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The Honourable Jackie Jacobson, Speaker

Legislative Assembly of the Northwest Territories

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TABLE OF CONTENTS

PRAYER	3347
TABLING OF DOCUMENTS	3347
NOTICES OF MOTION	3347
2-17(5) – Referral of Northwest Territories Electoral Boundaries Commission 2013 Final Report to Committee of the Whole (Yakeleya)	3347
3-17(5) – Extended Adjournment of the House to February 5, 2014 (Yakeleya)	3347
4-17(5) – Appointment of Languages Commissioner (Ramsay)	3347
MOTIONS	3348
2-17(5) – Referral of Northwest Territories Electoral Boundaries Commission 2013 Final Report to Committee of the Whole (Yakeleya)	3348
CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS	3348
REPORT OF COMMITTEE OF THE WHOLE	3385
ORDERS OF THE DAY	3385

YELLOWKNIFE, NORTHWEST TERRITORIES**Tuesday, November 5, 2013****Members Present**

Hon. Glen Abernethy, Hon. Tom Beaulieu, Ms. Bisaro, Mr. Blake, Mr. Bouchard, Mr. Bromley, Mr. Dolynny, Mrs. Groenewegen, Mr. Hawkins, Hon. Jackie Jacobson, Hon. Jackson Lafferty, Hon. Bob McLeod, Hon. Robert McLeod, Mr. Menicoche, Hon. Michael Miltenberger, Mr. Moses, Mr. Nadli, Hon. David Ramsay, Mr. Yakeleya

The House met at 1:30 p.m.

Prayer

---Prayer

SPEAKER (Hon. Jackie Jacobson): Good afternoon, colleagues. Members, I understand the will of the House is to stand down select orders of the day and to proceed to Committee of the Whole at an early opportunity. Mr. Yakeleya.

MR. YAKELEYA: Mr. Speaker, I seek unanimous consent to stand down the rules pertaining to our orders and proceed directly to item 14, tabling of documents.

---Unanimous consent granted

MR. SPEAKER: Item 14, tabling of documents. Mr. Yakeleya.

Tabling of Documents

TABLED DOCUMENT 4-17(5):
NORTHWEST TERRITORIES
ELECTORAL BOUNDARIES COMMISSION
2013 FINAL REPORT

MR. YAKELEYA: Mr. Speaker, I wish to table the Northwest Territories Electoral Boundaries Commission 2013 Final Report. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Yakeleya. Item 15, notices of motion. Mr. Yakeleya.

Notices of Motion

MOTION 2-17(5):
REFERRAL OF NORTHWEST TERRITORIES
ELECTORAL BOUNDARIES COMMISSION
2013 FINAL REPORT TO
COMMITTEE OF THE WHOLE

MR. YAKELEYA: Mr. Speaker, I give notice that on Thursday, November 7, 2013, I will move the following motion: I move, seconded by the honourable Member for Inuvik Boot Lake, that Tabled Document 4-17(5), Northwest Territories Electoral Boundaries Commission 2013 Final Report, be referred to Committee of the Whole for consideration today.

MR. SPEAKER: Thank you, Mr. Yakeleya. Mr. Yakeleya.

MR. YAKELEYA: Mr. Speaker, I seek unanimous consent to waive Rule 44 and proceed with the motion I gave notice of earlier today.

MR. SPEAKER: Mr. Yakeleya, we are still on notices of motion. Mr. Yakeleya.

MOTION 3-17(5):
EXTENDED ADJOURNMENT OF THE HOUSE
TO FEBRUARY 5, 2014

MR. YAKELEYA: I give notice that on Thursday, November 7, 2013, I will move the following motion: I move, seconded by the honourable Member for Thebacha, that, notwithstanding Rule 4, when this House adjourns on November 7, 2013, it shall be adjourned until Wednesday, February 5, 2014;

And further, that any time prior to February 5, 2014, if the Speaker is satisfied, after consultation with the Executive Council and Members of the Legislative Assembly, that the public interest requires that the House should meet at an earlier time during the adjournment, the Speaker may give notice and thereupon the House shall meet at the time stated in such notice and shall transact its business as it has been duly adjourned to that time.

MR. SPEAKER: Thank you, Mr. Yakeleya. Mr. Ramsay.

MOTION 4-17(5):
APPOINTMENT OF
LANGUAGES COMMISSIONER

HON. DAVID RAMSAY: Thank you, Mr. Speaker. I give notice that on Thursday, November 7, 2013, I will move the following motion: Now therefore I move, seconded by the honourable Member for Mackenzie Delta, that pursuant to Section 15 of the Official Languages Act of the Northwest Territories, Snookie Henrietta Catholique of Yellowknife be appointed as Languages Commissioner;

And further, that the appointment be effective December 1, 2013.

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Ramsay. Mr. Yakeleya.

MR. YAKELEYA: Mr. Speaker, I seek unanimous consent to waive Rule 44 and proceed with the motion I gave notice of earlier today.

---Unanimous consent granted

MR. SPEAKER: Item 16, notices of motion for first reading of bills. Item 17, motions. Mr. Yakeleya, please proceed with your motion.

Motions

MOTION 2-17(5):
REFERRAL OF NORTHWEST TERRITORIES
ELECTORAL BOUNDARIES COMMISSION
2013 FINAL REPORT TO
COMMITTEE OF THE WHOLE,
CARRIED

MR. YAKELEYA: WHEREAS Tabled Document 4-17(5), Northwest Territories Electoral Boundaries Commission 2013 Final Report, has been tabled in this House;

NOW THEREFORE I MOVE, seconded by the honourable Member for Inuvik Boot Lake, that Tabled Document 4-17(5), Northwest Territories Electoral Boundaries Commission 2013 Final Report, be referred to Committee of the Whole for consideration today.

MR. SPEAKER: Thank you, Mr. Yakeleya. To the motion.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question has been called.

---Carried

Tabled Document 4-17(5) is moved into Committee of the Whole for consideration today. Item 18, first reading of bills. Item 19, second reading of bills. Item 20, consideration in Committee of the Whole of bills and other matters: Tabled Document 1-17(5), Supplementary Estimates (Infrastructure Expenditure), No. 1, 2014-2015; and Tabled Document 4-17(5), Northwest Territories Electoral Boundaries Commission 2013 Final Report, with Mrs. Groenewegen in the chair.

Consideration in Committee of the Whole of Bills and Other Matters

CHAIRPERSON (Mrs. Groenewegen): I'd like to call Committee of the Whole to order. What is the wish of the committee today? Ms. Bisaro.

MS. BISARO: Thank you, Madam Chair. We wish to deal with Tabled Document 4-17(5), final report of the Electoral Boundaries Commission.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Ms. Bisaro. Is committee agreed?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mrs. Groenewegen): Agreed, thank you. I will go straight to general comments on Tabled Document 4-17(5). General comments. Mr. Bromley.

MR. BROMLEY: Thank you, Madam Chair. I'm pleased to participate in this debate today and discussion of the final report. I'd like to thank the Electoral Boundaries Commission for their work. Trying to penetrate this quagmire, it is certainly never an easy job or an easy process, but I think we do recognize that and try and provide some helpful guidelines, specifically the plus or minus 25 percent goal for fair representation; that is every riding should be within 25 percent of the mean population, the average number of people per riding in order to be considered fair representation, and that we should give consideration to the integrity of language and cultural groups as relevant factors in the considerations of these boundaries.

It's clear from the past decisions that overrepresentation, that is where a riding comes in considerably below the 25 percent guideline from the mean number of people for all ridings, is acceptable; whereas, under-representation, that is where the population is greater than 25 percent above the mean riding population, is much less so. This differentiation to me has always been perplexing as a situation, where a riding is highly overrepresented relative to other ridings seems to me as unfair, and certainly to all those people living in under-represented ridings. That's a long and convoluted way, unfortunately, of saying I really think we should stick within the minus 25 percent to plus 25 percent guideline here, something that has not been done in the past.

As we've heard, MLAs provided guidance for the development of the electoral boundaries report and specifically requested consideration of three scenarios, solutions, with 18 MLAs or constituencies, or 19 or 21. To my mind, we really failed to provide sufficient guidance by stopping at that point. I believe we should have requested several options for each of these proposals. Of course, there probably are an infinite number of options or scenarios that could result. I think that by simply implying that one was sufficient, we failed a little bit in giving clear direction there.

As a result, we have three options that for me provide little satisfaction in terms of sufficient improvement in fair representation across all ridings. There are understandable reasons for this, some of which I've mentioned, but they give little comfort towards accepting the partial solutions that currently seem to be available to us in the final report.

One of the additional reasons, I think, is our unwillingness to cross language and cultural boundaries, at least in some areas, despite highly unfair representation numbers. It begs the question,

at what point does fair representation overcome cultural and language group considerations.

Again, using Weledeh as an example, the Yellowknives Dene First Nation of Ndilo and Detah have indicated their preference to me, and to the committee, I believe, to remain within a Yellowknife riding rather than being affiliated with more distant communities despite strong cultural ties with those other communities. To some degree, however, all of Yellowknife ridings host Aboriginal residents with a variety of cultural and language affiliations.

Despite changes made in the past, some ridings have remained substantially under-represented and a good example of this, again, is the Weledeh riding. Currently, it is the most disparate with a population at 42 percent above the main riding population for the NWT. Now, given other disparities such as Tu Nedhe, this means that a resident in Tu Nedhe has effectively had four times the representation that one of my constituents have had in Weledeh. Again, not a desirable situation.

Now, the population of Weledeh has been increasing throughout my six-year-plus term to date and it was clearly already under-represented from the start. As we speak, residential construction is rampant in Weledeh, particularly in the Niven Lake part of the constituency and I note that it's also moving right along and I think it's in Kam Lake.

Another under-represented riding is Monfwi, also substantially under-represented at almost 40 percent above the mean riding population. I believe it's been under-represented, again, for a long time.

There have been some attempts to reduce the number of under-represented ridings with the options before us, although in Yellowknife all seven or eight proposed ridings cover just below the 25 percent mark in the options presented in the report. As indicated, with the considerable residential construction happening in parts of Yellowknife, you can expect that at least one or two will quickly grow to exceed the 25 percent guideline soon after we make a decision.

Population growth rate in ridings is one of the factors that should be considered in setting boundaries according to the act, Section 9, and I did not see this discussed in the report.

Given a generally stable NWT population over recent years, population changes in ridings would be most likely to be caused by movements of people such as into regional centres or the capital. Ultimately, it is important for representation to reflect these population shifts.

Similarly, some ridings have remained highly overrepresented over time, including Tu Nedhe, Deh Cho and the Inuvik ridings as examples. There is a tendency for this overrepresentation to continue for all of these ridings in the options presented in the boundaries report. This is a bit mysterious to

me. Again, it seems to be acceptable to have people overrepresented for some reason by those making these sorts of recommendations.

Under the current situation, as things are now the status quo with 19 ridings, 10 of them are unfairly represented, five over and five under-represented. With the 18 seat option, it becomes four and one respectively. With 19, worst case, five and two that are under-represented, five over and two under. Finally, with 21 constituencies the most improvement is seeing three overrepresented and one under-represented. So, given that, my preference would be to support the scenario for 21 electoral districts, although, as I mentioned, I am not enamoured with any particular one.

Should we consider a 21 electoral district option? I think the most common concern I've heard is the additional cost, so I'd like to address that issue.

I think we do have a lot of representatives for a modest number of people. However, we are over a sixth of Canada and we represent an amazing diversity of peoples and cultures and languages and geographic areas. I believe the cost of fair and democratic representation is of the highest priority and a legitimate cost of democracy. Also, the cost would be a tiny fraction of the GNWT budget, which will likely average well over \$1.8 billion over the course of the next eight years.

Finally, and less importantly in this case, the two new ridings proposed would be in Monfwi and Yellowknife and, as such, would be less costly than new ridings in other remote areas of the NWT, but again, the costs are very modest relative to the budget and the cost of good representation and democracy. While a 21 seat option does not address the Tu Nedhe issue of gross overrepresentation or the Sahtu's under-representation, most of the other issues are largely addressed. Again, none of them are particularly pleasing, but that may be the nature of the question we're trying to address.

I have about 30 more seconds. I will stop here if you want and continue later, or complete my statement. Mahsi.

CHAIRPERSON (Mrs. Groenewegen): Go ahead, Mr. Bromley. If it's only 30 seconds, let's hear the rest of it.

MR. BROMLEY: Thank you, Madam Chair, and thank you, colleagues. I'll wrap up here. I wasn't watching the clock.

We need to increase fairer representation across our territory while being as sensitive as possible to the recognition of cultural and language groups and determining constituency boundaries. We need to empower the next commission to grapple with and confront the likely need to cross some cultural or language group boundaries in order to achieve more fair representation.

As an MLA whose riding has the highest population by far, and with the greatest diversity of cultures, lifestyles and community types, I can tell you that representing a diverse population is a good thing. Representing Weledeh has helped me see the NWT from many diverse viewpoints and that has convinced me even more of the importance of fair representation for all as the fundamental basis for good decision-making that benefits all.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Bromley. Before I go to the next person on my list for general comments, in the visitors gallery today I would like to recognize several members of the Tlicho leadership, including Grand Chief Eddie Erasmus and our former colleague in this House, Mr. Henry Zoe. I'd also like to recognize the mayor of Yellowknife, His Worship Mayor Heyck. Welcome to the Chamber today.

General comments. Ms. Bisaro.

MS. BISARO: Thank you, Madam Chair. I, as well, want to start out by thanking the members of the commission, Justice Smallwood, Mr. Furlong and Mr. McCrea. I think they were charged with a very difficult mandate, and as members of the Electoral Boundaries Commission, I think they did do a good job.

We've heard from Mr. Bromley. I'm sure we will hear lots from other Members in the House on the three recommendations that are before us. I have to ask, ask myself, and I have to ask it out loud: What are we trying to achieve? The answer, in my view, is that we're trying to achieve equity and parity of voting power. We're trying to put in place the right to effective representation, and it's a difficult task, given all the things that any commission has to consider. Mr. Bromley talked about a few of them, but I'm going to quote from the commission's report, which said, "factors such as geography, community interest and minority representation may all need to be taken into account." I think as Members living and working within this grand territory, I think we all understand that.

For me, the status quo is not an option, and on this the commission and I agree. Our current situation demands the correction of two obvious representation differences. One riding is 40 percent over and one riding is 40 percent under-represented and those need to be corrected. The status quo also demands more and better representation of Yellowknife ridings or in Yellowknife ridings. All the Yellowknife ridings are near or over the allowable 25 percent under-representation that's been determined by the Supreme Court of Canada to be acceptable.

I've considered the commission's report several times, and truth be told, I don't feel that any of the three options presented achieves the sought after goal. I have looked at the options and see pros and

cons to each one of the three of them. I'd like to sort of talk about some of those and go through them a bit.

The 18 seats option gives us only one serious under-representation and that's the riding of Monfwi. All Yellowknife ridings are still considerably under-represented. K'atlodeeche and Enterprise are moved into the Hay River riding, which makes sense to me. I believe that's where they belong. The number of MLAs is reduced by one, which some say is a positive because it will give us more money for programs. The combination of Tu Nedhe and the Deh Cho ridings creates a very diverse riding and is not wanted by some of those people who would be in that riding.

The 19 seats gives the largest number of overrepresented ridings of the three options. We still have one seriously under-represented riding, again Monfwi. All the Yellowknife ridings are still considerably under-represented. The overrepresentation in the Tu Nedhe riding, as referenced by Mr. Bromley, is addressed, but moving Ndilo and Detah into that riding creates another situation, a diverse riding where nobody is happy.

The 21 seats option gives us the least number of overrepresented ridings. I think Mr. Bromley referenced that as well. It solves the problem in the Monfwi riding by creating a new riding in that area. All Yellowknife ridings are still under-represented, but there is greater voter parity because an eighth seat is created. The percentage of under-representation is lowered somewhat. This option allows for future growth in Yellowknife while voter parity is maintained. There is an increased cost to government because two new seats are added. That's kind of a bit of my own analysis of what's in there. There are lots of other things, I'm sure, that other people may add in or take out, but that's what I got from reading the report.

To the issue of cost, as well, there have been minor discussions about costs and I have to address it, as well, as did Mr. Bromley. To those who decry the cost of two more MLAs, I have to ask them at what price comes democracy. In my view, democracy is a costly business, but if effective representation and voter parity demands more Members, then I believe it is well worth it. I think Mr. Bromley said it's a legitimate cost and I agree with that.

The commission report discusses over and under-representation. It quotes from the 1999 NWT Supreme Court decision. Mr. Bromley spoke to how they perceived over and under-representation and what's considered acceptable. I'd like to quote from three passages, or share three passages that are in the report. The first one says, "I am satisfied that there probably is justification...for the present overrepresentation of the electoral districts whose

percentage variations in population are below the average." So, overrepresentation basically is okay.

The second phrase: "Deviations from voter parity can be justified provided that effective representation is not sacrificed." We see that in every one of these three options that we're looking at.

The third phrase, "Overrepresentation is preferable to under-representation." That's from the 1999 Supreme Court decision. I don't necessarily agree with the way that that is presented, but the precedent is there. Overrepresentation is considered okay; under-representation is not. I think that in looking at the decision we are trying to make today, all Members of the House must consider those statements and they have to seriously consider them as we try to make our decision.

In looking at all the three options, the bottom line for me is that I have to respond to my constituents' concerns, and I have to support my belief on what is best for my community, my community of Yellowknife.

Lastly, I want to address the idea that's been talked about for some months now since the report has been made public, and that idea is to change our legislation to make recommendations of any future Electoral Boundaries Commission binding. I agree with that change. Currently, I find this to be an extremely political exercise. Any decision by MLAs about themselves is highly politically motivated and anybody that denies that is dreaming, I think. Maybe they're on crack like Mayor Ford.

I feel it's important that we move this discussion from the Chamber and we accept that an independent commission can and does do an excellent job, and that the recommendation of an independent commission is better than any decision that this Chamber can make.

I look forward to the comments from my colleagues as we debate this issue. I know it's going to be a difficult decision, but I hope that we will all consider what is best in the interests of the territory as a whole. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Ms. Bisaro. Next on my list for general comments I have Mr. Nadli.

MR. NADLI: Thank you, Madam Chair. I, too, would like to thank the Electoral Boundaries Commission for the report. In that report, obviously, I think everyone is aware, there are three scenarios of moving forward, either 18, 19 or 21.

Unfortunately, this process lacks a real needed effort to put forward constructive opportunity for people of the North to be involved with the building of the nation of the NWT as they advance forward. What I mean is there is a complete lack of

constitutional development for interest to even meddle, perhaps, with how it is that we as Northerners live together here in the NWT.

Constitutional development, in my mind, would define the roles of the central and regional governments and at the same time consider, of course, the recent Aboriginal governments that have made efforts to settle their land claims and become part of the larger mosaic of Canada.

Recently, we experienced the most significant transfer of responsibilities from the federal government to the GNWT. In my mind, that cuts into the vein of how it is that this institution of the GNWT functions as a government.

This is from my perspective. This institution that we value is the GNWT. It is, like colleagues have made reference to, a true political process and, unfortunately, we don't acknowledge that. We have placed greater efforts in terms of trying to advance how it is that we're going to live together in the future. Unfortunately, because we have bypassed the process, we're letting the courts decide how it is that we're supposed to live together.

