



Nunatsiavut kavamanga
Nunatsiavut Government

FIRST ASSEMBLY
OF
NUNATSIAVUT

FOURTH SESSION

NINTH SITTING

**KAVAMALIGIJET
KAJITITSIUTINGA**

**PARLIAMENTARY
REPORT**

April 8, 2008

Speaker: Honourable Todd Broomfield
Deputy Speaker: Honorable Daniel Pottle

In Attendance:

Speaker of the Nunatsiavut Assembly, **Todd Broomfield**
Deputy Speaker and Ordinary Member for Canadian Constituency, **Daniel Pottle**
Acting President, First Minister, Ordinary Member for Nain, **Anthony Andersen**
Minister of Lands and Resources, Ordinary Member for Nain, **William Barbour**
Minister of Health and Social Development, **Greg Flowers**
Minister of Finance, Human Resources, Information Technology and the Status of
Women, **Diane Gear**
Minister of Education, Training and Economic Development, **Darryl Shiwak**
Minister of Culture, Recreation and Tourism, **Ben Ponniuk**
AngajukKâk for Nain, **Sarah Erickson**
AngajukKâk for Hopedale, **Judy Dicker**
AngajukKâk for Postville, **Keith Decker**
AngajukKâk for Makkovik, **Herb Jacque**
AngajukKâk for Rigolet, **Daniel Michelin**
Ordinary Member for Happy Valley-Goose Bay, **Keith Russell**
Chair Person for NunaKatiget Inuit Community Corporation, **Malcolm Winters**
Chair Person for the Sivunivut Community Corporation, **Ed Tuttau**

*Note taker: Debbie Dicker
April 8, 2008
Assembly commences at 9:00 a.m.*

Mr. Broomfield: Good morning
everybody, I'd like to call the 9th sitting

of the Nunatsiavut Assembly to order. At this time I would request that Martha Winters-Abel do the opening prayer.

Prayer is recited

Mr. Broomfield: Thank you. I have a couple of items to bring to the Assembly's attention before we get underway. First of all I would like to acknowledge our translators, Wilson and Katie Pijogge. I'd also like to acknowledge the visitors in the gallery. We have two pages, Jarvis and Christopher Abel and they will assist the Members of the Assembly if they wish a hand with anything. Moving on in our agenda to Tabling of Documents and Petitions, are there any documents or petitions to be tabled at this time? If not we will move on to Minister's Statements or Announcements. Any Ministers wish to make a statement at this time? The Honorable Minister of Finance.

Mrs. Gear: Thank you Mr. Speaker. I just wanted to give you a brief update on what's been happening on the Status of Women, the HR Department and Finance. In March, myself and Tracy and 3 other women attended a conference in St. John's. Usually during these conferences there's always a theme and the theme this year was Inuit Women. The conference went over really well; Tracy also attended Justice Conference in Goose Bay during the month of March. We also held a women's retreat north of Nain with a total of 18 participants including a couple counselors and a guide. We think this retreat was a success, we had a lot of feedback for requesting another retreat in the future. Tracy is also working on a proposal to start a Regional Women's

Association in Nunatsiavut. During the women's conference held in Nain in March 07 it was strongly suggested that a new Women's Organization be established to represent the Inuit women of Nunatsiavut. If funds can be found myself and Tracy will work with the women to ensure a board of directors is established for this regional organization.

In the HR Department, preparations are underway to fill six new positions. These positions was approved in 2008-2009 budget, the positions are Language Coordinator, Director of Lands, one student to work with Legal Services, a Web Developer for the Torngâsok Cultural Centre, and there's also a 3 year contract position in the Environment Department, this position has not yet been developed. And the finance, the audit for 2007-2008 has been started, there's still bills outstanding that have to come in but we hope to have the audit finalized by early September. Thank you Mr. Speaker.

Mr. Broomfield: Thank you Honorable Minister. The Honorable Minister of Health and Social Development.

Mr. Flowers: Thank you Mr. Speaker. I'd just like to thank the Assembly for... and the Finance Minister for their hard work that they all helped with the keeping the Pine Lodge open. I had a lot of support when we were in a crisis the last time when we saw it and I'd like to thank everybody for their support and it looks it will be open now for at least the next 3 years and give us some, some breathing room and some time to be able to look at something long term for our beneficiaries that we need facilities like this. Thank you very much.

Mr. Broomfield: Thank you Honorable Minister. The Honorable Minister of Education and Economic Development.

Mr. Shiwak: Thank you Mr. Speaker, I will be traveling to Inuvik next week for National Inuit Education Summit. The ITK is very wanting to have us participate because of our education program, we have made great strides in Post-Secondary Education. We have a long ways to go with other levels of education such as secondary and K-12 but this education is Inuit Education Summit will have will show us new ideas, new ways we can proceed with Post-Secondary with K-12 education which will help out our Education Committee, Standing Committee on Education and will give us new ideas in moving forward with education. Thank you Mr. Speaker.

Mr. Broomfield: Thank you Honorable Minister. The Honorable Minister of Culture.

Mr. Ponniuk: Thank you Mr. Speaker, just a couple of brief items here. We're in the process now of getting ready to now get back down to Hebron for the restoration of the Church, we're hoping to get an early start on it. Last year it was cut short because of the late season of the ice and, like I said, we're hoping to get down there before the ice goes out. Things are underway, there's just a couple of little glitches there now with the funding but we just need a couple of signatures. When that's done we can, we will proceed.

Also on the end of April, first part of May we're gonna, we will be having a tourism/economic opportunities conference in Nain. This is mainly for the tourism operators just what will be

happening in the tourism plus the on up to our National Park. Like I said, this will be the end of this month, first part of next month. Things are well underway in that regard.

And again in with the youth, it seems like every time we sit there's some we have a good news story sort of thing from the youth division department. We had the Nain Boys Hockey Team go to a provincial championship in Springdale on the island portion obviously and in speaking with Constable Blackmore who was the coach last chaperone for the boys they made it to the bronze medal game which I shouldn't say unfortunately lost but at least they were there. But the, reports from Mr. Blackmore the most important thing is the boys enjoyed themselves, they learned new thing and to obviously see another part of our province, country whatever is a good experience and like I said, I'd just like to end off with a good news story especially from the youth. Thank you Mr. Speaker.

Mr. Broomfield: Thank you Honorable Minister, the Honorable First Minister.

Mr. Andersen: Thank you Mr. Speaker I'd just like to make Members aware particularly the AngajukKâks that on Friday of this week I will be traveling to St. John's and my department, Nunatsiavut Affairs, will at that time conclude our discussions with Newfoundland and Labrador Housing regarding the Aboriginal Off-Reserve Aboriginal Housing trust monies that was made available to this province by the Federal Government almost 3 years ago. And myself and the Chair for Torngat Housing will be meeting with Newfoundland and Labrador Housing beginning on Friday morning at 9:00 and

at that time as well we will discuss some of Newfoundland and Labrador's housing programs that could be available as early as this summer in Nunatsiavut communities.

Just to let you know that the figure is approximately I think 2 million dollars that will be made available to Nunatsiavut Government which we will in turn hand over to Torngat Housing who is our delivery agent for housing in Nunatsiavut.

I wish to assure the AngajukKâks especially at this time that my department, Nunatsiavut Affairs, will request that Torngat ensure that this money is delivered to our communities in a fair manner and that all communities needs are recognized and continue that those spirit of cooperation that so often when little pots of money are given to us that we find ways to that everyone walks away from the table at least somewhat satisfied. Two million dollars I believe, Mr. Speaker, for this upcoming construction season will more than double Torngat's spending, it's annual spending. So, we can expect that, you know, there will be some a little bit more houses built than there have been in the last 4 or 5 years.

