until April 29, 1998, to supply the particulars and supporting documentation for her complaint against Mr. Morin, the Member for Tu Nedhe.

Mr. Morin has until May 25, 1998 to reply.

Mrs. Crawford expects to make her decision on section 81(2) of the *Legislative Assembly and Executive Council Act* during the week of May 25, 1998.

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98-12

BHP initiative draws praise from YK South MLA

Yellowknife (April 16) – A new program that pays living allowances to northern residents working for BHP Diamonds is drawing praise from Yellowknife South MLA Seamus Henry.

“We need to see more of these kind of commitments from BHP to show that they are willing to share the benefits of this diamond mine with Northerners,” he said. “I have been critical of BHP in the past for some of their decisions, however, now it is time to credit them for taking this initiative.”

Mr. Henry said he is pleased that the company took the initiative to provide this to employees, outside of the socio-economic agreement between BHP and the Government of the Northwest Territories.

The Yellowknife South MLA said he hopes this can be a start of a renewed effort of co-operation and partnership between the Government and BHP.

The benefits of the mining industry are important not only to the company but to their employees. “I am very pleased to see BHP will be providing a further incentive such as this living allowance, which will keep their work force Northern,” said Mr. Henry. “This in turn will benefit all residents of the NWT.”

He said he is encouraged by BHP’s announcement and hope to hear of similar industry initiatives support in other aspects of this new industry.

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98-13

FOR IMMEDIATE RELEASE

WEST'S FUTURE IS STRONG, MLAs SAY

Yellowknife (April 16) - The future of the Western Territory is sound, stable, and filled with opportunities. That's the message coming out of the first strategic planning workshop of the Western Caucus.

"This is an exciting time and there is a tremendous amount of potential and opportunity in resource development, oil and gas, transportation initiatives, and contracting with the new Nunavut Government, available to the Western Territory," said Caucus Chairman Michael Miltenberger. "Now it is up to the political, aboriginal, and business leaders and, in general, all residents in the West to take advantage of these opportunities."

Members of the Western Caucus spent two days, April 15 and 16, in a strategic planning workshop setting direction for after April 1, 1999. Mr. Miltenberger said division of the Northwest Territories is an opportunity for Western MLAs to set specific priorities for themselves and the new Western Territory.

Issues on the table for discussion included updates on formula financing arrangements for the Western Territory that are expected to be agreed to in principle within the next month, the socio-economic conditions of the territory, and the transition costs for the Western Territory.

"Planning and decision making for the Western Territory is on track," said the Hon. Charles Dent, Minister Responsible for the Western Territory. "Residents should feel confident that current program and service levels will be maintained after April 1, 1999."

Members also affirmed that the Government's Economic Strategy and Highway Strategy are both important economic initiatives for the future Western Territory and should be closely tied to training and education.

Consequently Members agreed that education and training are two key areas in planning for the West. "Statistics show us that most Northerners with a good education are working and that means we need to keep focusing in this area to put more people to work and improve our economy," Mr Dent said.

The Western Caucus discussed the key role they will play in defining the priorities to be contained in the 1999-2000 Main Estimates for the Western Territory. The Ordinary Members of the Western Caucus will review and make recommendations on the 1999-2000 Business Plans leading up to April 1, 1999. A session to review the Budget will be held shortly after April 1, 1999. A broader longer term strategic direction document is also being developed.



Western Caucus also agreed to an interim decision-making structure for the Western Legislative Assembly for the period of April 1 to October 1999. This includes provisions to ensure that:

- the current Speaker and Western Members of the Management and Service Board, the Standing Committee on Rules and Procedures, the Striking Committee and Cabinet will continue in these roles after April 1;
- the Cabinet will consist of a Premier and five Ministers;
- an Ordinary Members' Caucus consisting of seven members will act as a standing committee of the house; and,
- a Standing Committee on Rules and Procedures, the Striking Committee and Management and Services Board will continue with additional appointments as necessary.

A Territorial Leadership Committee will be held on April 1, 1999 or as soon after as is practical to select two new Cabinet Ministers and new members for the remaining committees.

Mr. Miltenberger said these interim measures are critical to laying the groundwork for the period from April 1 to the October, 1999 election.

Official symbols for the Western Territory was another issue discussed by Members. They agreed that public input is needed before any changes are made and that they would discuss proposals for public input during the May/June session.

The workshop was the first of a series of strategic planning workshops planned for the Western Caucus. The second workshop is planned to be held in Tu Nedhe this fall. Ongoing Western Caucus meetings starting in May will enable Members to deal with pressing issues requiring decisions.

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Northwest
Territories Legislative Assembly

Member for Yellowknife North

98-14

YELLOWKNIFE (April 29) - The Members of the Legislative Assembly for Yellowknife are pleased BHP is planning to establish a diamond sorting and valuation centre in the North.

"This announcement marks the first step towards establishing a secondary diamond industry in the North," said MLA for Yellowknife North Roy Erasmus.

"Eighty percent of the revenues from the diamond industry are generated after the mining process, and if we can find a way to keep some of those revenues in the North, we will all benefit from it. That's why it's so important to get something started as soon as possible." he said.

"Economic growth remains a high priority of this government, and we need to continue to stimulate that growth by providing employment and economic opportunities for aboriginal and northern communities and companies."

"Past experience shows the diamond industry invests heavily in the South, but don't spend enough time exploring investment opportunities in the North. In this five-billion dollar industry, we need to spend money within the territory, in order to enhance our position globally. This facility could be the first step in that strategy."

While BHP has not indicated exactly where they will locate the facility, the Yellowknife MLA's remain hopeful the capital will eventually be chosen as the new site.

"We have many things to offer in terms of infrastructure, security and transportation," said Roy Erasmus.

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Northwest
Territories Legislative Assembly

Member for Yellowknife North

98-15

For Immediate Release

Diamond Valuation Facility A Boon to Northerners, YK North MLA says

Yellowknife (May 8) – Yellowknife North MLA Roy Erasmus says he is pleased that BHP has decided to build a diamond sorting and valuation facility at the Yellowknife Airport.

“Yellowknife is the logical place for the facility,” Mr. Erasmus said. “We have the security, the space at the airport and BHP’s northern headquarters are here.”

Erasmus has been campaigning for a sorting and valuation facility to be built in Yellowknife for two years. Last September, he went on a fact-finding mission to Antwerp, Belgium and London, England with his Yellowknife colleagues and the Minister of Finance.

“Eighty percent of the revenue from the \$5 billion global diamond industry is generated after the mining process in secondary industry. The first step towards establishing a secondary industry in Yellowknife is having the sorting and valuation done here,” he said. “The next step is to have northern diamonds available for the secondary industry. We are very optimistic about Yellowknife’s future because BHP has promised to make diamonds available to northern buyers so long as they pay the going rate for the diamonds.”

The NWT has the lowest education rates in Canada and this places a great strain on our resources for income support, health and education. For the most part, the secondary diamond industry does not require a highly educated work force. This is an opportunity to train local people who may not have post-secondary education, and employ those who are reliable and willing to work.

“This is a great opportunity for local people to acquire and develop skills in an industry that is constantly evolving, Mr. Erasmus said. “We have to take full advantage of the diverse opportunities for economic and personal growth developments like this present.”

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Northwest
Territories Legislative Assembly
Member for Yellowknife South

98-16

For Immediate Release

YK SOUTH MLA OPTIMISTIC ABOUT ECONOMIC FUTURE

Yellowknife (May 11) – Yellowknife's economy is taking a turn for the better and residents should start seeing some positive signs of that in the next six months to a year, predicts Yellowknife South MLA Seamus Henry.

"I think the economy is going to pick up and go wild in the next six months," he said. "Last week's announcement that BHP will build its diamond and valuation facility in the city is just the start."

Mr. Henry welcomed last week's announcement and said he hopes to see the company continue to employ northerners. This coupled with BHP's payment of a Northern Living Allowance to qualified northern residents is the positive messages we have been seeking from the company for our economy. He has been active both in the Legislature and outside of it encouraging BHP and the Government of the NWT to ensure that the benefits from the diamond mine stay in the NWT.

"I think this is a good sign for the housing market in the city and there are going to be numerous opportunities in areas such as security firms, speciality financial institutions, diamond cutters and polishers, and speciality equipment supply," he said. "These might come in small amounts but together the opportunities will be good for the city."

He said residents should be prepared to deal with the long-awaited upward swing in the economy.

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Northwest
Territories Legislative Assembly
Member for Yellowknife South

98-17

For Immediate Release

Time to stop spouting off and deal with the issues

Yellowknife (May 12) – Yellowknife South MLA Seamus Henry says it is time for officials from the Government and Union of Northern Workers to stop the rhetoric and reach agreement on a new contract.

“Both sides should agree that there will be no further press releases, advertisements and media interviews until they get back together and resolve the issues at hand,” he said. “We have great opportunities ahead of us and it is time to get rid of the labor strife and the rhetoric that goes with it.”

Mr. Henry met with some Union members Thursday and individuals told him they want to reach agreement on a new contract, including accepting the job evaluation system being proposed by the Government.

However, he noted, employees are concerned that many of the job descriptions used to classify jobs are outdated and need reworking.

“They told me that the job descriptions don’t adequately reflect the job and work that employees are doing,” Mr. Henry said.

He is calling on officials from both the Government of the Northwest Territories and Union of Northern Workers to sit down and negotiate until an agreement has been reached. Mr. Henry said it is important to settle these issues so attention can be focused on other matters including Division and preparing for the improving economy.

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98-18

For Immediate Release

YK MLAs question lack of increase in Northern Living Allowances for employees in capital

Yellowknife (May 13) – Two Yellowknife MLAs want to know why GNWT employees in Yellowknife and Rae-Edzo are the only ones who won't see increases in their Northern Living Allowance when it costs less to live in communities such as Hay River.

Both Yellowknife North MLA Roy Erasmus and Yellowknife South MLA Seamus Henry say that this just doesn't seem fair. The two MLAs have talked to a number of civil servants who are constituents wondering why they won't see an increase in their allowances.

"The cost of a nutritional food basket, accommodation costs, and property costs are all less expensive in Hay River than Yellowknife, however employees in Hay River are receiving an increase and those in the capital aren't," said Mr. Henry. "It just doesn't make sense to us."

Yellowknife is used as the base to calculate the Northern Living Allowance paid to GNWT employees. Mr. Erasmus suggested that Hay River should be used if the cost of living is less in the southern community.

The two MLAs point to the statistics compiled by the Government's own Bureau of Statistics that show the cost of a nutritional food basket in Hay River is \$155 compared to \$163 in Yellowknife.

"The two necessities in life, accommodation and food, are obviously less expensive in Hay River yet employees there get about \$1,000 more a year in living allowance than their counterparts in Yellowknife do," Mr. Henry said.

The two MLAs also encouraged the Government and Union of Northern Workers to get back to the table and negotiate a new contract for employees including reviewing the Northern Living Allowance for Yellowknife employees.

"It is to everyone's benefit if the two sides can resume talks and negotiate a deal," Mr. Erasmus said.

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Northwest
Territories Legislative Assembly

Member for Yellowknife North

98-19

For Immediate Release

Erasmus urges UNW and GNWT to begin talks again

Yellowknife (May 14) – Yellowknife North MLA Roy Erasmus is encouraging the Government of the Northwest Territories and Union of Northern Workers to get back to the table and reach agreement on a new contract including settling the outstanding pay equity dispute.

“All the lawyers I have spoken to say it is in the best interests of both the Union and the Government to settle this issue now,” he said. “They are saying that both the Union and Government would be liable if they signed an agreement knowing there is a pay equity problem.”

Mr. Erasmus said that means both groups could be sued by employees in future pay equity cases if they signed an agreement. He has met with Union representatives to hear their concerns, including why they feel the two issues should be dealt with separately.

“However, no constituents who have called me with concerns on collective bargaining or the pay equity dispute have suggested the two should be separated,” he said. “It’s common sense to resolve this now and get it over with as we don’t know how much money we will be getting in the future from the Federal Government.”

Mr. Erasmus said he is still open to reviewing the issue, however, at this time it appears to him that the two sides should get back to the table.

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For Immediate Release

Elections NWT opens office in Nunavut

Iqaluit (May 15) – Chief Electoral Officer David Hamilton officially opened the Elections NWT office in Nunavut and announced the appointment of Joshie Teemotee Mitsima as Nunavut’s Deputy Chief Electoral Officer earlier today.

“These are two important steps as we continue preparations for the conduct of the election for the members of the first Nunavut Legislative Assembly currently being scheduled for mid-February,” Mr. Hamilton said.

Mr. Mitsima and additional staff yet to be hired, will staff the office that is located on the first floor of the Brown Building in Iqaluit. Mr. Mitsima brings extensive experience in elections at the federal, territorial and community levels to the Elections NWT/Nunavut office.