Of course, there are some realities. The biggest one is the NWT population has remained the same for some time. That's a stalwart point of reference. It's very clear that the population of the NWT has remained the same for some time.

I think what has value, too, is the tribal organizations that regions have been moved into. For example, the Deh Cho First Nations is comprised of at least 10 communities and, of course, they have a common language and cultural kinship. So, in that instance, the geography and location of how they work together is fairly significant in terms of the view of how it is we're supposed to effectively represent people. For the most part, for my constituents, to get to a community I could spend about two and half hours in a vehicle and visit them and spend some time with them. Of course, they know we represent Aboriginal and non-Aboriginal people and we have to speak two languages. We are served by the highway too. So, the point is, the constituents I serve like the accessibility of the MLAs and that we're available to them to ensure that if you're a part of this institution of the GNWT, then their voice can be heard in the process.

So at this point, I mean, I know this discussion will continue, but those are just my opening general comments. Mahsi.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Nadli. Next I have Mr. Bouchard.

MR. BOUCHARD: Thank you, Madam Chair. I, too, would like to thank the commission for their hard work and all the effort that they've made in looking at the three options that we gave them: 18, 19 and 21. Obviously, the debate includes the court

action requiring it to be within 25 percent over or under. But we also have to look at the territory, the size of the territory, the population of the territory and, I believe, the growth of our territory. We're seeing a decline in the population.

I guess one of the questions or one of the comments is effective representation. We look at these ridings and MLAs have different positions and different jobs. Like myself, I represent half of one community. In my riding, I could probably walk it in a couple of hours. It's probably a few miles in length, but some MLAs have to represent several communities, and most communities they have to fly into.

Again, some MLAs live in Yellowknife here, represent Yellowknife where the population is very dense and you're representing a large group of people, but within a mile or two of each other. Some MLAs are representing several communities and you have to get to those communities. Some of them are very remote. So I think that's a factor that has to be included in this.

I've gone through the pros and cons of each number. Eighteen, I mean, obviously we'd see a reduction in costs, but I think the general public has been very adamant that they don't want to see that many more MLAs. We have some of the lowest numbers as far as representation for MLAs in the country. We travel around and we talk to some of the groups that are around the country that represent 30,000 people, as an example. I mean, I understand that we're small, we're a small territory, but big in land and it's a vast territory to cover. So I understand the numbers that are associated.

The cons of 18, I think there would be melding of a few Aboriginal groups that I don't think would be very effective. There are issues of language. Mr. Beaulieu has talked to us about it. You're eliminating a riding; you're also talking about workload. You know, the workload between Cabinet Ministers, Regular Members, you have one less person doing the work and dividing up the work. As well as the numbers, it's also a numbers game when we sit here in consensus government about if we have 18 Members, there are seven Members on the Cabinet and there are 11 on this side. If we have 18, then it's seven and 10. So the Cabinet, in our consensus government, would only require a couple of votes to move things forward, which I don't necessarily agree with.

The 19 option I see as the most effective one. It's closest to the status quo. I think if we tweak it a little bit, it's giving us options, it's the easiest, the least disruptive. We're not talking about taking on any additional costs. So I guess the cons are, yes, we have a group of two MLAs that are affected, one giving up some and one taking on some. But I think currently, like I've indicated, everyone that I've

talked to in the general public don't want to see more MLAs. So I'm kind of leaning towards that.

The 21 option, I personally don't see a lot of effectiveness to it. We have the public that's out there, we sit here and talk about costs associated, we look at our budgets, we talk about fiscal restraint, we talk about wanting more money for different programs, yet we're willing to take on additional costs for MLAs. I know we're talking about numbers, but numbers aren't necessarily what is happening. We're looking at languages, cultures, there are a whole bunch of different factors.

The cons to 21 also talk about the numbers. Again, the numbers game here in consensus government, we're talking about Cabinet requiring four people to make consensus happen, which would slow down the process of approval of budgets and acts and activities that the government happens. It would give strength to the larger centres, I think, because they would have larger numbers in Yellowknife as MLAs representation, which the people in the regions have concerns with that. We debate on a daily basis about decentralization, the devolution that's just happened. I don't want to pick on my colleagues from Yellowknife, but there has been a lot of job creation through devolution in the capital. The numbers game of adding another Yellowknife MLA is concerning to the people in the regions. Those are some of the things that I have concerns with and I have heard from the general public.

I appreciate the work from the commission, but all three options don't have any said solution. There are still difficulties with each option.

Ms. Bisaro talked about the motion that may come forward about us making it mandatory to take the commission's recommendations as gospel and that we don't have involvement and not to involve the political side of it. But the problem is that there are so many factors to each change that we make. If we change numbers, if we change the lines dividing regions, there are so many factors that I think have to be included at this Legislative Assembly level politically, linguistically, culturally and consensus government-wise. Like I talked about the numbers, if you change one riding, the numbers may change the way we operate as a Legislative Assembly and how this government operates.

Those are some of the comments I have for those three options. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Bouchard. For general comments, next I have Minister Beaulieu.

HON. TOM BEAULIEU: Thank you, Madam Chair. Thank you for the opportunity.

I found this to be a very difficult topic, very difficult report to understand. We have the people from the Northwest Territories, the Aboriginal people that are

impacted by decisions made in this House know where the boundaries should be drawn, individual communities. The 19 seats option, there's something that Akaitcho Territorial Government passed a motion to support and that was to leave the status quo as is. They have difficulty understanding why, with the amount of MLAs, that they would have to take and essentially eliminate one seat from the small communities. That's what 19 does, so they wanted to go to status quo.

Today we are here to look at three options: 19, 18 and 21. In order to make the option that people of Tu Nedhe and some of the people that I spoke to at Detah/Ndilo, and as MLA Bromley indicated, they too don't want to become a part of a riding outside of Yellowknife. They see Yellowknife as their homeland. In the future, they see that Detah/Ndilo, YK Dene could be a majority in a Yellowknife seat, one of the seats here in Yellowknife. The people of Tu Nedhe see that with the population changing and the population migrating to the urban centres, that unless we put good representation and keep good representation for those communities, that's going to continue.

If you look at why a riding like Tu Nedhe needs to have an MLA of their own, all you have to do is look at the social issues and employment rates in those communities. The employment rate in those communities is only 30 percent. When I travel to Tu Nedhe, as I represent the people of Fort Resolution and Lutselk'e, I go visit from household to household. When I visit 30 households in a one-week trip in either of those communities, I come home with at least 30 issues for the government. The people in those communities rely heavily on the MLA. They rely heavily that we have representation in the House. And, as MLA Nadli says, when I travel into those communities, I speak two languages. Sometimes in Lutselk'e I go all day without speaking English. I wonder how an individual that is unable to speak Denesoline or Chipewyan is able to effectively represent individuals. However, that same person that speaks Chipewyan would have a lot of difficulty representing anywhere else that didn't speak the language where there are Aboriginal people that are more used to trying to present their situation, often elders. Often the elders in these communities are living on old age security and they're the main income earners in families, old age security, and that's what they're living on. People live in poverty in those communities. People have been living in poverty in those communities for so long, they don't even know it's poverty. For me to watch the Legislative Assembly say, actually you don't really need individual representation to represent the Chipewyan people, that you can just combine with another riding and that's okay, is actually very hurtful to me.

People recognize at a federal level, as an example, the differences. If we're only concerned about numbers – and I agree people are under-represented shouldn't exist – but at the federal level, as an example, they recognize the difference between people being overrepresented and culture. When you have a federal riding of Brampton, Ontario, of 170,000 people and the average federal riding is 112,000, they are under-represented, but that doesn't mean that the federal government is going to now make a decision to combine Labrador, Nunavut, Northwest Territories and Yukon in order to get the numbers right. They recognize that the 29,000 people in Yukon, the 41,000 in Northwest Territories and the 34,000 people in Nunavut are distinct, different groups that need their own representation.

In 1873, when Canada became a country, Prince Edward Island got four seats. They acquired those seats. Each seat has 34,000 people. That's 69 percent below the average of 112,000, but no one is coming to PEI and saying they are only eligible for one seat now because we have to get the numbers right.

We, as legislators, are here to represent people. Fort Resolution and Lutselk'e have had their own seat for 40 years. When you consider the age of this Assembly, I'm thinking that they've acquired that seat. They have a right to their own seat in this Legislature. They have the right to have their language spoken in this House. It's one of the official languages. With what this Assembly is looking at, if we go to 21 seats within maybe not this election but elections to come, I assure you that there will be no Chipewyan language spoken in this House. [English translation not provided.]

[Translation] Okay, with the people here, it's going to be without us. Okay.

CHAIRPERSON (Mrs. Groenewegen): Thank you. I'll go to Mr. Blake next for general comments.

MR. BLAKE: Thank you, Madam Chair. I, too, would like to thank the Electoral Boundaries Commission. I believe that they went out and carried out the direction this Legislature gave them.

I know many things have changed in this territory over the last two decades. A number of years back there were only 24 seats and we served a larger population. Through that time, many things have increased. A good example is when we were combined with Nunavut, we had the same budget that we have now, pretty similar. Here we are after division, debating whether to move to 21 seats, which is only three less than what was originally serving the people of two territories.

I know a lot of people who are debating here today are concerned with under-representation, but it's very clear through this report that many of the people of the Territories and many times Members

here are always saying listen to the people. The majority of the people would like to see the status quo. Many people feel that there are already too many MLAs. We always get e-mails saying there are too many MLAs; we should be getting rid of some. Those are the e-mails I receive, anyway. I just wanted to bring that forward.

I know we are debating whether to choose 18, 19 or 21 Members. Through the different scenarios it could work with either one, but I would like to support the public and leave this government at 19 Members for the future. If we do actually decide to go with 21 within the next government that we have or within the next eight years, you could see another MLA being added, which, as Mr. Bouchard mentioned earlier, would really throw things off. If we were to go with 21 Members, most likely you will see the cost of this Legislature going up between one and two million dollars. Not only would we have two more MLAs, but we would most likely have another Minister. That's the sort of things that we have to look at here when we're asking these decisions.

Right now, the way this government is operating, I believe it's operating very well. If we were to go down to 18, that would put a larger workload on committees. Right now, with 19 Members and 11 Regular Members, we have enough Members to function with all the committees that we now have in this Legislature. Those are my opening remarks. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Blake. Next I have Mr. Menicoche.

MR. MENICOCHÉ: Thank you very much, Madam Chair. I, too, would like to thank the committee for all the hard and extensive work as they went about the Electoral Boundaries Commission. I do want to say that we're the ones that gave them instructions to look at 18 MLAs, 19 MLAs and/or 21 MLAs. I think it kind of limited them in how they could look at our territory and find the best arrangements for representation. They were kind of limited, so they came back with their recommendations and not all of them are popular. It really didn't fix what we were looking for, which is equal and effective representation in all the constituencies.

However, that's always been the past pressures as well. I think we heard our constituents and they said 18, let's look at 18. Let's have less MLAs. Nobody wants to see government grow, especially Members of the Legislative Assembly, so we looked at 18 and it becomes very politicized only because we are going to have to eliminate one riding. That still did not help out because some regions still have a lot of constituents to represent.

Looking at 19, it's not the status quo, but it's a rearranging of boundaries. I heard clearly from my constituents they don't want to see growth. Rearranging the current boundaries, I think, is a

workable solution. I just want to say clearly for the record, too, that my constituents are listening. The Nahendeh riding is unaffected by this report.

When we looked at 21, it was important for me that not only Yellowknife gets an MLA but the regions get an MLA as well. So if Yellowknife grows by one, then the regions have to grow by one and I think that's what was proposed with the 21 MLA scenario, as well, which is important for parity and political growth in our great Northwest Territories.

Just one further thing, they also recommend that future electoral boundaries be independent, they're the ones that set the future growth, but we're setting a small constituency and in other jurisdictions, even the federal system, I think they're going up by about 30 Members of Parliament in the next election and that's because they've got an independent commission that said you have to go by 30 in order to meet these certain parameters. I'm afraid that going independent like that will have us grow lots of MLAs in the Northwest Territories, just like leaves.

So, I'm not really in favour of an independent commission. At the same time there has to be another route or mechanism in which we look at how much our jurisdiction grows in MLAs for 41,000 people. Constituents have made it clear to me that having 24 or 26 MLAs is over-government, its overrepresentation. So I'm not really supportive of going to independent. There must be another way around it.

With that, those are my opening remarks, Madam Chair. Thank you very much.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Menicoche. Next I have Mr. Moses.

MR. MOSES: Thank you, Madam Chair. Before I begin, I'd like to commend the work that was done by the Electoral Boundaries Commission bringing forth what this government actually gave direction to. With that said, perhaps, maybe in hindsight, we could have actually given a little bit better direction in how this government wanted to proceed on such an important issue that's going to affect representation of our constituents and residents of the NWT moving forward.

The Northwest Territories is very unique in that we have a very diverse culture. I represent many different groups, some that weren't First Nations to the Northwest Territories before and I don't speak their language, I don't practice their cultures, but I do represent them and I feel that I represent them very well in this House. Not just the uniqueness of the Northwest Territories and to have what we have before us today, we do have a decreased population in the Northwest Territories, but one of the recommendations is that we're looking to add two new Members.

That being said, we did have discussions on this on numerous occasions and one thing that I want to bring up to Members of this Assembly is we've got to go through the budget process, whether it's for operations or capital, while we fight to offer better services, programs and infrastructure for residents of the Northwest Territories. If we look at adding any new Members, whether it's equal representation or effective representation, that's something that's been brought up in this House before.

I've worked with Members on this side of the House and that side of the House for the last two years and I feel that each and every Member does a great job in representing their constituents, their ridings, their community or, in some cases, Yellowknife, where I feel they have a great representation of MLAs that are very effective in bringing forth the issues of Yellowknife. Obviously, that's one of the ridings that are being affected with this increase to 21.

Do we need more Members to talk about the issues we're still talking about today? We did have a throne speech yesterday that outlines all the work that this government has done, the 17th Legislative Assembly, and you just have to sit and listen to all the work, everything that's been accomplished in the two years, that's with the numbers that we have now. Do we need to take more money out of the government budget to add two more Members so that we can have more people talking about what we need in the communities? I don't think so. Working with the Members in this House, for me, I've had the firsthand opportunity of seeing the work that Members do.

As for public consultation, the commission did go out, and even before that I want to talk about even the election process. During our election the voter turnout we did have lower percentages of turnouts in some of the jurisdictions around the Northwest Territories. I mean, you have to factor that in too. Why are we going to have more elected leaders when the residents of the NWT aren't coming out and voting in some of the jurisdictions to try to get some of these people in? The public consultation put on by the commission, they did visit 14 communities with only 149 people that came out to these consultations. Yet, we're trying to fight for more MLAs in this House. Twenty written submissions, some of which were by Members of this House. So, I mean, you're going to hear from those same Members today as well.

What it comes down to for me is that in just over two years that we've been working together as a collective 17th Legislative Assembly, I do feel that we've done a lot of work with the Members that are here in the House today. I feel that by adding two new Members, which is one of the recommendations brought forth to us, it will be

taking out possibly program and service dollars, possible infrastructure dollars that our communities need, that the city of Yellowknife needs, and dollars that are not going to be there when we're looking at the next operational or capital budget. Do we need more people sitting around the table talking about needing another school? We already know that. Or that we need more psychiatrists or physicians? Do we need somebody else around the table to say yes we do? No, because we've said it already. Do we need another person to say we need another treatment centre, to say it over and over again? No, because we've all said that. I guess you can pretty well see where I'm going with this.

The report itself gave out a lot of good information. There was even talk in some communities about how come 20 Members wasn't discussed, an increase of one number. Just sticking to the commission, they said no, we were given direction of 18, 19 and 21. Like I said at the beginning of my little talk here, perhaps in hindsight this government could have given a little bit better direction on how to move forward. I know it's all about equal representation, but as I said, we do have a lot of MLAs here and I feel that each MLA brings something unique and they're effective in what they speak about in terms of their constituents that they represent. You look at the population of the Northwest Territories and it's about 43,000 residents. Yet you look anywhere down south and the representation that one Member of the Legislative Assembly has to deal with, and we're talking about, give or a take, a few hundred other constituents. I'm sure that any Member here is capable of doing that, of taking on a little bit more members to represent and bring their concerns to the table in the House.

If we continue to look at the increase, the 21 Members, I feel that the structure of how the Assembly will run will also be different in terms of looking at Cabinet and possibly committees. At this moment, I think you know where I'm going. I think residents of the Northwest Territories see the work that is done in this Assembly and they also feel that we don't need any new Members. Equal representation definitely is a concern here with some jurisdictions, but I feel that if we do add any new Members, it's going to take out of operating and capital budget dollars. We do need services, we do need programs, we do need infrastructure in the communities and in the territory.

So just my opening comments, and once again I thank the commission for the work that we directed them to do. They went out, did their job and came back, and today we're going to make a big decision on where we go from here. I hope all Members take into consideration what each and every Member discusses today because everyone is bringing something different and unique to the table. We all have different ridings that we represent, whether it's

culture, population or language, and that moving forward we do the right thing with the taxpayer dollars and the residents of the Northwest Territories. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Moses. Any further general comments? Mr. Bouchard.

MR. BOUCHARD: Thank you, Madam Chair. I just wanted to add something that I missed. I'd indicated that none of the three options had a complete solution. One of the areas that I have problem with is the 21 selection option. It also brings up concerns. There are still overages, so in that process we would have, at that time, problems with the Sahtu. The Sahtu would have an overage and, at that time, would we be looking, at the next go-round, to be adding 22, 23? Where does the expansion of this Legislative Assembly stop, especially when our population is not going up, it's going down? I mean, the scenario of 21 just adds an additional factor to the next go-round when we review this, and we know the Sahtu is probably going to grow some more with activity in the region. I mean, typically, where do we stop growing this Legislative Assembly? We have to look at that as well. I thought I'd give that last comment.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Bouchard. General comments. Next I have Minister Lafferty.

HON. JACKSON LAFFERTY: Mahsi, Madam Chair. [Translation] I would also like to thank the commission for doing the report for us, and I know it was very difficult work for them and that's one of the reasons that we're sitting here to discuss it today. I know that they've travelled to all the communities to meet with the people and they also went in the Behchoko and Whati ridings and they've listened to a lot of people and their concerns. How can they get more representation in their area was one of the topics that they had. But today in the Dogrib region, there are a lot of people that are sitting here. They are also concerned. A lot of our Dogrib leaders are in the House because they are concerned about this situation.

Every seven years or more, this issue always comes up, how many representatives are here, are we going to get an extra representation is what our concern is. But we have to think about one issue. When you're talking about 25 percent, it's been like that in the past. We have to take note of that 25 percent riding. I know there are a lot of people that have expressed their concerns here. They want to have 21, but they have to have the status quo to go with that. But in the Tlicho region, we have 25 percent. We are far beyond 25 percent representation in our region. I think we are at 39 percent in our region, so that is why the leaders have expressed for another person to represent them.

We know by our communities. We are from small communities. We have small communities. We have many communities that are small but they have to have representation and with the culture and language needs, and we have to remember that. But we have to always look at the people in the region. We have to make sure that they are represented.

