

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Tuesday, December 17, 2013 — 1:00 p.m.**

**Speaker:** I will now call the House to order. We will proceed at this time with prayers.

*Prayers*

## DAILY ROUTINE

**Speaker:** We will proceed at this time with the Order Paper.

Tributes.

Introduction of visitors.

## INTRODUCTION OF VISITORS

**Hon. Mr. Pasloski:** It's with honour that I ask my fellow colleagues here in the Legislative Assembly to greet His Excellency Leslie Gatan, who is the Ambassador to Philippines here in Canada, as well as the Consul General Eric Tamayo from Ottawa and Consul General Neil Ferrer from Vancouver.

In the last few years, we have seen continuing growth of the Filipino community here in our beautiful province of Yukon and I had the pleasure to meet the Ambassador earlier this year in Ottawa. I invited him to come to Yukon. I have to say I thought he would come in the summertime, but I am very honoured to see they did come to join us here in the winter and I ask all members of the Assembly to welcome them here today.

*Applause*

**Hon. Mr. Nixon:** I'd ask that all members of this Assembly join me in welcoming Ray Kokiw, who is here for appointment to the Yukon Human Rights Panel of Adjudicators a little later this afternoon. Welcome.

*Applause*

**Speaker:** Are there any returns or documents for tabling?

## TABLING RETURNS AND DOCUMENTS

**Hon. Mr. Graham:** I have for tabling the immunization strategy, in response to a question that I was unable to answer yesterday.

**Speaker:** Are there any other returns or documents for tabling?

Are there any reports of committees?

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

## NOTICES OF MOTIONS

**Ms. Stick:** I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to develop a comprehensive public health plan that is a framework for action based on the conclusions of the *Yukon 2012 Health Status Report — Focus on Children and Youth*.

**Speaker:** Is there a statement by a minister?  
 This then brings us to Question Period.

## QUESTION PERIOD

**Question re:** *Act to Amend the Placer Mining Act and the Quartz Mining Act*

**Ms. Hanson:** The Yukon Party government has a track record of burying contentious legislation at the end of sittings. The oil and gas amendments were so contentious the government did not allow debate. The controversial amendments to the ATIPP act that restricted the public's right to know were not debated. But, Mr. Speaker, the government is very happy to fully debate non-contentious bills like the *Animal Health Act* or the child benefit recalculation.

Now, Bill No. 66, which amends the quartz and mining acts as a result of First Nation litigation, is scheduled to be the last of five items this afternoon. Mr. Speaker, the Official Opposition will be seeking unanimous consent of this House to debate Bill No. 66, as the first item of business in Committee of the Whole this afternoon. Will the government support this?

**Hon. Mr. Kent:** As members know, in any calendar year there are 60 days of sitting that this Legislature has to conduct its business. In the spring of this year, there were 32 days allotted to the budget and other bills. In the fall, that left 28 days for the business that is before the House.

We've passed some important acts. We've gone through a number of departments with respect to the supplementary estimates. As members know, there are two motions on the floor with respect to the Human Rights Commission appointments and the adjudicator's appointment. There are important issues to discuss in Environment and Executive Council Office and then we're looking to get into Bill No. 66, which is the *Act to Amend the Placer Mining Act and the Quartz Mining Act*.

We have three days left in this session to finish the government business and we're prepared to roll up our sleeves on this side of the House and do the hard work. I can only ask that the NDP and the Third Party do the same.

**Ms. Hanson:** Bill No. 66 is one of the most important bills before this House and before the public. It has arisen because the quartz and placer mining acts are a century out of date and are out of step with First Nation final agreements and with 21<sup>st</sup> century public expectations. However, this government has put it last on today's agenda — last after a debate on Executive Council Office's two-percent supplementary budget increase; last after one line of Environment's budget — an area that has already been discussed extensively. Even if we expedite debate on those items and the two appointments, the minister will speak first and we will only be able to debate this bill for an hour at best.

Why won't the Premier and his government grant unanimous consent to debate Bill No. 66 as the first item of business after Question Period today?