I see in the gallery, Mr. Speaker, the former MHA for Torngat Mountains Wally Andersen and I'd like to acknowledge, Mr. Speaker, that it was his time as MHA that his government lobbied very hard for some of this Aboriginal House, Aboriginal Off-Reserve Aboriginal Housing Trust monies and I wish to just to since he's here to acknowledge that, you know, we are grateful for his efforts that he worked for at that time. Thank you Mr. Speaker.

Mr. Broomfield: Thank you Honorable Minister. Moving on to Member's

Statements, I'd like to recognize the Member for Upper Lake Melville.

Mr. Russell: Thank you Mr. Speaker, we've got a lot to talk about so I'll be brief. We've dealt with some very heavy topics in the last few sittings language, uranium, membership. We've talked in great detail in all those. I'd just like to thank the constituency of Upper Lake Melville for their continued support and specifically the elders for their guidance to me in these difficult times. I'd just like to thank them for their continued support and inviting me into their homes to discuss these issues. Next I'd like to say congratulations to all the volunteers and the kids involved in Lake Melville minor hockey. We had a great season, the kids had a lot of fun. There was a lot of growth and development in the skills and I'd just like to thank everybody for that and last in closing I'd just like to say congratulations to all the nominees for the election for president that's upcoming and for their courage to stand up, be heard and I wish them all the best of luck in their campaign. Thank you Mr. Speaker.

Mr. Broomfield: Thank you. The Member for Canada.

Mr. Pottle: Nakummek Mr. Speaker. I'd like to congratulate Mr. Chris Sheppard of St. John's formally of Postville on his invitation to attend the United Nations Permanent Forum on Indigenous Issues in New York City from April 21-29. Mr. Speaker, Chris will have observation status as a representative of indigenous people's organizations namely the St. John's Native Friendship Centre and Chris will take an active role in the Indigenous

Youth side event on April 22nd. As well, Mr. Speaker, Chris will take part in the Indigenous Youth Caucus which will provide him with the opportunity to network with other indigenous youth, observe the various permanent forum sessions and learn how indigenous issues are addressed at the United Nations.

Mr. Speaker I would also like to thank the Canadian, Department of Canadian Heritage for making arrangements for Chris to travel to New York City and for covering the cost of his travel, accommodations, meals, incidentals and ground transportation. Canadian Heritage is committed to preserving, revitalizing and promoting Aboriginal languages and cultures, strengthening Aboriginal identity and increasing Aboriginal participation in Canadian society.

Mr. Speaker, with the support of the Canadian Heritage Department Chris will have the opportunity to bring the voices of the Canadian Aboriginal Youth and their important issues and accomplishments forward in Canada and abroad. Again, congratulations to Chris Sheppard on this great achievement. Nakummek Mr. Speaker.

Mr. Broomfield: Thank you, any other Members wish to make a statement at this time? We will move on to Question Period. Any questions to come forward? Are there any written questions to present at this time? We will move on to Reports of Standing and Special Committees. I have a short report to present on behalf of the Standing Committee on Language.

In the 12th of March I traveled to Goose Bay to meet with Catharyn Andersen, Sarah Townley, Rita Andersen, Fran Williams and Karen West who facilitated this language strategy meeting

in Goose Bay. These individuals and myself are members of a language strategy committee that Torngasok Cultural Centre has put in place, the intent of this language strategy committee is to hold a series of meetings and to formulate a document that can be presented to a language conference that is scheduled to be held this Fall in Nain. We did have a very productive meeting on the 12th of March and our next meeting is planned on the 29th of May. I was asked to sit on this committee as a representative from the standing committee on language, I will keep the Assembly informed on the progress this committee is making.

I also have another brief report from the Member Services Committee of which I am the Chair. The Member Services Committee met on February 22nd, well we held a teleconference to discuss the First Minister assuming the role of Acting President and the possibility of the First Minister being compensated on the level of President while holding the office as Acting President. The recommendation that came forward from the Member Services Committee is that the First Minister, Acting President not be compensated at the salary level of President. The reason being the Order of Precedence in the Labrador Inuit Constitution that sets out the process for who assumes the role of Acting President does not make any reference to compensation for assuming that role. The Order of Precedence laid out in 3.6.1 of the Labrador Inuit Constitution 3.6.1 A is the first choice is the First Minister; B is a member of the Nunatsiavut Executive Council designated by other members of the Council and C is a member of the Nunatsiavut Assembly designated by the

Assembly. Reports from committees is normally a time for debate to happen, in order for this issue to be debated in the Assembly it would have to come forward as a motion by a member of the Assembly with a seconder and will be debated at that time. So, this is just a report from the Member Services Committee to the Assembly. If you wish to bring the issue forward for debate in the House it will have to come forward as a motion. Are there any other reports from committees? The Honorable Minister of Health and Social Development.

Mr. Flowers: Thank you Mr. Minister, I'd just like to inform the Assembly that we finally got our alcohol and drug hearings all complete along the coast. It took quite a long time because everybody, it's hard to get everybody in one place at one time but we finally got Rigolet done a week and a half ago, two weeks ago so just before Easter. So, now we can finally get on to the tasks that was before to start calling on and moving on the recommendations done by the communities so am, hopefully now if we don't have time during this sitting that we'll get our committee together and plan the strategies for what we're going to do next and start moving forward on some of the recommendations. And I hope that, you know, we can, you know, get the, get and try to act as soon as possible on it. It took a long time to get done so I hope that, you know, the communities I know that they were patient and Rigolet we tried to get in there a couple of times and for different reasons we didn't, you know, we didn't get there. But it's finally done now so hopefully we can get moving now on recommendations and move forward and give you updates

on, you know, on, you know, what we bring to the House. Thank you.

Mr. Broomfield: Thank you Honorable Minister. Before we move on to Notice of Motions we will take a short recess at this time.

break

Notice of Motions

Mr. Broomfield: Good morning, I'd like to call the House back to order. At this time I'd like to recognize the Honorable First Minister.

Mr. Andersen: Thank you Mr. Speaker, Mr. Speaker, I'd like to give notice that I will move the following motion: Now therefore I move seconded by the Honorable Member, the Chair of the North West River Inuit Community Corporation that the Nunatsiavut Assembly hereby approve the change of name to the North West River Inuit Community Corporation Incorporated to Sivunivut Inuit Community Corporation Incorporated and further that the Nunatsiavut Assembly hereby approves all amendments to the Constitution of the North West River Inuit Community Corporation Incorporated that may be necessary or desirable as consequence of the name change and furthermore that the Clerk of the Assembly cause this resolution together with the certified copy of the special resolution of the North West River Inuit Community Corporation Incorporated tabled on the 5th day of March 2008 to be maintained together with the resolution passed on the 25th of July 2006 and furthermore that this resolution be absolutely redeemed for all purposes to come into effect immediately prior to the approval

of the registrar of companies for Newfoundland and Labrador of the name of the change of name of the North West River Inuit Community Corporation Incorporated to Sivunivut Inuit Community Corporation Incorporated, thank you Mr. Speaker.

Mr. Broomfield: Thank you Honorable Minister. At this time I'd recognize the Honorable Minister of Education and Economic Development.

Mr. Shiwak: Thank you Mr. Speaker, Mr. Speaker I would like to give notice that I will move the following motion. I move seconded by the Honorable Member for Nain, Minister Barbour that the Nunatsiavut Assembly hereby approves that when a member has been appointed as Acting President in accordance with Section 3.6.1 of the Labrador Inuit Constitution that the person so appointed receive the same salary, allowances and benefits as those provided to the President of Nunatsiavut during the time that they hold the Acting Office, thank you Mr. Speaker.

Mr. Broomfield: Thank you Honorable Minister. Next agenda item, Notice of Motion for First Reading of Bills. We have no first reading of bills to present today so we will move on to item 12, Motions. I'd like to recognize the Honorable First Minister.