I know that some people said that they want 18 or 19. Maybe they will do away with one chair, but Tu Nedhe and Deh Cho, if they are going to be put together, what do they think? What do the people think about it? I know that a lot of people in that area are not happy with that. And they also said Tu Nedhe and Weledeh, they want to put them together, and I know that people in that area don't like that. They have always had representation in the past, that is known, and then they talk about 21 seats. I think right now 21 seats is more favourable. When you look at it, you have to think about your language, your culture, and you have to take note into all those issues of language and culture.

When they went to the Behchoko area, a lot of people showed up for the meeting. When they went to other northern communities, a lot of the people didn't show up to the meetings, but in the Behchoko region a lot of people went to the meetings because they are concerned. We've been talking about this for a very long time.

We are following our elders' advice. We always wanted to have an extra representation. In the Monfwi riding there are over 3,000, 39.5 percent, that is the percentage in that riding, but right now, as we have it, we have 25 percent, and it seems like they can get a representation for 25 percent. You have to take a look at that.

When the commission looked at the population, they took into consideration that 25 percent to 39 percent representation. Right now it is 39 percent. What about in the next eight years? It could go up to 50 percent, but it seems like our population is on the rise, but we still don't have that extra representation.

When you look at the whole situation in our area, it seems like it's almost the same as Inuvik representation. It's also like that in Hay River. Our population, when you look at our population, it is the same as those two regions. You have to take a look at that. You have to notice that population, and I know that a lot of people here have made their comments and concerns about it.

Every eight years there are recommendations; yes, we want this representation, or else they'll say no, we don't need representation. That is the way it used to be, but now they say we have 19 representatives. Why did we have the commission do this work if we're not going to have this change? I know that it's going to take a lot of money if we do have 21 representations, but in our region we have

our own government. We have self-government in our region and we want to work well and go forward ahead with each other, but it seems like we're not doing that because we're not having the equal representation. If it stays as 19, it seems like we are not going to have any proper representation.

When you want to look at population, it's always like you have to know the population. Even though we have over 3,000 people living in that area, some of the southern provinces, a lot of our population are away at school or living down south and they are the ones that come back and that's how our population will rise again, so a lot of those people talk to me and express their concerns. Those kinds of people that are living down south are not also counted within our riding. When you look at the situation, there's 25 percent. We should take a really good look at that 25 percent situation. We have to have equal representation and be represented equally, even though we are from other places or from other representation or from small communities. It seems like sometimes they are under-represented and they are not even counted, but we want two representatives in our region but some other people, some other ridings are... I know that if they were in our situation, at 39 percent, they would be asking for extra representation, so that is one of the reasons we are asking for representation as everybody spoke on status quo. I know that the Commissioner said that status quo is not to be, so if we change it little bit now, we change it. After, are we going to be adding one or two or two or three chairs? So, once it's in the court's hand, a decision is going to be made.

Right now our elders, leaders, have given me a direction. That is why I am speaking here in front of you. I have always supported 21 seats and that is what I wanted to bring up my concern in the Monfwi area. I know that all the MLAs have also expressed their concerns, so I would just like to express my concerns and say thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you. Next for general comments I have Mr. Ramsay.

HON. DAVID RAMSAY: Thank you very much, Madam Chair. It's a privilege to have the opportunity to provide some comments in relation to the Electoral Boundaries Commission. I just wanted to start off by saying, first and foremost, I don't think we need any more politicians to represent the people in the Northwest Territories. I think 19 is very good. I've been here for almost a decade and the scenario that we have today is a workable one, it's a manageable one.

Some Members are talking about the cost and that certainly is a factor in all of this, but I want to make one other thing clear. That is that I wouldn't support any move to erode what representation the citizens of Yellowknife and my riding in Kam Lake have in

this building. Again, I either would stay with 19, the status quo, the recommendation in the report, or I could be persuaded to look at the option to go to 21, if that presents itself later this afternoon. Again, I think, if we are going to look at adding a seat outside of Yellowknife, adding a seat to Yellowknife certainly would have to happen, in my mind. The report speaks to that and certainly that is something that may be available to us later today.

We have gone through this before. I know some Members have been here for a fifth term for a couple of you, and this is my third term, and there are other Members that have been and lived through an Electoral Boundaries Commission report. The last one was eight years ago, where the Legislative Assembly just basically decided not to act on the recommendations of the report. That obviously is an option that's available to us, as well; you know, just don't do anything with it. I think we have to be thankful for the work that was done. We gave instructions to the Electoral Boundaries Commission. We sent them on their way with looking at 18, 19 and 21 and they did come back with recommendations.

One of the interesting things is we really have to take the politics out of this going forward. You can just see it; I mean, it's there. I don't think politicians should be making decisions that will directly affect them. That should be taken out of our hands. The Electoral Boundaries Commission was commissioned and that's supposed to depoliticize the process, but it doesn't do that because the report comes back and politicians end up deciding. So we really have to look and find a way when we get into doing the next Electoral Boundaries Commission report eight years from now that these recommendations – of course, Members eight years from now will have an opportunity to provide input to the Commission – should be binding. They should be taken out of the hands of politicians. You know, we have a justice that chairs the commission. The directions are explicit; they're direct. Whatever the commission goes out and comes back with, I think the people of the Northwest Territories, because that's who the commission gets out and talks and speaks to are the people of the Northwest Territories, then they would come back with their report and that would be what happens. It would take the politics out of it. I think that's what it was intended to do in the first place, but the politics gets back into it and it gets very complicated. Again, people can say they don't have political agendas, but everybody has a political agenda that's in this room. Again, I think it will serve us well in the future to depoliticize the process.

For today's purpose, again, I wouldn't support anything that is going to erode the representation that Yellowknife has in this House. I, first and foremost, would support the 19 Members as outlined in the report. Failing that, I would support a

move to go to 21 Members. We are actively trying to grow our economy here. We have devolution, we have a lot of exciting things happening in the economy, and my belief is we are going to attract more people to live here in the Northwest Territories. I wouldn't be frightened to go to 21 Members. I could live with that, but my first look at this is we should try to stay with 19 Members. Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Ramsay. General comments. The next person I have on my list is Minister Miltenberger.

HON. MICHAEL MILTENBERGER: Thank you, Madam Chair. This is my third go around with this type of report and debate. The hard issue that tends to get overlooked every time is the fundamental discussion of how many MLAs do we think we need in the Northwest Territories to run the government, and work back from there and design our system. We tend to want to follow the line of least resistance, which is either the status quo or just add more. It's very similar to some of the budgeting processes where we very rarely cut government. We tend to just add more because it's easier to add than it is to cut.

I know we have the smallest constituencies in Canada between ourselves. Nunavut is even smaller and then the Yukon. We are scattered over a broad geography, I would acknowledge, but we have to keep in mind we have about 42,000 people and our population is flat. I've heard it from some of my colleagues as well. In all my travels across the North and all of my discussions in this House during budgeting processes as we ask for things, be it additions or be it full-service daycares, more money for highways, roads, I have yet to hear here, or anywhere that I've been, anybody asking us of all the things we need to do as a government, all of our priorities where we spend our scarce resources, we need more MLAs. I have yet to hear that.

The issue for me is very simple. We are a huge government. We have a lot of MLAs. We have thousands and thousands and thousands and thousands of employees. When you look at the Northwest Territories and you look at all the government that's here, we are probably the most governed jurisdiction or one of the most governed jurisdictions anywhere. It is an issue of too big a government, too many politicians, too many other needs, and I was a proponent of why don't we do something dramatic and look at adjusting down instead of up, which is where the 18 came from. There was enough support to at least get it looked at.

I can live with status quo or the adjustment to 19, but I just cannot bring myself to accept the fact that we have to grow government, grow the number of politicians at the expense of other things because it's the easiest thing to do rather than living within

our political means. So, Madam Chair, thank you for the opportunity to make a few brief comments. Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Miltenberger. Next I have Premier McLeod.

HON. BOB MCLEOD: Thank you, Madam Chair. I, too, would like to thank the Electoral Boundaries Commission for the work they did. We asked the commission to look at the three options. In hindsight, perhaps we should have asked them to come up with options for each of the three options. That might have been able to encompass more scenarios.

I think, at the risk of repeating what others have said, we are 42,000 people here in the Northwest Territories with 19 MLAs. So when you average that out, the average population to have effective representation would be approximately 2,200 people. We all know that the Northwest Territories is the only jurisdiction in Canada whose population has been declining. It hasn't been a significant decline. I think it has been 0.1 or 0.2 percent and 100 to 200 people per year. I think what's been happening is the trends are people are moving from the smaller centres to the larger centres.

With regard to how many MLAs it takes to run a government, I think the answer does not lie in increasing the number of MLA seats. We should realign boundaries because population dynamics are shifting. We shouldn't be increasing seats because the population is moving around, so to just resolve the problem, we'll add one or two more seats. I think the answer lies in realigning the boundaries.

We are a consensus government. We don't have political parties, so we don't have to worry about gerrymandering when it comes to setting electoral boundaries. I agree that we should do our best to represent culture and language wherever possible, but we also need to have equal and effective representation as best as we can.

So my view is we gave direction to the Electoral Boundaries Commission. We should select one of the three options. I'm leaning towards 19 at this point. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Premier McLeod. Next on the list for general comments is Minister Abernethy.

HON. GLEN ABERNETHY: Thank you, Madam Chair. Both prior to the interim report coming out and after the interim report came out, I had an opportunity to talk to constituents and residents across the Northwest Territories, to try to get a sense of what many people were thinking.

It is clear to me that what people want is better balance in the ridings through the Northwest Territories, including the under-represented areas

of Yellowknife and Monfwi. We asked the commission to do something for us. We asked them to go out and provide recommendations on 18, 19 and 21, but we did provide a legal framework for them to do that in.

Section 3 of the Charter of Rights and Freedoms guarantees that every citizen in Canada has the right to vote in an election of Members of a Legislative Assembly and the constitutional right to vote is a right to effective representation.

We also know that the Supreme Court of British Columbia determined that there are constitutional limits on the unequal distribution of population between electoral districts and this sets the stage for the deviations that we all have been talking about, which is the plus or minus 25 percent. This concept was also supported and affirmed by the Supreme Court of Canada.

So the right to vote enshrined in Section 3 of the Charter is not equality of voting power, but more of a right to effective representation. These are the conditions that we placed on the commission when we sent them out to come back with some recommendations. The first condition to effective representation is relative parity of voting power, but this isn't the only thing. It's not the only factor that needs to be considered.

As you've heard from other Members today, other factors must be evaluated; factors such as geography, community, history, community interest, minority representation, all these things have to be taken into consideration.

In my mind, that has limited the ability of the commission to look at what may be part of what needed to be done, which is realigning boundaries. I talked to citizens, I talked to residents and I talked to constituents and they said, yes, more balanced representation, but please, please don't add any more MLAs. We have enough MLAs.

So they've come back to us with three recommendations: 18, 19 and 21. I appreciate the work they did. I know they went out and heard from the residents of the Northwest Territories and I know they gathered feedback and thought long and hard about the recommendations that came forward. I, like others, wished there was more opportunity for more recommendations under each one – under 18, under 19 and under 21 – but there aren't. We have to make a decision based on the three.

I have difficulty with the 18 because I find the amalgamation of the two smallest ridings of the Northwest Territories in the geographic areas they cover and the fact that they are covering a wide number of languages and a large area to be troublesome. I think that would be very difficult for any MLA who happened to be elected in that riding.

I am leaning towards 19, but I do have a problem with 19, as well, because although with some slight modification it could bring all of Yellowknife within the plus or minus 25, it does leave Monfwi out. So we have a problem.

But then if we go to 21, the problem doesn't go away, it just moves to another riding. It moves to the Sahtu. Then we have the exact same problem that we have today. So going to 21 does not solve any problems for the Northwest Territories. It does give Yellowknife maybe a little bit better representation, but it's all washed out by the fact that we're going to have to then put in 22 seats and if we put in 22 seats, all of a sudden we need 23 in order to balance things out. Then we're slowly, or rather rapidly getting up to our legal limit, which is 25.

Frankly, I know that some Members have said, what is the price of democracy. I get their point, but I tend to disagree. We are a small territory with a shrinking population. We have been challenged with increasing budgets, increasing costs. Probably with salary, employer's share of salary, our other costs, it's probably about \$230,000 to \$250,000 a year. You start adding that up for two MLAs, we're talking maybe up to \$600,000 a year for two MLAs. We're talking about \$2.4 million over the term of an office. For that money, we could rightly fund community justice coordinators throughout the Northwest Territories and provide them with a living wage. We could hire two more physicians a year. We could hire four or five teachers a year. We could put additional money into mental health and addictions. We could do all these things. We don't have those dollars today, so to fund two additional salaries for MLAs and all associated costs, we have to take that from somewhere. There's only one place that can come from and that's programs and services for the people of the Northwest Territories.

I don't believe people who are struggling from mental health and addictions or living in poverty or people that are trying to make positive steps in their lives, people who want a healthy economy, want more politicians. It's kind of a difficult situation to be in.

I agree with what some of the other Members have said here today, which is we really need to take politics out of this. Six jurisdictions in Canada have made this process binding. The recommendations from the committee are binding and I think this is something that we seriously need to look at.

So keeping all of this in mind, knowing that 18 doesn't really work, 19 is a bit of a status quo but it leaves us in a situation where Monfwi is continuing to be under-represented, which is a problem. Moving to 21 doesn't fix anything, it just moves the problem that Monfwi is in now to the Sahtu, and then it's just going to continue to roll and get larger and we'll end up with more and more MLAs. I tend

to lean towards 19, with a desire to move to a process where this is taken out of the hands of politicians and made binding.

I will end with an e-mail that I got earlier today from a resident of Yellowknife who said clearly we don't need more MLAs. We are probably the most politically represented jurisdiction anywhere, with community governments, Aboriginal governments, school boards, health boards, Senators, MPs and 19 MLAs to represent 42,000 people. What we do need more of is medical professionals, teachers, not more politicians. I tend to agree. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Minister Abernethy. Next I have Mr. R.C. McLeod.

HON. ROBERT MCLEOD: Thank you, Madam Chair. I welcome this opportunity to provide a few comments on the report. I would like, as many of you have done, to thank the commission for the work that they've done, and commissions in the past. I think the commissions in the past have tried very hard to have representation from all across the Northwest Territories in recognizing the different regions, cultures and languages. I think they've attempted to try and address that in the past.

I've heard a few Members talk about fair representation, good representation, more and better representation, effective representation, equal representation, and based on numbers alone, there is quite a discrepancy, just based on the numbers. If you look at the numbers in one of the ridings in the capital, for example, with 2,900 constituents, are they any less represented than the community of Sachs Harbour with their 127 constituents? I don't think so. I think the fact that they have access to everything in the capital – they have access to seven Members, they have access to this building, they have access to all the departments and all the headquarters – I think they're more represented than the small communities that are out there.

I tend to agree with Mr. Bouchard that those of us that have single community ridings – I represent half of Inuvik – we can walk our ridings and provide them with good representation. So if we just look at this report based on numbers alone, there is a discrepancy, but I think there's more to it than that.

I agree with my colleagues Mr. Ramsay and Mr. Abernethy that we need to take the politics out of this. We need to take the politics out of this. I was fortunate enough to take part in the last discussion we had on the Electoral Boundaries Commission eight years ago. It was quite a debate then and we're having quite a debate today. I do believe that we need to look at a binding report eight years from now when the commission is struck, and the Members of the day, I think, should provide very clear direction as to what they would like to see.

Send the commission out to do their work, because it's a lot of work that they put into this, a lot of work, send them out to do their work and when they come back that will give us an opportunity to have a discussion before they release their final draft, and I believe their final draft should be binding and I will be making a motion to that effect later on today. So, again, if you look at just based on numbers alone, the ridings with more constituents are under-represented, but I think there's more to it than that.

I welcome this opportunity to have been able to say a few words and I look forward to further discussion. As I said, I will be bringing a motion forward later on today. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. McLeod. Next I have Mr. Hawkins.

MR. HAWKINS: Thank you, Madam Chair. First off I want to acknowledge and thank the commission for their hard work. It was a difficult task we gave them. They took it up honourably and certainly I believe to my heart of hearts that they have done the best that they could.

Now, the commission followed our direction, so if there's anyone to blame, it's obviously the instructions provided to them by the Assembly. What I found was, here I am almost seven years later and we're revisiting a similar style and problem of issues, whereas sometimes the instructions weren't as clear as possible. I think every successive group that will provide instructions to any boundaries commission will always suffer from, geez, if we'd only suggested this or helped create this. This time around we thought about giving them more options as opposed to last time and the options we had before us, we all know that the options they've come up with are on our direction when the Assembly said look at combinations for 18, 19 and 21.

I would say, at the end of the day, the options that have come forward – and this is not meant as any disrespect to the commission – but I don't think any of them have been helpful in the very end.

I've seen them all. I've sat and gone through them carefully and what I found was the fact that the options themselves are very limiting. You either like it or you don't. If you don't like the option as presented, you have to go the next one and consider it and you like that one or you don't. You go to the third one and it's the same question that needs to be asked.

The problem is, I find all three recommendations very foggy to the issue and what happens here is the fact that we're missing what surely should have been one of the directions, but we failed to provide the commission the direction, or at least the insight. The insight of it, which I believe in my heart of hearts, should have been the direction we've given them is we should have said things like give us

three combinations or three various options for 18. There are those who believe in fiscal prudence and say we have too many MLAs, and there are people out there that say that would then allow us to give due consideration to various combinations.

The challenge for us, of course, is the personalization or, in some cases, the depersonalization of this particular issue. Those who like status quo could have considered different options. I'm not necessarily advocating for this point publicly, but what I am saying is the only combination for 18 we came up was to get rid of Tu Nedhe, amalgamate the Deh Cho and come up with a weird combination that includes Monfwi. But had there been other perspectives of 18 come forward, the perspective of, for example, take Mackenzie Delta, the two Inuvik ridings and Nunakput riding, and there are four there that could have gone down to three with little or no challenge in the sense of cause and effects.

So I'm not trying to stand and say one is better than the other, but the problem is if you believe that 18 was the right direction, you're only given one choice. I think that is very limiting in itself. I think the commission, if they truly had good direction, should have come up with various options for 18, various options for 19 and various options for 21.

For those who believe in democratic reform and the eagerness of representing their areas, as we all do, we should be asking ourselves how did we achieve or what did we achieve by coming up with these three combinations. I'm concerned that when you look at the balance, and people use the word "power," so we should not pretend it doesn't exist and pretend it's not out there, but the reality is how does the balance of power affect the relationship of population. We've seen many Yellowknife issues get buried, but we continue, in our own way, to be relentless and we're glad to be relentless on our issues.

There was an interim recommendation which suggested, for example, nine ridings out of 21 that should come to the Yellowknife region. Now Yellowknife is represented by mid-36 percent of voting power, okay, but we represent almost 48 percent of population. If we had risen to the challenge of accepting the recommendation of nine ridings in Yellowknife out of 21, that would have brought the Yellowknife context closer to what it truly represents in the public, which would have mathematically worked out closer to 43 percent of voting power in the House. That would not have been perfect and I don't think constituents of mine have said that the voting balance or that the representation balance or boundary balance has to be absolutely perfect, but I think people want what's truly out there.