**Hon. Mr. Kent:** By the Leader of the Official Opposition's comments, I take it that she doesn't care about appointments to the Human Rights Commission or the adjudicator's appointment. She doesn't care about Environment or Executive Council Office. Those are important issues that we need to discuss on the floor of this House. Along with the Education debate that occurred yesterday, I know we also have Energy, Mines and Resources, Highways and Public Works, and the Yukon Housing Corporation to conduct business on in the last three days of this sitting.

As I indicated in my first answer, we are prepared to roll up our sleeves and get down to business this afternoon. Clearly the opposition doesn't care about the Environment or Executive Council Office, so we should be able to get into Bill No. 66 at a reasonable hour this afternoon.

**Ms. Hanson:** Clearly it's the government that controls the agenda and the government that controls when and where things are going to be debated. This government refused debate on the *Oil and Gas Act* amendments and tried to hide the ATIPP act amendments. First Nation governments and industry have pointed out that 14 days of consultation on the amendments to the *Quartz Mining Act* and *Placer Mining Act* contained in Bill No. 66 are completely inadequate. Now the government is bringing forward this bill as the last item on a crowded day's agenda. They could have inverted it.

This government repeatedly tries to limit public debate and scrutiny on issues that it would rather not talk about. Let us have a full afternoon of debate on this important issue.

Why won't the Premier allow adequate public scrutiny of their consultation process and the proposed amendments to the *Quartz Mining Act* and *Placer Mining Act*?

**Hon. Mr. Kent:** As I mentioned in my first answer, we've had 28 days to discuss business before the House in this sitting. That's what was left of the 60 days that are allotted in any calendar year for us to conduct the business of the Yukon Legislative Assembly. As I mentioned, there were 32 days in the spring sitting, which leaves 28 days for this fall sitting.

We brought forward some very important bills. We still have some important things to discuss in the remaining three days.

Of course tomorrow is opposition private members' day, when they have the opportunity to bring forward issues that are of importance to them. I would remind the member opposite, the Leader of the NDP, that on the first opposition private members' day, we were entertained by three-and-a-half hours of an economic inaction plan that the Leader of the Official Opposition spoke to.

We are prepared this afternoon to conduct the business of the House. We have two motions — Environment and the Executive Council Office. The Leader of the Official Opposition has indicated that she doesn't care about the environment or the Executive Council Office. So we should be able to get into Bill No. 66 at a reasonable time.

### Question re: Homelessness

**Ms. White:** We have asked the minister responsible for the Yukon Housing Corporation more than once about the number of homeless in the Yukon, and he either can't or won't answer.

You can't manage what you don't measure, and it does not bode well for Yukon's homeless population if not knowing or not saying continues to be the minister's approach.

We recently learned that there are about 50 clients spending the winter months housed in Yukon hotels. This keeps them warm and that is great, but this cannot be called housing. Once the weather changes and the rates go back up for the summer tourists, these 50 clients get kicked out. Housing 50 social assistance clients at nearly \$1,000 a month on average, each for six months of the year, in hotels probably costs \$250,000 a year. Is it the government's plan to continue to pay over \$250,000 a year for inadequate housing for six months of the year, or has the government considered other options for chronically homeless individuals?

**Hon. Mr. Cathers:** For starters, I remind the member of some of the actions that we have taken in addition to our building a housing-action-plan-for-Yukon approach, which is aimed at building on the significant investments that have been made under our watch. I remind the members that our investments in social housing significantly overwhelm those of the NDP when they were in government, because they talk a good line but they don't actually put their money where their mouth is.

I would remind the member that the Whitehorse Chamber of Commerce has applauded an initiative that the member and her colleagues criticized — \$13 million from the northern housing trust fund, which is currently in the process, through the RFQ that just closed, and is currently in the evaluation stage.

The Whitehorse Chamber of Commerce, unlike the NDP, applauded the Yukon government for this approach and noted that this action will go a long way in stimulating the private sector to get involved in resolving shortages in the affordable rental-apartment market in Whitehorse. That is, of course, a quote from the first vice chair of the Whitehorse Chamber of Commerce.

**Ms. White:** I'm asking about homeless Yukoners. We know the government likes to spend a lot of money, but too often they spend without proper planning, without setting targets and then without measuring the outcomes. There are people in the Yukon who, for all sorts of good reasons, need more than housing. They need supportive housing. It's good to see the government spending millions on Options for Independence housing one specific group; however, there is still a significant number of other people in need of supportive housing.