Mr. Andersen: Thank you Mr. Speaker. Mr. Speaker I would like to move the following motion: Whereas in a resolution passed on the 25th of July 2006 the Nunatsiavut Assembly approved the Constitution of an Inuit Community Corporation for the beneficiaries resident in North West River and Sheshatshiu under the name

North West River Inuit Community Corporation Incorporated and whereas North West River Inuit Community Corporation Incorporated has been incorporated under the Corporation's Act of Newfoundland and Labrador and whereas in accordance with Section 11.1.8 of the Labrador Inuit Constitution the Members of the North West River Inuit Community Corporation Incorporated have passed a special resolution changing the name of the corporation to Sivunivut Corporation Incorporated and whereas Section 11.1.9 of the Labrador Inuit Constitution provides that the Nunatsiavut Assembly must approve a decision of the Membership of and Inuit Community Corporation to amend it's Constitution and whereas it is desirable for purposes of clarity and certainty that the proposed new name describe the Corporation as an Inuit Community Corporation.

Now therefore I move seconded by the Honorable Member the Chair of the North West River Inuit Community Corporation that the Nunatsiavut Assembly hereby approves the change of name of the North West River Inuit Community Corporation Incorporated to Sivunivut Inuit Community Corporation Incorporated and further that the Nunatsiavut Assembly hereby approves all amendments to the Constitution of the North West River Inuit Community Corporation Incorporated that may be necessary or desirable as a consequence of the name change and furthermore that the Clerk of the Assembly cause this resolution together with the certified copy of the special resolution of the North West River Inuit Community Corporation Incorporated tabled on the 5th day of March 2008 to be maintained together with the resolution passed on

the 25th of July 2006 and furthermore that his resolution be absolutely deemed for all purposes to have come into effect immediately prior to the approval of the Registrar of Companies for Newfoundland and Labrador of the name change of the North West River Inuit Community Corporation Incorporated to Sivunivut Inuit Community Corporation Incorporated, thank you Mr. Speaker.

Mr. Broomfield: Thank you Honorable Minister. The motion is in order. The floor is open to debate, each Member has an opportunity to speak one time for 15 minutes if they wish to do so. I'd like to recognize the Chair of the North West River Inuit Community Corporation.

Mr. Tuttauk: Thank you Mr. Speaker. I'd like to thank the First Minister for bringing forth this resolution on behalf of the constituents of North West River and thanks, thanks again.

Mr. Broomfield: (inaudible)

Mr. Andersen: Yes Mr. Speaker, I wish to conclude debate.

Mr. Broomfield: Thank you, the motion to amend the name change that was approved by the Inuit Community Corporation of North West River is on the floor to be decided by the Assembly. Is the Assembly in favor of approving the motion to change the name from North West River Inuit Community Corporation Incorporated to Sivunivut Inuit Community Corporation Incorporated? Are you in favor?

Assembly: Aye!

Mr. Broomfield: The motion is carried. At this time I'd like to recognize the Honorable Minister of Education and Economic Development.

Mr. Shiwak: Thank you Mr. Speaker. Mr. Speaker I'd like to move the following motion: Whereas Section 3.6.1 of the Labrador Inuit...

Mr. Pottle: Point of order Mr. Speaker.

Mr. Broomfield: The Member will state his point of order.

Mr. Pottle: According to our rules of debate, Mr. Speaker, Notices of Motion must be tabled within the House within the 48 hour period or the Member proposing the motion must ask for waiver of Standing Order 95, nakummek Mr. Speaker.

Mr. Broomfield: We will take a brief recess while I take a review of Standing Orders but I'm pretty confident that a Minister can introduce a motion at anytime. But, I will double check that. So we will recess for (inaudible)

Break

Mr. Broomfield: Good morning I would like to call the House back to order. After having some discussion with the Clerk to look for advice on our Standing Orders in making a ruling on the point of order from that the Member for Canada presented. Standing Orders 164 to 168 deal with tabling of motions, documents, and petitions. There seems to be a bit of inconsistent literature in our Standing Orders so I will refer you to Standing Order 168. Notwithstanding Standing Orders 164 to 167, a Minister may table a document in the Assembly

with or without the consent of the Assembly. The point of order that was brought forward by the Member for Canada is not in order and the Honorable Minister of Education and Economic Development will proceed with his motion.

Mr. Shiwak: Thank you Mr. Speaker, Mr. Speaker I would like to move the following motion. Whereas Section 3.6.1 of the Labrador Inuit Constitution provides for the appointment of an Acting President when the President is unable to fulfill the duties of the President and whereas the First Minister has been appointed as the Acting President and whereas Section 4.16.4 and part 8.7 of the Labrador Inuit Constitution provides for the salaries, allowances and benefits payable to the President of Nunatsiavut, Members of the Nunatsiavut Executive Council and Members of the Nunatsiavut Assembly and whereas Sections 93 and 107 provides for the salaries, allowances and benefits payable to the Members of the Nunatsiavut Assembly and the Members of the Executive Council as prescribed by the Assembly on a recommendation of the Member Services Committee and whereas there is no provisions to provide acting pay for a Member who is appointed as Acting President. Now therefore I move seconded by the Honorable Member for Nain, Minister Barbour that the Nunatsiavut Assembly hereby approves that when a Member has been appointed as Acting President in accordance with Section 3.6.1 of the Labrador Inuit Constitution that that person so appointed receives the same salary, allowances and benefits as those provided to the President of Nunatsiavut during the term they hold the acting office, thank you Mr. Speaker.

Mr. Broomfield: Thank you Honorable Minister, the motion is in order. The floor is open for debate, each Member will have an opportunity to speak once for 15 minutes if they wish to do so. I'd like to recognize the Member for Upper Lake Melville.

Mr. Russell: Thank you Mr. Speaker. What are we going to do when we are not happy with something in the Constitution every time? Are we just going to throw a motion at this table and have it effect our Constitution? There's no mention of salaries, there's also no mention in the Constitution about, you know, this type of scenario. There's also no mention about any other scenarios. What if a Minister has to become Acting First Minister? What if an Ordinary Member has to go inside the Cabinet temporary and become an Acting Minister for a certain time? Are we just going to throw a motion loosely around to have this changed every time we're not happy with something? We have a Member Services Committee. Now, that consists of the Ordinary Member for the Canadian Constituency, myself and the Speaker of the House as Chair. I believe we had consensus when we did talk on the phone and when we did meet in person. I believe that consensus was drawn from a presentation of our findings to the Executive Council whereby I think, in my opinion, it was agreed that stepping up to the plate as the First Minister has done was part of the job as would have been if, you know, a Minister stepping into the Acting First Minister's role had the First Minister decided to do that which by the way never happened. So, he held the two positions simultaneously. What I'm concerned

about here is that the Member Services Committee in my opinion has decided on what we thought, taking input from the Executive Council and the Assembly and we're just not happy enough with that I guess so that we just have to throw a motion at the table here to change that and put a few more dollars in someone's pocket and that's disturbing to me.

I mean the bottom line here is that, I mean, this is, this is, there is too many scenarios here.

If we want to make a change like this well then let's put our heads together and talk about every scenario. First Minister becoming Acting President, Minister becoming Acting First Minister, Ordinary Members coming into the Cabinet temporarily perhaps to be Acting Ministers and amend it through legislation and amend the Constitution and make sure that we just don't loosely throw about motions to change things we're not happy about. You know, we all make good money here. We don't need to just put a few more dollars here and there when we see fit very loosely thereby affecting the Constitution in my opinion and compromising the integrity of it. You know, basically we've done what was necessary. We got input from all the people in here. We talked it out, we decided but it's also, you know, what we thought we decided what we thought needed to be done and it's very disturbing to me that the Chair of the Member Services Committee can overrule the other Members in this Committee. This is the second time that this has happened and what is the point of the Member Services Committee?

We are tasked down to make recommendations to this Assembly on budget items, things like this. The way we think things should be. If the Chair

simply is going to overrule the remaining members every single time then what's the point of it all and likewise? What's the point of the Constitution if when we're not happy about it we can loosely throw a motion to the table and just have changes made whenever we like. Thank you Mr. Speaker.