Mr. Hamilton also released a listing of the 19 electoral districts being proposed for Nunavut (copy attached). A timeline of key dates and events from now until after the election has also been attached. The constituencies and timeline are not official until the amendments to the *Nunavut Act* have been approved by the Parliament of Canada.

The Minister of Indian Affairs and Northern Development has published in the Canada Gazette the changes that will be required to the *Elections Act* that will be used for the first Nunavut election. These modifications include directives as to the residency requirements and a number of technical administrative matters.

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Elections NWT conducts and administers general elections, by-elections and plebiscites in the Northwest Territories according to legislation enacted by the Legislative Assembly.

Its principle mandate is to educate, inform and empower all eligible electors and candidates in the Northwest Territories to exercise their democratic right accorded to them in the Canadian Charter of Rights and Freedoms, so that they may participate fully in the election process.

Nunavut First Elections NWT Key Events

- April 1998 → *Nunavut Act* Amendments introduced into Parliament
- May 1998 → Modifications to *Elections Act* for the Rules pre-published in Canada Gazette
- Elections NWT Nunavut office opened
- June 1998 → Royal Assent of *Nunavut Act* Amendments
- Nunavut's 19 Electoral Districts officially named and described
- *Election Act* modifications approved
- July 1998 → Public Voter Information campaign launched
- Returning Officers appointed to the 19 Electoral Districts
- August 1998 → Election officials training sessions begin
- October 1998 → Nunavut wide enumeration
- January 1999 → Issue of Writ for the First Nunavut Elections NWT
- Events occurring during 45 day election period*
- Voters List Revision
 - Candidates Nomination Papers filed
 - Applications for mail-in ballots
 - Voting at the office of the Returning Officers
 - Advance Polls
 - Proxy Voting applications permitted.
- February 1999 → Polling Day
- March 1999 → Return of the Writs
- April 1, 1999 → Members of the First Legislative Assembly of Nunavut take office for a five year term

Disclaimer

The information provided herein has no official status at this time and is provided as guidance until statutory approval occurs.

Authorized by the Chief Electoral Officer of the Northwest Territories

May 1998

ELECTORAL DISTRICTS FOR THE FIRST NUNAVUT ELECTION

NAME	COMMUNITIES
Akulliq	Repulse Bay, Pelly Bay
Amittuq	Igloolik, Hall Beach
Arviat	Arviat
Baker Lake	Baker Lake
Cambridge Bay	Cambridge Bay, Bathurst Inlet, Umingmaktok
Hudson Bay	Sanikiluaq
Iqaluit East	Iqaluit
Iqaluit Centre	Iqaluit
Iqaluit West	Iqaluit
Kugluktuk	Kugluktuk
Nanulik	Coral Harbour, Chesterfield Inlet
Nattilik	Gjoa Haven, Taloyoak
Pangnirtung	Pangnirtung
Quttiktuq	Arctic Bay, Nanisivik, Resolute, Grise Fiord
Rankin Inlet North	Rankin Inlet
Rankin Inlet South- Whale Cove	Rankin Inlet, Whale Cove
South Baffin	Cape Dorset, Kimmirut
Tunnunig	Pond Inlet
Uqqummiut	Broughton Island, Clyde River

Disclaimer

The information provided herein has no official status at this time and is provided as guidance until statutory approval occurs.



Media Advisory

David Hamilton, Chief Electoral Officer of the Northwest Territories, will open the Election NWT office in Nunavut on Friday, May 15, 1998 at 11:00 a.m. in Iqaluit. The office is located on the first floor of the Brown Building.

At the same time, Mr. Hamilton will be announcing the appointment of Joshie Teemotee Mitsima as the Deputy Chief Electoral Officer for Nunavut. Mr. Hamilton will hold a press conference immediately following the opening of the Elections office.

The opening of the office is open to the public.

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Order Modifying the Laws Governing the Nunavut First Elections*Statutory Authority*

Nunavut Act and An Act to amend the Nunavut Act and the Constitution Act, 1867

Sponsoring Department

Department of Indian Affairs and Northern Development

Décret adaptant les règles de droit régissant les premières élections au Nunavut*Fondement législatif*

Loi sur le Nunavut et Loi modifiant la Loi sur le Nunavut et la Loi constitutionnelle de 1867

Ministère responsable

Ministère des Affaires indiennes et du Nord canadien

REGULATORY IMPACT ANALYSIS STATEMENT*Description*

The purpose of this order is to prescribe the modifications required to the Northwest Territories *Elections Act*, in order to conduct the first elections to the Legislative Assembly of Nunavut.

Subsection 76.02(1) of the *Nunavut Act*, which will be enacted by section 16 of *An Act to amend the Nunavut Act and the Constitution Act, 1867* (Bill C-39), specifies that the laws governing the first elections of members of the Nunavut Legislative Assembly are the laws that apply to the conduct of elections in the Northwest Territories on the day that section 76.02 comes into force, with any modifications that the Governor in Council may, by order, prescribe.

Subsection 76.02(2) of that Act requires that notice of the order be published in the *Canada Gazette* at least 30 days before the order is made and that an opportunity be given to interested parties to make representations to the Minister about the proposed order.

The modifications would make the laws for the first election more Nunavut-specific. These modifications pertain to the issuance and return of the writs, residency requirements, languages on the ballot papers, use of electoral information, contributions to candidates and a number of housekeeping changes.

Alternatives

The applicable legislation does not provide an alternative; it is explicit in that any modifications to the election laws of the Northwest Territories must be prescribed by the Governor in Council, by order. The legislation is also specific in regard to pre-publication of the notice. In their present form, some provisions of the Northwest Territories elections laws are not appropriate for the elections of the members to the Nunavut Legislative Assembly.

Benefits and Costs

There are no costs related to this order. The creation of a Nunavut-specific set of election rules is the benefit arising from these regulations.

Consultation

This order affects the residents of the area of the Northwest Territories which will become Nunavut. Consultation with the

RÉSUMÉ DE L'ÉTUDE D'IMPACT DE LA RÉGLEMENTATION*Description*

Le présent décret vise à prescrire les adaptations à apporter à la *Loi électorale* des Territoires du Nord-Ouest pour la tenue des premières élections à l'Assemblée législative du Nunavut.

Le paragraphe 76.02(1) de la *Loi sur le Nunavut*, qui sera édicté par l'article 16 de la *Loi modifiant la Loi sur le Nunavut et la Loi constitutionnelle de 1867* (projet de loi C-39), précise que les lois régissant les premières élections des membres de l'Assemblée législative du Nunavut sont les lois applicables à la tenue des élections dans les Territoires du Nord-Ouest le jour de l'entrée en vigueur de l'article 76.02, avec les adaptations que le gouverneur en conseil peut établir par voie de décret.

Le paragraphe 76.02(2) exige qu'un avis de ce décret soit publié dans la *Gazette du Canada* au moins 30 jours avant sa prise et que les parties intéressées aient l'occasion de faire des recommandations à la ministre à propos du décret envisagé.

Les adaptations proposées rendront les lois relatives aux premières élections plus pertinentes pour le Nunavut. Elles ont trait à l'émission et aux rapports des brefs, aux exigences en matière de résidence, aux langues utilisées sur les bulletins de vote, à l'utilisation des informations électorales, aux contributions versées aux candidats et à un certain nombre de changements d'ordre administratif.

Solutions envisagées

La loi applicable ne prévoit pas d'autre solution; elle précise que les adaptations aux lois électorales des Territoires du Nord-Ouest doivent être prescrites par le gouverneur en conseil, par voie de décret. Elle est également explicite en ce qui concerne la publication préalable de l'avis. Dans leur forme actuelle, certaines dispositions des lois électorales des Territoires du Nord-Ouest ne conviennent pas aux élections des députés du Nunavut.

Avantages et coûts

Aucun coût n'est lié à ce décret, qui aura pour avantage de créer une série de règles électorales propres au Nunavut.

Consultations

Le présent décret touche les résidents de la région des Territoires du Nord-Ouest qui deviendra le Nunavut. Les consultations

Nunavut Tunngavik Incorporated, the Government of the Northwest Territories and the Nunavut Implementation Commission took place over the August 1996-March 1998 period. All these groups support an early election and support this process.

Compliance and Enforcement

Compliance is not an issue as the proposed order only prescribes modifications to the election laws of the Northwest Territories to make the election rules Nunavut-specific. This order does not change the character of any of the enforcement provisions contained in the Northwest Territories *Elections Act*.

Contact

Gilles Binda, Senior Policy Advisor, Nunavut Secretariat, Department of Indian Affairs and Northern Development, Les Terrasses de la Chaudière, 10 Wellington Street, Ottawa, Ontario K1A 0H4, (819) 953-8069.

auprès de la société Nunavut Tunngavik Incorporated, du gouvernement des Territoires du Nord-Ouest et de la Commission d'établissement du Nunavut ont eu lieu d'août 1996 à mars 1998. Tous ces groupes sont en faveur d'une élection anticipée et appuient ce processus.

Respect et exécution

Le respect n'est pas un sujet de préoccupation, car le décret proposé ne prescrit que les adaptations à apporter aux lois électorales des Territoires du Nord-Ouest afin de rendre les règles électorales pertinentes pour le Nunavut. Le présent décret ne change pas le caractère des mesures d'exécution prévues par la *Loi électorale* des Territoires du Nord-Ouest.

Personne-ressource

Gilles Binda, Conseiller principal en matière de politiques, Secrétariat du Nunavut, Ministère des Affaires indiennes et du Nord canadien, Les Terrasses de la Chaudière, 10, rue Wellington, Ottawa (Ontario) K1A 0H4, (819) 953-8069.

PROPOSED REGULATORY TEXT

Notice is hereby given that the Minister of Indian Affairs and Northern Development proposes to recommend the making of the annexed *Order Modifying the Laws Governing the Nunavut First Elections*, pursuant to subsection 76.02(1) of the *Nunavut Act*^a, which subsection is proposed to be enacted by section 16 of *An Act to amend the Nunavut Act and the Constitution Act, 1867*, being Bill C-39 of the first session of the thirty-sixth Parliament, 46-47 Elizabeth II, 1997-98, if that section is enacted.

Any interested person may make representations to the Minister of Indian Affairs and Northern Development concerning the proposed Order within 30 days after the date of publication of this notice. All such representations must cite the *Canada Gazette*, Part I, and the date of publication of this notice and be addressed to Gilles Binda, Senior Policy Advisor, Nunavut Secretariat, Department of Indian Affairs and Northern Development, Ottawa, Ontario K1A 0H4.

JANE STEWART
Minister of Indian Affairs and
Northern Development

ORDER MODIFYING THE LAWS GOVERNING THE NUNAVUT FIRST ELECTIONS

MODIFICATIONS

1. For the purposes of section 76.02 of the *Nunavut Act*,
 - (a) the following provisions of the *Elections Act*, R.S.N.W.T. 1988, c. E-2, as amended by R.S.N.W.T. 1988, c. 82 (Supp.), S.N.W.T.

^a S.C., 1993, c. 28

PROJET DE RÉGLEMENTATION

Avis est par les présentes donné que la ministre des Affaires indiennes et du Nord canadien propose de recommander la prise du *Décret adaptant les règles de droit régissant les premières élections au Nunavut*, ci-après, en vertu du paragraphe 76.02(1) de la *Loi sur le Nunavut*^a, lequel figure à l'article 16 de la *Loi modifiant la Loi sur le Nunavut et la Loi constitutionnelle de 1867*, projet de loi C-39 (première session, trente-sixième législature, 46-47 Élisabeth II, 1997-1998), si cet article est adopté.

Les intéressés peuvent présenter par écrit leurs observations à la ministre des Affaires indiennes et du Nord canadien au sujet du projet de décret, dans les 30 jours suivant la date de publication du présent avis. Ils sont priés d'y citer la Partie I de la *Gazette du Canada* ainsi que la date de publication du présent avis et d'envoyer le tout à Gilles Binda, Conseiller principal en matière de politiques, Secrétariat du Nunavut, Ministère des Affaires indiennes et du Nord canadien, Ottawa (Ontario) K1A 0H4.

La ministre des Affaires indiennes et
du Nord canadien
JANE STEWART

DÉCRET ADAPTANT LES RÈGLES DE DROIT RÉGISSANT LES PREMIÈRES ÉLECTIONS AU NUNAVUT

ADAPTATIONS

1. Pour l'application de l'article 76.02 de la *Loi sur le Nunavut* :
 - a) les dispositions suivantes de l'ordonnance des Territoires du Nord-Ouest intitulée *Loi électorale*, L.R.T.N.-O. 1988, ch. E-2, modifiée par

^a L.C. (1993), ch. 28

1991-92, c. 5, S.N.W.T. 1995, c. 14, S.N.W.T. 1995, c. 15, S.N.W.T. 1997, c. 17 and S.N.W.T. 1997, c. 23, do not apply:

- (i) subsection 3(1),
- (ii) subsection 14(1),
- (iii) section 31,
- (iv) paragraph 198(1)(a),
- (v) section 205,
- (vi) sections 207 and 208,
- (vii) subsection 209(2); and

(b) the *Elections Act* referred to in paragraph (a) is modified as set out in the schedule.