This is a boundary issue. This is about where the lines are drawn. I've never heard anyone say we

need more MLAs in the context of pure, raw, effective representation. Where I hear them say they want more Yellowknife MLAs is when Yellowknife MLAs are unable to promote the ideas and issues that are brought forward in Yellowknife and they're out-voted or out-scrammed each and every time. I mean, it's difficult to represent Yellowknife issues when we have such a minority in here.

Now I hear the context being brought forward and I agree with them. I'm not going to suggest Mr. Beaulieu or Mr. Lafferty have got bad issues. I believe in the strength of their principles of what they're bringing forward. Representation of people, representation of culture, representation of area are significantly important if not it's a crystal clear value of who we are as representatives of people of the Northwest Territories. We care about those things. I care about them. I don't want anyone to feel unrepresented. Those are the challenges before us.

One of the issues that I struggle with is which one not only helps Yellowknife but helps the territory at large. I'm willing to do my part, carry the fair share of the load and to do what is necessary, but this, in essence, all of these continue to allow the political interests to be the forefront of the issue, and really what we should be asking ourselves is how are we serving the constituents, or at large how are we serving all residents of the Northwest Territories. So then in the way of the balance here, we carry politics versus programming, politics versus people and then politics versus the personalization of how do we do this.

Again, the 18 recommendation, just for sheer illustration, points out that, well geez, if we accept 18 we'd be deleting Tom and maybe a Michael's riding. That is not the case and, unfortunately, that always becomes the issue. We always talk about it in that context. We should be talking about how we represent people fairly. That's why I will support the motion that comes forward later today, of course, about taking the politics out of the initiative, because we need people to do this to provide guidance, advice, direction, and then not let the politicians then control the outcome of it.

My ideal situation of what a true commission would look like is, first of all, it would be binding, and second of all, I would issue a suggestion of it would, say, our two top judges plus maybe a lay judge, so you could have a judge from the Supreme Court and the Territorial Court.

Finding boundaries, fairness and fair representation is not politics. It's just being human, and the challenges of this are not easy. I think the only solution – and I will be moving a motion to that context – is to refuse all three suggestions. I don't think it's met the minimum of what we wanted, and I think, if anything, as I said earlier, all these combinations in some way, although well intended,

has fogged the greater issue of how we do this business.

Fairness for all has always been told to me and I agree with people who've always told me that. If we pick 18, 19 or 20, are we being fair to all? I assert to you that 18 is complicated, 19 is avoiding the problem, and 21 keeps us super safe that no one's feelings get hurt. Have we done our job? I would assert to this Chamber that we have not done our job if we pick any of those three. I don't think we've done enough work.

At the same time, we have all the time we need. What I mean by that is we could send this back and ask for a revision, better instructions, instructions that are clear, elaborate, and certainly, if any case, binding, and at the same time, we could get it back to this House and ensure it was still implemented in a timely way. I have great faith in that. I have great faith in the people that could do that. But at the end of the day, we have to depersonalize this, take out the politics, and here we are politicians, 18 in the room, and we're talking about not being political. Isn't that kind of ironic of the whole situation?

By going to 21 there's a big fault, and I know several people want that. I believe that, yes, it creates a parity situation, whereas if we add one to Yellowknife, sure, lots of people in Yellowknife say we need more MLAs, but you just further tip the balance right back into the exact same situation but adding one more outside of Yellowknife, so you actually haven't pushed the initiative forward. All you now do is create two new MLAs and I don't think we've solved any problems.

But we have to deal with the elephant in the room, which is the size of certain ridings, and Tu Nedhe's size must be addressed under this scenario. I don't know if I fully agree with deleting it, but I do say a three to one voting power is challenging. I can tell you, in Yellowknife it bothers a lot of people, and that elephant in the room cannot be ignored. I do not want the people of Tu Nedhe to be unrepresented, and I would not suggest that in any way. I just think that it's an issue that we need to talk more about and how we get there, and we will find a way.

As my time runs down, I will leave it with this, is that my issue is about depersonalizing this. We must find a way that creates fairness for all. Geography is a problem but I don't think it's an insurmountable challenge that the boundary lines cannot be better drawn, and as such, later today I will be moving a motion that reflects that interest. Of course, I'll let the House's decision stand, whatever direction it takes.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Hawkins. Mr. Dolyunny.

MR. DOLYUNNY: Thank you, Mr. Chair. It has been said but it is indeed worth repeating that the people

of Range Lake would like to thank the honourable Justice Shannon Smallwood, Mr. Charles Furlong and Mr. Ian McCrea for their independent, holistic and thorough analysis of this commission report we have before us. It was clear that early on in this process many, including members of the public and this House, took up compelling and galvanized positions. This, I assume, would have been challenging by the commission who concluded with three unanimous recommendations.

But let me remind everyone this was an independent commission, chaired by a judge, that looked at demographic data, census data, geographic data, self-government agreements, community boundaries, transportation, communication, language, culture, public input, 15 hearings in 14 communities, and of course, we've heard the legal guidelines set by the highest court in the land in relationship to the relative parity of 25 percent.

Yet with all this, in recent weeks and we've heard just recently that we felt an elephant in this room. That beast is the decision we will have to make about our electoral boundaries, and I can assure you, the elephant can't stay with us and status quo is clearly not an option.

As difficult and complex as today's mechanical exercise is, I wanted to avoid the pitfalls of the 50 shades of political grey, and concentrate on what I and many of my constituents believe that are the three issues before this House. From my constituents' feedback, it boils down to the cost of democracy, the balance between rural and urban, and finally, the law before this House.

To the first part, how much is too much? That is, at what point do we say we have too many elected or too few? Clearly, some who spoke in the past and even today have clearly asked what is the ceiling of our adequate government, and what about the added costs that we've heard associated with adding elected Members to this House? These are all excellent questions, but yet, the actions of those who use such argument contradict in design. Let me explain. If we were indeed a good government and costs were important, as we were led to believe from Cabinet, then why does it appear that we are growing our public sector well beyond the current framework we are inheriting by the federal government and devolution?

Clearly, the federal government has been running things for decades on a basic framework, so what gives this government the golden touch to increase new responsibilities for an existing proven framework? To devolve is one thing, but to devolve and evolve on the same day. Good government, you say? Fiscally prudent? I'll let the public decide. Clearly, if we were indeed questioning democracy strictly on cost alone, how can anyone denounce the addition of one or two seats of elected officials

to a potentially explosive balance sheet of new senior positions with the new devolution model?

There is no denying we are under significant budget restraint, and I do agree there is a price to pay for democracy, especially if it means the addition of political seats. I further concur we don't want more government for the sake of programs, but using the cost argument as a means of distraction to denounce voters' rights is not a solid enough argument to make at this juncture.

To my second part of rural and urban balance, it can be said that equality of voting power is probably the most important talked about issue for Yellowknife residents and was cited a number of times in the report. Now, balance is the key word here, and this balance should encompass every voter, no matter where they reside, should have fair representation. Without getting to the legal aspect, which I'll reserve for later, we need to keep in mind that this territory has differences in design. I recognize and fully appreciate the enormous challenges some of my colleagues must face with multiple communities when compared to Yellowknife Members. But I also must be cognizant that adding more Members will not equate easier access to such representation given our geographic hurdles. Unfortunately, the commission report barely addresses this, but it is obvious that we need to retool and rethink how we finance rural Members with these added barriers in reaching out to their constituents. My point is, let's not confuse the issues of barriers to access with the issue of voter balance.

Finally, from a legal sense we know a number of things, the first of which is that status quo is not an option as we have five constituencies that are currently under-represented. Secondly, it doesn't matter what the model we agree on today as each model in its design has at least one riding that is under-represented according to the legal definition, and third, the court has already told us that absolute voter parity may be practically impossible, and even if it was possible, it may detract from the primary goal of effective representation when geography, community history and culture are a factor.

It has been said that we, the elected representatives of this consensus House, function in two primary roles: one being legislator, the other ombudsmen for our constituents. As well, the courts have said set clear jurisprudence for us to govern with on the premise that our vast, sparsely populated country with all our varied culture distinctions have to consider that deviations from voter parity may be necessary to ensure effective representation for all.

I'm trying to sum up here. We've been given an independent commission chaired by a judge that has given us options for new riding boundaries, and

it didn't take long for every one of us to figure out that democracy can be a messy business, but we all know that it's required. If we do not make changes, we will have one or more ridings under-represented by the standards set by the Supreme Court. If we reject that standard, we risk an expensive Charter challenge at the cost of the taxpayer.

In the end I don't believe any one of us here today want to trigger such a court battle. As legislators ourselves, we cannot ignore the law. In leading up to today's debate, it seems clear that some ridings in the Northwest Territories have to move away from boundaries encompassing predominantly one language or cultural group. This is a tough one as these are natural and long-standing boundaries to the Aboriginal people of our territory and they've been well served and represented in this Assembly. But today some land claims have been settled and negotiations are advanced for others. New systems of Aboriginal government are emerging, as well, and the distribution of population in our territory has been changing.

These are the facts we must reckon with. We have a duty to make difficult decisions according to the law of the land and we have a duty to make sure all NWT residents are fairly represented. Clearly, with today's debate, we will have some differences among us on how this should be governed. I think we can change our electoral boundaries in ways that serve the people of the Northwest Territories, wherever they are, and live up to the principles of democracy that we hold dear. As Members, we have to live up to this challenge, because if we fail, we may have the courts doing our work for us and I don't believe this is the intent of today's exercise.

I ask my colleagues to put away political pressures. We have been given an independent commission report with some very clear options. We cannot ignore these. Thank you, Mr. Chair.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Dolynny. Mr. Yakeleya.

MR. YAKELEYA: Thank you, Mr. Chair. The comments in the House here are well put, well presented by the speakers. The commission went throughout the Northwest Territories and talked to the people. I want to thank them for their continuous support to do what's right for the people of the Northwest Territories with the mandate they had. It's because of us here in the Assembly that's given the mandate to the commission.

I want to say that the report that came back certainly poses a lot of questions to us as legislators and that the numbers and recommendations that came to us certainly challenges our opinions and our philosophy and the right type of representation to the people in the Northwest Territories. It's almost to a point of people telling us, do we need more politicians.

That's a very easy question for people to answer. Sometimes that's not really fair because of the stigma politicians have in our communities in the Northwest Territories. However, when I look at the numbers here and I look at the representation and challenges ahead of us, as Mr. Dolynny has indicated, we are challenged with a court case if we leave it at status quo. Right away we know.

This land, as in my prayer this afternoon, talked about for peace and justice in our land and for the constant recognition of the dignity and aspirations of all whom we serve. That prayer talks about the people that we serve in our region, in our communities. We come from a diverse background of cultures. When I look at the recommendations and I see the potential of one culture, a nation of people that may not exist very long within our structure, in our representation, that scares me. I'm not going to support it if I have to do something to it.

When I see the overrepresentation, and I see some of them in our regions, for example in Monfwi, I see that it is plus-39 percent. I see that some of the numbers are fairly close to some of the other communities or other regions, and where they have two MLAs, I think if that's the high number here, the numbers are pretty close. I think, is that fair? For me, as a representative of Sahtu, it is beneficial for me to go to 21 because I know in the future that I will have that discussion. Hopefully that discussion will happen.

When I look at programs and services and the financial cost to add in more MLAs, that's a good argument, because we're always asking for additional funds for programs and services and that's a hard argument to counter against. Logic says yes, but are we doing any more than what we're doing today? When you look at the budget, look at where we're spending. There is always going to be a lack of money. So I can't really weigh too much on that point.

When I look at in our government and our unique style of government, it's the culture and the nation of people. Each nation of people, each culture needs to be represented in the Northwest Territories and that's what we need to hang on to. That's the fairness.

Just on voting turnouts in the last election, Yellowknife voter turnout was 30 to 40 percent. In the Sahtu we had only 50 percent. The other regions had 60 to 90 percent. If we have an extra MLA here in Yellowknife... The voter turnout was only 30 to 40 percent. That's telling me something. I wanted to say that when we have a culture group or a nation group being looked at as being moved or changed, then I'm not for it. Even at 19, Mr. Bromley talks about Weledeh, Ndilo and Detah moving into Tu Nedhe. He told me that they don't want to. We have to respect that. When I see Mr. Lafferty's riding, Monfwi, being at 39 percent, I have

to say well, yes, it makes sense. That makes sense for me. Maybe the Sahtu will change; I don't know. But I think we need to look at what's keeping our uniqueness here in the Northwest Territories.

If you go by numbers, Yellowknife will always get the numbers, and it is a little bit of politics, because when you come down to votes, the numbers count. The numbers do count and the numbers count when you want to prove something.

I'm going to lean to the number of 21. I was leaning to 19, but in the report it shows that we're going to do something that's going to cause some disharmony amongst a nation of people. For the prayer I said "for peace and justice on our land," – we have to remember that – "and the constant recognition of the dignity and the aspirations of those whom we serve." I serve the Sahtu people. You serve other people in your ridings. For me the report brings out a lot of questions. The least basic fact is that we've got to make a decision. The commission did the best they could with the mandate they have and the number of people they saw. So I want to thank them and say that they had a very tough job.

Now the buck stops here in the Assembly, it stops with us and we have to make that decision. Thank you, Mr. Chair.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Yakeleya. Mrs. Groenewegen.

MRS. GROENEWEGEN: Thank you, Mr. Chairman. It is a very interesting discussion here this afternoon. I was happy to be speaking last because I had a chance to hear everybody's concerns. I had shared with some of the Members that we had a discussion like this quite a number of years ago when we were discussing how many MLAs we were going to have, and I rushed in and sided with some other people in an attempt to not give an extra seat to Yellowknife and it went to the courts. It ended up instead of five we ended up with seven Yellowknife MLAs. At the time, when I think about it now, it was kind of politically motivated. Yes, the Yellowknife MLAs can thank me. Friends of Democracy I'm sure didn't appreciate it after all the court costs.

I've been listening to all of the discussion here today and one thing that struck me that was repeated by several people is that the last thing the people out there are saying is that we need more MLAs, then we talk very passionately about more doctors or front-line workers or nurses. Let me suggest that two more MLAs in this House could be paid for by displacing two public servants of any kind in administration. We hire an assistant deputy minister like that for far more money than what we make as MLAs. We add to the public service without even a second thought and yet we sit here and disparage ourselves and the work that we do by saying, who wants more politicians. We

disparage ourselves. Who wants more MLAs? I think MLAs...I think it's an honourable job. I'm honoured to be called an MLA and to serve the people. Anyway, I just wanted to comment on that because I heard that repeated by several people. They made it sound like MLAs were like a plague on the land or something.

Comments have also been made about the cost of democracy. It is costly, but I don't think we count it in dollars. I mean, I think to put a price on this and say that we're going to make a decision here based on budget restraint or fiscal policy is really missing the point completely. Once you start adjusting those boundaries on the ridings, it's like a domino effect. So you do this one thing here and it affects something there. It's a very tricky balance to find.

We have talked about the possibility of affecting a region or a people, as Mr. Beaulieu spoke to so passionately, that have traditionally in our territory maybe been overrepresented but have traditionally had an MLA. I think that there is some significance to that and some importance to that.

I know that the boundaries have changed. I know in Hay River there were all kinds of combinations in the past, but for a long time the people of Tu Nedhe have had an MLA and, okay, they're overrepresented, but then that brings me to this analogy that somebody just put out here about three to one voting power.

When we come here I don't think it's just all about ourselves. When I come here, my gosh, well I've been here 18 years, but if you can come here and even be here for one year and not take on a territorial perspective on issues, then you probably shouldn't be here. If you're here only about your people that you represent and not everybody else, and I've seen that, everybody comes here with a territorial view, and there are days where we fight about this and that and we feel like sometimes we're getting overpowered by rural and remote communities, or Yellowknife Caucus, there's days that we feel that. But overall, and by and large, I believe that people come here with a perspective of the good of the territory. So in that sense, I don't think we can count, oh well, they've got three times the amount of voice or three times the amount of representation in this House as somebody else.

It is such a small territory and if you want to play the numbers game with 41,000 or 42,000 people, really, I mean – I'm going to say something really rash here – maybe we shouldn't even have a Legislature. We can just get annexed by Alberta, we're just the size of small town anyway. I mean, if you want to play the numbers game seriously, we wouldn't have Colville Lake or Enterprise or a lot of other communities if you just want to go by what is purely practical from the numbers point of view. That's not what this territory is about.

We just sat this past weekend and heard all the Premiers' panels about the evolution of how we've gone from a single Commissioner who went into the community with a chequebook and solved everybody's problems and listened to everybody's issues, toured into the communities, and how we devolved from there to having an elected, representative Legislature and Members sitting around this table.

So it's an interesting debate today. I believe the process is flawed. You cannot call it an independent commission that went out there and looked at this because we were so prescriptive in what they could actually look at and what they could do. Ultimately, the decision comes back to us as legislators. I know that Mr. Abernethy said that six jurisdictions have gone to a completely independent and binding commission on electoral boundaries. I don't know if I would support that or not. We generally tend to ask questions we don't really want to know the answers to, from my experience on commissions.

I think that there may have been better options within the options if we would have not been so prescriptive in our instructions to the commission. Yes, there are a lot of ways we could save money. From a purely practical point of view, I served in this Legislature with 24 Members, and then after division I served with 14 Members, and then we went back to 19 Members, and something the public may not see is we do need to have a critical number of people just to do the work of committees. If you're going to effectively consider legislation and take it out to the people for consultation, you do need a certain number of people to do that work. If you really want to save money, then I guess you could reduce the numbers for whatever, but it's not really in keeping what the people I think really want and the work that needs to be done in this Legislature. If you're going to have standing committees that are effective, I think you do need a critical number of people to do that work.

Right now we're down to, on our main standing committee, five and six Members on there. It seems to work fairly well, but hey, we've got the desks, they're just in storage. There used to be 24 desks in here. We didn't throw them out.

So, Mr. Chairman, I am going to support the motion for 21 Members. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Bouchard): Thank you, Mrs. Groenewegen. We'll go back to Mr. Bromley.

MR. BROMLEY: Thank you, Mr. Chair. Just a couple quick comments and I appreciated the discussions and many of the viewpoints raised and I agree with many, if not most.

I'd say – without detracting from Mrs. Groenewegen's point about the role of MLAs, which I agreed with – nobody wants more MLAs and a

more expensive government if we can avoid it. That's the key part. Yet, given our current process, just about the only way we can achieve fair representation is by adding MLAs.

I think Mr. Miltenberger laid out a very key point, we haven't asked how much government do we need. Many of us have asked that informally, and certainly the public has asked that informally, and we know we have a large government. So that question is important, but we have not had the discussion about how many MLAs we need and what form the government should take. Without this we are finessed into considering the number of MLAs we need for fair representation under the current form of government. Mr. Bouchard made reference to that, as well, and how fair representation can be made to achieve it. So, without knowing the form of government with a reduced number of MLAs, for example, we're buying a pig in a poke.

I know that many of us looked at previous debates in preparing ourselves for this discussion today and so I want to lay this out. If we don't get around to it, I hope any future government that gets into this discussion, perhaps in trying to come up with directions for the Electoral Boundaries Commission, that they would have the discussion on what form of government; you know, how many MLAs do we need, how much government do we need, and can we come up with a form of consensus government that makes effective use of that number.