Folks with no housing spend most of their energy securing some form of shelter and, in a crunch, end up on the front lines of various emergency services. This is a cycle that repeats itself.

People with adequate housing have a better chance of getting out of that cycle by linking with and benefiting from other social services. This increases their dignity and their independence and reduces the cost of expensive emergency services for the government.

Other than the approximate 50 social assistance clients being temporarily housed in long-stay hotels, is the department keeping track of how many other Yukoners are in need of supportive housing?

**Hon. Mr. Cathers:** What the member fails to recognize is that, while we do track those numbers and keep track of the client volume, the number also changes based on influences that include forces within the Yukon, but also includes the fact that the Yukon is not an island and we have seen the record where we increased things such as our increase to social assistance rates.

We have found that we were not only addressing our own problem, but also having some degree of influx of people from other jurisdictions taking advantage of programs like that.

We will continue to invest in social housing, as we have done. I would remind the member opposite she ought to know very well by now that the NDP's record in government was that they continued to preach a good line, but failed to put their money where their mouth was — that we in fact have made more investments into increasing social housing, and that includes both new units and renovations to existing units. Millions of dollars of investment have been made — we will continue to make these investments. I would remind the member of a specific example of an initiative that she and her colleagues criticized — the northern housing trust fund money. The Whitehorse Chamber of Commerce notes this action will go a long way in stimulating the private sector to get involved in resulting shortages in the affordable rental-apartment market in Whitehorse.

The members not only don't support that initiative, but I'm sure they're going to vote against it like they voted against every dollar we put into housing in the past.

**Ms. White:** It appears that the minister doesn't like to acknowledge that, under his government, Yukoners continue to be homeless. There are homeless Yukoners today, right now.

There is another group of people who may need supportive housing. We have written the minister responsible for housing and we are still awaiting a reply from our latest letter. Some tenants of Yukon Housing Corporation's social housing are clearly unable to comply with the tenancy agreements they signed. This becomes obvious by repeated incident reports involving behaviours not allowed according to the tenancy agreements. Many of these tenants are in need of supportive housing rather than social housing.

Does the minister know how many social housing tenants within the Yukon Housing Corporation really need supportive housing?

**Hon. Mr. Cathers:** Again, let me remind the member of the support we have given to Options for Independence, the support we have given to other support agencies, like Fetal

Alcohol Syndrome Society Yukon, the fact that it was us — not the NDP — who funded initiatives, including the Outreach van and the increased supports to Many Rivers, the supports to Challenge and Teegatha'Oh Zheh, to name but a few of the organizations that we have supported — or valuable NGOs, I should say.

That includes the significant support that we have given to Kaushee's Place, to Help and Hope in Watson Lake and to the Dawson City Women's Shelter as well. Those are one part of the continuum of the investments we have made. I would remind the member again of the significant investments we have made on the social housing side and the significant investment in building seniors housing facilities in Whitehorse and in rural communities.

In addition, I would again remind the member of the northern housing trust fund initiative that we're proceeding with that the NDP have spoken critically of. The Whitehorse Chamber of Commerce noted that Yukon Housing Corporation's action will now begin to restore mobility within the housing market in Whitehorse. Once these units come on the market, low-income earners will be able to start saving a down payment for their first home.

So again, Mr. Speaker, that is a good example of where the NDP is out of touch with the business community and out of touch with Yukoners.

#### **Question re: Economic growth**

**Mr. Silver:** On December 9, the Government of Yukon released its monthly employment report. It confirmed what most Yukoners already know. Our private sector growth has stalled and is, in fact, shrinking. On the other hand, our public sector workforce is growing. The government's own stats contradict the message that the government is trying to get out — namely, that our private sector economy is growing.

Mr. Speaker, according to the government's own stats, private sector employment was down 3.4 percent from November of last year, while the public sector employment increased by 10 percent.

Our unemployment rate is roughly the same as it was a year ago, but the only reason it's stable is because the government, not the private sector, keeps hiring more people.

Why is our private sector shrinking?