L.R.T.N.-O. 1988, ch. 82 (suppl.), L.T.N.-O. 1991-1992, ch. 5, L.T.N.-O. 1995, ch. 14, L.T.N.-O. 1995, ch. 15, L.T.N.-O. 1997, ch. 17 et L.T.N.-O. 1997, ch. 23, ne s'appliquent pas :

- (i) le paragraphe 3(1),
- (ii) le paragraphe 14(1),
- (iii) l'article 31,
- (iv) l'alinéa 198(1)e),
- (v) l'article 205,
- (vi) les articles 207 et 208,
- (vii) le paragraphe 209(2);

b) la *Loi électorale* visés à l'alinéa a) est adaptée conformément à l'annexe.

COMING INTO FORCE

2. This Order comes into force on the date on which it is registered.

ENTRÉE EN VIGUEUR

2. Le présent décret entre en vigueur à la date de son enregistrement.

SCHEDULE (Section 1)

MODIFICATIONS TO THE ELECTIONS ACT OF THE NORTHWEST TERRITORIES

1. The title of the *Elections Act* is modified as follows:

NUNAVUT FIRST ELECTIONS ACT

2. (1) The definitions "Chief Electoral Officer", "during an election", "at an election" or "throughout an election" and "electoral district" are modified as follows:

"Chief Electoral Officer" means the Chief Electoral Officer of the Northwest Territories; (*directeur général des élections*)

"during an election", "at an election" or "throughout an election" refers to the period beginning with the issue of the writ for the election and ending on polling day or on the day the writ is withdrawn under subsection 13(1); (*durant une élection, pendant l'élection, à une élection ou durant toute élection*)

"electoral district" means an electoral district named for the first elections by the Governor in Council under the *Nunavut Act*; (*circonscription*)

(2) Subsection 1 (1) of the Act is modified by adding the following in alphabetical order:

"Consolidated Revenue Fund" means the Northwest Territories Consolidated Revenue Fund; (*Trésor*)

"Court of Appeal" means, for a matter commenced before the day on which section 3 of the *Nunavut Act* comes into force, the Court of Appeal of the Northwest Territories and, in any other case, the Court of Appeal of Nunavut; (*Cour d'appel*)

"Legislative Assembly" means the Legislative Assembly of Nunavut; (*Assemblée législative*)

ANNEXE (article 1)

ADAPTATION DE LA LOI ÉLECTORALE DES TERRITOIRES DU NORD-OUEST

1. Le titre de la *Loi électorale* est adapté de la façon suivante :

LOI DU NUNAVUT SUR LES PREMIÈRES ÉLECTIONS

2. (1) Les définitions de « circonscription », « directeur général des élections » et « durant une élection », « pendant l'élection », « à une élection » ou « durant toute élection », au paragraphe 1(1) de la même loi, sont respectivement adaptées de la façon suivante :

« circonscription » Toute circonscription électorale définie pour les premières élections aux termes de la *Loi sur le Nunavut*. (*electoral district*)

« directeur général des élections » Le directeur général des élections des Territoires du Nord-Ouest. (*Chief Electoral Officer*)

« durant une élection », « pendant l'élection », « à une élection » ou « durant toute élection » La période commençant le jour de l'émission du bref d'élection et se terminant le jour du scrutin ou le jour où le bref est retiré en conformité avec le paragraphe 13(1). (*during an election, at an election or throughout an election*)

(2) Le paragraphe 1(1) de la même loi est adapté par adjonction, selon l'ordre alphabétique, de ce qui suit :

« Assemblée législative » L'Assemblée législative du Nunavut. (*Legislative Assembly*)

« Cour d'appel » Dans le cas d'une instance introduite avant la date d'entrée en vigueur de l'article 3 de la *Loi sur le Nunavut*, la Cour d'appel des Territoires du Nord-Ouest et, dans les autres cas, la Cour d'appel du Nunavut. (*Court of Appeal*)

« Cour suprême » Dans le cas d'une instance introduite avant la date d'entrée en vigueur de

"Nunavut" means the territory described in section 3 of the *Nunavut Act*. (*Nunavut*)
 which section 3 of "Supreme Court" means, for a matter commenced before the day on the *Nunavut Act* comes into force, the Supreme Court of the Northwest Territories, and in any other case, the Supreme Court of Nunavut; (*Cour suprême*)

l'article 3 de la *Loi sur le Nunavut*, la Cour suprême des Territoires du Nord-Ouest et, dans les autres cas, la Cour suprême du Nunavut. (*Supreme Court*)

« Nunavut » Le territoire décrit à l'article 3 de la *Loi sur le Nunavut*. (*Nunavut*)

« Trésor » Le Trésor des Territoires du Nord-Ouest. (*Consolidated Revenue Fund*)

(3) Section 1 of the Act is modified by adding the following after subsection (1):

(3) L'article 1 de la même loi est adapté par adjonction, après le paragraphe (1), de ce qui suit :

Act (2) The reference to an Act made under the *Northwest Territories Act* in subsection 47.1(3), paragraph 51(4)(d), subsections 53(1.1), 168(4) and 212(3) and section 213 shall be read, on or after the day on which section 3 of the *Nunavut Act* comes into force, as a reference to the corresponding law of the Legislature of Nunavut.

(2) Au paragraphe 47.1(3), à l'alinéa 51(4)d), aux paragraphes 53(1.1), 168(4) et 212(3) et à l'article 213, tout renvoi à une loi adoptée en vertu de la *Loi sur les Territoires du Nord-Ouest* constituée, à compter de la date d'entrée en vigueur de l'article 3 de la *Loi sur le Nunavut*, un renvoi à la loi correspondante de la législature du Nunavut.

Interpretation (3) The expression "this Act" means the *Nunavut First Elections Act*.

(3) L'expression « la présente loi » s'entend de la *Loi du Nunavut sur les premières élections*.

3. Section 2 of the Act is modified as follows:

3. L'article 2 de la même loi est adapté de la façon suivante :

Application 2. This Act applies to the first elections of members of the Legislative Assembly.

2. La présente loi s'applique aux premières élections des députés de l'Assemblée législative.

4. Subsections 8(1) to (3) of the Act are modified as follows:

4. Les paragraphes 8(1) à (3) de la même loi sont adaptés de la façon suivante :

Staff 8. (1) The Chief Electoral Officer may appoint the persons that the Chief Electoral Officer considers necessary to administer this Act and to prepare and conduct the elections.

8. (1) Le directeur général des élections peut nommer les personnes qu'il estime nécessaires pour veiller à l'application de la présente loi ainsi qu'à la préparation et à la conduite des élections.

Public service employee (2) A person appointed under subsection (1) is an employee of the public service as defined in the ordinance of the Northwest Territories entitled the *Public Service Act*.

(2) Toute personne nommée en conformité avec le paragraphe (1) est fonctionnaire au sens de l'ordonnance des Territoires du Nord-Ouest intitulée *Loi sur la fonction publique*.

5. (1) Subsection 9(2) of the Act is modified as follows:

5. (1) Le paragraphe 9(2) de la même loi est adapté de la façon suivante :

Polling day (2) The day on which the poll at an election is to be held shall be at least 45 days after the day on which the writ is issued.

(2) La date fixée pour la tenue du scrutin suit d'au moins 45 jours la date d'émission du bref.

(2) Subsection 9(4) of the Act is modified as follows:

(2) Le paragraphe 9(4) de la même loi est adapté de la façon suivante :

Date of return (4) The writ shall name the day on which it is to be returned.

(4) Le bref indique la date à laquelle il doit être retourné.

6. Section 10 of the Act is modified as follows:

6. L'article 10 de la même loi est adapté de la façon suivante :

Same date 10. The writs shall be dated on the same day and shall name the same day for the poll.

10. Les brefs sont datés du même jour et mentionnent la même date de scrutin.

7. Subsection 13(1) of the Act is modified as follows:

7. Le paragraphe 13(1) de la même loi est adapté de la façon suivante :

Withdrawal of writ 13. (1) The Chief Electoral Officer may withdraw a writ where by reason of a flood, fire or other disaster it is impracticable to carry out this Act in the electoral district where the writ has been issued.

13. (1) Le directeur général des élections peut retirer le bref émis pour une circonscription lorsque, par suite d'une inondation, d'un incendie ou d'un autre désastre, l'application de la présente loi y est pratiquement impossible.

8. Subsection 14(3) of the Act is modified as follows:

8. Le paragraphe 14(3) de la même loi est adapté de la façon suivante :

New Appointment (3) The Chief Electoral Officer shall, without delay, appoint a new returning officer for an electoral district in which the office of the returning officer becomes vacant.

(3) Le directeur général des élections nomme sans délai un nouveau directeur du scrutin pour toute circonscription dans laquelle la charge de directeur du scrutin devient vacante.

9. Section 24 of the Act is modified as follows:

Boundaries of
polling division

24. The polling divisions of an electoral district shall be established by the returning officer who shall give due consideration to the polling divisions established by municipalities for municipal elections and to geographical and other factors that may affect the convenience of the electors in casting their votes.

10. (1) Paragraph 27(1)(c) of the Act is modified as follows:

(c) has been resident in the Northwest Territories or Nunavut for a period of at least 12 months immediately before polling day and is resident in Nunavut on polling day.

(2) Paragraph 27(3)(d) of the Act is modified as follows:

(d) every person who is disqualified from voting under any law of Canada, a province or a territory relating to the disqualification of electors for corrupt or illegal practices.

11. Section 30 of the Act is modified as follows:

Residence

30. (1) Every person shall be deemed to continue to reside until polling day in the electoral district in which he or she was resident on the enumeration day and no actual change of residence during the intervening period shall deprive a person of the right to vote in the electoral district in which he or she was resident on the enumeration day, or entitle a person to vote in any other electoral district, unless the person is a person referred to in subsection (3) and exercises his or her rights under that subsection.

Exception

(2) Subsection (1) does not apply to permit any person who is not resident in Nunavut to vote at an election.

Change after
enumeration

(3) Notwithstanding anything in this Act, where a person

(a) during the period between the enumeration day and the termination of the sittings for revision of a preliminary list of electors at an election, changes his or her place of residence from one polling division to another polling division in the same or another electoral district, and

(b) is otherwise qualified as an elector,

that person may apply in person to the returning officer for the polling division in which he or she is resident at the time of the application, during the sittings for revision, to have his or her name included in the preliminary list of electors for that polling division, and on the inclusion of his or her name in the preliminary list of electors for that polling division, is entitled to vote at the polling station established for that polling division.

Secondary
residence

(4) No person shall be deemed to be resident on the enumeration day in a home or dwelling that is

(a) generally occupied by him or her during six months of the year or less, and

(b) generally remains unoccupied by him or her for the balance of the year,

9. L'article 24 de la même loi est adapté de la façon suivante :

24. Les sections de vote d'une circonscription sont établies par le directeur du scrutin, qui tient dûment compte des sections de vote établies par les municipalités, ainsi que des particularités géographiques et autres facteurs qui pourraient rendre moins commode pour les électeurs l'exercice de leur droit de vote.

Limites des
sections de
vote

10. (1) L'alinéa 27(1)c) de la même loi est adapté de la façon suivante :

c) a résidé dans les Territoires du Nord-Ouest ou au Nunavut pendant une période minimale de 12 mois précédant immédiatement le jour du scrutin et réside au Nunavut le jour du scrutin.

(2) L'alinéa 27(3)d) de la même loi est adapté de la façon suivante :

d) toute personne inhabile à voter en vertu d'une loi du Canada, d'une province ou d'un territoire relative à la privation du droit de vote pour manœuvres frauduleuses ou actes illégaux.

11. L'article 30 de la même loi est adapté de la façon suivante :

Résidence

30. (1) Toute personne est censée continuer, jusqu'au jour du scrutin, de résider dans la circonscription où elle résidait le jour du recensement, et aucun changement réel de résidence pendant cet intervalle ne la prive de son droit de voter dans cette circonscription ou ne lui donne le droit de voter dans une autre circonscription, à moins qu'elle ne soit l'une des personnes visées au paragraphe (3) et qu'elle n'exerce ses droits sous son régime.

Exception

(2) Le paragraphe (1) n'a pas pour effet de permettre à une personne qui ne réside pas au Nunavut de voter à une élection.

Changement
postérieur au
recensement

(3) Par dérogation à toute autre disposition de la présente loi, la personne qui, entre le jour du recensement et la fin des séances de révision de la liste préliminaire des électeurs, change de lieu de résidence d'une section de vote à une autre section de vote dans la même ou une autre circonscription, et qui a par ailleurs qualité d'électeur, peut demander personnellement au directeur du scrutin de la section de vote dans laquelle elle réside au moment de sa demande, au cours des séances de révision, de faire inscrire son nom sur la liste préliminaire des électeurs de cette section de vote. Dès que son nom est inscrit sur la liste préliminaire des électeurs de cette section de vote, cette personne a le droit de voter au bureau de scrutin établi dans cette section de vote.