Mr. Broomfield: Thank you. I personally don't feel that I am overruling the Member Services Committee. This is a way to get the debate on record for future reference and this is the only process, the democratic process we have within our legislation to bring the issue to the House and have it on record for future reference. So, this is the reason for the motion. Not to discuss it behind closed doors. To have it in public, have it in public record and you have your opportunity to speak to the motion. We've made our recommendation as a committee, it's just a recommendation. It, the ultimate decision will rest with the Assembly and this is a forum to have the issue on record and have it out there for the public to scrutinize if they wish to do so. Does any other Member wish to speak? The Member for the Canadian Constituency.

Mr. Pottle: Nakummek Mr. Speaker. The Member Services Committee as reiterated by the Ordinary Member for Upper Lake Melville is the committee that is tasked with recommending the Assembly budget for any given fiscal year. We as the Member Services Committee at the request of the Executive Council, Mr. Speaker, during our last visit here to Hopedale last month did present our recommendations and our rationale to the Executive Council for consideration of this very motion.

The recommendation as a Member Services Council at the time, Mr. Speaker, as already been reiterated in this House was given that the Constitution and subsequent law was silent on the Acting President, anybody in an Acting President's position being compensated as President. Mr. Speaker, the President of Nunatsiavut is chosen in a separate election. The President of Nunatsiavut is not elected to this House during the ordinary election for Members of this Assembly. We put forth our concerns Mr. Speaker, last week, last month Mr. Speaker that if somebody was to seek the office of the President then they have to be nominated and elected through the processes that we have in place. As we reiterated Mr. Speaker from the Member Services Council that it is not a requirement that anybody whether that be the First Minister, other Members of the Executive Council or other Members of the House it is discretionary. It is up to you to take that office if so offered to you through our processes that we have in place, knowing the extra duties that you're taking on, knowing that the salaries that you are currently being paid for thus feted through the Member Services Council and this Assembly visa our budgetary process Mr. Speaker. I believe that in order to be compensated for the office for the duties of President one must be elected into that office and not chosen from the Assembly which sort of vetoes or blackballs our processes that we already have in place for the election and compensation for the President. Nakummek Mr. Speaker.

Mr. Broomfield: Thank you. Are there any other comments? Does the Minister wish to conclude debate?

Mr. Shiwak: Yes Mr. Speaker, I wish to conclude debate.

Mr. Broomfield: Thank you, debate has concluded on the motion. You have heard the arguments presented by Members of the Assembly. The Member Services Committee has made their recommendation on the issue and now you are being asked to decide what the Assembly's decision is on this motion. By a show of hands, I would like to know the number of Assembly Members in favor of approving Motion 02-05-09-08. By a show of hands, the number of Members in favor? Okay. By a show of hands the number of Members opposed to Motion 02-05-09-08. By a vote of 9 opposed to 4 in favor, the motion is not carried. We will take a brief recess before we get into the Bill to Amend the Lands Act, so we will take a 10 minute recess.

Break

Mr. Broomfield: Good morning I'd like to call the House back to order. I would like to make a clarification on a statement I made earlier. We already did second reading of Bill 2008-03 at the last sitting and we will now proceed directly into debate. In accordance with Standing Order 27 I will cede the chair to the Deputy Speaker in order that I may be able to participate in the debate. So, in having said that I will now hand the chair to the Deputy Speaker.

Mr. Pottle: As our last sitting of the Assembly, Bill number 2008-03 A Bill for an Act to Amend the Labrador Inuit Lands Act IL-2005-14 received unanimous consent to proceed to second reading. At this point in time we will proceed with debate on Bill number

2008-03, I'd like to remind the Assembly that each Member has 15 minutes to speak on the debate on second reading. At this point in time, I would like to ask the Minister of Lands and Natural Resources if he has any further opening statements on this bill.

Mr. Barbour: Thank you Mr. Speaker, first of all just for clarification purposes it did not in the first reading receive unanimous consent, it was by vote and a majority vote. I wish to make that clarification. In going back to the March sitting of the Assembly there were a number of Assembly Members who wanted to get back to their constituencies to consult further with their constituents and therefore we did not go to a second vote of the motion because we did not have unanimous consent to waive that portion of the second reading.

Assembly Members have now had time and the time required and as our procedures allow for, have had time to go to their constituents and consult. All of us I think have received e-mails from in this case the proponent being Aurora Energy and others being one Inuit company being Sikimiut Environmental and also from the Labrador North Chamber of Commerce and also the Newfoundland and Labrador Chamber of Mineral, I forget the exact wording but Mines and Mineral Exploration I think that's the right word. So, Assembly Members have had time to receive arguments both for and against a moratorium. I'll just reiterate what I said back in March and I reiterate that not just to the Assembly that I have been saying this to Aurora Energy in my meetings with them and it has been twice since our last sitting that I have

met with them. I have pointed out not just to the Assembly but also to those that are making their arguments both for and against the moratorium that the Nunatsiavut Government also has timeline that it is the opinion of this particular Minister that the Nunatsiavut Government and this Assembly must operate on its' timeline. That it cannot operate on other peoples' and other companies timeline.

Why I had proposed a 3 year moratorium and the wording should be shall not be repealed until March 31, 2011 and if passed the motion to amend the Lands Act, Labrador Inuit Lands Act, should it pass that the Assembly, the Nunatsiavut Assembly shall review by March 31, 2011. In that timeframe of 3 years, that the Department of Lands and Resources would have the time that it so badly needs to not only get an EA – Environmental Assessment Act and subsequent legislation to follow that for environmental protection in place that we would in that time period have time to build capacity within the department to make sure that an Environmental Act, Environmental Assessment Act and legislation can be done with the proper capacity within the department and also under our final Land Claims Agreement which clearly states, clearly, that there must be a Land Use Plan in place before there is any major development such as proposed by Aurora Energy.

And on the last point on which I wish to point out, Mr. Speaker, when I talk about an Environmental Assessment Act and subsequent environmental legislation it is not specific to one development, it would be to any other development that may take place. This could when we talk about land administrations and fees

required that it would be all encompassed and that it would give us the time to make sure that we are doing things the right way at the start. Mr. Speaker I would just wish to basically reiterate what I have said back in March. Thank you Mr. Speaker.

Mr. Pottle: Nakummek Mr. Minister. At this point in time the House will hear from other Members of the Assembly who wish to speak on the motion. The Chair recognizes the AngajukKâk for Makkovik.

Mr. Jacque: Thank you Mr. Speaker. I stand here today as an elected member for my constituency and the Makkovik Inuit Community Government. I have been directed to bring forward here today that we are in support of the bill due to the facts that it will have on the impacts of the environment. We are not against development, we want our people to have jobs but the jobs are not permanent. The exploration companies were the first to tell us that they are unprepared and not ready and there are no safe means or methods of the disposal of tailings. Right now that's all I have to say today, thank you Mr. Speaker.

Mr. Pottle: Nakummek, the Chair recognizes the AngajukKâk for Postville.

Mr. Decker: Thank you Mr. Speaker. I was going to have very little to say today and probably will do that. I stand here today and rise in this House and say the same as I said the last time to this Bill that I cannot support a moratorium on uranium due to the fact that we already have a 3 year window there in place nothing can happen until the Land Use Plan is in place. So, you know, and at

any time that the Nunatsiavut Government can say no to any development also I would like to see that we be able to proceed with the Environmental Assessment. Thank you Mr. Speaker.

Mr. Pottle: Nakummek, the Chair recognizes the Ordinary Member for Makkovik.

Mr. Broomfield: Thank you Mr. Speaker. First of all I would have to say that it's, I feel it's a privilege that our Standing Orders allow me to stand here today and take part in debate on this bill that's important in my constituency, in the constituents of each Member here in this Assembly and important for Nunatsiavut itself.

Mr. Speaker it is safe to say that Members of the Assembly have been approached numerous times by various interests in regards to this bill to amend the Lands Act. Exploration companies have been stepping up their public relations efforts and communities are watching the outcome of this bill closely.