**Hon. Mr. Dixon:** This government is focused on growing the private sector economy in Yukon, and we plan to do that through a number of ways. One of them is growing a robust and healthy mining industry. We see the mining industry as having the potential for growth and it has contributed greatly to Yukon's private sector growth over the past number of years. Obviously we've seen a bit of a slowdown with regard to the economic forces in the world, which have softened some mineral prices and made attracting investment quite challenging for companies, but we've seen some positive signs that the Yukon is still a positive place to invest, including the investment announced yesterday by Selwyn mining company, which will see \$56 million invested in their project on Howard's Pass in eastern Yukon. That's \$56 million that will contribute to the health of Yukon's

economy and will bring jobs to the territory and opportunities for Yukoners to get out and get to work.

We're also making investments and working with industry in the tourism sector, in the knowledge sector and in a range of sectors throughout our economy to try to grow the private sector economy here in the territory. We know that the Liberal Party likes to point to these economic projects and cheer against them, because they see a political gain from challenges that Yukoners face on a daily basis.

We won't take that tack — we'll continue to work positively with industry and with companies throughout the territory to grow Yukon's private sector economy.

**Mr. Silver:** I'm not even going to bother with that comment.

In this year's budget speech, the Premier said, "Our objective has been and continues to be to develop an economy that is less dependent upon government spending and more reliant on the private sector."

He said — and I quote: "Our objective has been and continues to be to develop an economy that is less dependent upon government spending and more reliant on the private sector."

According to our government, private sector employment was down by 3.4 percent from November of 2012, while the public sector employment increased by 10 percent. One of the reasons for the drop in the private sector job numbers is the fact that we've just gone through the lowest exploration season for mining in the last nine years. Meanwhile, across the border in the Northwest Territories there was an increase of 46 percent in 2013 for mineral exploration.

Why is mineral exploration increasing in the Northwest Territories and dropping here in the Yukon?

**Hon. Mr. Dixon:** As I indicated, we've seen a decline in the mineral exploration budget by the private sector for 2013 as a result of a number of challenges that the industry is facing. We know that mineral prices have softened. We know that the investment climate has become more and more challenging. We know that these are challenges that are faced not just by Yukon, but by jurisdictions across the world and across Canada. We've seen similar declines in Alaska, in British Columbia, and some of those provinces and states have a bigger overall number, but the reductions they've seen are similar at least.

The challenges the mining industry faces aren't all challenges that we can address here in the Yukon, but there are challenges we can address here in the Yukon. They include resisting the calls from the Liberals and the NDP to raise royalty rates, to alienate vast tracts of land from mineral exploration in the territory — like the Liberal leader has advocated for — and for eliminating the free-entry system, which the NDP continues to advocate for.

We will continue to work with the mining industry. We will continue to work with all industries in Yukon to grow Yukon's private sector economy, but we will do that by resisting the calls from the Liberal Party to alienate vast tracts of land from mining in this territory.

**Mr. Silver:** In the last twelve months, the private sector employment in the Yukon is dropping. We have the worst mineral exploration in nine years, construction companies are laying off workers, housing prices are dropping and the Government of Yukon is hiring. Public sector employment increased 10 percent from this time last year. The Yukon party likes to take credit when things are going good, but ducks down when things are going bad.

Here is the Yukon Party in 2011 on our economy, which they said has absolutely nothing to do with world mineral prices and has everything to do with this government making the changes necessary to restore investor confidence in the Yukon. The new jobs in the Yukon are in the public sector, not in the private sector. What is the government doing to reverse this picture for 2014?

**Hon. Mr. Dixon:** What we have seen over the past 10 years is a growth in population, a growth in GDP and a growth in jobs in this territory. That is a result of solid fiscal management; it's a result of economic planning, economic generation and economic growth.

Now, what we plan to do is continue to do that. We plan to continue to allow the mining industry to grow in this territory, we are continuing to allow the tourism industry to grow in this territory and we continue to identify other sectors of this economy, like the knowledge sector that we see as having tremendous opportunity for growth in the territory.

I would note that just yesterday the government signed a memorandum of understanding with the Carcross-Tagish First Nation, which includes a significant tourism opportunity at Millhaven Bay site in southern Yukon. That has the potential to grow the tourism industry. We have seen investments from companies, like Selwyn made yesterday, that forecast that the mining industry in this territory will likely grow as well. So we are seeing positive signs.