Résidence
secondaire

(4) Nul n'est censé résider au jour du recensement dans un logement ou une demeure qu'il n'occupe, de façon générale, que pendant six mois de l'année ou moins et qu'il n'occupe pas pendant le reste de l'année, à moins qu'il n'ait aucun lieu de résidence dans une autre circonscription au moment

unless the person has no residence in any other electoral district to which he or she might move on the enumeration day.

12. The portion of section 32 of the Act before paragraph (b) is modified as follows:

Members,
spouses and
dependants

32. A candidate who, on the day before the writs are issued, is a member of the Council of the Northwest Territories, and any spouse or dependant of that candidate who lives with that candidate and is an elector, may

(a) have his or her name entered on the list of electors for one of the following places:

- (i) the actual place of residence of the candidate,
- (ii) the place, if any, in the electoral district in which the member is a candidate where the member has, at the time of the election, his or her place of residence,
- (iii) the place in the electoral district in which the member is a candidate where the office of the returning officer for the electoral district is located; and

13. Subsection 47.1(2) of the Act is modified as follows:

Exception

(2) The Chief Electoral Officer may, in the public interest,

(a) authorize the Government of Canada, the Government of Nunavut or a municipality in Nunavut to use information referred to in subsection (1) for a purpose other than that referred to in that subsection; or

(b) authorize the Government of the Northwest Territories to use, at any time before the day on which section 3 of the *Nunavut Act* comes into force, information referred to in subsection (1) for a purpose other than that referred to in that subsection.

14. (1) Paragraph 51(3)(a) of the Act is modified as follows:

(a) accepts or holds any office, commission or employment, permanent or temporary, in the service of the Government of the Northwest Territories or of Nunavut, to which any salary, fee, wages, allowance, emolument or profit of any kind is attached, during the time that he or she is holding the office, commission or employment;

(2) Paragraph 51(4)(a) of the Act is modified as follows:

(a) is a member of the Council of the Northwest Territories;

15. Section 75 of the Act is modified as follows:

Property

75. The ballot papers, envelopes and marking instrument provided at an election are, before the day on which section 3 of the *Nunavut Act* comes into force, the property of the Government of the Northwest Territories and, on and after that day, the property of the Government of Nunavut.

de l'élection où il pourrait emménager le jour du recensement.

12. Le passage de l'article 32 de la même loi précédant l'alinéa b) est adapté de la façon suivante :

32. Le candidat qui, la veille de l'émission des brefs, est membre du Conseil des Territoires du Nord-Ouest, ainsi que le conjoint et toute personne à la charge de ce candidat, demeurant avec lui et ayant qualité d'électeur, peuvent :

Députés,
conjoins et
personnes à
charge

a) faire inscrire leur nom sur la liste des électeurs établie pour l'un des endroits suivants :

- (i) le lieu réel de résidence du candidat,
- (ii) l'endroit, dans la circonscription où le membre se porte candidat, où est situé son lieu de résidence au moment de l'élection,
- (iii) l'endroit, dans la circonscription où le membre se porte candidat, où est situé le bureau du directeur du scrutin de la circonscription;

13. Le paragraphe 47.1(2) de la même loi est adapté de la façon suivante :

(2) Le directeur général des élections peut, dans l'intérêt public :

Exception

a) autoriser le gouvernement du Canada, le gouvernement du Nunavut ou une municipalité du Nunavut à utiliser les renseignements visés au paragraphe (1) à une fin autre que celle qui y est mentionnée;

b) autoriser le gouvernement des Territoires du Nord-Ouest à utiliser, à tout moment avant la date d'entrée en vigueur de l'article 3 de la *Loi sur le Nunavut*, les renseignements visés au paragraphe (1) à une fin autre que celle qui y est mentionnée.

14. (1) L'alinéa 51(3)a) de la même loi est adapté de la façon suivante :

a) accepte ou occupe une charge, une commission ou un emploi, permanent ou temporaire, au service du gouvernement des Territoires du Nord-Ouest ou du Nunavut, auquel se rattachent un traitement, des honoraires, des gages, une indemnité, des émoluments ou un profit, tant qu'il occupe cette charge, cette commission ou cet emploi;

(2) L'alinéa 51(4)a) de la même loi est adapté de la façon suivante :

a) quiconque est membre du Conseil exécutif des Territoires du Nord-Ouest;

15. L'article 75 de la même loi est adapté de la façon suivante :

75. Les bulletins de vote, les enveloppes et les instruments servant à marquer les bulletins fournis à une élection sont, avant la date d'entrée en vigueur de l'article 3 de la *Loi sur le Nunavut*, la propriété du gouvernement des Territoires du Nord-Ouest et, dès cette date, celle du gouvernement du Nunavut.

Propriété

16. Section 162 of the Act is modified as follows:

Report by
Chief Electoral
Officer

162. The Chief Electoral Officer shall, immediately after the elections, cause to be printed a report giving, by polling divisions, the number of votes polled for each candidate, the number of rejected ballots and the number of names on the official list of electors, together with any other information that the Chief Electoral Officer may consider fit to include.

17. (1) The portion of subsection 164(1) of the Act before paragraph (a) is modified as follows:

Report to
Speaker of
Legislative
Assembly

164. (1) The Chief Electoral Officer shall, within six months after the elections, make a report to the Speaker of the Legislative Assembly setting out

(2) Paragraph 164(1)(e) of the Act is modified as follows:

(e) any amendments to elections laws that, in the opinion of the Chief Electoral Officer, are desirable for the better administration of the laws.

18. Subsection 168(2) of the Act is modified as follows:

Contribution to
a candidate

(2) An individual resident in Nunavut, or a corporation carrying on business in Nunavut, may make a contribution to a candidate at an election.

19. Paragraphs 172(a) and (b) of the Act are modified as follows:

(a) an individual resident outside Nunavut; or
(b) a corporation that does not carry on business in Nunavut.

20. Subsection 184(1) of the Act is modified as follows:

Disqualifica-
tion from
sitting

184. (1) Where a return or declaration or an additional return or declaration respecting election contributions and expenses is not transmitted before the due date, the candidate to whom it relates shall not sit or vote in the Legislative Assembly as a member until the earlier of its transmittal and the date that is deemed under subsection 186(8).

21. Paragraph 198(1)(c) of the Act is modified as follows:

(c) members of the Council of the Northwest Territories or the Yukon Territory, the House of Commons or the legislative assembly of a province;

22. Subsection 203(4) of the Act is modified as follows:

Language of
ballot paper

(4) The ballot paper for an electoral district shall be printed in English, French, Inuktitut and Inuinnaqtun.

23. Paragraph 211(1)(f) of the Act is modified as follows:

(f) constructs, imports into Nunavut or has in possession a ballot box containing a compartment, appliance, device or mechanism by which

16. L'article 162 de la même loi est adapté de la façon suivante :

162. Le directeur général des élections doit, immédiatement après les élections, faire imprimer un rapport indiquant, pour chacun des sections de vote, le nombre de votes obtenus par chacun des candidats, le nombre de bulletins rejetés et le nombre de noms figurant sur la liste des électeurs, ainsi que tout autre renseignement qu'il juge utile d'inclure.

17. (1) Le passage du paragraphe 164(1) de la même loi précédant l'alinéa a) est adapté de la façon suivante :

164. (1) Le directeur général des élections doit, dans les six mois qui suivent les élections, faire au président de l'Assemblée législative un rapport signalant :

(2) L'alinéa 164(1)e) de la même loi est adapté de la façon suivante :

e) toute modification qu'il est souhaitable, à son avis, d'apporter aux règles de droit relatives aux élections pour en améliorer l'application.

18. Le paragraphe 168(2) de la même loi est adapté de la façon suivante :

(2) Les particuliers qui résident au Nunavut et les personnes morales qui y exercent leurs activités peuvent verser une contribution à tout candidat à une élection.

19. Les alinéas 172a) et b) de la même loi sont adaptés de la façon suivante :

a) soit d'un particulier résidant en dehors du Nunavut;
b) soit d'une personne morale qui n'exerce pas ses activités au Nunavut.

20. Le paragraphe 184(1) de la même loi est adapté de la façon suivante :

184. (1) Lorsque le rapport ou la déclaration ou le rapport ou la déclaration supplémentaires sur les contributions et dépenses d'élection d'un candidat n'ont pas été transmis avant l'expiration du délai imparti, ce candidat ne peut ni siéger ni voter comme député de l'Assemblée législative avant la date de transmission du rapport ou de la déclaration ou la date visée au paragraphe 186(8), selon celle de ces dates qui est antérieure à l'autre.

21. L'alinéa 198(1)c) de la même loi est adapté de la façon suivante :

c) les membres du Conseil des Territoires du Nord-Ouest ou du territoire du Yukon, de la Chambre des communes ou de l'assemblée législative d'une province;

22. Le paragraphe 203(4) de la même loi est adapté de la façon suivante :

(4) Le bulletin de vote établi relativement à une circonscription est imprimé en anglais, en français, en inuktitut et en inuinnaqtun.

23. L'alinéa 211(1)f) de la même loi est adapté de la façon suivante :

f) construit, importe au Nunavut ou a en sa possession une boîte de scrutin contenant un compartiment, un appareil, un dispositif ou un

Rapport du
directeur
général des
élections

Rapport au
président de
l'Assemblée
législative

Contribution à
un candidat

Inhabilité à
siéger

Langue du
bulletin de vote

a ballot paper may be secretly placed or manipulated; or

24. Section 228 of the Act is modified by substituting the reference to "Commissioner" with the reference "Commissioner of Nunavut".

25. Section 241 of the Act is modified as follows:

regulations

241. Regulations made under section 241 of the *Elections Act* of the Northwest Territories, that are in force on the day on which section 76.02 of the *Nunavut Act* comes into force, apply for the purposes of this Act, with any modifications that the circumstances require.

(18-1-a)

mécanisme au moyen duquel un bulletin de vote peut y être secrètement placé ou manipulé;

24. L'article 228 de la même loi est adapté par substitution de « commissaire du Nunavut » à « commissaire ».

25. L'article 241 de la même loi est adapté de la façon suivante :

241. Les règlements pris en vertu de l'article 241 de la *Loi électorale* des Territoires du Nord-Ouest qui sont en vigueur à la date d'entrée en vigueur de l'article 76.02 de la *Loi sur le Nunavut* s'appliquent, avec les adaptations nécessaires, aux fins de la présente loi.

Règlements

(18-1-a)

98-20

For Immediate Release

Stop Keewatin Pilot Project, recommends Government Operations Committee

Yellowknife (May 19) – The Standing Committee on Government Operations is recommending that all work on the Keewatin Pilot Project cease immediately.

“There are just too many unanswered questions and too much opposition to this project that proposes to transfer responsibility, authority and dollars for planning and developing infrastructure to the hamlets in the Keewatin,” said Committee Chairman Roy Erasmus. “There are too many other key issues that the Department of Municipal and Community Affairs should be concentrating on.”

Committee Members said with little more than 300 days until division of the Northwest Territories, the department is focusing too much time, money and energy on a project that has met with a lot of opposition. Both the president of Nunavut Tunngavik Incorporated and the Chief Commissioner of the Nunavut Implementation Commission have opposed the concept being proposed.

The Committee passed a motion at a recent meeting recommending to MACA Minister Manitok Thompson that all work on the project be stopped. The Committee has expressed its concerns to the Minister on several occasions but work on the project has continued.

Members said that with division of the NWT less than a year away any decision that involves a substantial change of this nature should be left to the new Nunavut and Western Territory governments.

“Any future decisions to resume work on this concept should be made after division by the new Nunavut and Western Territory governments,” Mr. Erasmus said.

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Northwest
Territories Legislative Assembly / ᓄᓐᓕᓕᓕᓕᓕᓕᓕ ᓄᓐᓕᓕᓕᓕᓕᓕᓕ

Member for Iqaluit
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98-22

For Immediate Release

Iqaluit MLA thanks Finance Minister for proactive approach

Yellowknife (May 28) – GNWT employees in Iqaluit living in the Frobisher Development Ltd. complex won't be facing huge rental hikes this year thanks to a one-year extension of a subsidy program that gradually increases their rents to market values.

"Tenants were looking at increases of 40 to 50 per cent this year, however with Mr. Todd's agreement to extend the program to March 31, 1999 that won't happen," Iqaluit MLA Ed Picco said. "I want to thank the Finance Minister for his proactive approach to dealing with this situation."

Mr. Picco first raised the issue with Mr. Todd two years ago noting that if the rents jumped from the subsidized rate to the market value it would cause severe hardships on the affected employees. At that time an agreement was reached where the Government would increase rents in the last two years by increments of ten per cent and the lessor lowered rents by 10 per cent.