Mr. Bouchard, as I said, raised a point there, and it's relevant. We need to have a balance between, Regular MLAs and Cabinet, and so it talks about its relevance to the size of the Cabinet we need and so on and their workloads, blah, blah, blah.

I just wanted to raise that point. One other thing was, I guess Premier McLeod raised the point that we need to be able to move boundaries around. I mentioned, as well, I don't think we have had the fortitude to do that because it's a tough job. The 25 percent has often been discussed condescendingly here, but it's there to give us flexibility to deal with language and cultural group issues. When we exceed it, that's when the flags are going up that we're not dealing with those.

I'll leave it at that. Again, in terms of resolving the representation thing, which is not the only issue but we want to consider language and cultural groups within it, the best improvement is the 21 issue. We're left with only three and one under and over, or sorry, overrepresented and under-represented. The 19 is five compared to three overrepresented, and two compared to one under-represented. For the 18, it's four and one.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Bromley. Anyone else for general comments? Does committee agree we go to detail?

MR. HAWKINS: Thank you, Mr. Chairman. The light just came on. Thanks for the microphone.

I'd like to move a particular motion. I think we've reached that time and we've certainly allowed a fulsome discussion, so at this time, I'd like to now move a motion.

COMMITTEE MOTION 1-17(5):
APPOINT NEW
ELECTORAL BOUNDARIES COMMISSION,
DEFEATED

I move that the Board of Management of the Legislative Assembly bring forward a formal motion to appoint a new Electoral Boundaries Commission to make recommendations on the electoral boundaries for the Northwest Territories.

CHAIRMAN (Mr. Bouchard): A motion has been made. The motion is being distributed. The motion is in order. Mr. Hawkins.

MR. HAWKINS: Thank you, Mr. Chair. First off, I should inform the public, of course, if this motion passes, it actually doesn't go back to the Electoral Boundaries Commission that had been established. It would cause the Board of Management to strike a new one.

The reason I moved the motion was, and I certainly hope I'm not the only one who feels this way, but there is some concern about how the three decisions have come about and how varied they are in such a way that it's very challenging to accept. We're well within our ability, certainly, our authority, and under time constraints we have the time to do it, so there's no unnecessary pressure for us to immediately make a decision today on the Electoral Boundaries Commission report that's before us today. By the same token, I think it would be a mistake for us not to consider that, in my view, and certainly in the view of many people that I know and I've spoken to over the summer, that the report was just too one-sided with all three recommendations. As I said in my earlier statement, even if you wanted less government, the only way to do it, according to the report, was go this route. And if you didn't like that decision, then you were forced to then go look to the next one, and successively, and that's been very, very challenging for many people.

For myself, I find that, as I said in my earlier opening comments, I felt that it's not the commission's fault in any way. I have great respect for the work that they had to do, and I suspect that they received an earful constantly from people about what they want and what people wanted in the communities and fair representation and the type of representation that they wanted.

The issue I raise here is not about necessarily more MLAs or less MLAs, but fair representation, and

that is, I think, the fundamental question about how do we balance that. I think that's the type of instruction we need to be giving the commission to ensure that representation is fair and depoliticized.

As I said in my earlier comments, and I used that by way of example, that perhaps maybe three judges could do this, one from our Supreme Court, one from our Territorial Court and maybe one from somewhere else. That is, how we get there I'm not exactly sure. Not to say that judges don't have different opinions, I mean, the Supreme Court would always be voting in unanimity if judges were all of like mind. The challenges and the discussions they would have, I think, would be very deep and very concerned, certainly, in the areas of how fair representation should look like across the Northwest Territories.

Earlier we heard many colleagues talk about value, dollar value, that is, and what the cost of MLAs is. I think sending it back to the commission with the right instructions and perhaps, if there's instruction later today coming through another motion that binds us to it, I think that would take that type of discussion away. The value of democracy is certainly a challenging one, and I think Churchill said it's also messy, but by the same token, it's certainly one of the best things that we have, and it's one that we need to continue to cherish relentlessly even in its darkest days.

The issue before us now is we have to accept a recommendation for 18 MLAs, 19 or 21, and I don't think it truly represents what the voices out there are saying. As I said earlier, without the varied considerations to it, we put ourselves in a very uncompromising position. One of the challenges we sent the commission out to do is come out with a decision that we can work with. Well, the problem is what if it's unworkable? We often talk about trying to make sure, as politicians, oddly enough, to depoliticize our direction on these instructions. Well, it's kind of like the old phrase of gerrymandering. I mean, we shouldn't ever be in there saying, well, let's just move the line over here and that will be better. I mean, there's got to be substantial reason why we would nudge a line or two over ever so slightly in the context of balance and fairness but, I mean, we cannot be seen in any form as drawing our own lines for our own areas.

I don't think that the instructions given to the Electoral Boundaries Commission were complete. Again, no fault of their own, but I think we can do that here today, and we certainly have that ability here today to do that. By voting for this, I think what we could do is certainly sit down and ask ourselves what are all the problems that got us here today with this report. I'm not talking about the problems of poverty or the problems of education; I'm talking about how we couldn't provide clear instructions to get a simple reply back. As I said earlier, I think the

ones to blame are government or, in the sense of the Members, why the instruction wasn't simple and clear.

I think the best and only solution for our particular quagmire that we now find ourselves in is to redirect the next phase of this report to go back to the Board of Management, which can issue instructions to a new Electoral Boundaries Commission, and my hope, with clear, simpler and precise instructions, we can get exactly where we want. As we've all heard today varying points of view, I'm not sure more MLAs or less MLAs are the right solution, but I don't think the solution that came forward was the one we need.

On that note, that's all I have to say at this particular time.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Hawkins. To the motion. Mr. Ramsay.

HON. DAVID RAMSAY: Thank you, Madam Chair. I just wanted to comment on the motion. As a member of the Board of Management, I don't want the public out there thinking that the government sent the Electoral Boundaries Commission out without giving it some guiding principles. I think, first and foremost, the commission subscribed to some general principles. Voter parity was obviously the goal, where possible. Where voter parity wasn't practicable, and there were significant community of interest considerations present, deviations from voter parity could be justified provided that effective representation wouldn't be sacrificed. The community of interest considerations include geographical factors, the population distribution in smaller communities, common bonds such as language, culture and history, land claim and self-government agreements, and if inequality between electoral districts could not be avoided, wherever possible overrepresentation is preferable to underrepresentation. When the Member talks about fair representation, does that equal voter parity? I think that's what he's getting at.

The instructions were straightforward to the Electoral Boundaries Commission. I don't think it does us much good to say that, in all the people that spoke to the commission, the commission itself that went out and did the work on behalf of the people of the Northwest Territories and this government, we're going to just say let's do this all over again. Let's have a replay. If we did have a replay of this, it would come back, in my estimation, to be pretty much the exact same thing. So either we deal with it today or we deal with it whenever a new commission could be constituted and get the work done, probably looking at anywhere between nine months and a year before it would get back to this Assembly for consideration. Again, I don't think we would have dealt with getting the politics out of the electoral boundaries issue. Again, until we deal with that, I think it's kind of fruitless to go back out

and get a new commission established and out there. Again, I think they had instructions. We can try to change the instructions, but it's not going to do anybody any good, I don't believe. I think we have to deal with the report that we have and just move forward. Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Ramsay. To the motion. Mr. Beaulieu.

HON. TOM BEAULIEU: Thank you, Madam Chair. I would support this motion. I think that the instructions were not clearly laid out. I think that it was assumed by this Legislature that when you selected three individuals that those three individuals would look at language and culture as being something that was very, very important and something that was paramount in the decisions, and in developing the electoral boundaries that culture and language would be something that this commission would automatically know that was essential, was paramount in our decision. However, it was not clearly laid out in the guidelines. It only refers to exception where special circumstances weren't exceptional deviation. That's not clear enough. If exceptional special circumstances means language and culture should be maintained within the electoral boundaries, especially one of the official 11 languages that we have, then it should clearly state language and culture as being something that should have been in there. I think that if that's what that meant, then for the most part, with the exception of 21 seats, which is unpopular because people indicate that the only option where language and culture is considered is 21 seats, which is unpopular because of all the things that were said, or anybody could stand here or sit here and say I spoke to people and no one wants more politicians. Well, I spoke to people, and people are saying, as opposed to losing our culture, we will be forced to take more MLAs.

So I would support this motion for them to go back and do their work properly. Make sure that culture and language is paramount. It's up to us. It's the goodwill of this government, and I represent people that have their own language, their own culture. It's incumbent upon this government to make sure they consult with people where their ridings are affected. There are ridings that are not affected. People didn't come out in some communities because their ridings are not affected. When the original report came out, the ridings that we are impacted tremendously were Deh Cho, Monfwi and Tu Nedhe, so people came out. That's where the people came out. People came out in Fort Resolution. They made statements. People came out in Lutselk'e. They made statements about it because they're affected, and when you're not affected, then it's okay to sit here and say oh, we can represent the people across, I represent all kinds of cross-cultural people, I do this and I do that. The point I'm making is they're not impacted.

So this commission has to understand that we have to have a report that recognizes language and culture and the language and cultural differences of the people that sit in this House and who they represent. I would support this motion just for that reason, because the only one that sees language and culture as paramount is 21 seats and that appears to be very unpopular. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Beaulieu. Next I have Mr. Blake.

MR. BLAKE: Thank you, Madam Chair. I would just like to go back a ways. I believe it was last year, before the commission was struck up, that during our Caucus meeting we all agreed that we would give the commission a scenario of 18, 19 or 21 Members in this Legislature and also to give us different scenarios or options that would work with those different numbers that we gave this commission to go out and do public consultation. So I don't think that this motion would make any changes. The commission did do their job, what we gave them direction to do. I believe that this would just extend things further. I will not support this motion. Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Blake. To the motion. Mr. Ramsay.

HON. DAVID RAMSAY: Thank you, Madam Chair. Again, I just wanted to mention one item and that is that some Members believe that the commission did not take into consideration language, culture, history, land claim and self-government agreements. Under all scenarios, the commission did just that. Again, for the public's perspective, I just want the public to know that that was taken into consideration. Some Members believe it wasn't. It was, Madam Chair. Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Ramsay. To the motion. Mr. Dolyunny.

MR. DOLYUNNY: Thank you, Madam Chair. The Member who brought the motion forward knows full well my thoughts on this. Unfortunately, I will have to share it here publicly.

When I looked at this coming to the table here, I had to really stop and think, what is this motion telling us, what is this motion telling the Members of this Assembly, but more importantly, what is this motion telling the public? You don't like what we hear, we throw you out? I tell you, I'll say this again, this is not how we should be governing ourselves. We're better than that. I say this will all due respect. This was an independent commission chaired by a judge. Let me underline those two words again, independent and judge. It doesn't get any better than that.

I disagree that culture and language was not dealt with. They were dealt with, as all areas that were explained in a lot of our statements earlier today,

they took into consideration all of those parameters. I hold every one of those parameters to heart that they did take a look at that. They may not like what they hear, but they did take that into consideration.

Unfortunately, this motion I find a bit disrespectful not only to the commission itself, this motion is somewhat disrespectful to the House and any future appointment of anyone who wants to work for this House. Who would want to work for this House when we are going to throw your report out the window? We can't do that. They gave us three unanimous decisions. I trust their judgment and I will be voting against this motion. Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dolynny. To the motion. Mr. Moses.

MR. MOSES: Thank you, Madam Chair. I just want to point out in the report under considerations that were taken by this commission, under Section 9 of the act it specifies factors that the commission must take into consideration, under Section 9(g), language, culture and other special community or diversity of interests of residents of any part of the Northwest Territories was taken into consideration. I just wanted to point that out to Members who feel that or even making accusations that the commission itself did contravene the act itself, that they covered all their bases and that's what we're making the decision on today.

To throw this motion out the window... As Mr. Dolynny said, if we don't like your report, then you're not working for us. I agree with that. We have a lot of strong debates on this, and I feel that we do have to make a decision today.

I stand strong with other committees who are going forward and making those tough decisions on behalf of residents of the Northwest Territories. That's what we're here to do, is make tough decisions and today is going to be one of them. I feel the commission did their job and I won't be supporting this motion and going forward into voting on one of the motions that will be coming up later. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Moses. Mr. Yakeleya.

MR. YAKELEYA: Thank you, Madam Chair. This motion here speaks to reviewing this whole issue again. This is a very important motion. The work done by the Boundaries Commission is very important. I feel the commission is just doing the numbers. It isn't looking at the essence and importance of culture, language and boundaries of the land. When they make suggestions like moving two nations of people together, which don't come to agree on a riding, that's not good. That's too constrictive, too limited. They should be really looking at the importance of the language and culture.

Madam Chair, we even heard last week in the celebration, a former leader in the past went to Ottawa to say we have a unique style of government in the Northwest Territories. We have a unique set of values and cultures that need to be recognized. This report for me really doesn't take into consideration the hard work that's been done before us. It's based on numbers. When you can easily say we're taking this group of people and putting them over here, that's not okay. Those days are gone. We've got to have the respect for people that was fought for in the Constitution and recognized in the land and boundaries of our people in the Northwest Territories.

I think that's why, for me, it's difficult to accept some of the recommendations. But to see this, I said no, no, no. If anything, we can expand the mandate or give them new marching orders to make it right. Let's make it right. Let's do the right thing and make it right. I know a riding is way over. We've got to make that right. So, for me, this motion says let's do it again. Nothing wrong with that, to do the right thing, to say that we just want to disregard this and say it's done already. We're going to live with that consequence. That is something we really need to think about within ourselves.

So I'm going to support the emotion and say let's do it right and in a way that's respectful. I'm recognizing the hard work, the commission, the mandate and all that stuff that's brought before us. It's too constricting. It's too limiting and it's our responsibility to fix it.

So I want to say let's go back and let's do the right thing for the people. Thank you

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Yakeleya. To the motion. Mr. Hawkins.

MR. HAWKINS: Thank you, Madam Chair. I just want to be crystal clear; I never said the commission failed. I think it comes down to the instructions they began with. I could come up with great analogies and metaphors to describe that, but I think it really boils down to the instructions that could have been clearer and we don't sometimes know that until we've launched this opportunity into wherever it goes. It travelled a journey. I don't necessarily think the commission itself needs to go from corner to corner and corner to corner of the Northwest Territories – that's four corners – I think it could go back, review some of the information and do the work.

I have to say with respect, back to Mr. Dolynny, who insists an independent judge chaired this, that was pretty clear because we all know and certainly respect that particular judge. In all fairness, judges' decisions do get overturned and we do see conflicting positions even in the real world of courts.

It doesn't mean that because a judge is sitting in the chair that it's the best decision. Now we're getting into individual decisions and I was trying to avoid that because I really think the commission did the best job they could under the instructions they were given. I want to be very clear. It's not about any individual member. I think they did do the best job they could and I want to make sure that's the message they hear. So I wish it wasn't brought up and characterized that because a judge sat on the commission, the commission's report is perfect. I hate to say it, but in my view and in the view of many, it isn't perfect. We're allowed to have these types of disagreements. It's called Canada; it's called democracy.

This motion is simply about one thing, but before I get to that one thing, I want to clear up something Mr. Ramsay had said when he said it will take nine months. We heard this morning – and he was in the same room I was – when the administrative staff member said it would take about six months to do this. So we have a minimum of a year to sort this out and we can do it if we really want to do it. If this is a priority of our government to get this boundaries issue correct the first time, this time, then we should be doing it. In six months, we could do this, if it was a priority. We could delay it if we wanted and, sure, it would take nine months/a year and then it will be too late, but we should not prejudice it already by automatically assuming we will get the exact same decision back.

I think the instructions refined, as Mr. Yakeleya has pointed out, and the perspective Mr. Beaulieu has brought forward... I mean instructions need to be refined. By kicking this problem down by just accepting one of the three present recommendations of 18, 19 or 21, down the road eight years from now saying don't solve it, don't worry, they'll fix it, it isn't ever going to happen. Someone has to have the political courage and I've seen that this needs to stop now. We could do this and say we need a crystal clear answer to our problem and here are the instructions. But the instructions are so vague that we didn't get a good response to the problem, that is. I think we limited them with our instructions.

So this motion really only says one thing, let's send it back to get the best decision we can because, quite frankly, I don't think we have the best decision possible. I don't think it's doing the work that needs to be done. Those tough questions I don't think were ever answered and today is our chance to do it right.

So to stay out of the discussion about why 18 is important or why 19 or 21 or whatever the case may be, I'm really focusing in on this. This is our opportunity to make a difference on one of the toughest choices we all have to make. This impacts people and it will impact all of us as Members.

Madam Chair, I urge Members to reconsider to support this motion and we could get it done in a timely fashion if we were committed to it. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Hawkins. To the motion. Mr. Bouchard.

MR. BOUCHARD: Thank you, Madam Chair. I won't be supporting this motion. I think we are here to make a decision. We've given them direction and we have some options before us. I believe we should be moving forward on this decision. This motion only clouds the decision-making before us. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you for those succinct remarks, Mr. Bouchard. To the motion. Mr. Nadli.

MR. NADLI: Thank you, Madam Chair. I, too, will not be supporting this motion. We've had an opportunity to at least discuss the terms of reference in terms of trying to guide this commission when it was set up. I think they've done their work. They've done their due diligence in consulting with the public and brought back a report and now we need to move on it.

I also reject this motion on the grounds that if we're going to do things the right way, we have to stop denying that there is a need for constitutional reform in terms of ensuring that the public has a say in terms of how it is that the legislative bodies and the judiciary in terms of how this government is supposed to function, reflective of public institutions at the same time, with First Nations principles. That, I think, is the process that has been completely ignored. Mahsi.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Nadli. Mr. Lafferty.

HON. JACKSON LAFFERTY: Mahsi, Madam Chair. I just want to highlight a couple of things. First and foremost, we're talking about the motion brought forward on 18, 19 and 21. Of course, I agree with 21.

---Laughter

I just want to speak to the whole instruction. I am very puzzled. It says "Considerations" language and culture will be taken into consideration, public input will be taken into consideration, and so on, as well as land claims and treaty land entitlement agreement, self-government.

What it boils down to is that again reiterating that they've listened to the people of my riding, Behchoko. So they came up with option 21 due to that fact. I'm glad they did, but at the same time if we were to consider option 18, for example, we would have two Members. We only have three fluent Aboriginal speakers in the House and two of them would be competing for one seat. Only one winner will come out, so we are going to be losing

one of the languages, whether it is South Slavey or Chipewyan.

Those are key factors. It says here they are taking language and culture into consideration. I clearly do not see that with these two positions that will be competing, two people competing for one seat, current Members. Going to 19, again amalgamating two different nations. There is Tlicho, Chipewyan, Cree, three different languages. I just want to reiterate that, because it says they are taking into consideration language and culture. I clearly don't see that with two of the options being considered.

I just want to make it clear to this House that a process is in play, but at the same time it's not being considered. I just want that on the record. Mahsi.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Minister Lafferty. Mr. Menicoche.

MR. MENICOCHÉ: Thank you very much, Madam Chair. I will not be supporting this motion only because I think it's premature. We never had the full debate on 18, 19 and 21 options before us. It's too bad they didn't bring it up earlier because it's something we should consider should these three options fail. Just on that alone, I won't be supporting it. I would certainly like to hear the full debate on 18, 19 and 21, the options before us. I respect the work that was done by the Electoral Boundaries Commission as well. Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Menicoche. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Mrs. Groenewegen): Question is being called.