We know that the skies are not all blue and there are some challenges out there, but we intend to address the issues that we are able to address with government and allow the private sector to grow in this territory. What we don't plan is, apparently, widespread public sector job cuts as proposed by the Liberal Party.

#### **Question re: Burwash Landing policing**

**Mr. Tredger:** Last week, I reminded this House that the community of Burwash Landing is still waiting for a school. Burwash Landing residents have brought up another major concern.

Burwash Landing faces a major challenge when it comes to policing. While the community does have a part-time police officer for a short period during the summer, for the rest of the year the nearest police detachment is almost two hours away in Haines Junction. Response times of over three hours are not uncommon. This put the entire community at risk. RCMP community policing contributes in a number of positive ways to quality of life in communities. Will the government take measures to ensure that Burwash Landing has year-round policing?

**Hon. Mr. Nixon:** I thank the member opposite for his question. Working with the RCMP, there are challenges from time to time, and we continue to work with the RCMP as per the *Territorial Police Service Agreement*, for example, in addressing a number of issues around the territory. I can also look at the priorities that we set for the RCMP for this coming year. That is an issue that the RCMP work out. It's an operational issue that they have addressed and they continue to provide services — good services — for all Yukoners throughout the territory.

**Mr. Tredger:** I note that the response times of over three hours are not uncommon for Burwash Landing. Burwash Landing is between Haines Junction and Beaver Creek. It's on a stretch of highway that sees a great deal of traffic year-round.

Access to RCMP for travellers is critical for accidents, breakdowns and other concerns. Not only is policing an important part of any community, it is also important for the travelling public and provides both with a sense of security.

With the longest police response times in the Yukon, Burwash Landing residents and travellers on this stretch of highway have legitimate concerns about public safety.

Will the government consider the needs of Burwash Landing residents and travellers and commit to providing a year-round police presence in the community?

**Hon. Mr. Nixon:** Mr. Speaker, this government takes into consideration the needs of all Yukoners, and we do that through our relationship with the RCMP in setting priorities on a year-to-year basis for all Yukon communities and all Yukoners alike.

We understand that there are some communities that are some distance from places like Haines Junction, but the RCMP continues to address those concerns within the operations of the RCMP. We just saw that not long ago when there was an individual who ran the border at Beaver Creek. The RCMP addressed that issue very quickly. We applaud the RCMP for their work and we'll continue to work with them in addressing needs for all Yukoners.

#### **Question re: Hospital Corporation capital projects**

**Ms. Stick:** Earlier in this sitting, I asked the Minister of Health and Social Services if he could tell Yukoners what the current running total of cost overruns is on the construction of each of the two new hospitals. At the time, the minister said he had no idea.

The sustainability of our health care system depends on designing appropriate delivery to meet Yukoners' needs. It depends on proper planning, which we know is a challenge for this government.

The Yukon Hospital Corporation spending represents a large and growing portion of Yukon's health care spending, and if they are responsible fiscal managers, they should be able to provide an answer to a straightforward question. We indulged the minister's request and last week emailed him to let him know we would be asking this question again.

Can this minister responsible tell this House, what is the total amount of cost overruns on each of the two new hospital construction projects?

**Hon. Mr. Graham:** As I answered previously, we do not have the full cost yet of both of these facilities. Once we obtain those numbers, we will make sure that the member opposite receives them.

However, when the member opposite talks about planning being done on these two facilities — as I also stated yesterday, I will be tabling in the next day or two the needs assessment done in both Watson Lake and Dawson City, and it will provide a blueprint for not only what we intend to do in the short term and what we've already begun doing, but it will also provide a planning document for well into the future at both Dawson City and Watson Lake.

**Ms. Stick:** I gave notice of this question as the minister asked. We know that earlier in the year it was \$2.2 million overbudget for Watson Lake and \$3.2 million overbudget for Dawson City. We were asking for the cost overruns to date. He should have been able to provide that answer.

This is important, Mr. Speaker, because the Yukon Party and the Hospital Corporation want to spend more health care dollars on capital projects and Yukoners want evidence that this time it will be done right. Doing it right means doing a needs assessment, an options analysis and proper planning and reporting on the projects. None of these were done with the last poorly managed capital projects. We still don't have numbers.