Mr. Picco said a decision to further extend the program beyond March 31, 1999 will be up to the new Nunavut Government.

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For Immediate Release

Conflict of Interest Commissioner files report with Speaker

Yellowknife (May 29) – Conflict of Interest Commissioner Anne Crawford today filed with the Hon. Samuel Gargan, Speaker of the Legislative Assembly, her report on conflict allegations against Premier Don Morin.

The Speaker is required to table the Commissioner's report in the Legislative Assembly.

"There are eight allegations for which I felt there were sufficient grounds to proceed to a public inquiry and three that I dismissed as not having sufficient grounds," Mrs. Crawford said.

The Commissioner provided details of her decision to Mrs. Groenewegen and her lawyer and lawyers for Mr. Morin Thursday afternoon.

Mrs. Crawford said she wants the inquiry to get underway as quickly as possible. She has instructed the parties to provide her with dates when they would be available to proceed with the public inquiry.

Mrs. Groenewegen, MLA for Hay River, filed the complaint against Mr. Morin February 16. In her complaint, Mrs. Groenewegen alleged that Mr. Morin had contravened the spirit and intent of Section 67 of the *Legislative Assembly and Executive Council Act*. This section refers to maintaining public confidence, impartiality and the acceptance of any benefits that may erode public confidence.

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98-23

For Immediate Release

Speaker tables annual report on payments made to MLAs

Yellowknife (June 1) – The Hon. Samuel Gargan, Speaker of the Legislative Assembly tabled today the annual report of indemnities, allowances and expenses paid to and on behalf of MLAs for the 1997-98 fiscal year.

“There has been a lot of misinformation about what MLAs are paid because of the different payments we receive,” Mr. Gargan said. “We all receive a base salary, however living allowances are paid to MLAs to cover their costs such as hotels, meals and taxis while they are away from home and constituency expenses cover any costs incurred by the MLA for work they are doing in their constituency. This isn’t money that goes into our pockets.”

The *Legislative Assembly and Executive Council Act* requires the Speaker to table the annual report of indemnities, allowances and expenses.

MLAs receive an annual indemnity of \$36,748. For income tax purposes the first \$1,000 of that indemnity is tax free.

Constituency indemnities -- \$18,629 for ordinary MLAs and \$6,210 for the Speaker, Premier and Ministers – are paid to Members for work done in their constituencies. The Speaker receives an indemnity of \$57,916, the Premier receives \$62,975, and Ministers receive \$57,916 for extra work related to their duties.

Special indemnities are paid to Members who serve as chairs of Standing Committees, the Deputy Speaker, Chairs of Committee of the Whole, and Chair of the Caucus.

MLAs are paid a taxable amount of \$207 per day for Committee work done outside the Session; however, indemnities are not paid to Members attending Committee meetings when the House is sitting.

Living allowances (Schedule B) are paid to MLAs to cover the cost of accommodation, meals, taxis and other incidentals while outside their home constituencies. These allowances are non-taxable and are not considered part of a Member’s income.



Constituency expenses (Schedule C) are funds that are paid to reimburse Members or paid on behalf of MLAs for constituency expenditures such as travelling around a constituency and bringing in Pages from their constituencies to Yellowknife to work in the Legislature. Original invoices must be provided prior to reimbursements being paid.

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98-24

For Immediate Release

Support for Electoral Boundaries Commission pleases Inuvik MLA

Yellowknife (June 2) – Inuvik MLA Floyd Roland said he is pleased that Members of the Legislative Assembly supported his motion to establish an Electoral Boundaries Commission to review electoral districts for the Northwest Territories for after division.

"It is critical that we hear from the people in the Western Arctic what they think is a fair allocation of the electoral districts," Mr. Roland said. "Initially I supported the concept of maintaining the current 14 constituencies, however, my constituents told me they wanted a voice in the process and that is why I brought forward this motion."

In his motion, Mr. Roland also provides direction that the Commission in preparing its report should take into consideration a number of issues, including:

- geographic and demographic considerations;
- any special community or diversity of interests of residents of any part of the Territory;
- means of communications among various parts of the Territory;
- minimum and maximum number of members of the Legislative Assembly authorized by the *Northwest Territories Act*;
- maintaining a balance between urban and rural populations; and
- cultural and linguistic interests of the Territory and present land claim boundaries.

Mr. Roland said he also wants the regional representation to be taken into consideration in the Commission's report.

"For example, if in the October, 1999 election, we stayed with the 14 MLAs we currently have, then we would have four Members from the northern part of the territory and 10 from the south," he said. "I don't think that is fair and equal representation."

He is also concerned that the accountability of the Government could become an issue. If we only had 14 MLAs and six of them were on Cabinet and one is elected Speaker then Cabinet would only need one MLA on side or away from the House to have control.

"That isn't acceptable to me and I don't think that would be acceptable to Northerners," Mr. Roland said.

Mr. Roland said he hopes a Boundaries Commission can be appointed soon so consultation with the public can begin.



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98-26

For Immediate Release

Western Caucus continues planning for new Territory

Yellowknife (June 3) – Members of the Western Caucus are moving pro-actively towards planning for the creation of a strong and stable new Northwest Territories for after division.

"The Western Caucus has a key role to play in defining the role and responsibilities of the future western government," said Caucus Chairman Michael Miltenberger. "It is important that Western MLAs and Cabinet work closely together in the coming months to ensure that the territory gets off to a sound and stable start."

In preparing the Territory for after division, Western Members have identified five priorities that they want considered in the development of the 1999/2000 departmental business plans and all government-wide initiatives. The five priorities are:

- the development and delivery of effective and efficient education and training programs;
- improving social conditions such as addressing the need for more housing and better health care;
- improve and create economic and investment opportunities;
- devolution of remaining provincial-like powers including lands and resources from the Federal Government; and
- improving co-operation, communication and partnerships among public and Aboriginal governments.

Members also identified several concerns pertaining to governance in the Territory. The key concern for Members is maintaining and improving programs and services for all residents beyond April 1, 1999.

Mr. Miltenberger said Western Members also want the territorial government to define the role and responsibilities of a central government and outline the minimum requirements including adequate funding to maintain programs and services.



"There is a role for a strong, central government especially with establishing and maintaining standards for the Northwest Territories," he said.

Western MLAs confirmed their recognition and support for the implementation of the inherent right of western Aboriginal peoples. They are urging the Government of the NWT to take a more proactive role in supporting the Aboriginal Summit and aboriginal aspirations recognizing that the negotiation of the extent of jurisdiction and funding of aboriginal governments is a federal responsibility.

Members also agreed that the name Northwest Territories would continue to be used to describe the territory until a vote is held on a new constitution.

"MLAs agreed that at this time residents in the Western Arctic would probably not support the expense and efforts required to hold a plebiscite on the name issue," said the Hon. Charles Dent, Minister Responsible for Western Transition. "Once we have a new constitution to vote on, it would be more appropriate to hold a vote on the name as well."

Western Members will also urge the Premier to make recommendations to the Minister of Indian Affairs and Northern Development for a new commissioner for the Northwest Territories for after April 1, 1999.

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98-27

For Immediate Release

Legislative Assembly establishes Electoral Boundaries Commission for Western Arctic

Yellowknife (June 4) – Members of the Legislative Assembly have recommended that an Electoral Boundaries Commission be established to review and consult with residents in the western Northwest Territories on the make-up of electoral districts.

The Hon. Madam Justice Virginia A. Schuler will chair the three-member commission that will also include Mr. Nick Sibbeston of Fort Simpson and Mrs. Lucy Kuptana of Tuktoyaktuk.

Madam Justice Schuler is currently a Justice with the Supreme Court of the Northwest Territories.

Mr. Sibbeston is a former Member of the Legislative Assembly of the Northwest Territories and is a former Government Leader. He currently is a businessman in Fort Simpson.

Mrs. Kuptana is currently the Senior Administrative Officer for the Hamlet of Tuktoyaktuk and is a former president of the Tuktoyaktuk Community Corporation.

The Commission will make recommendations within the number of electoral districts as permitted by the *Northwest Territories Act*, and the allocation of the districts for the Northwest Territories that could be used for the general election to be held in the fall of 1999.

In making their recommendations Commission Members are required to take into consideration geography, demographics, special community or diversity of interests, the means of communication among various communities, cultural and linguistic interests, and maintaining a balance between urban and rural populations.

The Commission can hold public hearings, receive written submissions and is being asked to travel to at least one community or location in each of the current 14 electoral districts. The Commission will provide a final report to the Legislative Assembly for its consideration prior to October 23, 1998.

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98-28

For Immediate Release

Western MLAs support development of Northwest Territories Political Accord

Yellowknife (June 4) – Members of the Western Caucus have recommended that the Government of the Northwest Territories' begin discussions on developing a Western Political Accord with the Federal Government and elected leaders of the Aboriginal Summit.

"This agreement will outline the ongoing relationship between the three parties as they work towards establishing a strong and stable Northwest Territories for after April 1, 1999," said Michael Miltenberger, Chairman of the Western Caucus.

Western MLAs met with leaders of the Aboriginal Summit earlier this week where consensus was reached that such an agreement was necessary in the months remaining until division and immediately after. Leaders also said an accord could lead to improved co-operation and communication between all three parties.

Negotiations on the political accord are expected to begin immediately with the expectation that efforts will be made to reach agreement on a Western Political Accord by October 30, 1998.

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98-29

For Immediate Release

Special Committee to recommend symbols for new NWT

Yellowknife (June 4) – A Special Committee of Western MLAs has been established to make recommendations on official symbols and heraldry for the new Northwest Territories after division.

Membership on the Committee will be: Yellowknife South MLA Seamus Henry, Sahtu MLA Stephen Kakfwi, Mackenzie-Delta MLA David Krutko, North Slave MLA James Rabesca, and Nunakput MLA Vince Steen.

Committee Members are optimistic that this work and planning will help create an identity for the new Territory after division.

Symbols included for the Committee's consideration, but not limited to, will be the Coat-of-Arms, seal, flag, flower, bird, tree, mineral, and tartan.

Committee Members will also be responsible for developing a celebration plan of events and activities to mark the creation of the new Northwest Territories. Members will also consult with and seek input from residents in the Western Arctic for the planning and implementation of this celebration.

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98-30

For Immediate Release

Clerk chosen to travel to Russia to share Legislature experience

Yellowknife (June 18) – Mr. David Hamilton, Clerk of the Legislative Assembly of the Northwest Territories, is one of three Canadian officials selected to travel to St. Petersburg, Russia to speak about how Legislatures work in Canada.

"This is an opportunity for the other officials and myself to share with legislators and staff in Russia how we do things here in Canada," said Mr. Hamilton. "It will be quite interesting to compare the two systems and see the differences."

Mr. Hamilton said he is looking forward to the trip especially considering all the political changes in that part of the world in recent years.

"Indications are that they want to move to a more open system and that they are hoping we can offer some suggestions how to do that," he explained. "Their political bodies are called Legislative Assemblies and, similar to the Northwest Territories, they operate on a consensus system of government."

Mr. Hamilton and the other two officials – former Deputy Clerk of the House of Commons Mary Anne Griffith and Ned Franks, Professor of Political Science at Queens University -- are expected to speak at and conduct a three-day seminar to 60 delegates from Legislatures across the Federation. The seminar will center on two broad themes, Role and Functions of the Legislature and Management of the Legislature.

Mr. Hamilton will address two specific topics Arrangements for Improving the Public Image of Legislatures and the Role of the Media and Information Systems and Office Automation.

The visit to St. Petersburg was arranged through the Parliamentary Centre of Canada and the Canadian International Development Agency in Ottawa. Mr. Hamilton leaves for Russia on June 20 and returns on June 28.

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Northwest
Territories Legislative Assembly
Member for Inuvik

98-30

FOR IMMEDIATE RELEASE

INUVIK MLA WELCOMES ANNOUNCEMENT ON INUVIK YOUNG OFFENDERS FACILITY

INUVIK (June 12) - Inuvik MLA Floyd Roland welcomes today's announcement that a female Young Offenders Facility will be constructed in Inuvik.

"This facility will provide a much needed economic boost through the construction phase of the project as well as creating new and ongoing employment related to the operation of the facility", Mr. Roland said.

Mr. Roland says the decision of Justice Minister Arlooktoo comes at an opportune time. "New jobs are needed in our community. This will definitely offset some of the reductions that we have experienced during the past two years".

Another positive aspect of this decision is that it will provide an opportunity for our troubled youth to deal with their problems closer to home, where families can offer support.

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NORTHWEST TERRITORIES ELECTORAL BOUNDARIES COMMISSION

FOR IMMEDIATE RELEASE

NWT ELECTORAL BOUNDARIES COMMISSION BEGINS WORK

Yellowknife (June 22) – Members of the NWT Electoral Boundaries Commission will officially begin their work in early August when they begin holding community hearings in the western NWT.