I have heard from exploration companies, the Provincial Chamber of Mineral Resources, and members of my community. Throughout all this Mr. Speaker I have heard very little mention of Labrador Inuit Lands. We see the effects of this bill today, exploration companies have stepped up their PR efforts. How much more would these companies push should they get approval from federal regulators? When people are hasty to encourage economic development for the sake of accessing jobs and revenues, important details get overlooked. Nunatsiavut Government does need time to be able to stand on solid ground before taking part in an

environmental assessment for a proposed uranium development on Labrador Inuit Lands. One common virtue that Inuit culture is based on is patience. We are an Inuit Government Mr. Speaker.

Uranium 235 and uranium 238 are in high demand as countries are turning to the nuclear option as means to supply the increasing demands for electricity. These are the two desired isotopes of uranium that are leached in a conventional milling process. These are the elements that make up the yellowcake that is produced and exported from an operating uranium mine. The half lives of these elements are incredibly long and run into the millions and billions of years respectively.

As a result of the very long half lives, radiation is released at a slow rate. There are more isotopes that are not leached in a conventional milling process and these are all sent into a tailings facility in the form of a sludge. The ore bearing rocks are mined and broken down into sand like particles then mixed with sulfuric acid in a milling facility. Thorium, radium, radon, polonium, and different isotopes of lead in the ore body are not leached by the milling process. These elements are more radioactive than the yellowcake or uranium 238 that is extracted with half lives that range from days to years to thousands of years. It is these elements that pose the greatest risk to people and to the local environment. Depending on the size of a proposed mine development, millions of tons of tailings are produced. It is imperative Mr. Speaker that these elements be isolated from the local environment for eternity to protect the health of human and animal life. We are not dealing with a

base metal that is stable and un-radioactive but with a metal that will take its own time to become a stable element and by doing so releases different amounts of radiation during its changing life cycle to eventually become lead 206 which is a stable element.

To me Mr. Speaker this requires that we take our time and give our government the time it needs to enact environmental protection laws, an environmental assessment act, and a land use plan for Nunatsiavut none of which are currently in place. Nunatsiavut Government does have the final say when it comes to deciding how Labrador Inuit Lands will be used and to me this is not the issue. Going to environmental assessment for a proposed uranium development on Labrador Inuit Lands when our government is not ready is something I am not in favor of.

At the end of the day, so to speak, it is our children and grandchildren who will still be here in Nunatsiavut. It is what they will inherit from us that will enable them to enjoy Nunatsiavut our beautiful land. This bill is not about Makkovik, it's not about Postville or any other community in Nunatsiavut, this bill is about doing what is right for Labrador Inuit Lands. I support this bill, thank you Mr. Speaker.

Mr. Pottle: The Chair recognizes the Member for Upper Lake Melville.

Mr. Russell: Thank you Mr. Speaker. The Ordinary Member for Makkovik is absolutely right, the world is watching. They're watching about how, you know, what's going to unfold here today and they're also watching on how we handle business with outside investors and companies that want to come in and work with us hopefully, to benefit

Nunatsiavut Government and the Inuit people. I believe that we have enough time. I think that we have 3 years to put together the necessary legislation, the Environmental Assessment Act, the Land Use Plan.

I believe also we're protected by the Land Claims Agreement, I believe that any environmental assessment if it was to begin today would take several years, several years longer then it would be to put that appropriate legislation in place. So, I do believe that we are not exposed and wide open to the world to be taken completely advantage of. What I'm concerned about is how loosely we're going to throw around the word moratorium.

Basically we send a message to the world and everybody knows that Labrador is one of the greatest untapped resources there is. We're sending a message to the world, you know, not just on uranium but on any other kind of development. Anything at all, they may want to come here to explore, put their money into our local communities, hire people, educate people, give people an opportunity to better their lives and create a higher level of disposable income with which to enrich their children's lives. Yet I believe that a moratorium sends a message that you can come, you can spend your dollars. We will educate your people and we will give them jobs and yet we can shut you down at any point in time. I think that scares the international investment community. I think that what that does is it basically sends a message that you can come, you can look but just don't touch and I think that that's very, very disturbing to me. I think that we can be successful in this and I think that we do

have time and personally I speak for the constituency of Upper Lake Melville.

We have had numerous individuals that have had their memberships taken away, their right to be called beneficiaries to the Land Claims Agreement. We are seeing some success in having their bloodlines recognized and getting back their status as beneficiaries to this agreement. Some of these individuals may have already missed the opportunities that presented themselves to the Voisey's Bay nickel find in terms of the training, the employment. I believe that Upper Lake Melville may see more memberships returned and I don't believe that we can afford to miss another opportunity.

When we talk about as the Ordinary Member for Makkovik did children, grandchildren, unfortunately I believe that a lot of the beneficiaries in Upper Lake Melville will in 50 years may not see their children's and grandchildren's bloodline recognized.

The agreement is what it is, I'm not here to debate that but that is a reality for us therefore we need these opportunities. We need economic development and in a government where we're all aware that the finances are not that great and we will be facing some hard times in the next few years in order to delay any process that may give us a light at the end of the tunnel could be extremely detrimental to our success as a government. Other than that I'd just like to say I do believe that we are protected from what I understand but in the same breath I'll say that I don't believe that Upper Lake Melville was brought into the process enough by Nunatsiavut Government. I know that some companies have shown efforts to have open house to educate the constituents. I

don't believe we've done enough in Upper Lake Melville in order to warrant shutting this entire process down. I also don't think that we as individuals were given enough direction. I am still myself to this day confused as to exactly how exposed we are and whether or not an Environmental Assessment will allow any one company to run headlong into development without us having proper say or control over what happens on Labrador Inuit Lands.

I believe that the majority of these finds we're talking about, this uranium is Labrador Inuit Lands from my understanding and therefore we will have ultimate say on what takes place on Labrador Inuit Lands. But the damage done by creating a moratorium with no set expiration and that would require additional legislation to remove it sends a message to the world that you can come spend you dollars but like I said before, but if you find anything we may put the screws to you, thank you Mr. Speaker.

Mr. Pottle: The Chair recognizes the AngajukKâk for Rigolet.

Mr. Michelin: Thank you Mr. Speaker. I came here to this Assembly again with the same answer I had at the last Assembly. When this question was proposed my Community Council and beneficiaries in my community has asked me to say no to the moratorium. The community of Rigolet has been living with a moratorium for 15 years and I don't think I have to tell you what moratorium we're talking about. A moratorium to some people may not be a ban but I know that in my community, a moratorium on the fishery is definitely a ban on fishing.

So, a moratorium is a ban on uranium mining. We not asking, I don't think what we are asking from the community of Rigolet is to go ahead and say yes go ahead and mine. Do a uranium mine without any, without any, EIS Environmental Impact Statement done or anything. Right now we're riding in the dark, we don't know what can happen or what will happen or what could happen. With an Environmental Impact Statement I'm sure it would be more clear, especially to me what a uranium mine can or cannot do.

I visited some uranium facility, a mine and mill facility in Elliot Lake or no McLean Lake and I was impressed with that. But that unfortunately is as far as I know about uranium mining and before I can say yes to a ban on or a moratorium on uranium mining I and my community would like to see an environmental assessment done and all our ducks in a row before we can give a fair statement as to yes or no on uranium mining, nakummek.

Mr. Pottle: The Chair recognizes the Acting President of Nunatsiavut.

Mr. Andersen: Thank you Mr. Speaker. I stand and applaud the foresight of the Minister of Lands, Minister Barbour, former President Barbour. He was the President I believe of the L.I.A for 10 years and it certainly shows in his thoughts that him and his department put into this bill Mr. Speaker. As the Minister said no doubt that the companies have done their work. They have traveled to the communities, they have traveled to Upper Lake Melville as the Minister for Upper Lake Melville mentioned. They've lobbied hard. I've hoped that, you know, I was not present at any of their meetings but I hope they

have been fair because I think that the bill that the Minister has tabled is very fair.