Can the minister tell this House whether a needs assessment and an options analysis are being conducted for the expansion of the emergency department of the Whitehorse General Hospital?

**Hon. Mr. Graham:** Imagine that — the members opposite don't believe that we should be investing in health care in this territory.

Yes, I will confirm that a needs assessment has been done for the current planning underway at the Whitehorse General Hospital, with an eye toward future renovations happening there.

**Ms. Stick:** We do believe in health care and would love to see that assessment and what it says. The emergency department should be for emergencies. In 2009-10, the Whitehorse General Hospital had an average of 4.8 alcohol-related emergency room admissions per day — inappropriate use of the most expensive form of care, which is hospital-based emergency department care.

The new referred care clinic is a step in the right direction, but we are aware of many other Yukon patients also looking for options other than the emergency department, especially folks who live with chronic conditions, who have no family doctor or who might need an emergency prescription refill.

The minister said — and I quote: "A team approach can improve access to after-hours services, reducing the need for emergency room visits..." When will Yukoners see the

opening of a collaborative clinic for people living with chronic conditions and who have no family doctors?

**Hon. Mr. Graham:** As I've said over and over to the member opposite, we are attempting at the present time to work with clinics in the city, in the territory, to establish collaborative care-type clinics. We're working with the medical clinics through the recently signed — well, it's not recent any more, as it was two years ago — agreement with the YMA, and funds have been approved in that agreement to add nurse practitioners to clinics.

During these negotiations, we've established the fact that a couple of clinics are interested. We're trying to work out the details at the present time, but any collaborative care clinics that are set up in the Yukon won't be specifically for one set of people. They will be open to anyone.

We're continuing to work on it. We run into difficulties constantly, but we're persevering, and hopefully we'll have something in the very near future.

**Question re: Mental health services**

**Mr. Barr:** Health indicators point to community needs. In Yukon, suicide places sixth in causes of death, higher than the national average of nine. The great need for improved mental health services is backed up by research. The aboriginal health transition fund promotes partnering among federal, territorial and aboriginal governments to help close gaps.

We asked the minister if rural mental health workers were adequately resourced to meet community needs and we did not receive an answer. The Yukon's suicide rate shows that more resources are needed to ensure access to mental health services. Mr. Speaker, research shows that there are long wait-lists to access mental health services.

Is the minister responsible willing to set standards for wait times for mental health services?

**Hon. Mr. Graham:** Mr. Speaker, we have a number of mental health workers in this territory. We also have people set up in the rural communities, but we also provide mental health services in a number of different ways throughout the territory.

We have clinical psychologists. We have a greater focus on youth and child needs and we're attempting to provide for those youth's and children's needs throughout the territory as a preventive measure so that they don't have bigger problems later on in life. We work with a number of other organizations, as I said — Many Rivers and other YTG departments. We don't restrict mental health services only to mental health workers; we encourage health workers across the territory to become involved and to rely on the department for backup and assistance when needed.

**Mr. Barr:** In May 2012, the Minister of Health told the newly formed Yukon chapter of the Canadian Mental Health Association that the territorial government is planning a mental health strategy. A strategy could be a critical first step toward improved mental health services if appropriate partners have been involved and if the strategy identifies meaningful actions that will be evaluated and adapted as

needed to achieve and improve mental health outcomes for Yukoners.

Mr. Speaker, since announcing it over a year and a half ago, has the government developed a mental health strategy for Yukon and what partners have been involved in the development of that strategy?

**Hon. Mr. Graham:** Mr. Speaker, the mental health strategy is not yet completed. We continue to work with our partners. We have an advisory committee and we will continue to work with that committee, because we believe that a strategy is necessary.

We did publish — a couple of years ago — a mental health outline for what we hoped to go forward with. These things take time to develop. We have to do consultation with all of our partners, and then we have to make sure we have the resources available to fund any services that we determine are necessary through the establishment of a mental health strategy.