“We have been instructed by the Legislative Assembly to attempt to hold public hearings in at least one community in each of the existing western electoral districts and to take into consideration the consultation schedule of the Constitutional Working Group when planning our public hearings,” said the Honourable Justice V.A. Schuler, Chairperson of the Commission.

The Commission was established by the Legislative Assembly earlier this month. In addition to the Chairperson, the members of the Commission are Ms. Lucy Kuptana and Mr. Nick Sibbeston. After consulting with the residents of the western NWT, the Commission will make recommendations on the boundaries, name and representation of the new electoral districts to be proposed for the western territory for the next general election in the fall of 1999.

A public notice will be put in local newspapers throughout the western NWT notifying residents that the Commission has begun its work and how it can be contacted. In addition, a letter will be sent out to all Mayors and Band Councils informing them that the Commission will be considering requests from communities who would like to have a public hearing held in their community.

Requests may be made by calling the Commission's staff in Yellowknife at (867) 873-7890 or 1-800-661-0796. Requests can also be faxed to (867) 873-0366 or 1-800-661-0872.

Written submissions can be sent to the NWT Electoral Boundaries Commission, #7, 4915 – 48th Street, Yellowknife, NT X1A 3S4. The deadline for written submissions is Friday September 25, 1998.

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98-32

For Immediate Release

**MLA YELLOWKNIFE SOUTH AND CITY ALDERMAN POSITIVE ABOUT
YELLOWKNIFE'S ECONOMIC FUTURE**

Yellowknife (June 25) – Yellowknife residents can expect to see the city's economy turnaround in the next year, say Yellowknife South MLA Seamus Henry and City Alderman Cheryl Best.

"I am concerned that there is a sense of gloom in Yellowknife due to the recent economic downturns and the price of gold," said Mr. Henry. "Instead of dwelling on the negative economic indicators for Yellowknife, the business community and the two levels of government should be concentrating on the positive and preparing for the significant economic opportunities that are in the city's immediate future."

Ms. Best agrees that the past few months and years have been hard on the residents of Yellowknife, noting the city has faced financial cutbacks and the loss of jobs through Territorial Government downsizing and policy changes. The low gold prices have led to layoffs and mine closures. The morale of Yellowknifers and the business community has suffered as a result, she said.

"The fact is, Yellowknife is on the verge of a growth period, greater than it has ever experienced before," she said. "It is time to set aside our day-to-day concerns and look to the bigger picture... we need to prepare for a future that is sure to see the growth of our community."

Mr. Henry said he hopes that people in the business community will look at the positive economic indicators. "The GNWT has its fiscal house in order, a realistic formula financing agreement for the new western territory has been worked out that will maintain services at their current levels and the worst round of government downsizing is over," he said. "In addition, Yellowknife has maintained nearly a zero inflation rate over the last couple of years."

Ms. Best adds that in the past two months, BHP employees have purchased over 50 homes in our city. "Housing prices have stabilized, local property taxes have not increased in 6 years and are projected to remain the same for 1999, and the city's economic future is stable."

Mr. Henry and Ms. Best both believe that the economic turnaround is already well underway in Yellowknife. "All you have to do is look around town and see the commercial vehicles advertising new companies," says Mr. Henry. "We have business people from the south coming up and starting companies, they have confidence in Yellowknife's economic outlook and it is time for the local business community to adopt a similar attitude."

Mr. Henry said there are new mining opportunities around the corner and it is time for all levels of government to work together to ensure that the mining companies take advantage of Yellowknife's pool of skilled labour. Local businesses have to be innovative and capture the mining companies' spending to help Yellowknife's service sector prosper.

Ms. Best is also excited about new mining opportunities. "With BHP's Etaki Mine scheduled to go into full production this October of this year and several other diamond mines planned for the next decade, we will see a steady expansion of our population and economy," she said. "BHP and Diavik will employ 1,500 people between them... most with families... and the support and services required for the expanded population will bring more jobs to Yellowknife."

"The development of the secondary diamond industry will perhaps only be a minor part of the growth of our community," Ms. Best adds. "Nevertheless, it is important that we welcome the secondary industries with open arms. New industries in Yellowknife will benefit all of us... in improved infrastructure, tax base, property values, jobs, and, most importantly a renewed sense of confidence in Yellowknife."

Ms. Best and Mr. Henry believe that the positive economic indicators mean a bright future for the people and business community of Yellowknife and strongly encourage the two levels of government to work together to ensure Yellowknife's prosperity into the new millenium.

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Northwest
Territories Legislative Assembly

Member for Yellowknife North

98-33

For Immediate Release

Settle boundary before signing, urges YK North MLA

Yellowknife (July 2) – The signing of land claim and self-government agreements between the Dogrib Treaty 11 Council and the federal and territorial governments should be delayed until a boundary between the Council and surrounding First Nations can be agreed to, says Yellowknife North MLA Roy Erasmus.

"I am aware of the difficulties in delaying the signing," Mr. Erasmus said. "However, delaying the claim would serve to benefit all parties affected by the settlement area."

He made the request after consulting with several individuals close to the issue who share his concerns over the boundaries that would define the Dogrib settlement area. Mr. Erasmus said settling the Dogrib Treaty 11 Council land claim now would adversely affect two surrounding regions: the Deh Cho and the Akaitcho Territory Tribal Council.

He said over half of the area defined as the Dogrib settlement area, by the Federal Government and the Dogrib Treaty 11 Council, overlaps into the traditional lands of other First Nations including the Yellowknives Dene, Fort Resolution, Fort Providence, and other Deh Cho communities.

Over the past several years, meetings have been scheduled to resolve this matter between the Yellowknives Dene First Nation and the Dogribs to resolve their boundary issue, however, the Dogrib Treaty 11 Council has not been willing to settle the boundary dispute. Mr. Erasmus said if the claim were to proceed as is, the Dogrib settlement and self-government area would encompass most of the Yellowknives Dene First Nation territory, including their communities.

"I don't feel the Dogrib Treaty 11 Council has addressed this matter seriously. They have either been absent from meetings set up to discuss this or have been uncooperative during these discussions," he said. "In contrast, the Yellowknives Dene First Nation has been very accommodating and proactive in trying to settle this matter for over three years."

Mr. Erasmus has sent letters to the Hon. Jane Stewart, Minister of Indian Affairs and Northern Development, and the Hon. Jim Antoine, territorial Minister Responsible for Aboriginal Affairs, urging them to delay signing any claim deal. He believes the boundary dispute should be settled with all neighbouring First Nations, before proceeding.

“The Federal Government created this situation by implementing the settlement area without consulting with the neighbouring First Nations groups and they should be part of the solution,” he said. “If a claim is settled between the federal and territorial governments and the Dogrib Treaty 11 Council, without properly addressing this issue, it will likely have arisen at the expense of First Nations such as my constituents, the Yellowknives Dene First Nation.”

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98-34

For Immediate Release

Issue of Payment of Legal Counsel for Jane Groenewegen in Conflict of Interest Case remains outstanding

Yellowknife (July 20) - More than one month into the Pre-Hearing interviews being conducted by the Counsel for the Conflict of Interest Commissioner, the Complainant in the case, Hay River MLA Jane Groenewegen, has not been interviewed.

The question of payment of legal Counsel for Mrs. Groenewegen remains at issue. Although Anne Crawford, Conflict of Interest Commissioner for the Northwest Territories, published a ruling in favor of publicly funded counsel, Mrs. Groenewegen's counsel has not received payment for the preliminary assistance provided in bringing the matter to the Public Inquiry stage. Neither is it clear yet whether Groenewegen or any other potential witness requiring advice during the public inquiry itself will have counsel appointed to represent them at Government expense.

"Although I am anxious to fully co-operate with the process and the timeframe laid out by the Commissioner, I don't believe I should be expected to participate without the benefit of legal counsel," Mrs. Groenewegen said. The reasons identified in the Conflict of Interest Commissioner's earlier decision regarding the appointment of counsel remain equally relevant for the balance of the Inquiry.

The Public Inquiry is scheduled to commence on August 17, 1998.

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98-35

For Immediate Release

Work begins on ceremonial circle on the Capital Site

Yellowknife (July 27) - Work is underway to develop the ceremonial circle located on the Frame Lake Trail between City Hall and the Prince of Wales Northern Heritage Centre.

"This project will be an important part of the celebration of the new Northwest Territories after division and for the millenium," said David Hamilton, Clerk of the Legislative Assembly and one of the members of the Steering Committee. "However, we are more excited about the partners who have rallied behind this project and are working together on this unique project."

City Administrator Max Hall and Bob McLeod, Deputy Minister of Municipal and Community Affairs, represent the City of Yellowknife and Government of the Northwest Territories on the Steering Committee. Other partners in the project include the Dene Nation, Metis Nation, Inuvialuit Regional Corporation, RCMP, and Department of National Defense.

The project will include landscaping the site around the ceremonial circle and the installation of eight flagpoles on the circle's exterior for the partners' flags. Additional poles will line the path between City Hall and the Museum to display the flags of the 32 communities in the NWT after April 1, 1999. Display boards profiling the communities, seating for events and performances, and a permanent ceremonial fire site for cultural events are also planned.

Work on the site will be done in two phases; one beginning immediately and the other scheduled for next year. The initial phase will include surveying of the site, replacement of the existing trail on the causeway and replacing it with interlocking bricks, installing flagpoles and lamppost.

The National Capital Commission will also contribute Confederation furniture including two benches, two lamps, and two garbage bins similar to that displayed on Confederation Boulevard in Ottawa.

The publics' access to the part of the trail under construction will be maintained throughout the construction period.

Phase One of the project is estimated at \$180,000. Additional funding will also be sought from Heritage Canada and the Federal Government's Millenium Projects Fund for the second phase of the project. All site work will be done by northern businesses.

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Northwest
Territories Legislative Assembly

Member for Yellowknife North

98-36

FOR IMMEDIATE RELEASE

YK NORTH MLA WANTS CHANGES TO PROPOSED NAV CANADA FEES

Yellowknife (July 29) - Yellowknife North MLA Roy Erasmus is calling on Federal Transportation Minister David Collenette to invoke a section of the Act that regulates air navigation services, to allow him to lower proposed fees that NAV Canada will charge Northern aviation operators.

"It is totally unacceptable that NAV Canada proposes to reduce southern costs by up to \$110 million a year while costs in the NWT will increase by \$10 million a year," Mr. Erasmus said. "Northerners already pay higher transportation costs than people in southern Canada and these additional costs will just mean further hardships on the people and aviation operators in the NWT."

He said under section 35(2) of the *Civil Air Navigation Services Commercialization Act*, if the value of services provided to operators is different then the fees that are charged can also differ. Mr. Erasmus has met with northern operators who have told him that they do not receive the same services that southern operators receive.

The key differences are in the area of provision of RADAR coverage for departing aircraft, provision of radio navigation services for approach and landing, and use of maximum certified takeoff weight as the basis for charges.

"For example, northern jet transport operators are almost never allowed to take-off with the maximum weight capacity while operators in the south can and do," said Mr. Erasmus. "This means that the northern operator may have to make two trips to carry the same payload, doubling the NAV Canada fees."

He also fears that if the proposed fees are implemented, the additional \$10 million charged to northern operators will be passed on to Northerners in the form of higher food costs, additional health demands, higher airfares, reduced services, and less exploration work and other resource development.

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98-37

FOR IMMEDIATE RELEASE

MSB CONFIRMS POSITION ON CONFLICT OF INTEREST LEGAL FEES

Yellowknife (July 29) - Members of the Management and Services Board of the Legislative Assembly today confirmed their position refusing to pay the legal fees for Hay River MLA Jane Groenewegen in her Conflict of Interest complaint.

It has always been the view of the Board that the Commissioner has exceeded the scope of the authority given to her by the Legislative Assembly and Executive Council Act in ordering legal counsel to aid and assist Mrs. Groenewegen.

While the Commissioner clearly has legal authority to retain counsel to aid and assist her, the powers granted to her do not extend to giving her the power to order the appointment of legal counsel for a person who files a complaint under the Act.

"The Act is designed to enable anyone to file a complaint without the benefit of or requirement of legal advice or counsel," said the Hon. Sam Gargan, Speaker of the Legislative Assembly and Board Chairman. "In passing this legislation, it was never intended that the Assembly would pay the legal costs of a person launching a complaint against a Member. We support the work of the Commissioner and will do what we can to assist her, however, we can not support her ruling which we feel is outside the scope of her jurisdiction."

Members confirmed that the Legislative Assembly would not cover the legal costs incurred by Mrs. Groenewegen, the complainant in the Conflict of Interest Public Inquiry against Premier Don Morin.

During their meeting earlier this week, Members also decided against covering the legal costs of witnesses who may be called to testify by the Conflict of Interest Commissioner.

The Board agreed to continue to deal with issues raised by the Conflict of Interest Commissioner in a timely manner as it has in past dealings with the Commissioner and her counsel. The Board will also continue to support the work of the Commissioner to ensure the process proceeds on schedule.