It's not a ban on uranium mining or milling on Labrador Inuit Lands, it's not a ban on exploration on Labrador Inuit Lands, it's a 3 year moratorium and there are reasons for it. All Members are aware from discussion that we had during the process when we had experts and we had discussions, informal sittings where we discussed, one of them is for our Land Use Plan to be in place. Every Member is aware that it will take another 3 years for our government to have that Land Use Plan in place.

Although the Land Use Plan, Mr. Speaker, does speak directly or address mining projects such as this it will set out for us some guidelines as to what areas are sensitive and what areas could be designated for, you know, wilderness areas what not. Those type of things and what could be used for development so it could be very helpful to us. As well Mr. Speaker we don't have our environmental assessment legislation in place at this time. From our discussions with our officials that too could take 3 years but safe to say Mr. Speaker that in 3 years we will have that in place. The mining companies and others around this table will say that, you know, Canada has an environmental assessment legislation in place so does Newfoundland. That's pretty good, that's going to protect us. Well Mr. Speaker what have we fought for for 30 years? To get this Land Claims Agreement and get this self government? This is exactly what we fought for. So that we could have environmental legislation in place to address these kind of projects, so that we could have a Land

Use Plan in place that would also address it.

We could go to environmental protests, we could participate. We could agree with that Mr. Speaker but we would be at the mercy of Canada and Newfoundland legislation to do something that we fought for 30 years for. It's not our fault, you know, if you listened to beneficiaries on the street they will tell you, you know, we've waited 30 years for this agreement. You know why they say that? I'll tell you Mr. Speaker why they say that. We waited 30 years for self government, it's because we did wait.

Our negotiators, our elected officials of the Labrador Inuit Association believed that when we started this process we could have had an agreement 25 years ago. Such is the process that Canada and Newfoundland dictated to us that caused us to wait 30 years. That's why our people say we waited 30 years. Mining companies are going to say well you guys you don't have your work done, you don't have your Environmental Assessment, your Land Use Plan we can't wait for that! Well Mr. Speaker we can and we will.

Assembly: Hear, hear!

Mr. Andersen: We have worked too hard, too long to get this agreement and form a self government in place. What the Minister is proposing here is caution. If we make a mistake that we should err on the side of caution. We should not and as the Member for Makkovik said these exploration jobs will, they will disappear same as what happened in Voisey's Bay. Exploration companies all over our land, when there is a mine the number of jobs they go right down. There is no guarantee that these

exploration jobs that people have today that they are questioning that mining companies are putting in their heads. Go question your Member. Well if the exploration disappears what are they going to do for me? Well if there is a mine the exploration is going to disappear anyway and then there will be a mine, then there will be more, the jobs will become more skilled, what training programs have the exploration companies put in place for this activity that's going on? None, practically none. Hire people as a driller's helper and call that training. Oh, that's how the training is done anyway. You know it's not something they invented or that they had to spend extra money on. They're spending that anyway Mr. Speaker.

What the Minister is asking for is again it's not a ban on uranium mining or milling, it's not a ban on exploration, it's a moratorium. It's a temporary thing that will be reviewed within 3 years when we have our legislation in place. When we are satisfied, we're satisfied that this because this is the amount of time that we believe we need to develop the tools environmental legislation, the land use plan and the capacity.

We don't even have the resource as the Member for Upper Lake Melville pointed out to hire the people that we need. Our Lands and Resource people, they are working day and night. They are trying to deal with this uranium issue when there are other things that are important to our people at the same time like the fishery, quarries and other exploration in other areas in Labrador. We don't have the tools at this time Mr. Speaker to fully address what's happening and be able to say oh boy, Canada and Newfoundland they are going to protect us here and so what.

We waited 30 years, we don't have to have our own environmental legislation in place boy, we're protected. Well we're not.

That's what we worked for, we worked for to govern ourselves and make our own decisions. I support, I support the bill and I know that it will be hard on some because of the, this has created employment in some communities. Members spoke of children and grandchildren Mr. Speaker well, I'll like to be in the position that I was not prepared at this time to sacrifice the future for 12-15 years of work and then to end up with nothing.

I truly believe that within 3 years we will have the necessary tools and the legislation in place that will properly protect us. I have to say Mr. Speaker that I'm not totally opposed to uranium mining and milling as perhaps some are sitting around this table but perhaps at this time I'm certainly not comfortable with what we have in place and I think that Members should seriously think about the legislation that we have to protect our lands and to protect our people, protect our future before they vote on this bill, thank you Mr. Speaker.

Mr. Pottle: Does any other Member of the Assembly wish to speak to the bill at this point in time? The Chair recognizes the Ordinary Member for Rigolet the Minister of Education and Economic Development.

Mr. Shiwak: Thank you Mr. Speaker, let me first say this process has been difficult, this decision is very hard. There's people on both sides of it, I respect all opinions. I know that there's troubles in our communities and we are getting divided on it and I'd also like to

say we care very much about our future generations and, excuse me, our land.

For me this is not a vote for or against a uranium mine this is a vote for or against this moratorium. I understand the need for Minister Barbour to establish environmental assessment act and legislation and but I don't know if we need a moratorium to do that. I believe that we encourage the development of the environmental assessment act and the harmonization with the federal and provincial government and the terms and the timeline of the Department of Natural Resources.

Let them take their time, let them develop it on their own terms, on their own timeline without a moratorium. When the company goes to environmental assessment, if they go on and we're not ready they go on and they get federal and provincial approval maybe or maybe not but they come to us and we say nope, we haven't developed it yet. We are not ready to develop, we don't have ours done so we're not going to approve it. Cannot, can we not to that without a moratorium?

I think for me a moratorium is like Mr. Russell, the Member for Upper Lake Melville said. It's impact it will have on economic development outside of uranium mining and milling. It's going to impact how nickel exploration explorers come to our land. They're going to see this as "wait a minute, these guys are putting a moratorium on this right now, maybe they're going to do the same thing for us". Maybe there's a forestry industry coming into place, maybe they'll do the same thing. It's a big concern, it's not that I'm for uranium mining or against it or for or against Makkovik or Postville anything like that.

This is concern for me, this is, this moratorium will have an impact on future investments and developments on other areas of Nunatsiavut.

I just think that we can establish and maybe I'm wrong but I think we can establish environmental assessments, acts and legislations without a moratorium that will protect us that when we're ready to go to the environmental assessment that it will give us the chance.

Consider projects at that time as they come and give them the opportunity to show them that they can develop whatever they're going to develop and if they can't show us they're going to develop it we say no but at least say Nunatsiavut is open for business, come to us, give them the opportunity to show what they can do but at the end of the day we have the right to say no. The Labrador Inuit of Nunatsiavut will do business on their own terms. I believe that we have that right and we know we need to show that message.

I think we can develop what the Department of Lands and Resources want to develop without a moratorium, without impacting other economic developments in the future. We have the right to say no, I will support whatever decision this Assembly makes whether it's for the moratorium or against the moratorium and I will support Minister Barbour and the Lands and Resources and will give him all the support I can in the future for helping him with whatever decision the Assembly makes. Thank you Mr. Speaker.

Mr. Pottle: If there is no other debate, the Chair recognizes the AngajukKâk for Nain.

Mrs. Erickson: Thank you Mr. Speaker, I've been sitting here listening to everybody and Mr. Barbour I have the most utmost respect for you and what your department is doing and trying to do. I don't envy your department and your position at all but I think that we as a government, as an Assembly we have to look at what we have in front of us.

The First Minister, the Acting President spoke of, you know, what the people before us had gone through to get to where we are today through the Constitution, through the Agreement, through the existing Lands Act and I think what we have to do, what I believe that we have to do as an Assembly is trust in what they have laid as the groundwork for us. We have to trust our Constitution, we have to trust the Agreement, we have to trust the Lands Act and what it has in place and given us power to say no to any development regardless of what it is.