---Defeated

At this time, I'm going to call a brief break.

---SHORT RECESS

CHAIRPERSON (Mrs. Groenewegen): I will call Committee of the Whole back to order. Before we took the break, we were dealing with a committee motion brought forward by... Oh, we'd already finished it.

---Laughter

Sorry, I wasn't paying attention. Alright, Mr. Menicoche.

MR. MENICOCHÉ: Thank you very much, Madam Chair. As we progress along with the debate about the Electoral Boundaries Commission report, much has been said about the work done by the commission. Once again, I'd just like to reiterate they've done some really good work. They were out in the communities and regions and spoke to the people and heard them as well. They were also given instructions to provide 18, 19 or 21 MLA scenarios. With that, part of our process here this

evening is to actually vote on the recommendations that we had discussed amongst ourselves about bringing forward the motion for 18 MLAs, but as we heard, clearly there doesn't seem to be any Members who support that scenario.

I spoke in favour of not the status quo, but to have 19 MLAs realign some constituency boundaries. With that, Madam Chair, I would like to move forward a committee motion.

**COMMITTEE MOTION 2-17(5):
IMPLEMENTATION OF 19 ELECTORAL
DISTRICTS RECOMMENDATION WITH
ADJUSTMENT TO KAM LAKE AND
YELLOWKNIFE SOUTH DISTRICT BOUNDARIES,
CARRIED**

I move that the Board of Management of the Legislative Assembly bring forward legislation to implement the Northwest Territories Electoral Boundaries Commission 2012-2013 recommendation for 19 electoral districts, with an adjustment to the proposed Kam Lake and Yellowknife South electoral district boundaries to more evenly distribute the populations between those two districts. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Menicoche. The motion is in order. To the motion. Mr. Menicoche.

MR. MENICOCHÉ: Thank you very much. Upon reviewing the final report thoroughly, it was felt that if we moved electoral districts of the Kam Lake and Yellowknife South electoral district boundaries, it would realign some of the distribution in those districts. At the same time, this motion recognizes that we have a somewhat workable solution with maintaining 19 MLAs. I believe we moved some lines in the Inuvik district as well as the Hay River area. It's workable and maintains our 19 MLAs for the Northwest Territories and is something I believe the majority of the people of the Northwest Territories would like us to do.

Like I said earlier, my constituency – and I've heard from others – certainly don't want to see our Legislature grow. We've got a relatively small population compared to lots of jurisdictions. I think the Electoral Boundaries Commission report says we have about 43,000 people. Adding two more MLAs just doesn't seem the right thing to do at this time, perhaps in about eight years.

We've heard in this House this evening about how some populations have changed, some have reduced and, in fact, some have grown. At the same time, I don't believe it's grown enough in eight years that we should add two more MLAs. I believe that if we realign districts and some boundaries, I think it's a workable solution for us for the next eight years when the Electoral Boundaries Commission

is enacted again to review electoral boundaries. Those are my remarks, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Menicoche. To the motion. Mr. Dolynny.

MR. DOLYNNY: Thank you, Madam Chair. I appreciate the ability to speak to the 19 seat motion here with the recommendations or amendments. I would also take the opportunity to hopefully address some of the 21 issues because my math fears the fact that if I don't at this time, I may run the risk of not having an opportunity.

Madam Chair, with the motion before us on 19, one has to take a look at this from an empirical point of view. You have to look at the pros and cons, the pluses and minuses for 19 and how strong is this motion in this House at this time.

Although we see this could be the predominant theme here by Members, it's very clear now that this is not a unanimous selection by many here. Really the only thing barring the fact that there are some cost implications of doing anything else, there are very few positives that I see with this motion.

This motion, speaking to the 19, puts Monfwi again in a 39.5 percent underrepresentation which is worse than it is today and Yellowknife South now is added to the list, even with some of the barriers of changes, is also under-represented. So we go from a current status quo of five to under-representation of two. We've done some migrations of working towards a ruling of the minus 25 percent, but quite frankly, we're not helping ourselves. We've heard from some Members there that operationally this could possibly ease some of the convention protocols with the current set-up of the Cabinet and the Regular Members, but quite frankly, that's not a decision for this House. That's a decision for the 18th Assembly. So I want to remove that from discussion here.

When you look at the Yellowknife ridings in the 19 seat model, almost every one of those ridings have toed up to the 25 percent rule. Given the potential growth, the in-migration of the territory, which is clearly documented, Yellowknife will be under-represented again in short order. All the ridings that had issues will definitely creep over this 25 percent in due course.

It has to be said that Yellowknife residents are looking for things beyond the status quo, and as I clearly said, status quo is not an option and this model echoes so much status quo similarities and the fact that the voter parity for Yellowknife doesn't change from what it is today, I'm sure Yellowknife Members would all agree that this is something that they don't want to hear. Again, I agree, costs are contained within this 19 seat model, but Yellowknife residents have not been able to increase their ability to narrow that gap in voter parity, which they've always been saying that they want to get

up. They're not looking for 48 percent, but they're looking to see some modest growth, in terms of what truly is a representation of population.

So really, when I look at a 19 seat model, I don't really see any win here for Yellowknife residents and there's such a huge setback for Monfwi and also, to a lesser aspect, with Tu Nedhe. Really, quite frankly, I have a really hard time to agree with this type of model.

What really I think Members have to consider is the fact that we've got to do what's best for the people of the Northwest Territories considering all avenues, and when you look at the 21, this really gives a greater voter distribution of Yellowknife ridings, it gives us a lot more breathing to the 25 percent rule, which will be violated in less than a couple of years. You've got to remember we're going back to this in only eight years from now. So we're going to be back to where we were in no time at all. For a 21 seat model, this is Monfwi's only option to keep within the 25 percent ruling. This conversation comes up time and time again for Monfwi and back in 2006 this was mentioned countless times. Quite frankly, we've got to start doing something. We can't continue to put Monfwi in the corner here and ignore their plea. I think we've got to heed that as well.

Nineteen does not give us any movement whatsoever to deal with the growth of our territory. If indeed what we're hearing from Cabinet is that our economic opportunities are there, that we're going to have growth in the Sahtu and we've got to think about growth, then the 19 model does not allow any of that to occur. That's where the 21 model definitely has more merits. What we're looking for here is, and if we're hearing from Cabinet that devolution is coming down the pipe and we've got all these new positions and new departments, clearly the workload is going to be a lot heavier for everyone here and the 19 seat model does not address that one bit. Quite frankly, really at the end of the day, when it comes from a model or design for legal under-representation standpoint of the 25 percent rule, the 21 seat model clearly is the favourite here. Again, I totally agree the Sahtu is going to be affected with 21, but the argument could lend very nicely, given the fact of what we know today and given the fact that we know of all the exploration that's happening in the Sahtu. The Sahtu would lend itself, potentially, for another seat in eight years and I think mathematically that would probably work just perfect and it's something we need to make sure we consider.

With the 21 seat argument, Yellowknife does get a small but respectable bump in voter parity, to the 38.09 percent. This is still moving away from the 36 percent that we're seeing today. That's something that they definitely have spoken loud and clear on when I've been going door to door.

Yes, I know costs have been brought up to the table, but I think the issue of cost has predominantly been made moot as a result of the fact that we can't put a price on democracy.

So when I look at this from the 50,000 foot aerial photo that we've got before us here today, clearly what we want to do is provide a model which meets the majority of the needs of Northerners, meets the majority of needs of our residents and tries to keep us out of the courts. Should we go to 19 seat model, I can guarantee you that we're flipping a coin 50-50 that we're going to get a Charter challenge on 19 seats, whereas a 21 seat, I can probably almost guarantee, but I can't 100 percent guarantee that a 21 seat model will keep us out of the courts. Thank you very much.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dolynny. To the motion. Ms. Bisaro.

MS. BISARO: Thank you, Madam Chair. Thanks for the opportunity to speak to this motion. It's unfortunate that I won't have the opportunity to speak to a motion for 18, and I want to say that I believe there are Members in this House who did want to speak to the motion for 18 and that there are some Members that do support that option.

I want to just repeat many of the points that Mr. Dolynny just made, but I think they're valid and they bear repeating. First of all, and I said this in my remarks earlier, 19 seats gives us the largest number of overrepresented ridings of all three options. We still have one riding, which is largely, seriously, hugely under-represented and that's Monfwi. I feel that that's definitely wrong.

All Yellowknife ridings are still considerably under-represented and Mr. Dolynny spoke to the fact that they're very close to the 25 plus or minus percentage, the cushion that we're allowed, given the Supreme Court ruling. It doesn't allow for growth. I think I said that earlier as well.

The issue of Tu Nedhe being grossly under-represented is addressed, but it creates the situation where it has been pointed out by several Members that both Ndilo and Dettah are not happy about moving into Tu Nedhe and Tu Nedhe are not happy about having Ndilo and Dettah in there with them. So we're creating a riding where we have four communities who don't necessarily want to be in the same place at the same time.

I also want to talk a bit to some of the comments that I heard earlier. I'm not sure if I interpreted the comments correctly, and if I didn't, I'm sorry but I heard a number of comments that I feel need to be responded to. The first one is that someone stated that with more Members it would slow down our processes and one of them that was mentioned is budgeting, for instance. It would slow down the process of budget when we have more Members and my thought immediately was: How is that a bad

thing to take more time to consider the issue at hand, whether it's a budget or whether it's a motion, because we have more Members it's a bad thing to slow down the business of government? If it's urgent, well maybe, but we don't deal with much that's all that urgent.

There was a suggestion that with more Members we're going to have more talking and that that's a problem. In my mind it's never a problem to discuss and debate an issue at length. We get more ideas that way, we see both sides of an issue that way, we come to consensus that way. In my mind it's not the talking that needs fixing. We have to go back to the goal that I think we should be aiming for and trying to get to and that's voter parity, and 19 doesn't do it.

There have been questions to when does expansion stop and I have to say that expansion will only stop when we can bite the bullet and recognize that we will have to either blur the lines or expand or contract the lines of our ridings, overlap language and culture and we're not really going there in terms of what we're saying, and until we recognize that, we have to have situations where we have groups together that maybe don't want to be there or languages together that maybe don't usually combine, we're going to have to keep expanding and if we're going to take language and culture, particularly those two and make them paramount, we will always be expanding.

So to say that expansion to 21 is a bad thing because of the cost issue, I've already addressed the cost issue, but to say that we shouldn't expand to 21, you know, because of the costs, because we've got more Members, it does recognize that language and culture are paramount. If that's where we want to go, then that's what we have to do. If we don't, then we have to accept the fact that we are combining languages and cultures that don't want to be combined. I think, from what I've heard, I would say the consensus is that language and culture are paramount.

There was a statement that Yellowknife will always get the numbers. I think that's what I heard someone say. I'm thinking to myself, I look at this side of the House, there are 11 Members of which four are from Yellowknife, so where's the majority in that? I look at across the other side of the House. There are seven Members of which three are from Yellowknife, and where's the majority in that? I don't understand that phrase that Yellowknife will always get the numbers. We do not have a majority in this House as Yellowknife Members. Maybe we're better at convincing people to sit on our side, but we do not have the majority in the House whether we're on this side or the far side or all 19 Members together, so I don't understand that comment.

Lastly, the option for 19, in my mind, ignores the issue of voter parity and effective representation, and it basically says that's not important. I think I'll just leave it at that. I can't agree with the 19.

CHAIRMAN (Mr. Dolynny): Thank you, Ms. Bisaro. To the motion. I have Mr. Yakeleya.

MR. YAKELEYA: Mr. Chair, the motion here is one that seems to be the simplest or logical to come to a decision to deal with this issue here. That, for me, is not right. We are looking at rejigging the line within the Yellowknife riding. It will be an issue, as the Member already talked about it, and it's not going to resolve an issue for the Monfwi people. They're still at plus 39, so rest assured that there's a high possibility of a court challenge coming from the Tlicho people of their representation in the Legislative Assembly.

I believe this motion has a disregard for the people, the culture, the land and the language. You're bypassing that just for the sake of numbers. If a nation of people, you force them to move in with another culture group, another nation of people, those days are gone. We have evolved into our own sovereign nation with our land claims, within our boundaries and of our land, where we hunt, all those need to be considered paramount to effective representation. To have this motion disregards that.

I believe the number 21 is the way to go. We have lots of bureaucrats in our system and if we want to save money, we know where to cut money. It's simple. We have extra positions coming every time for budgeting sake. We have extra positions coming into headquarters. We're increasing our bureaucracy, and this motion here may be a motion that says, yes, we can do this. It doesn't do us or me any good to move it forward. You're not going to have peace within the Territories. I heard it. We're trying to force the decision that may seem logical, it may see okay, but it's not the right one. There must be another way to deal with it. I think that this motion here will do more harm than good. It may be fine on paper but in practicality and reality it's not very healthy, it's not very good. That's what I'm saying about the 19, the number here. I really have a hard time to accept it and I won't be supporting the motion.

I think that we need to look beyond the 19, look at another motion where it seems that it's workable. For myself, we need to recognize the Northwest Territories is very unique. Again, I go back to what the old Premiers, former Premiers have said what they need to do to ensure that certain constitutional rights were back in the Constitution of 1984. That's what we're doing. This is a very unique situation we're in and we've got to look at that. That's who we are. We're in our land, in our culture and in our language, and we've got to bring that to the front. If you do this motion, it doesn't give credence to our cultures and to our people. I have faith that we can

do the right thing. Looking at the economics, the social, the political, the cultural and you weigh it against the 19, it doesn't balance out, it doesn't even out. I will not be supporting this motion for those reasons.

CHAIRMAN (Mr. Dolynny): Thank you, Mr. Yakeleya. To the motion. I have Mrs. Groenewegen.

MRS. GROENEWEGEN: Thank you, Mr. Chair. I think, as Mr. Yakeleya said, we have an opportunity here today to do the right thing, and may I suggest that voting in favour of the motion for 19 Members is not the right thing.

We, as a government, came in here as the 17th Legislative Assembly. We talked about the value of our partnership as a central public government with Aboriginal governments. Here today we have a chance to show respect to the Tlicho Nation, to the folks from our neighbours, and they are our neighbours in the South Slave, in Tu Nedhe. And at what cost? What? Two extra seats here in the Legislature? That is nothing. Well, people might argue that with me, but I think it's a chance for us to show respect.

If we want to give up this opportunity to do the right thing today, let me warn you of where we're going, because I've played in this movie before. Like I said, I sat in this House and had a chance to give Yellowknife one seat, and I was politically pressured not to do it by the leaders of the day and I voted with them. The Friends of Democracy took it to court. We didn't just get one new MLA; we got three new MLAs. Now, if you want to take it out of our hands and take it to the courts, I guess we won't have any control over what the outcome is. We won't be driving the agenda when it goes to the courts.

I think it's a chance for us to put our money where our mouth is, show some respect to language, cultural, Aboriginal groups here today, and add two more seats to this Legislature. You can say, well, how many people will tell you that we should add more MLAs. Well, that's not really the germane question in this discussion. This is a debate today. This is actually really good. It's been a long time since we've had a good debate in this House and it's a very good debate.

But I just want to say that we are a diverse and unique territory and we need to recognize that diversity and that uniqueness by showing respect to our partner governments and our constituencies. We always stand up in this House and we talk about the richness of our territory with our culture, our language and our 11 official languages. We talk about that. We brag about that. We pay it respect. Yet, today we have a chance to, like I said, put something behind those words, and I think that we should be doing it. If we do hand this off to the courts to decide, I would like a recorded vote on

this. I'd like a recorded vote because the people who do not vote for the 21 Members and vote for the 19 Members, after we see where the dust settles on this, I want everybody to know exactly who we are talking about.

CHAIRMAN (Mr. Dolynny): Thank you, Mrs. Groenewegen. To the motion. I have Minister Beaulieu.

HON. TOM BEAULIEU: Mahsi cho, Mr. Chair. Although I know we don't have interpreters anymore, I just want to speak a bit in my language to the elders. [English translation not provided.]

I just wanted to stress a point of how important it is even today as more and more people speak English and communicate in English, and English is a working language for us, we still need to work in our own languages as well. We still need to have representation in the House here that represents people of all Aboriginal languages across this great territory of ours.

We know that some of the languages have almost died because people have not taken language and cultural things seriously. We talked a lot about things like addictions, social issues and things like that. The elders always tell us it's because we need to go back to the land, we need to get in touch with our culture and we need to talk our language. When you sit down and you can talk to somebody in their language and they have a good understanding of it, it's the best way for individuals, elders and everybody, to express how they feel towards their people. That's what is needed. That's not considered in here. Even if we put it down here saying language and culture will be considered, it wasn't. It is, actually, with 21 seats, but with 19 seats and with 18 seats it was not considered. It couldn't possibly be considered because if it was considered, they would never put a recommendation forward that says the elimination of one language in this House. The elimination of one Aboriginal language in the House would not have been considered. So this is what 18 seats did. It puts Tu Nedhe and Deh Cho together, so that would have eliminated the Chipewyan language. I have no doubt about it. Mr. Nadli is a good representative for a lot of people in the Deh Cho and that's where the Member would arise from. It's essentially the same thing even if it goes the other way. It's still one language and it would not be spoken in the House. It disrespects the traditional lines of people. It disrespects the traditional boundaries that the people set up.

People live where they live because that's where they're from and that's the language that they speak and that has to be respected. This report does not respect that except for in where there are 21 seats.

I did talk to the people that put this report together and that was their response. Yes, we did consider

it, but that was in the 21 seats. If 21 seats is what this Legislative Assembly picks, then we will have respected the culture and language and the culture and languages or official languages and the diverse cultures that we have across the territory. I'm seeing that, eventually, if we go with 21 seats, as the MLA for Sahtu had indicated, there could be growth in the Sahtu and that would be appropriate, and there could possibly be a seat that's dominated by Weledeh, by the YK Dene. Right now the YK Dene, their band is I think around 1,100 to 1,200 people, but because of the land and the housing they have, they have about 650 people in their riding in those two communities. But at some point, as the people get repatriated back into those communities, they should have their own seat. They would have enough members to have their own seat. This 19 will eliminate that possibility. It would take them and put them in a riding outside of Yellowknife. From a riding where they're from, where they're original people here, it would take them and join them with a riding from out there to another riding. Both groups of people – both groups – don't want that. The people of Weledeh and YK Dene are happy to be represented here in the capital where they're from and the people of Tu Nedhe are happy with their representative that is from their culture and their language. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Beaulieu. To the motion. I have next, Mr. Blake.

MR. BLAKE: Thank you, Madam Chair. Some Members have spoken. Just for the record, I will be voting in support of this motion.

I know some Members spoke earlier about representation in Yellowknife. I feel that Yellowknife does have good representation here. The Member brought it forward last year that there should be signs that are put up in the city because members don't know who their MLAs are. For me that's a clear indicator that possibly there are too many MLAs in Yellowknife because people don't know who their MLAs are. No disrespect, but that's pretty clear, just in my opinion.