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9c-38

PRESS RELEASE

FOR IMMEDIATE RELEASE

GROENEWEGEN RESPONDS TO SUPREME COURT DECISION

Yellowknife (September 4, 1998)- Hay River MLA Jane Groenewegen is considering further action resulting from the decision of the Supreme Court on her application concerning legal costs.

In commenting on the Court decision on her application for a ruling on the jurisdiction of the Conflict Commissioner to order public funding for herself in the ongoing conflict of interest inquiry Groenewegen observed:

"Justice Vertes interpreted the Conflict Commissioner's powers narrowly and concluded the Conflict Commissioner's power to engage counsel is limited to retaining commission counsel."

"However," Groenewegen continued "the Court went on to issue a declaration that the Conflict Commissioner had the necessary jurisdiction to recommend that the Government provide public funding for participants in the inquiry if the Conflict Commissioner thinks it appropriate to do so. I am hopeful that the Conflict Commissioner will renew her previous recommendation to the Management and Services Board that publicly funded counsel be made available to me". Groenewegen went on to note in this context the comments of Mr. Justice Vertes as follows:

"If such a request was turned down I think the public would expect that the Board had compelling reasons that can be publicly defended within the context of the Legislature's aims in establishing the conflict of interest regime contained in the legislation. It seems to me that the dignity and integrity of the legislature require no less than good and compelling reasons to refuse the request from the independent officer that the Legislature itself appointed to carry out the duties of investigating and adjudicating complaints against its own members. The public perception of the integrity of the Legislature would be sorely tested by anything less."

When asked how she intended to proceed Groenewegen stated:

"Personally, I believe that the legislation is capable of a broader interpretation than that placed upon it by Mr. Justice Vertes and if necessary I will consider launching an appeal. "However, with the ruling of Justice Vertes in hand, I intend to re-apply to the Management and Services Board. I will appeal to their sense of fairness and good judgment. I know that they will want to uphold the integrity of the conflict of interest process. After all, the purpose of the complaint and the objective of the public inquiry is to maintain and uphold the public's confidence in the integrity of our Government".

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98-39

For Immediate Release

Windfall profits mean North needs fair deal from Nav Canada

Yellowknife (September 8) - The North needs to get a fair deal on air navigation fees charged by NavCanada due to windfall revenues the company may earn once new Russian circumpolar air routes are opened, says Yellowknife North MLA Roy Erasmus.

"When these new routes open up, the links between North America and Asia will be much better so they will probably be well used, increasing the air traffic in Canada's airspace," he said. "Much of that increase, approximately 62 per cent, will occur in the airspace over the NWT."

He wants NavCanada to take that into consideration when calculating the fees charged to northern aviation operators and give them a break. Estimates show that if two-thirds of the current north Pacific air traffic is re-routed via the much shorter path, NavCanada will earn an additional \$225 million in enroute charges.

"About \$140 million of this will be raised by flights over NWT airspace and this needs to be taken into consideration when NavCanada is calculating the fees charged to northern airlines," he said.

NavCanada intends to increase the fees charged to northern aviation operators by up to 10 per cent, due to higher operating costs in the NWT. However, Mr. Erasmus believes that the fees should stay at the same rate they were before any increases because of the additional money the company will earn from NWT airspace.

Mr. Erasmus has sent letters to the Federal Transportation Minister David Collenette asking him for assistance in this matter. He pointed out the additional money NavCanada will earn from these flights and also the fact that the services northern aviation operators receive is not the same as those of southern operators.

The International Air Transport Association (IATA) has announced that as early as 1999 previously restricted Russian airspace will be opened allowing for non-stop flights between any point in North America and Asia.

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98-40

For Immediate Release

Western MLAs set priorities for NWT after division

Yellowknife (September 15) - Western MLAs met earlier this week to continue defining their vision and setting priorities for the Northwest Territories after division.

Members expect the report, *1999 and Beyond*, that provides a strategic framework and outlines the vision and priorities will be ready for release in November.

During their meetings Western MLAs agreed to the process to select two new cabinet ministers for the interim period of April to October 1999. Western MLAs will hold a Territorial Leadership Committee meeting in March 1999 to select the two new ministers; however, the ministers will not take office until April 1, 1999 at the earliest. The selection will be held in public as has been done for both the 12th and 13th Legislative Assemblies.

Members also agreed that the General Election for Members to the 14th Legislative Assembly should be held on Monday, October 4, 1999.

MLAs received a briefing and provided feedback to the Premier on the Government's revised vision and principles on Western Governance.

Members confirmed that current western MLAs, not on cabinet, would review the business plan and budget for 1999/2000 prior to March 31, 1999. This marks the first time that Western and Nunavut MLAs will review the budget and business plans for their respective territories. In past years standing committees consisting of both western and Nunavut MLAs have been responsible for these reviews.

MLAs also received updates on a number of division-related issues including formula financing arrangements, contracting of services by the Nunavut government, and the division of assets and liabilities. Updates were also provided on the work of the Constitutional Working Group and the Western Coalition.

Members of the Special Committee on Western Identity will soon begin work on reviewing the official symbols of the Northwest Territories and planning celebrations to mark the creation of the new NWT.



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For Immediate Release

Symbols and celebrations for the new Northwest Territories

Yellowknife (September 18) - The creation of the new Northwest Territories should be a time to remember, says Thebacha MLA Michael Miltenberger.

"Unlike Nunavut, the western NWT has been fairly low key about the symbols and celebrations associated with creating a new territory," he said. "We need to start making plans."

There is a Legislative Assembly Special Committee reviewing symbols and planning celebrations for the new Northwest Territories. Mr. Miltenberger said he thinks they need to proceed quickly and build some excitement about the new territory.

"We are going forward with the same name and possibly with many of the same symbols such as the polar bear," he said. "One new symbols we must have is a mace for the Legislative Assembly since the current mace will be retired."

He suggested that artisans and craftspeople from the western NWT should be brought together soon to design a new mace. He said the mace needs to be representative of life and the people in the new Northwest Territories.

Mr. Miltenberger also wants residents to celebrate this new beginning. He said this is a once-in-a-lifetime event that people in every community should be involved in.

"We have a prime opportunity here to highlight the best aspects of living in the western territory," he noted. "We have music festivals, art and performance festivals, winter carnivals, summer solstice days, major sports gatherings and assemblies throughout the summer that we could tap into."

Mr. Miltenberger said it is important that celebrations are held in all communities rather than in just the larger, regional centres. He suggests a small amount of seed money should be provided to organizers of the many established community and territorial events so they can add something special to their events to celebrate becoming a new territory.



He would also like to see a special event for both northerners and tourists. One suggestion is a boat cruise from Fort Smith to Inuvik or Tuktoyaktuk that could feature northern artists, musicians and other performers who would join the cruise for part of the trip and then new artists would be brought on board for another leg of the trip. Passengers could join the cruise for all of the trip or just one part of it.

"I encourage any western residents with ideas on symbols or celebrations to contact their MLA and the Special Committee of the Assembly and share their ideas," Mr. Miltenberger said. "Creation of the new Northwest Territories should be a time to remember."

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Northwest Territories Legislative Assembly / ᓄᓇᓕᓯᓪᓰᓂᓂ ᓂᓕᓂᓕᓰᓂᓂᓂ

Member for Iqaluit
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98-42

For Immediate Release

Proposed deals could revitalize seal industry in Baffin

Yellowknife (September 22) - A letter of intent signed last week between the Qikiqtaaluk Corporation and a Chinese corporation could revitalize the seal industry and reap major economic rewards for the people of the Baffin, says Iqaluit MLA Ed Picco.

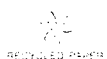
"This agreement could be the start of a profitable venture for the people of the Baffin and could lead to further economic opportunities down the road for the whole of Nunavut," Mr. Picco said. "Right now the Chinese are interested in seals, wild furs, shrimp, fish, cold weather construction technology and minerals but who knows where this could lead to."

Qikiqtaaluk President Jerry Ell and Mr. Han Shoude, Head of Enterprise of the China Heilongjiang International Project and Technical Cooperation Group Corporation (CHPT), signed the letter of intent at a meeting in New York City last week. The letter sets out the principles, objectives and a process to finalize an agreement between Qikiqtaaluk Corporation and CHPT.

Mr. Picco, Mr. Ell, and Finance Minister John Todd joined Mr. Shoude, via telephone from New York City, to make the announcement in Yellowknife earlier today. Mr. Picco said the letter of intent means that the Baffin hunters and trappers may lead the way in reviving the seal industry.

Included in the letter of intent are plans to develop a strategy for processing and exporting to China of wild furs, seal oil, and sealskins. Mr. Picco said this should help develop domestic and international markets for seal meat products.

He also said the two sides have agreed to explore other opportunities that could lead to further development of Baffin resources for export to China. The Chinese corporation is active in 16 countries with offices in New York City, Tokyo, Seoul, Hong Kong, and Vancouver. In 1997 the corporation had an annual operating income of about \$60 million US.



Mr. Picco commends both sides for their pro-active stance on this issue and said he is optimistic it will lead to a co-operative relationship between the two corporations. He also noted that the Qikiqtaalug Corporation will work with the Nunavut Wildlife and Management Board and Baffin Hunters and Trappers Associations in securing quotas and other issues related to the proposed deal.

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98-43

FOR IMMEDIATE RELEASE

Yellowknife (October 7) - Yellowknife South MLA Seamus Henry is outraged that more than half a million dollars has been proposed for a constitutional conference to be held early in the new year.

"We have children who are starving, people going without medical treatment, people living in inadequate housing yet we continue to throw money into constitutional development and see little progress," he said. "It is time to put an end to this all and stop throwing money at a process that right now is doomed before it begins."

Mr. Henry said it is unlikely that a workable constitution can be drafted when major players such as the Deh Cho and Sahtu are not at the table. He would rather see that money put into other priorities such as stimulating the economy, education and health care.

In a copy of a letter sent to all western MLAs and other organizations represented on the Constitutional Working Group, the CWG proposed a budget of almost \$550,000 for the conference scheduled for early 1999.

Mr. Henry said the idea of constitutional development in the new Northwest Territories needs to be put on the backburner until all groups are prepared to participate in the talks and self-government agreements have been finalized.

"Until we get everybody on side it is time to give the constitutional talks a rest," he said. "We can continue to use *The Northwest Territories Act* with a few minor changes until then. At least everybody understands it."

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98-44

FOR IMMEDIATE RELEASE

Nunavut MLAs to meet in Iqaluit to discuss critical division issues

Yellowknife (October 14) - Nunavut MLAs will hold a critical meeting in Iqaluit next week to discuss outstanding issues relating to the creation of the new Nunavut Territory.

"The election is a short four months away and we have a number of critical issues, such as division-related legislation and the business plans for Nunavut, that need to be discussed," said Baffin South MLA Goo Arlooktoo. "This is also an opportunity for the Nunavut Caucus to meet in Nunavut rather than Yellowknife where our meetings have traditionally been held."

Nunavut MLAs are optimistic that by holding the meeting in Iqaluit, more people will be aware of the critical issues facing MLAs and have a better understanding of what Members are doing to ensure that the new territory gets off on sound footing.

Natilikmiot MLA John Ningark, Co-Chair of the Nunavut Caucus, said it will be especially important during next week's meeting for Nunavut MLAs to get a clear understanding of what legislation needs to be changed prior to April. MLAs will also need to agree to a process for reviewing business plans and the 1999-2000 budget for Nunavut that will be provided as advice to the first Nunavut Legislative Assembly.

"We need a clear picture of the work required of us in the coming months," he said. "This will help us communicate better with other key players in Nunavut and to tell Nunavut residents what is happening."

The meeting is an in-camera meeting although MLAs will hold a press conference to communicate their decisions and progress at the conclusion of the meetings scheduled for Wednesday, October 21 and Thursday, October 22, 1998. Iqaluit MLA Ed Picco will also host a public reception on the night of October 22.

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98-45

For Immediate Release

Mine and cable workers and management to be commended, says YK South MLA

Yellowknife (October 19) - Workers and the companies of Miramar Con Mine and Northwestel Cable are to be commended for their diplomatic behavior during recent strikes, says Yellowknife South MLA Seamus Henry.

“There were no hints of vandalism or violence at either work site and both workers and management handled themselves in diplomatic manners,” he said. “The leadership and membership of all parties are to be commended and the end results appear to be positive.”

Negotiators for Miramar Con Mine and the United Steelworkers of America announced earlier today that they had reached agreement on a new contract that could lead to the end of the five-month old strike. Workers are scheduled to vote on the package this week.

Cable workers are back on the job after negotiators for the workers reached a deal with the company, ending their nearly two-week old strike.

Mr. Henry said both strikes showed that workers could exercise their democratic right to strike and do so in a positive manner.

“I think the NWT and Yellowknife had gotten a bad name over instances during past strikes and these workers showed that strikes can be carried out in a manner where violence doesn't have to be the dominate factor,” he added.