We have control over our own lands right now and we have that in the work that was done before in the Constitution and in the agreement. The moratorium I think with the Land Use Plan and the development of the Land Use Plan there is already a ban or an unofficial moratorium with the Land Use Plan. You know, until the Land Use Plan is done in 2011 there's going to be no development so I don't think we need a moratorium to state that from what I understand or maybe I'm missing something but from what I understand the development of the Land Use Plan, until that's completed there is no development whether it's uranium, whether it's Willy Wonka's Chocolate Factory, nothing. And even if there is we have the ultimate say in what is, what

we have as our bible our Constitution and our Agreement and our Land Use to say no to anything. We are a government, we have that right, we have that backing of what, you know, the 35 years have done for us. We have that and that's all I have to say.

Mr. Pottle: The Chair asks one more time is there a Member who would like to speak further to the bill? The Chair recognizes the Minister of Finance, Human Resources, Status of Women and Information Technology.

Mrs. Gear: Thank you Mr. Speaker, Mr. Speaker we've been through this the last couple sittings. We've had time to go back to our communities to talk to our constituencies and I think that after haven spoken to my constituency I feel that we, right now, maybe we don't need a moratorium. My people is saying to me "look, what's Nunatsiavut going to do for me if I have no job tomorrow? Are they going to put food on my table?" and my answer to them is I don't know because I don't know.

My heart goes out to these people. We've been like, almost like a have not province for years and years and years. Now we can say we can let them go, we can let the mining company go I think with their environmental assessment. We have our Constitution. I think that we can stop them at any time. I think that and we have every right to stop them. I don't think we need a moratorium right now, that's all I have to say, thank you.

Mr. Pottle: If there is no other Member who wishes to speak at this point in time, I'd like...the Chair recognizes the

Honorable Minister of Health and Social Development.

Mr. Flowers: Thank you Mr. Speaker. I, I've been listening here for quite some time and I've been listening to, it seems like to me that some of us are wavering from what was put forth to us in the first reading and I guess I kind of expected that would happen. I mean, we all got to go back to our communities, we all got to talk to our communities, we got to face our people and hear what they have to say and that's what this timeline done it gave people an opportunity to go back to their communities to see exactly or try to get a feel for what their community want.

I done kind of the same thing here, me and the AngajukKâk I mean we tried to hold a public meeting before the first reading. We didn't get very much interest so I went around kind of talking to people on the street just to get a sense of what their feelings are and, you know, it doesn't really, it doesn't really dawn I guess on the people how this community about a uranium mine to them somewhere around Postville/Makkovik and they hear about it and the same was when Voisey's Bay was on the go in here.

I mean you had a few people getting jobs when somebody came along and, you know, kind of said okay we're looking for somebody to go to work here or wherever. So, I guess I got to vote today, I got one vote today to make up my to do, you know, to make for the addition for the people of Hopedale and I do know that when I do make that vote not everybody's going to be happy. Not everybody is going to be pissed off either I don't think. So, I'll make my vote known when you make a show of hands and let it be known how I've

always felt about uranium mining in Nunatsiavut or anywhere for that matter because I think that, you know, you'll get a lot of pressure you'll get a lot of people thinking this is the right thing to do this is the wrong thing to do.

But, you know, if they don't like what we does and they can in two years, two and a half years time and three years when the moratorium if it goes that ways over then people can have their voice spoken again and get rid of everybody around this table, you know? So, I think that we got to step up to the plate and vote one way or the other and let it be known and if it's going to please somebody then, you know, you got to be certain in your mind what you think and then live with it. So, I'd like to thank you for the opportunity to speak.

Mr. Pottle: The Chair recognizes the Honorable Member for Culture, Recreation and Tourism.

Mr. Ponniuk: Thank you Mr. Speaker. Listening to these comments and views on this today, it's not a whole lot different from the last sitting. I know there was a timeframe there that we could go back to our constituents, get further information not only with the last sitting but before the last sitting. I never got a whole lot of different information than I did before it's as we all know, it's a very, very difficult thing to deal with. There's pros and cons, being from out of the Land Claims area, I had a few comments about like people saying "well, how is it going to effect us, we're not in the area". Some are saying I got relatives there, folks that lived there I might go back. The sense that I did get is like one of the Members said about the future, the future of our children and

grandchildren and what impact is it going to have on them 30 years down the road.

These jobs are gone and there's, what effects, what after effects will these tailings and whatever else is exposed what's this going to have. I heard different viewpoints obviously from my constituents and the only thing I can say at this point is when the, when it comes down to the vote, it'll be known which way not only, well on behalf of the constituents that's who I will be raising my hand in favor of and it's very difficult for them, it's very difficult for myself and everybody else around these tables but whichever way it goes, we will support a yay or a nay and I guess we'll just take it from there. Thank you very much Mr. Speaker.

Mr. Pottle: If no other Member wishes to speak, the Chair recognizes the Chair of the NunaKatiget Inuit Community Corporation.

Mr. Winters: Thank you Mr. Speaker. Since our, before our last meeting when we first heard of the hearing from the Chamber of Mines and Resources in Happy Valley-Goose Bay I did contact my two counterparts to try to get a public meeting in Happy Valley-Goose Bay but it did not materialize but since that I've been talking to individuals and by Board of Directors. And some of the, the majority of the feedback that I get is like the majority of this table, unsafe deposit of tailings. One individual did say we are a brand new government, we don't even have time, we haven't even have time yet to elect a President. So, having said that the views that I've heard from my constituents is that the same had before that I've got that I will support this bill on behalf of the

constituents that I've seen, I haven't seen a lot. I don't think that anybody has but the ones that did show concern with phone call and e-mails I have to support the bill. Thank you Mr. Speaker.

Mr. Pottle: If no other Member wishes to speak to the motion or the bill at this point in time I would like to call a recess for lunch so that we can have some more time possibly, if you need it, to mull this over. When the House reconvenes at 1:30 we will do a clause by clause review of the bill and if necessary put the issue to a vote. At this point in time I'd like to call a recess for lunch and we will...

Mr. Broomfield: I am assuming that during second reading the clause by clause review was completed, the last stage is debate and the only issue we have to deal with now is to call a vote on the debate. Thank you Mr. Speaker.

Mr. Pottle: Conferring with the Clerk of the Assembly and the advisor to the Clerk of the Assembly it has been brought to my attention that the bill did not receive a clause by clause review during second reading therefore we will proceed with second reading, clause by clause review of the bill after lunch. The Chair recognizes the Minister of Natural Resources.

Mr. Barbour: Yes, and thank you Mr. Speaker for calling a recess before we go clause by clause or whatever the process that we have to follow, Mr. Speaker, and I thank you for calling the recess because as the Minister proposing the bill, I get to have last comments before it goes to vote and I just want to speak with my officials in clearing up some, I

think, maybe misunderstanding out there but I just had to make sure that I am fully covered off in maybe some misunderstanding there that I want the Assembly to understand fully before we take it to vote, thank you Mr. Speaker.

Mr. Pottle: At this point in time I would like to adjourn the House until 1:30.

Lunch break.

Mr. Pottle: Good afternoon, I'd like to call the House back to order. Prior to asking the Minister to closed debate, I'd like to have the opportunity to ask any other Member who has not spoken so speak if they so choose. If there is no other Member who wishes to speak to the bill, I would like to ask the Minister of Land and Natural Resources if he wishes to close debate on this bill.

Mr. Barbour: Thank you Mr. Speaker, there is a number of things that in listening to arguments for and against the bill itself I'd just like to point out a number of things. First and foremost, obviously, not just Aurora Energy but exploration companies in general have been lobbying Assembly Members that an Environmental Assessment can proceed while we're doing our own Environmental Assessment Act, while we're doing our own Land Use Plan under the Final Agreement which is required by accepting an Environmental Assessment for a mine/mill in the Michelin Lake area. I really feel that this would compromise the Land Use Plan because by accepting an Environmental Assessment, basically we're looking at a project in the absence of a Land Use Plan first and foremost, that is first and foremost.