One thing that seems so simple to me is why can we not change the number of constituents we represent. Why can't we change it to 4,500 residents? That would make things so simple, but yet it seems like we are asking for too much to do that. There is actually an added benefit for Yellowknife MLAs to support the 21 seats as there will most likely be... They are saving another seat in Cabinet. Whether that has a lot to do with how the vote goes, that's to be determined. But that's just the way things operate here. It's with no disrespect that I do support 19 Members, because I have the highest respect for the Tlicho. Some people here may say they are under-represented,

but the way I see it, the Tlicho have great representation because the Tlicho are the only Aboriginal group in the territory that are self-governing. The Tlicho people have this similar structure that they operate their government in. To me, they have a lot more representation than any of us here may lead on. I have the fullest respect for the Tlicho people.

Just to the report, it states on page 10 that some individuals question the need to undertake this process at all. Some did not want any changes that would affect their current electoral district. Also, some people believe the process shouldn't occur until all land claims and self-government negotiations are concluded. Some believe no changes should be made until after devolution is implemented. Madam Chair, I just wanted to stress that. With that, I will be voting in favour of this motion. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Blake. Are there any further comments to the motion? Minister Robert C. McLeod, please.

HON. ROBERT MCLEOD: Thank you, Madam Chair. We talk about the diversity of the Northwest Territories and we all realize each and every one of our ridings is very diverse. I represent a riding that has Inuvialuit, Gwich'in; we have people from all over the Mackenzie Delta, so we know about the diversity of our riding.

I'm going to vote in favour of the motion, in favour of the 19 but, like Mr. Blake, that is in no way showing any disrespect to our Tlicho brothers, our brothers from Tu Nedhe. It's no disrespect. We talk about the fact that there are three of us in here that are of Gwich'in descent. All three of us can't speak our language. The reason our language is lacking is not because it's not spoken in this Legislative Assembly. It starts well before that. We all would prefer to speak our own language and there are two of us in this Assembly that are Inuvialuit and we don't speak our own language. I always say I can understand it a bit if they point while they're talking to me. I can't remember the last time Inuvialuit or Gwich'in was spoken in this Assembly.

So to say that our languages are dying because it's not spoken in the Assembly, I don't think that's true. There's a lot more to it than that. Obviously, all of us of Aboriginal descent in this Legislature would love to be able to stand, like some of our colleagues, and speak our mother tongue. I mean, that would be a great honour.

I just wanted to make the point that just because we're voting to support the 19 Members is in no way showing any disrespect to any culture, language and people across the Northwest Territories. We are a very diverse territory. In my riding alone – and in every Member's riding – we could count the number of people we have from all across, not only the country, but all over the world,

actually. I know Inuvik has a very diverse population with people from all over the world.

So I just wanted to make that point, Madam Chair. I just don't want it to be thought that because I'm voting in favour of the 19 Members that I am disrespecting anyone, because I'm not. Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Minister McLeod. To the motion. Mr. Bromley.

MR. BROMLEY: Thank you, Madam Chair. Clearly, in terms of the guidelines that were presented to the commission, this is the worst of the three scenarios they presented. It does not resolve the issues of under- and overrepresentation. As well, the issues of culture and language remain as we've heard for at least two groups.

I would particularly like to say for Monfwi this is unfair and perpetuates an unfairness that's been on record for some time now. This is our opportunity to correct that, I would say. So I don't think we should be holding our head up much if we do pass this motion.

I'd also like to say that we do need to have the discussion about how much government we need and what it would require and then a discussion on the model of the government that would be appropriate for that number of MLAs. Update that discussion as needed, but have that discussion, put it on record and see if we can't pull together some momentum towards working towards that model. If it was a smaller number of MLAs, I would be fine with that.

As we've heard, this scenario bumps up against the 25 percent rule, not only for Monfwi but I'd say again for the Inuvik ridings, Mackenzie Delta, with overrepresentation, Deh Cho and so on. For Yellowknife, as well, I just did calculations here and for the formerly Weledeh, so it would be NWT two, 85 people would put us over the 25 percent limit. Now, we know that is happening as we speak. People are moving into the Weledeh riding. For Yellowknife Centre, NWT three, it would be 28 people. Frame Lake would be 122 people and that starts to get into the sort of thing we are looking for. I'm pleased to observe that the scenario for 21 does offer that sort of cushion, so that we can expect the degree of voter parity we would put in place with the option of 21 would actually last for some period of time.

I think cost, again, has been well addressed. The MLAs do contribute. Democracy does have a cost and it is well worth the investment. I would say some numbers were thrown on the table that are pretty high from my understanding for what two MLAs, as proposed in 21, would cost. We know government makes a lot of, I would say, almost frivolous decisions on amounts of money that are substantially greater than that and perhaps it would

motivate us to tune up our decision-making a bit on some of those costly items.

I would say Weledeh riding, speaking for my current riding, but looking into the future, names are important. I think what's reflected in the Weledeh riding is even the name indicates the pride that Yellowknifers have in aligning themselves with a couple of small Aboriginal communities, Yellowknives Dene First Nations communities, we regard as part of ourselves. We are very proud of that affiliation. I would say that is from something like 75 years now there's a record of affiliation of those communities with residents of Yellowknife which were really part and parcel in the early days, lifestyles were so similar in many ways, certainly adjacent, right on the lake, where most of the Weledeh riding is centred and so on. I wanted to make mention this is a big departure against the wishes of the Yellowknives Dene First Nation.

I'd say really the scenario for 19 is close to the status quo. It certainly is in terms of numbers, it certainly is in terms of numbers of MLAs, but it's worse because it fails to attempt to meet the need that 21 addresses, voter parity and a better representation of the language and culture. Again, not nearly as deserving of our support as the scenario with 21 seats.

Really the only thing I've heard against the 21 seats is the cost business and I think that's been so well addressed and could be further addressed, as I mentioned in my opening remarks just now, through more discussion, more work on behalf of this bunch of MLAs to have a discussion on the form and size of government we want and start moving towards that in a comprehensive way.

So I will be voting against this motion. I encourage my colleagues to also consider that, given that it's the worst of the three options that we see at the top of page 37 dealing with this. I will conclude my remarks with that, Madam Chair. Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Bromley. To the motion. Mr. Lafferty.

HON. JACKSON LAFFERTY: Mahsi, Madam Chair. I will be speaking in the Tlicho language. It's unfortunate that we don't have an interpreter here. In fair process, if I do go over 10 minutes, if you would allow me to wrap up my statement. I think it's crucial. The Tlicho elders are listening to us and my leaders as well.

[English translation not provided.]

Madam Chair, I just want to reiterate some of the key messages. Again, it's unfortunate that an interpreter is not here to capture everything that I said, all the important messages, especially to elders and community members.

The 19 seats that have been proposed here does not do anything for the Monfwi riding. With our

numbers, we're 39.5 percent. That needs to be captured. The 25 percent margin that we have embarked on for a number of years, all the commissions that have come into play, they have always talked about 25 percent. Clearly, we are way beyond that, almost 40 percent, Madam Chair.

Due to that fact, this motion that's before us is purely the status quo. We want 19 seats to continue as the status quo. Yes, we're going to tweak it a bit so we can redraw the boundary lines in the Yellowknife area, but that doesn't sit well with me as a Member for the Monfwi riding. It doesn't sit well with my leadership either and that's why they're here today.

We talk about other regions, Sahtu, yes, I clearly understand and I support that, but today it's the Monfwi riding with 39.5 percent. I will be supporting the Sahtu region. In the next eight years we'll have to go through the same process again and they will clearly be above and beyond the 25 percent margin. Clearly, there will be growth as well. It's not going to go down; it's going to go up. Nunavut, less population and they added three more seats.

I'm just going to wrap it up. The two ridings, Tu Nedhe and Weledeh, two very distinctive groups, First Nations, amalgamating. We have to listen to the people. That's why they elected us to sit here and to listen to them. We have to respect their input, their advice and their recommendations. Clearly, we are going against their wishes.

In my view, when we are going to be amalgamating two of the nations, different claimant groups, different languages, different ways of life, I believe we will be dividing those two nations, whether it be their language or way of life. We are forcing upon them to live together. We are forcing upon them to make it work. That's the old regime, a federal government old regime system. I thought we walked away from that. As a GNWT we're here to represent the people, not divide the people.

Clearly, the 19 motion that's coming down does not sit well with my group, with my leadership, with my people. It goes against the wishes of my people and the wishes of other regions as well.

Just to wrap it up, clearly I cannot support this motion and it has to be on the record that we're making a major decision here. Let's do the right thing today. Let's do the right thing this year in this Assembly for our Tlicho partners that are here watching us, to allow a seat for the Monfwi riding. That's highlighted in one of the recommendations. The leaders from the Tlicho are here to witness a historical event today, listening carefully to each and every one of you. So let's do the right thing and make a difference. Mahsi.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Minister Lafferty. To the motion. Next I have Mr. Nadli.

COMMITTEE MOTION TO
EXTEND SITTING HOURS,
CARRIED

MR. NADLI: Thank you, Madam Chair. I move that we extend sitting hours to conclude the item under consideration. Mahsi.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Nadli. Motion is in order. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Mrs. Groenewegen): Question is being called.

---Carried

To the motion that is on the floor, Mr. Nadli.

MR. NADLI: Thank you, Madam Chair. This discussion at this point is fairly significant and the number... Well, these two numbers that we're discussing has a positive ring to it, 1921, it's rather ironic. I wanted to say at least, and impart a message to the people that I represent in my language, I know we've heard the Chipewyan language and the Dogrib language, but equally so I wanted to share a perspective with the constituents back home that have asked me to be here to be their representative. So I'd like to take that opportunity.

[English translation not provided.]

Madam Chair, I think here in the NWT, the federal government views the Northwest Territories... It's not a real name, it's a reference to a bearing or a point somewhere in Canada north of here. It's north of Ottawa, it's west of Ottawa and it's somewhere in Rupert's Land, so it's called the Northwest Territories, but it is home and it's a community that we make up. That's the view that I try to uphold in terms of ensuring that we have not only our small communities that we represent, but we have to acknowledge the fact that we have a capital city in the NWT as well. So the challenge is trying to always balance in terms of what it is that the small communities need at the same time as the larger centres. So that's why we're mandated to be representatives and make this House work in the spirit of consensus.

Upon my initial consideration of this motion, yes indeed, the constituents that I serve have indicated a favour to maintain the status quo. Yes, I agree. However, the last Assembly maintained the status quo and here we are again and under duress, because if we maintain the status quo, the likelihood of a court challenge is real and we need to be very cognizant of that. Perhaps that's a reality that we have to contend with at some point. What we can't forget is, sure, they all have voting rights, they all have voting rights and now there's treaty and Aboriginal rights, court and First Nations rights. At the same time the non-Aboriginal people have assurances under the Constitution and the Charter

of Rights and Freedoms, but what it's predicated on and what it's premised on is the idea of multiculturalism, that it's an inclusion, it's a community that we all represent. If we make one big fire, all of us have to converge and centre around that fire. I think that's the spirit that most of our elders have told us, that we need to ensure we remember the spirit of inclusion.

In that same light, there are parallels in terms of a First Nation road and a non-Aboriginal road, but the thing about it here in the North, it's a duality in that we try to work with each other, and we have to work with each other to try to make this community strong and united and work for the better interest of the people that have put us here for the North.

One thing that I do have to acknowledge and we have to remember, it's people from the communities and the regions that make Yellowknife their home. I have relatives here and I lived here in Yellowknife too. We can't forget about that. So there's a trend of people moving to Yellowknife, and for those reasons I feel the scenario of ensuring that 21 MLAs in the end is a decision that I will support, despite the sense that we're caught in a trap, that there's a legal ruling, an undue duress that's hanging over our heads. I take exception to that, but the larger decision is that I don't support the idea of 19 MLAs. I think the real and practical decision, the best scenario is 21 MLAs.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Nadli. To the motion. Next I have Mr. Moses.

MR. MOSES: Thank you, Madam Chair. Just before I begin here, I just want to echo some of the comments made by my colleagues, and that's in no way are we disrespecting any Aboriginal groups, and in fact, I think that the Aboriginal and GNWT relations are as strong as ever, and it started with the 17th Legislative Assembly. I know all you guys can remember the time we were down in Detah and we started those discussions, and continue those discussions. As elected leaders both in Aboriginal groups, municipal or territorial, we do what's for our residents and constituents that we represent. It's under this leadership and this government that those relations were brought forth, so I don't think it is a deciding factor in how we vote, whether it's 19 or 21, because I believe those relationships are already strong today, stronger than when we got elected here.

There was another comment I just wanted to make reference to that was brought up earlier, was that Yellowknife Members are a minority in this Legislative Assembly, on this side of the House and on that side of the House. The last I saw, Inuvik only had one vote on this side of the House and Inuvik only has one vote with Cabinet, so I don't see where the minority is coming from. As Members of this Legislative Assembly, we should

be representing the residents of the NWT, not the residents of Inuvik, not the residents of Yellowknife by themselves, but the territory as a whole and everybody that resides here in the NWT.

We've spent four hours on this issue, and we're discussing whether we're going to put two Members in this House or not. I've been here two years. There's not a day that I remember we spent four hours discussing early childhood development, four hours discussing the homeless people, the mental health and addictions, socio-economic agreements, fracking issue, which is big now, and I know moving on with this government we're not going to spend four hours discussing these issues at all. Education, physicians, our low literacy rates, graduation rates, important issues to our people. They're not worried about whether or not we have two people or not and if this is going to go to court or not. We have people out there that are sick, that are homeless, and yet we spend the whole afternoon here discussing whether or not this government should have two more MLAs when people down south are representing way more population than we are.

And you know what? I've been a community member. I've sat on municipal politics, I volunteer. I work with the youth and the elders. I've been a government employee for a number of years, and now I'm a Member of the Legislative Assembly, and being in this House, I've sat on committees where I've never sat with such a strong committee such as the Social Programs committee in all my working years, and I'll tell you, each and every member that sits on that committee represents their jurisdiction and the people of the Northwest Territories effectively and efficiently. Adding two Members, would it make a difference? You just have to listen to the throne speech yesterday. Look at all that we've done as 19 Members. We've done a lot. I know Members on this side of the House can agree with that. We got a commission report in front of us that is pushing some Members against each other.

Like I said, this is my first time in government. I wasn't sure how things were going to work out but I'm very happy, and I know the residents of the NWT are happy with all the work that we've done. Whether or not we have two more Members to repeat what we have already said in the next two years, we've got good direction moving forward. We've got a lot of action plans that are coming out, Anti-Poverty Strategy, Early Childhood Development Framework, Economic Opportunities Strategy, things that are going to guide us 19 Members who had direction and input into that to continue to make this government what it is.

I don't agree with the extra two Members proposing the 21 Members here. It's sparked a lot of really good debate and I respect all Members' comments on this. When we're looking at all these social issues, infrastructure issues within the people we

represent here, I'm in favour of 19 Members. I feel the 19 Members here are very strong in doing the work on behalf of the NWT and moving forward is going to be very strong as well. I will be supporting this motion of 19 Members, and whether it goes to the court system or not, you know, that's the chance this government's going to have to take. But in a statement I made earlier, we're all here to make tough decisions that affect the livelihood, the health and well-being of our people, and 19 Members I feel is adequate and that's what I will support.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Moses. To the motion. Mr. Menicoche.

MR. MENICOCHÉ: Thank you very much, Madam Chair. I think I heard clearly the many, many reasons to keep 19 and not to move on to 21, but I heard clearly, as well, I think Members want a recorded vote, so I'll certainly ask the chair for that.

CHAIRPERSON (Mrs. Groenewegen): Thank you. Anything further to the motion?

SOME HON. MEMBERS: Question.

CHAIRPERSON (Mrs. Groenewegen): Question is being called. All those in favour of the motion, please stand.

RECORDED VOTE

CLERK OF THE HOUSE (Ms. Langlois): Mr. Menicoche, Mr. Blake, Mr. Abernethy, Mr. Miltenberger, Mr. McLeod – Yellowknife South, Mr. Ramsay, Mr. McLeod – Inuvik Twin Lakes, Mr. Bouchard, Mr. Hawkins, Mr. Moses.

CHAIRPERSON (Mrs. Groenewegen): All those opposed to the motion, please stand.

CLERK OF THE HOUSE (Ms. Langlois): Mr. Beaulieu, Mr. Lafferty, Mr. Dolynny, Mr. Nadli, Ms. Bisaro, Mr. Bromley, Mr. Yakeleya.

CHAIRPERSON (Mrs. Groenewegen): All those abstaining? All those abstaining from voting on the motion, zero; all those in favour of the motion was 10; all those opposed to the motion is seven. The motion is carried.

---Carried

Minister R.C. McLeod, please.

HON. ROBERT MCLEOD: Thank you, Madam Chair. The debate that we've had this afternoon has been great and it's one of the benefits of consensus government to have debates such as this and then we move on from there.

I have a motion that I would like to move.

COMMITTEE MOTION 3-17(5):
LEGISLATION TO MAKE FUTURE
ELECTORAL BOUNDARIES COMMISSION
FINAL RECOMMENDATIONS BINDING,
DEFERRED

I move that the Board of Management of the Legislative Assembly bring forward legislation to require future electoral boundaries commissions to prepare preliminary reports and hold public hearings on those reports prior to making draft final reports; to provide an opportunity for Members of the Legislative Assembly to make formal objections to recommendations of draft final Electoral Boundaries Commission reports, which commissions must consider before making their final reports; and to make the final recommendations of electoral boundaries commissions binding.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Minister McLeod. To the motion. Minister McLeod.

HON. ROBERT MCLEOD: Just very quickly, Madam Chair. I've been a part of two of these now and both of them have sparked a lot of good debate. We asked this commission, which is supposed to be an independent commission, to go out and listen to what the people have to say and then come back with some of their recommendations. I mean, we've seen a motion today to completely dismiss those recommendations and we've had a few other motions.

I believe that if we, eight years from now, the Legislative Assembly of the day will ask the commission to go out and do some consultations across the Northwest Territories. They'll have an opportunity to come back. The Members of the day will have an opportunity to provide some input before their final recommendations, and I believe those recommendations should be binding. I think we've heard somebody say that six jurisdictions have this, and we've heard today that the commission, I believe, takes everything into consideration. I think we see that now with the 19 Members that we do have and with the discrepancy in the numbers from 760 to 2,800. I think they do take everything into consideration.

I would like to see the future commission reports binding, and I appreciate the opportunity to have spoken a few words on this.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Minister McLeod. To the motion. Next I have Mr. Abernethy.

HON. GLEN ABERNETHY: Thank you, Madam Chair. Recommendations from electoral boundaries commissions are binding in the following six jurisdictions: New Brunswick, Nova Scotia, Prince Edward Island, Quebec, Manitoba and Canada.

This does not mean in these six jurisdictions the reports of the Electoral Boundaries Commission has always been accepted without objection. Two jurisdictions, New Brunswick and Canada, provide a formal mechanism to register objections with the commission. Although any objections must be considered by a commission, amendments to a commission's proposal are not required.

In Quebec during the most recent redistribution exercise, the Legislature enacted legislation to suspend the review process because legislators were not happy with the commission report. Meanwhile, last year in Nova Scotia the Minister of Justice rejected a commission's interim report because in the government's estimation it did not comply with the Commissioner's mandate. This raised questions as to whether the final report of a commission would actually be binding if it did not meet the mandate of the commission. Just to point out that these are exceptions to the rules as opposed to the rule.

