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**Response to the First Report
Of The Special Joint Committee on Division**

Committee Report No. 01-12(7)

Tabled on November 16, 1994

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SPECIAL JOINT COMMITTEE ON DIVISION:
COMMITTEE REPORT NO. 1-12(7), TABLED
NOVEMBER 16, 1994

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RESPONSE TO THE FIRST REPORT OF THE SPECIAL JOINT COMMITTEE ON DIVISION

INTRODUCTION

The Special Joint Committee on Division (SJCD) tabled a report on November 16, 1994, in which it made a number of recommendations to the GNWT regarding the process leading up to division.

There are a number of challenges facing the planners of Nunavut, including determining the location of a capital and the administrative design of the new government, determining the number of MLAs and the boundaries of electoral districts, and determining what infrastructure is required and who will build it. As well, in order to minimize dependence on outside human resources, a great deal of training is required for residents of Nunavut for public service opportunities. Some sharing of institutions and services will likely be required at least for an interim period, as Nunavut will be established during a period of intense fiscal restraint.

Although the western infrastructure and administration is in place, a redesign of the legal framework of the government is required, including modernizing the NWT Act, developing a western constitution, defining the public government/aboriginal government and territorial/regional/local responsibilities. The impact of division must also be addressed in such areas as the number of MLAs, electoral boundaries, downsizing, community transfer and securing sufficient funding.

There are a number of factors driving the decision timetable for Nunavut. The NIC report is scheduled for March 1995, followed by a possible federal cabinet submission in September 1995. The issues to be dealt with in the submission include the location of a capital, the design of government, a training strategy, total incremental costs, possibly to 2001, implementation and phase in and the appointment of an Interim Commissioner.

The decision timetable for the western territory is not set but includes the first constitutional conference in January 1995, consideration for federal funding in April 1995, a second constitutional conference in 1995 and commencement of the NWT Act revision discussions. Further, direction taken in self-government or claims forums will impact decisions on division.

The following response to the Special Joint Committee on Division outlines the work the GNWT is currently undertaking to respond to the SJCD recommendations and prepare for division.

GNWT RESPONSE TO SJCD REPORT

1. **That the timing of the federal Cabinet submission on the establishment of Nunavut be deferred until September 1995 in accordance with the recommendation of the Nunavut Implementation Commission.**

GNWT supports this recommendation and has written to DIAND Minister Ron Irwin outlining its reasons.

2. **That the Government of the Northwest Territories develop a consultation mechanism to allow individual departments, agencies, boards and corporations to provide advice to the Nunavut Implementation Commission on the manner in which programs can most effectively be delivered in Nunavut after 1999.**

An agreement has been reached between Nunavut Implementation Commission staff and Division Review Committee staff to coordinate information exchange. In particular, meetings between NIC staff and Deputy Ministers of all GNWT departments and the Clerk of the Legislative Assembly have been arranged to facilitate discussions on current GNWT structure, priorities, and initiatives. The DRS will continue to coordinate and encourage the exchange of information between the NIC and GNWT departments.

3. **That the Government of the Northwest Territories direct each of its departments, agencies, boards and corporations to develop a comprehensive implementation plan for division.**

Departments have been directed to develop implementation plans for division based on the current structure and legislative base of the GNWT for the foundation of planning for a GNWT approach to division. Plans will have to be reviewed and updated as events unfold, including: the report by the Nunavut Implementation Commission; progress by the Western Constitutional Development Committee; developments on aboriginal self-government; community transfer; devolution; and, changes in federal funding arrangements and agreement on incremental costs.

4. **That the Government of the NWT work with the other parties to the division process to develop a training strategy for Nunavut public government.**

Education, Culture and Employment is the lead GNWT department in the development of a training strategy and is coordinating its planning for human resources development with the Nunavut Tunngavik Inc., Nunavut Implementation Commission, Nunavut Implementation Training Committee and the federal government.

5. **That requirements for adequate incremental training moneys be identified in the process leading up to the 1995 federal Cabinet submission.**

The GNWT's assessment of the requirement for incremental training dollars is being identified through the process outlined in item #4, and will be communicated to the federal government prior to the 1995 Cabinet submission.

6. **That delivery arrangements for incremental training moneys be developed in a collaborative process with the parties to the establishment of Nunavut.**

The GNWT supports the collaborative development of delivery arrangements for incremental training moneys. This is illustrated by a stakeholder agreement to flow additional training funds for 1994-96 through established GNWT programs such as Training on the Job, Apprenticeship Training, and Staff Training and Arctic College.

7. **That the Government of the NWT begin the development of a training strategy appropriate to the western NWT in collaboration with the parties to the western constitutional process.**

GNWT supports the proposal to develop a training strategy for the western GNWT and has begun work to collect the data required for a strategy.

8. **That suitable arrangements be made to transfer the responsibility for the construction of Nunavut infrastructure to the Government of the NWT (up to 1999) and the Government of Nunavut (after 1999).**

GNWT supports this proposal and has communicated its views in writing to the Government of Canada. GNWT will continue to pursue this matter.

9. **That the Business Incentive Policy of the Government of the NWT, as amended from time to time, be applied to the construction and maintenance of all Nunavut infrastructure.**

GNWT supports this recommendation and revised BIP will apply to all Nunavut infrastructure built or contracted by GNWT.

10. **That available funding options for two distinct territories be assessed, including transition arrangements for an interim period following 1999, consistent with the constitutional evolution of the NWT and the provisions of the Nunavut Political Accord.**

Funding options for both territories are being examined and work on this issue will continue.

11. **That discussions be initiated with the federal government on the recovery of "reasonable incremental costs" incurred by the Government of the NWT from the establishment of Nunavut.**

Incremental costs of planning for division are being tracked through the Financial Information System and recovery from the federal government will be pursued in the process leading to the federal cabinet submission on division.

The GNWT will continue to stand by its position in the federal cabinet submission to hold the Government of Canada responsible for the incremental costs associated with implementing the division of the Northwest Territories.

12. **That the Government of the NWT ensure that the issue of incremental costs be resolved in a satisfactory manner through the 1995 federal Cabinet submission.**

GNWT agrees that it is important to have the matter of incremental costs clarified through the 1995 Cabinet submission.

13. **That the Executive Council request the Department of Justice to prepare a Statute Revision Bill for consideration during the first session of the Thirteenth Assembly.**

GNWT supports this recommendation and the Department of Justice has begun the necessary work to have a Statute Revision Bill ready for consideration by the Thirteenth Assembly.

14. **That the said Bill provide for the appointment of a Statute Revision Commissioner with the responsibility of preparing the statutes of Nunavut and the western territory.**

GNWT supports this recommendation and the Department of Justice will include the provision for a Statute Commissioner as part of the work identified in response number 13.

15. **That the Executive Council secure the agreement of the Government of Canada that the costs of preparing the legislative revisions be regarded as "reasonable incremental costs" within the meaning of Part 8.3 of the Nunavut Political Accord.**

GNWT will seek Government of Canada agreement that costs of preparing the necessary legislative revisions be regarded as "reasonable incremental costs".

16. **That Nunavut and the western territory receive separate representation in the Senate of Canada.**

See response under 17.

17. **That the Executive Council address the issue of Senate representation with the federal government prior to the 1995 federal Cabinet submission on Nunavut.**

GNWT agrees that the western territory and Nunavut each have separate representation in the Senate and will pursue this matter with the Government of Canada.