Mr. Henry said he is happy to see the end to both strikes and added that both sectors are important to the North's economy.

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98-46

For Immediate Release

YK South MLA heads east looking for answers to pave YK-Rae highway and road north to mineral-rich areas

Yellowknife (October 20) – Yellowknife South MLA Seamus Henry is taking to the road in an attempt to find a way to speed up the process of getting the highway between Yellowknife and Rae paved.

“It has just taken too long and we can no longer wait for the Government to find the time and resources to deal with this issue,” he said. “This is one of the most traveled sections of the highway and is the most treacherous and something has to be done.”

Mr. Henry is heading to Halifax, NS, next week to meet with Government officials who were involved with building a road through a Private-Public Partnership in that area. He has arranged meetings with the Public Works Department and lawyers who did the legal work on the P3 project in that province.

“I want to bring back as much information as I can to convince the Government and other MLAs that this is a feasible approach to rebuild the Yellowknife to Rae highway and the road north from the capital to mineral-rich areas,” he said. “An extension of the road north of Yellowknife is an important aspect to develop these mineral-rich areas and if this is to be encouraged we need to have reliable transportation systems.”

Mr. Henry intends to meet at a later date with the contractor and financier responsible for completing the highway in Nova Scotia.

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98-47

For Immediate Release

Speaker receives NWT Electoral Boundaries Commission Report

Yellowknife (October 26) - The Hon. Sam Gargan, Speaker of the Legislative Assembly, has received the report of the Northwest Territories Electoral Boundaries Commission.

The Commission presented its report to the Speaker on October 23, 1998. The report is based on information received during hearings held in various communities in the western Northwest Territories and from written submissions received.

Members of the Legislative Assembly will consider the report when it reconvenes on November 4, 1998.

The Commissioner of the Northwest Territories, on the recommendation of the Legislative Assembly, appointed the Boundaires Commission on June 4, 1998. The Hon. Madam Justice Virginia Schuler chaired the Commission that also included Mrs. Lucy Kuptana from Tuktoyaktuk and Mr. Nick Sibbeston of Fort Simpson.

Limited copies of the Commission's report will be available through the Clerk's office in Yellowknife and on the Legislative Assembly's Web Site at www.assembly.gov.nt.ca.

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98-48

For Immediate Release

YK MLA questions colleagues' dismissal of Boundaries report

Yellowknife (November 3) - Comments made by fellow MLAs opposing the suggestion that Yellowknife should get two more seats in the Legislative Assembly has Yellowknife South MLA Seamus Henry shaking his head.

"Why did we even strike the Electoral Boundaries Commission if Members are going to denounce their suggestions outright?" Mr. Henry asks. "It's just because they recommended two additional seats for the City of Yellowknife that some MLAs are opposing the recommendation."

He said Yellowknife has the right to more representation considering that over 40 per cent of the population of the new Northwest Territories will live in the capital city after April 1. He recognizes that factors such as geography and cultures also have to be considered in allocating and re-allocating constituencies.

"I can't see why the Commissioners would have recommended more seats for Yellowknife unless they felt they were warranted based on what they heard in their public hearings," Mr. Henry said. "And they have the ability to read and understand what various courts have said on the topic of representation by population."

He said that the Commission was an independent body -- with two of its three members being from outside Yellowknife -- appointed by the Legislature to make recommendations on constituencies and boundaries for the new NWT.

Mr. Henry said he supports the recommendation of the Electoral Boundaries Commission and will comment further when the Legislative Assembly reconvenes later this week. The Electoral Boundaries Commission report is one item on the agenda for the upcoming session.

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98-49

Nunavut Day in Legislature

Yellowknife (November 10) - The Clerks for the Nunavut Legislative Assembly had front row seats today when the NWT Legislature went into session.

Clerk Designate John Quirke, Deputy Clerk Rhoda Perkinson and Nancy Tupik, Clerk of Committees, joined NWT Clerk David Hamilton at the Clerk's Table for Nunavut Day in the Assembly.

"This is part of our on-going commitment to assist the Nunavut Legislative Assembly in its preparations for April 1 and beyond," Mr. Hamilton said. "It is important for us to share our knowledge and past experiences with our Nunavut counterparts who are just starting out."

The three Nunavut Clerks worked in the House and assumed some of the House duties normally performed by NWT Legislature staff in an effort to help them better understand the operation of the House.

"I am pleased we have an opportunity to work in and see how the Legislature of the Northwest Territories functions," Mr. Quirke said. "These are the kinds of opportunities that will be invaluable to us when it comes to the operation of our own Nunavut Legislature."

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98-50

Special Committee on Western Identity Kicks Into High Gear

Yellowknife (November 12, 1998) – The Special Committee on Western Identity is set to announce the first of many initiatives in the development of a new identity for residents of the new Northwest Territories after division.

Committee Chair, Yellowknife South MLA Seamus Henry, said the first priority was a review of the current official symbols such as the flag, coat of arms, flower, etc. "We have made recommendations on what the new Northwest Territories should keep for symbols, as well as what needs to be revised. An announcement will be made at a press conference on November 19 at the Legislative Assembly."

In addition to Mr. Henry, committee members include Nunakput MLA Vince Steen, Mackenzie-Delta MLA David Krutko, Sahtu MLA Stephen Kakwi and North Slave MLA James Rabesca.

Mr. Henry added that the public is a critical factor in the Committee's work. "Our focus is on capturing public participation to help create a new identity for people in the west after April 1, 1999. We want to get everyone excited about their new territory – to have a sense of pride and ownership. We want all the western communities to feel they are a part of something fresh and new," said Mr. Henry.

The Committee has hired staff and has had several meetings to date. Updates on plans, progress and opportunities for public participation will be ongoing.

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98-51

For Immediate Release

Western Caucus release report that outlines vision and priorities for 1999 and beyond

Yellowknife (November 16) - Western MLAs today released a report that outlines their vision and priorities for the new Northwest Territories in 1999 and beyond.

"This report will help us guide development of the first budget for the new Northwest Territories and set some priorities for the remainder of our term," said Thebacha MLA Michael Miltenberger, chairman of the Western Caucus. "Members of the next Legislative Assembly may also find the document a useful tool to help them plan."

Members are also optimistic that outlining their vision and setting priorities, now that a new Formula Financing Arrangement has been secured with the Federal Government, will help ensure that the programs and services currently available to residents in the Western Arctic will be sustained beyond April 1.

The report, *1999 and Beyond*, includes a review of the challenges faced by the 13th Legislative Assembly, the work that has been done and critical work underway and still to be done.

The final section of the report outlines what Members see as the key priorities over the next five years. The priorities are:

- supporting western residents and communities particularly in the areas of health and social services, education, housing and economic development;
- creating a stable environment by ensuring government spending is well-maintained, that residents have access to programs and services and that a commitment is made to aboriginal claims and self-government agreements; and
- increasing our self-sufficiency as a territory and reducing our dependency on the Federal Government.

"Members believe if we can concentrate on these three areas we will be able to develop a stronger territory and people," said the Hon. Charles Dent, Minister



Responsible for Western Transition. "We realize that this is a time of change, however, this is a time when we can concentrate on the unique needs and characteristics of the new NWT and take advantage of the opportunities that currently exist."

Copies of the report are available through the Legislative Assembly of the NWT or can be downloaded from the Assembly's Web Site at www.assembly.gov.nt.ca.

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98-52

Official Symbols Announced for New Northwest Territories

Yellowknife (November 19, 1998) – The Special Committee on Western Identity today announced which official symbols it plans to incorporate as part of the “new Northwest Territories” after April 1, 1999.

The new geographic NWT will keep the current flower (mountain avens), bird (gyrfalcon), mineral (gold) and tartan, as well as the polar bear licence plate. Symbols requiring new designs include the flag, coat of arms and mace. The status of the official tree (jack pine) and the Government of the Northwest Territories logo (three legged polar bear) have yet to be determined. The Committee is also recommending the addition of a gemstone symbol, which would be the diamond.

The name “Northwest Territories” will continue to be used until such time as residents vote on a new constitution. This process is currently on hold. A change to the name and/or the constitution requires federal legislative approval.

Committee Chair, Seamus Henry said it's time western residents started getting excited about their new territory. “People in the west have a lot to be proud of. It's up to everyone to cultivate a new sense of pride and identity in who we are and what we stand for,” said Mr. Henry. “The make-up of the new Northwest Territories includes Inuvialuit, Dene, Metis and many different non-aboriginal cultural groups. We have a lot of diversity. We have a lot to celebrate.”

The Committee plans to solicit public input on designs for the new flag, mace and coat of arms. Announcements will be made in the coming weeks on the details and process.



Committee members are hoping to generate a year of celebration and festivities in the western communities. "We will be organizing a series of events over the coming year to mark the emergence of our new territory," said Mr. Henry. "It is important that all residents – young and old – have the opportunity to be part of the history we are creating. We'll be encouraging community organizations, schools and businesses to jump on the bandwagon with ideas and events to promote our new identity."

In addition to Yellowknife South MLA Seamus Henry, committee members include Nunakput MLA Vince Steen, Mackenzie-Delta MLA David Krutko, Sahtu MLA Stephen Kakfwi and North Slave MLA James Rabesca.

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99-54

YELLOWKNIFE (Dec 07) - Sahtu MLA Stephen Kakfwi will be seeking the position of premier when the Legislative Assembly's leadership committee meets later this week.

Mr. Kakfwi said the decision to run comes as a result of careful consideration and discussion with members of the Assembly, his family and with his constituents. In addition, there has been tremendous support for his candidacy from the public at large.

"I am offering my services to you and to the people of the Northwest Territories because I believe and am concerned about the institution of government," he said in a letter to MLA's this morning.

"My leadership is proven and my experience is extensive. Most importantly, I have never been afraid to tell you where I stand on any issue and to explain my reasons for the positions I have taken."

Mr. Kakfwi noted the north and its government is at a critical time because of the final drive toward division.

"We require stability, continuity and strong, decisive leadership." he said. "And we need to quickly restore public confidence and revitalize our public service."¹

First elected in 1987, Mr. Kakfwi is serving his third term in the Legislative Assembly of the Northwest Territories. He has been a cabinet minister since his election, holding various portfolios during his term of office.

98-55

For Immediate Release

Antoine elected new Premier

Yellowknife (December 10) – Nahendeh MLA Jim Antoine, a seven-year veteran in the Legislative Assembly, has been elected as the new Premier of the Northwest Territories.

Mr. Antoine was elected in a secret ballot election over Sahtu MLA Stephen Kakfwi earlier today. He becomes the seventh Premier/Government Leader in the history of the NWT Legislative Assembly.

Born in Fort Simpson in 1949, Mr. Antoine was the Chief of the Fort Simpson Dene Band for three terms prior to his election to the Legislative Assembly of the NWT in 1991 as the MLA for Nahendeh. He was acclaimed in 1995 and was elected as a member of the Executive Council in November that same year.

Prior to his election today, Mr. Antoine was the Minister of the departments of Transportation, Public Works and Services, and Aboriginal Affairs.

Mr. Antoine and his wife Celine have three sons, Denezeh, Sachey, Tumbah and one daughter Melaw.

The Territorial Leadership Committee will continue meeting today to elect a new member to the Executive Council to replace Mr. Antoine. Mr. Antoine's election will be confirmed when the 7th Session opens on Friday, December 11th.

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98-56

For Immediate Release

MLAs choose Mr. Roland to fill Cabinet Vacancy

Yellowknife (December 10) - Mr. Floyd Roland, MLA for Inuvik, has been elected to the Executive Council.

Mr. Roland was chosen in a secret-ballot election over five other candidates: Yellowknife South MLA Seamus Henry, Thebacha MLA Michael Miltenberger, Yellowknife North MLA Roy Erasmus, Yellowknife Centre MLA Jake Ootes, and Nunakput MLA Vince Steen.

Mr. Roland was elected to the 13th Legislative Assembly in October, 1995. Prior to his election to the Assembly, Mr. Roland worked for the Department of Public Works and Services as a mechanic. He has also served on Inuvik's Town Council for three years, including a term as Deputy Mayor, and was Chairman of the Hunters and Trappers Committee in Inuvik, and President of the Western Arctic Tourism Association.

Mr. Roland and his wife Shawna have four sons: Justin, Quincey, Samuel, and Mitchell, and one daughter Courtney. Mr. Roland also has another son, Austin.

The election of a new Minister was necessary following the vacancy created earlier today by the election of the Hon. Jim Antoine as the Premier-elect.

Commissioner Helen Maksagak will swear-in Mr. Roland as a Member of the Executive Council at 3:00 p.m. on Friday, December 11th in the Chamber of the Legislative Assembly Building. Mr. Roland's election will be confirmed when the 7th Session opens on Friday, December 11th.

The Hon. Jim Antoine, Premier-elect, will assign portfolios to the new minister at a later date.

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