Most jurisdictions prescribe in legislation the total number of electoral districts and acceptable variances either in absolute terms or in accordance with a formula. All 14 jurisdictions in Canada employ independent electoral boundaries commissions to periodically examine the redistribution and readjustment of the electoral district boundaries.

What this motion is doing is suggesting we follow a model similar to New Brunswick, where a commission is given a direction or mandate to go out and determine boundaries based on things like we've heard discussed here today – numbers, language, culture, regional realities – but it provides MLAs with an opportunity to provide an objection if they feel that the commission missed the point. The commission will take this, as well as all input from communities and from residents of a territory, and develop a final report. The trick here is we need to make sure that our legislation, if this motion is passed, is tight and solid, and clearly and fairly represents the things that you've heard in this House today, that language, that culture, that regional differences are taken into consideration and are built into our legislation. Then you take the politics out of it and have this commission go out, do the work, meet the public, talk to the public and come back with a binding decision. Madam Chair, I support this motion.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Minister Abernethy. To the motion. Minister Ramsay.

HON. DAVID RAMSAY: Thank you, Madam Chair. I certainly will be supporting the motion that is before us here today. I agree with Minister Abernethy on this and others that have spoken about taking the politics out of this. I think we really need to do that and find a way and process that will

enable that to happen. This motion certainly does that.

We had a very close vote today on the findings of the Electoral Boundaries Commission. I think if I could, I'd like to make an amendment to the motion. It's just something that I think has to happen. I think eight years is too long for the House to wait for another electoral boundaries report to be done and commissioned by the Legislative Assembly. It's too long to wait for a riding like Monfwi. It's too long to wait for a riding like the Sahtu and perhaps even Yellowknife.

Madam Chair, maybe just a minor amendment to the motion that's before us would be to refer the issue of having an Electoral Boundaries Commission struck in the 18th Legislative Assembly and maybe we could refer the issue to the Board of Management for further review. That way, hopefully it will give a little bit of comfort to those ridings and people out there wondering what happened today. Four years comes a lot quicker than eight. I think it's the right thing to do. I don't think anything can stop us from going to the Electoral Boundaries Commission Act and have the next Assembly, rather than the Assembly after it, deal with the issue. I think that's something I would like to put on the floor, Madam Chair. Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Ramsay. Do you have a written version of your proposed motion to amend the motion? Mr. Ramsay.

HON. DAVID RAMSAY: Thank you, Madam Chair. Maybe just a sentence at the end saying we would refer whether or not the 18th Legislative Assembly could propose changes or this Assembly could propose changes to the EBC Act to have the next government, which would be the 18th Legislative Assembly strike an Electoral Boundaries Commission as opposed to the 19th Legislative Assembly. Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Ramsay. The motion to amend the motion that's on the floor has to be in a written format. So, accordingly, we will take a break. Thank you.

---SHORT RECESS

CHAIRPERSON (Mrs. Groenewegen): I'd like to call Committee of the Whole back to order. Mr. Ramsay.

AMENDMENT TO COMMITTEE MOTION 3-17(5)
TO REQUIRE THE ESTABLISHMENT OF AN
ELECTORAL BOUNDARIES COMMISSION
DURING THE 18TH LEGISLATIVE ASSEMBLY,
CARRIED

HON. DAVID RAMSAY: Thank you, Madam Chair. I move that Committee Motion 3-17(5) be amended by adding the following after the words "to make the

final recommendations of electoral boundaries commissions binding":

“; and to require the establishment of an Electoral Boundaries Commission during the 18th Legislative Assembly.”

Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Ramsay. To the amendment to the motion.

AN HON. MEMBER: Question.

CHAIRPERSON (Mrs. Groenewegen): Question is being called.

---Carried

Back to the original motion as amended. We have several people on the list for that. Mr. Ramsay, you were on the list next. You're good? Thank you. Mr. Hawkins.

MR. HAWKINS: Thank you, Madam Chair. I guess I just want to say I'm going to speak in favour of the amended motion, which is basically as mentioned by Mr. Abernethy and some others I guess repeatedly, but the fact is that we really need to find a way or a mechanism to get this electoral boundaries review process completely out of the hands of politicians.

I think Mr. Moses had said it in a really interesting way. How many hours have we spent on this particular subject, but yet we spend such a paltry amount on other very important subjects, whether it's early childhood education, poverty, et cetera. That may not be a completely accurate statement in a sense of time, but I think just the debate alone today, I think, was an interesting reference how much time we've spent on this initiative in comparison to the others. I think that's the contrast he was highlighting and I do support his observation in that.

As Mr. Abernethy had mentioned, there are mechanisms, and I've watched other regions go through this and there always seems to be a winner and loser in these situations when they amalgamate or delete or whatnot of a riding. But I've seen things work out, being a spectator in those ridings in the context of me watching from the Northwest Territories to watch other ridings whether they're in Nova Scotia or New Brunswick, et cetera. It's a true, fair approach, I think, of executing the will of the Legislature and certainly the will of the people. I think it gets there without anywhere near the trouble that we're going through today.

The challenge – I don't, sort of, envy the next Electoral Boundaries Commission, again assuming we can find anyone who wants to sit on it after this experience – but the real challenge, of course, is to find anyone without interest to be represented and I know people do represent their perspectives in the spirit and goodwill as they're attended, but deep down inside I certainly hope that certain biases and

whatnot don't come through. As such, I would think that the Electoral Boundaries Commission... I'm not sure if it's struck or written into legislation that it has to be three, but I do think that that has to be a consideration at the time.

If you're going to make something mandatory, you can't put the smallest group of individuals together to come up with one of these biggest decisions. At that point, if you've only got three people, you might as well just give it to one person at that point. I mean, I'm thinking the electoral boundaries review or final decision has to go through something like a group of five, maybe. I know that that's cumbersome in its own way, but the thing is you really need good to and fro when you talk about decisions and discussions like this. I mean, look at today, it was a fantastic discussion. Yes, it is. Certainly, I think I have left four and a half hours on the table of my life on this one and it's a discussion well invested by us because it's so important for the people of the Northwest Territories, but when you think about that type of decision, I don't know what the mechanisms are and I'm not about to move an amendment to another amendment. Quite frankly, it's something that we need to keep in mind and I certainly hope the Board of Management of the day will make that type of decision to expand the roles of people in that job.

So although not an amendment, but more a point, saying that I would hope that the future commission would be a minimum of five people. Again, to help the diversity of perspectives, but to ensure that we get a fullness of discussion when or whatever position they take when they make their recommendation binding. I think to me that's the key, but at the same time to help the diversity of perspectives, but to ensure that we get a fullness of discussion when or whatever position they take when we make their recommendation binding. I think to me that's the key, but at the same time it's the essence of what it should be. Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Hawkins. To the motion. Next I have Mr. Beaulieu.

HON. TOM BEAULIEU: Thank you, Madam Chair. I will not be supporting this motion. I think that it's important that this type of discussion, this type of decision being made by the people in this room, like with the discussion we had today, as you can see individuals are trying to protect nations or trying to protect the people that they represent. This would take it completely out of our hands and it will go to individuals who are not elected by the people who will be going out there as a commission making a final decision on how the electoral boundaries would look in the Northwest Territories.

I thought this last one was a very poor process and I thought two of their three recommendations didn't respect language and culture. The third one was

very unpopular, because it respected the language and culture, but it came with an additional seat that people didn't seem to have the appetite to do for some reason.

So now we're going to then take the work of this type of commission and make it binding. I can't support that. Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Beaulieu. To the motion as amended. Mr. Bouchard.

MR. BOUCHARD: Thank you, Madam Chair. Glad that I can agree with Mr. Beaulieu's point of view in that we are elected officials to make these decisions. I will not be supporting this motion, as well, on the fact that I think there are a bunch of intricacies of these types of decisions and I don't think that's in the best interests of the Northwest Territories to be bound by a commission. I think the commissions can give us recommendations, give us direction on what they see, what they've heard and seen, but we, as elected officials, have to make the end decision.

The other thing is that making this binding isn't representative of what's happened in the past. You know, the last couple of commissions for sure, the elected officials at the time decided to go other directions. Even this one we went with 19, one of the recommendations, with a minor tweak. So I mean, us knowing, I think, what the Northwest Territories needs best. So I know it is ugly and we've sat here for four hours, five hours, but it has been good discussion and it has stirred emotions in everybody, but I think we are all trying to represent who we represent. So I think it's still the place to be decided is here as opposed to a commission. So again, I will be voting against this motion.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Bouchard. To the motion as amended. Mr. Menicocche.

MR. MENICOUCHE: Thank you very much, Madam Chair. I know the intention of this motion is to try to remove it from the politicians, but after extensive debate today and how emotional it was, not only for Members but for people out there in the public, the intent was to put it somewhere else and make a commission dictate how many MLAs we have. I think before that happens we have to have our discussion ourselves as to what's the maximum. We have to set some parameters around it. We can't just strike up some new board and then on top of that in the next election, as well, with the amendment.

So I'm not in favour of that. I'd rather raise it at Caucus and try to move forward with something that addresses all of our concerns, but to provide a kneejerk or committee motion like this, that's something I cannot support without giving it some

full thought, bring it back to my constituency to discuss it, you know, how do we move forward.

In eight years I do believe that we will be in a position or we may be in a position to increase the number of MLAs because our population certainly has grown and we've seen that in the last eight years. I think we're going to have to wait until then. Those are my comments. I won't be supporting this motion.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Menicoche. Mr. Dolynny.

MR. DOLYNNY: Thank you, Mr. Chair. Being a newly elected official here, you always come into this room under the pretense of wanting to do what's best for the Territories. You know, clearly every intention of newly elected officials or those that return here is to do just that and you spend months, years – we're halfway through our term – almost two years to try to work together in a consensus-style manner. We protect that of which we hold as dear and true, which is consensus, and yet today we're acting like we're parties, parties of one, parties of two, parties of three. Clearly, this, in my mind, goes against the virtue of consensus-style government. I know it's important to have debate. That's fine. But when the topic of this nature is so political and so self-serving in nature and it crosses the lines of culture, language, I can tell you, it's not a fun place to be in. Even though I don't mind being here and having a good dust-up with my colleagues, a lot of people were galvanized on these issues right from the get-go. Things were said and what was supposed to be in the spirit of working towards some type of unanimity in terms of what's best for the people, it turns out to be who's with who, who's with what, and really, at the end of the day, what are we accomplishing.

I think Mr. Moses is the smartest guy in the room and probably the youngest guy in the room. I say that because he's observant. He sees that. We've spent so much time on this being self-serving, indeed where the people of the Northwest Territories are suffering, whether it's health, education and everything, and quite frankly, we're squabbling over a seat, a seat there, and quite frankly, what did we achieve? The status quo. We're going to be going to the courts, I'm pretty sure.

The fact remains that consensus government was designed so that we're respecting one another. It was designed so that we could work together, and quite frankly, I think that these types of really hot political items need to be looked at. I think if that's looked at in a form...

CHAIRMAN (Mr. Bouchard): Mr. Dolynny, please speak to the motion. Thank you.

MR. DOLYNNY: I'm trying to get to the motion where I'm trying to summarize it here. The fact is,

really, by taking this out of this room and putting it in the hands of the commission which with the motion speaks, is clearly in the best interests not only for the people in this room but for the people in the Northwest Territories. Let's get back to business.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Dolynny. Mrs. Groenewegen.

MRS. GROENEWEGEN: Thank you, Mr. Chairman. I absolutely do not support this motion. That is the biggest cop-out. Furthermore, we should not be discussing this today. We have just had a very good and valuable debate for the last four and a half hours. I'm sorry; I completely disagree with anybody saying that they wasted four hours of their life. This was a good debate. We didn't all end up agreeing. We will not always agree. Just because it's consensus government does not mean that we will not represent differences of opinion. But this was a good and fulsome debate, and we will debate it again with it comes before this House as legislation. We're going to start mounting a campaign right now to have that debate again. To hand this off to a commission and say they should decide, I totally disagree with that, to depoliticize it. And furthermore, I want to say that I did not hear one single self-serving comment made by a Member today. Not to pick on my colleague Mr. Dolynny, but there was no self-serving here. People were representing, from their heart, their constituents, and from their experience and knowledge what they thought was best for our territory. It was refreshing. It was good. I'm happy. I wish we had more debates like this in the Legislature. That's what the people want to see. They want to see all sides of the subject, not just us coming in here and rubberstamping things.

I do not support moving this on, and I certainly don't support having this debate here today or this decision here today. We're right on the heels of something else. Why do we have to decide this today? We should just vote it down and bring it back later. There's no rush. We can send this off to the Board of Management whenever we want. Why does it have to be right now? I will not be supporting the motion. I guess you might have gathered that by now.

CHAIRMAN (Mr. Bouchard): Thank you, Mrs. Groenewegen. Mr. Miltenberger.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Chairman. This is an important discussion to have in a thorough, measured way, and I do agree with Madam Groenewegen's concern that this has been an intense time here. There's been a lot of emotion and a lot of debate, and it's late. This thing deserves better from all of us. We clearly want to look at how we do this, because I've been in five elections, I've been through this process three

times, and I can tell you, the process needs adjusting or fixing.

It's not that we give up our authority. Our job, in my mind, the more I think about this and I've been watching over the years, is we need to set up a good, solid process like we do in any number of cases and then we get out of the way. It is physically impossible for us in this forum to deal with broad strategic issues and not get caught up in the emotion of the moment, the immediate constituent political self-interest that might be there, and it's not a forum to have that kind of debate.

I think – and I'm sure Mr. McLeod is listening carefully about this – this deserves more thorough and measured attention. Mr. Menicoche suggested, as well, we need to look at this away from the intensity and the emotion in this room and have a more fulsome debate. I see extreme merit in this, but I, as well, agree that we should probably do this at a different time.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Miltenberger. Mr. Yakeleya.

MR. YAKELEYA: Thank you, Mr. Chair. I also agree with the last two speakers in that we need to take some breathing room out of this discussion right now. I thoroughly enjoyed the debate on the recommendations from the Electoral Boundaries Commission, and I certainly agree with the comment that the MLAs here need to be the final ones to put the stamp on something important as this, and we need to sit back and look at how we see our jobs as we put our names on the ballot box so that the people vote for us to make decisions, and this one here just needs to take some backroom breathing room and look at it and say, okay, this is what we need to do.

I for one will not be supporting the motion at this time. Maybe withdraw it or not to have it on the floor right now with us.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Yakeleya. Mr. Bromley.

MR. BROMLEY: Thank you, Mr. Chair. Briefly, yes, I agree that this motion is premature. I agree that we do need to do something with the process if we can find something will really move it forward and be supported widely. Really, making it binding, making the Electoral Boundaries Commission report binding depends on us giving them good instructions from the start, and based on my modicum of experience to date compared to Mr. Miltenberger, I don't think we're there yet where we can reliably know that we are always going to give good instructions.

I am comfortable that the courts are available as backup if we need them, although that's clearly not the preferred route to go.

I did also want to weigh in. I think Mrs. Groenewegen captured it well, but not to take away from the wise words of wisdom of my colleague Mr. Moses, but, you know, what we're talking about here is the fundamentals of democracy. There is nothing more worthy of us spending time on, then making sure and debating how we can remain democratic and as well-founded as we possibly can be on democracy. On that basis, and I have to say, I have the same frustrations as many of my colleagues on the lack of attention that we may give to some issues or the lack of time we seem to have for them despite how huge they are. But I just wanted to share my understanding to, or my appreciation for, the democratic process as being the number one on which this is all founded. With that, I'll leave it. I will not support the motion.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Bromley. Ms. Bisaro.

MS. BISARO: Thank you, Mr. Chair. I'll try to be brief, but I did say in my opening comments that I support making the decision of a commission binding, but there have been a couple of extremely valuable points raised within the last few minutes. I do think that this suggestion deserves some careful thought. We are tired after four and a half hours, which I agree with whoever said that it was an extremely valuable time, was an excellent debate. Just the thought that one of the reasons we don't have debates like this is because we pit one side against the other and our procedures and processes don't really allow that at this kind of debate. Maybe we ought to look at what we're doing and change some of that if we want to have more of this kind of freewheeling, open and consensus-style debate.

That said, I am in support of looking at this issue, but to the points that have been raised about putting this off for a time and considering what we really want to do with it, I think that's probably very valuable. If the motion can't be withdrawn, which I gather it can't, I will have to vote against it. Thank you.

CHAIRMAN (Mr. Bouchard): Thank you, Ms. Bisaro. Next on the list is R.C. McLeod.

COMMITTEE MOTION TO DEFER
COMMITTEE MOTION 3-17(5),
CARRIED

HON. ROBERT MCLEOD: Thank you, Mr. Chair. I move that consideration of Committee Motion 3-17(5) be deferred.

CHAIRMAN (Mr. Bouchard): There is a motion on the floor. The motion is in order. To the motion.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Bouchard): Question has been called. The motion is deferred.

---Carried

CHAIRMAN (Mr. Bouchard): Mr. Hawkins.

MR. HAWKINS: Thank you, Mr. Chair. I move that we report progress.

---Carried

CHAIRMAN (Mr. Bouchard): I will now rise and report progress.

Report of Committee of the Whole

MR. SPEAKER: Good evening, colleagues. Can I have the report from Committee of the Whole, please, Mr. Bouchard.

MR. BOUCHARD: Mr. Speaker, your committee has been considering Tabled Document 4-17(5), Northwest Territories Electoral Boundaries Commission 2013 Final Report, and would like to report progress with one motion being adopted. I move that the report of Committee of the Whole be concurred with. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Do I have a seconder? Mrs. Groenewegen.

---Carried

Item 22, third reading of bills. Madam Clerk, orders of the day.

Orders of the Day

CLERK OF THE HOUSE (Ms. Langlois): Mr. Speaker, orders of the day for Wednesday, November 6, 2013, at 1:30 p.m.

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Recognition of Visitors in the Gallery
6. Acknowledgements
7. Oral Questions
8. Written Questions
9. Returns to Written Questions
10. Replies to Opening Address
11. Petitions
12. Reports of Standing and Special Committees
13. Reports of Committees on the Review of Bills
14. Tabling of Documents
15. Notices of Motion
16. Notices of Motion for First Reading of Bills
17. Motions
 - Motion 1, Sahtu Institute of Technology Planning Study

18. First Reading of Bills

- Bill 1, Reindeer Act
- Bill 2, Archaeological Sites Act
- Bill 3, Surface Rights Board Act
- Bill 4, Health Information Act
- Bill 5, An Act to Amend the Motor Vehicles Act
- Bill 6, An Act to Amend the Medical Care Act

19. Second Reading of Bills

20. Consideration in Committee of the Whole of Bills and Other Matters

- Tabled Document 1-17(5), Supplementary Estimates (Infrastructure Expenditure), No. 1, 2014-2015
- Tabled Document 4-17(5), Northwest Territories Electoral Boundaries Commission 2013 Final Report

21. Report of Committee of the Whole

22. Third Reading of Bills

23. Orders of the day

MR. SPEAKER: Thank you, Madam Clerk. Accordingly, this House stands adjourned until Wednesday, November 6th, at 1:30 p.m.

---ADJOURNMENT

The House adjourned at 6:42 p.m.

