

NUNAVUT WILDLIFE MANAGEMENT BOARD

MINUTES: CONFERENCE CALL No. 71

Friday, 24 July, 2003

Members and Staff Participating

Ben Kovic	Chairperson
Robert Moshenko	Member
Harry Flaherty	Member
Kevin McCormick	Member
Nick Amautinuak	Member
Jim Noble	Executive Director
Michael d'Eça	NWMB Legal Advisor

Not Available

Meeka Mike	Member
Paul Pemik	Member
Joannie Ikkidluak	Member
David Alagalak	Member

Other Participants

Friday, 24 July, 2003

1. Opening by Chairperson

The Chairman called the meeting to order at 10:30.

2. Review / Approval of Agenda

The members approved the agenda as presented. **(Resolution 2003-046)**

3. Review of Wildlife Act Issues

Michael d'Eça. Legal Advisor to the NWMB, provided a brief review of developments since April 2003 in the progress of Bill 35 (the new Nunavut *Wildlife Act*):

1. On April 1st, 2nd, 8th and 9th 2003, the NWMB (in partnership with DSD and NTI) held two successful consultation workshops with Nunavut HTOs and RWOs concerning proposed non-quota limitations (NQL's) in Bill 35.
2. On April 10th 2003, the NWMB approved the majority of the NQL's in Bill 35 (involving approximately 43 sections and subsections of the Bill).

On April 16th 2003, the NWMB wrote to the DSD Minister, conveying its NQL decisions, and setting out NWMB, HTO and RWO concerns with remaining NQL's and other provisions within the Bill. The NWMB requested a response to the concerns raised, at the Minister's "*earliest convenience*".

On May 5th 2003, the NWMB wrote to the Premier of Nunavut, setting out the Board's concerns with three provisions in particular, and requesting that he evaluate those subsections in light of the NWMB's concerns.

5. On May 8th 2003, NWMB representatives presented a power point presentation and answered questions at an in camera meeting of the Standing Committee on Community Empowerment and Sustainable Development. The power point presentation was entitled, "*NWMB Review of the Nunavut Wildlife Bill*".
6. On June 9th 2003, the NWMB provided to DSD a document entitled, "*Remaining concerns of the NWMB with respect to Bill 35, the Nunavut Wildlife Act*". The document provided sixteen recommendations for changes to Bill 35.
7. On June 11th 2003, the NWMB, NTI and DSD wrote to the Chair of the Standing Committee recommending thirteen changes to Bill 35, including two of the three provisions listed in the Board's May 5th letter.
8. On June 24th 2003, the DSD Minister replied in writing to the NWMB's April 16th letter. He disagreed with the majority of the Board's concerns, and therefore indicated that he would make very few changes to the Bill. The Minister did not comment at all on the NWMB's June 9th document. Finally, he indicated that all remaining NQL decisions were required from the NWMB by no later than July 28th 2003.

Michael went on to present a draft NWMB letter responding to the DSD Minister's June 24th letter, as well as a draft Motion for decisions on four NQL's in Bill 35. The main points within the letter were the following:

1. Because of the lack of response from DSD, the NWMB must necessarily

assume that the Department does not intend to consider the Board's concerns set out in its June 9th document.

2. The requirement for a July 28th NWMB decision on all remaining NQL's is in conflict with NLCA Section 5.3.25. Accordingly, the NWMB does not feel bound to meet that deadline.
3. The NWMB is prepared at this time to make decisions on four of the remaining twelve NQL's in Bill 35. Reasons are provided for not deciding the final eight NQL's. In addition, an assurance is given that they will be decided in accordance with NLCA Section 5.3.25, and in time for the Minister to meet his required obligations.
4. The NWMB requests a report from DSD on the public workshops conducted by the Department in May of 2003, in order to assist the Board in making its final NQL decisions.

The draft Motion dealt with subsections 42(2) and (3), 62(1)(a), and 112(3).

The Board approved the Motion (**Resolution 2003-047**) and the letter to the Minister of DSD.

Michael then reviewed a further draft document entitled, "*Submission of the Nunavut Wildlife Management Board to the Standing Committee on Community Empowerment and Sustainable Development concerning Bill 35, the Nunavut Wildlife Act*". The Board members reviewed the Submission and its covering letter, and approved both for presentation to the Standing Committee.

4. Review of Revised Budget for DIAND

Jim Noble advised the Board members that DIAND had recently announced that they would be funding the NWMB at the rate of the last negotiated settlement for the new 10-Year contract period effective July 9, 2003. Jim noted that the Board would have to submit a revised budget to DIAND for these additional amounts. Jim advised that staff would prepare the revised budget.

5. Discussion on 10-Year Negotiation Strategy

Jim reminded members that further negotiations may start soon and the Board needs to respond to the last offer made by the negotiators and to prepare for future negotiations.

6. Other Business

Meeka Mike advised the Board that she would be resigning her seat on the NWMB effective immediately. Members all thanked Meeka for her time with the NWMB.

7. Adjournment

Meeting adjourned (**Resolution 2003-048**) at 12:20 pm.

Minutes Approved by: _____
Chairperson Date

RESOLUTIONS: CONFERENCE CALL NO. 71

Resolution 2003-046: Resolved that the NWMB approve the Agenda for Conference Call No. 71.

Moved by: Harry Flaherty Seconded by Nick Amautinar
Carried Date: July 24, 2003

Resolution 2003-047: Resolved that the NWMB, pursuant to section 5.6.48 of the *Nunavut Land Claims Agreement*, and subject to Note 1 below, establish the following non-quota limitations, as set out in the *Nunavut Wildlife Bill*, which received second reading in the Legislative Assembly of Nunavut on March 28th 2003:

1. Subsection 62(1) (a);
- 2 Subsections 42(2) and (3), subject to the correction of the typographical errors identified by the NWMB in its April 16th 2003 letter to the Minister of Sustainable Development, and agreed to by the Minister in his June 24th 2003 letter to the NWMB; and
3. Subsection 112(3), subject to the amendment of the marginal note as described by the Minister in his June 24th letter to the NWMB.

Note 1: The NWMB acknowledges that the non-quota limitation under subsection 112(3) established by this resolution may also be characterized as a modification of an existing non-quota limitation. Because the proposed *Wildlife Act* will entirely replace the former *Wildlife Act* (R.S.N.W.T. 1988 c.W-4), and in the interests of simplicity, the NWMB has elected to treat each of the non-quota limitations in the *Wildlife Bill* as a limitation to be established under the new Act.

Moved by: Nick Amautinar Seconded by Robert Moshenko
Carried Date: July 24, 2003

Resolution 2003-048: Resolved that the NWMB adjourn the meeting at 12:20pm.

Moved by: Nick Amautinar Seconded by Harry Flaherty

Carried

Date: July 24, 2003