The Final Agreement points out that there can be no major development without the Land Use Plan by accepting and Environmental Assessment potentially we're accepting a major development without a Land Use Plan, make that absolutely clear.

Another argument that I've heard earlier is that we're sending a wrong message to all investors whether it in uranium or other sector, other mining or other development. I will point out that this bill is specific to mining of uranium, mining and milling of uranium not other. The bill is specific to mining and milling of uranium, make that point clear and we can do our own PR in terms of letting the investor community know that's exactly what we're doing.

I, on a personal level, I like the First Minister, the Acting President, I'm not anti-development, I'm not anti. I'm am responsible for developmental, in the absence of having all of the answers or the answers I can get my hands on and I still don't have them then I cannot just blindly go into a development that potentially has some very negative impacts, potentially.

When, in terms of working in House, in terms of working with a number of senior officials we've seen in the Nunatsiavut Government in the last week to 10 days in trying to send out a message that I go back to the point of we're sending a wrong message to the investor community, the answer is no. The message we're trying to send to the investor community is that this is not a free for all here, that we can do, that they can do anything they want to here, on Labrador Inuit Lands. And just a point about in parallel with getting Environmental Assessment Act in place and an Environmental Assessment on a

project, on a major project in the absence of a Land Use Plan, I really and seriously feel that the Land Use Plan would be compromised.

Now, I just hope that that's understood fully and the last point that because Aurora Energy, and I know that they have been, I've met with them myself last week. The message that they have been sending out has been this one: while the one message that we've been fairly silent on other than internally, I want this Assembly to understand that Aurora Energy is not a mining company. They have never operated a mine and a mine of this nature at that. I want that message understood.

I really think that if it goes to Environmental Assessment the federal government and the provincial government accepts their project. That those mining companies out there will be vying to buy Aurora Energy as happened with Voisey's Bay because the exploration company that put themselves on the market in Voisey's Bay were not a mining company. I want this Assembly to understand that Aurora Energy is not a mining company.

So, those are my last points Mr. Speaker just that in the Assembly feeling that they've accepted an Environmental Assessment for a major project in the absence of a Land Use Plan and then still trying to do Environmental Assessment Act for Nunatsiavut and Labrador Inuit Lands that not only have we compromised ourselves but we're putting ourselves in a position that any other company can come in and do this to us. My last points, thank you Mr. Speaker.

Mr. Pottle: Thank you Mr. Minister. That concludes debate on the bill. The next procedure for the House is for a clause by clause review of the bill and I will be calling each clause in turn. Once the clause by clause review is completed, then I will ask the Assembly if it is in favor of the bill as a whole. If there is not consensus, I will then call a vote on the bill as a whole. We will now proceed to clause by clause review. *Bill 2008-03 An Act to Amend the Labrador Inuit Lands Act IL-2005-14. Clause 1 Subsection 2.1 (1) of the Labrador Inuit Lands Act is deleted and replaced with the following.* Are there any commentary on clause 1? If there is no commentary on clause 1 we will proceed...sorry, the Chair of the Sivunivut Inuit Community Corporation.

Mr. Tuttauk: Thank you Mr. Speaker, this is just for clarification purposes. I don't know if this is the forum for this but questioning written approval from the various, in Section "B" is specifies written approval from Nunatsiavut Assembly and "C", its approval from the Executive Council and then "E" it's in Resolution from Nunatsiavut Assembly again. Just a clarification, why is there a separation of those? Shouldn't, well, my question is if we're looking for approval shouldn't it be from either one of them, not both?

Mr. Pottle: The way the Acts, the Act reads Section 2.11 (1) a through b requires written approval from the Nunatsiavut Assembly, Subsection "C" requires written approval of the Executive Council. Subsection "E" requires a waiver of a resolution by the Nunatsiavut Assembly. These approvals whether they are through the Nunatsiavut Assembly or the Executive

Council is relation, in relation to the sections and the subsections as indicated in the act, if that clarifies your question. That's the intent of the act, it's meant again to be under 2.11 (1) a through b written approval of the Nunatsiavut Assembly. Subsection "C" requires written approval of the Executive Council so that they are two and different separate sections that require different approval processes either through the Assembly or the Executive Council.

Mr. Tuttauk: Thank you Mr. Speaker but my question is why is there a separation from the Assembly and Executive Council? That's just my question that I have.

Mr. Pottle: Maybe I could ask the Minister of Land and Natural Resources to speak to the issue?

Mr. Barbour: I'll give it a try, the Member for the Sivunivut Inuit Community Corporation is asking two things. One, when it goes to the Nunatsiavut Assembly being this Assembly usually we're talking a much bigger thing. When you refer to "C" without the written approval of the Executive Council and usually I go to the Executive Council on exploration permits which is allowed as it stands right now. When I go to something else that requires the consent and agreement of the Nunatsiavut Assembly, it would be something much outside of the, that's not already happening and in this case a proposed mine/mill area that are on Labrador Inuit Lands that would require the consent and the agreement by at least the majority of the Assembly. Now there's some things the Executive Council can do at present and one of

those are the exploration standards and approval of those.

Mr. Pottle: Thank you Mr. Minister. I'd like to remind the Assembly Members that this clause or this section of the act the only new subsection in this that's not already in the current act is Subsection "i" and the purpose of the clause by clause review is not to debate the sections but an opportunity if you so choose to propose amendments to those sections. Are there any further comments on clause 1? If there are no further comments on clause 1 we'll move to *Clause 2, Section 10.7 of the Labrador Inuit Lands Act is deleted and replaced with the following*; Are there any commentary on Clause 2? If there is no commentary on Clause 2 we'll move to Clause 3. *A new Section is added as Section 1.9 of the Labrador Inuit Lands Act as follows*; Are there any commentary on Clause 3? If there is no commentary on Clause 3 this concludes the clause by clause review therefore is there a consensus that the Assembly is in favor of approving Bill 2008-03 An Act to Amend the Labrador Inuit Lands Act?

Assembly: Yay!

Nay!

Mr. Pottle: Obviously there is no consensus of the Assembly in favor of approving Bill 2008-03 therefore I will call a vote on the bill. Those Members in favor of approving Bill 2008-03 An Act to Amend the Labrador Inuit Lands Act please raise your hands. Those Members opposed to approving Bill 2008-03 An Act to Amend the Labrador Inuit Lands Act please raise your hands. As a result of the vote, there are 8 Members in favor of approving the Bill

to Amend the Labrador Inuit Lands Act and 7 opposing therefore the bill has had second reading.

At this point in time I would like to thank the Members for their candidness and their openness to debate this very sensitive issue. I commend your thinking and your courage for showing your support or non-support on this bill. Therefore Bill 2008-03 An Act to Amend the Labrador Inuit Land Act has been approved by the Assembly. At this point in time, the next process in our proceedings will be asked the Acting President of Nunatsiavut will be asked to give assent to Bill 2008-03. Mr. Acting President, the Assembly has given second reading to Bill 2008-03 and wish to present the Bill for assent.

Mr. Andersen: Thank you Mr. Speaker and Members, by the authority vested in me under the Labrador Inuit Constitution I hereby grant my assent to 2008-03 An Act to Amend the Labrador Inuit Lands Act IL-2005-1. Thank you Mr. Speaker.

Mr. Pottle: Thank you Mr. Acting President, at this point in time, the Deputy Speaker concedes the Chair to the Speaker of the Nunatsiavut Assembly.

Mr. Broomfield: This concludes the Orders of the Day that the Assembly had to deal with for, for this sitting so at this time I will declare that the 9th sitting of the Assembly is closed, thank you.

Assembly Session is adjourned on April 8, 2008 at 2:26 p.m.