**Mr. Barr:** It's time for the Yukon Party to walk their talk. The Mental Health Commission of Canada issued Canada's first mental health strategy in the spring of 2012. The strategy advises political leaders to rethink funding models. The proportion of health spending that goes to mental health services should increase, since mental illness is estimated to cost the economy about \$50 billion annually. A bigger investment in mental health services will save money in the long run.

At least one in five Canadians will be affected by a mental health issue. Yukon studies show rural youth are particularly at risk, and they stress the importance of continuity of care and case management.

What actions will the Minister of Health and Social Services take to improve consistency of visiting counsellor services in rural Yukon so as to build the much-needed trusting relationships?

**Hon. Mr. Graham:** Obviously the member opposite hasn't been listening. We've staffed positions in rural communities that were formerly funded by the federal government. We picked that up when it was reduced by the federal government. We also significantly increased funding to a number of different organizations. We increased funding to Many Rivers. We have invested in telehealth and other links to communities from a central organization so we can provide more detailed or more in-depth psychological services.

We're working hard at improving the mental health services in the territory and all of our departments are aware and are working toward this common goal.

**Speaker:** The time for Question Period has elapsed.

**Notice of opposition private members' business**

**Ms. Stick:** Pursuant to Standing Order 14.2(3), I would like to identify the order in which motions standing in the name of Official Opposition members are to be called on Wednesday, December 18, 2013: Motion No. 496, standing in the same of the Member for Whitehorse Centre, and Motion

No. 516, standing in the name of the Member for Takhini-Kopper King.

**Mr. Silver:** Pursuant to Standing Order 14.2(3), I would like to identify the item standing in the name of the Third Party to be called on Wednesday, December 18, 2013: Motion No. 332, standing in the name of the Member for Klondike.

**Speaker:** We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

### GOVERNMENT MOTIONS

#### Motion No. 571

**Clerk:** Motion No. 571, standing in the name of the Hon. Mr. Nixon.

**Speaker:** It is moved by the Minister of Justice:

THAT the Yukon Legislative Assembly, pursuant to subsection 17(1) of the *Human Rights Act*, does appoint Fia Jampolsky as a member of the Yukon Human Rights Commission for a term of three years, effective December 13, 2013.

### INTRODUCTION OF VISITORS

**Hon. Mr. Nixon:** Before I get started, I'd like all members of this Assembly to join me in welcoming Ms. Jampolsky to the Assembly today.

*Applause*

**Hon. Mr. Nixon:** Ms. Jampolsky has a degree in political science and Canadian studies from the University of Alberta and a law degree from the University of Calgary. She is currently pursuing a master of laws through Osgoode Hall. She moved to Yukon in 1996 as a young articling student and fell in love with Yukon and has been practising ever since here.

Ms. Jampolsky has worked at Legal Aid for over 10 years, seeking justice for underprivileged individuals in criminal, family and child protection law. She moved to the law firm of Cabott & Cabott in February 2010 to assist residential school survivors advance independent assessment claims under the settlement agreement.

Fia has been very involved with efforts to improve the lives of individuals who suffer from FASD, serving on the board of FASSY from 2004 to 2010. With the generous assistance of the Yukon Law Foundation, she is presently conducting research on the intersection between FASD victims and offenders within the criminal justice system.

Ms. Jampolsky will bring her extensive experience in First Nation justice issues and a strong commitment to human rights to the Commission. Ms. Jampolsky has been selected by an all-party committee to serve on this board. I invite all members to support this appointment.

**Ms. Stick:** The NDP Official Opposition will be supporting this motion.

**Mr. Silver:** The Liberal Party will also be supporting this motion. Thank you.

*Motion No. 571 agreed to*

#### Motion No. 572

**Clerk:** Motion No. 572, standing in the name of the Hon. Mr. Nixon.

**Speaker:** It is moved by the Minister of Justice:

THAT the Yukon Legislative Assembly, pursuant to subsection 22(2) of the *Human Rights Act*, does appoint Darcy Tkachuk, Elaine Cairns, Karen Keenan and Raymond Kokiwi as members of the panel of adjudicators for terms of three years, effective December 13, 2013; and

THAT pursuant to subsection 22(2.01) of the *Human Rights Act*, Darcy Tkachuk be designated Chief Adjudicator and Elaine Cairns be designated Deputy Chief Adjudicator.

**Hon. Mr. Nixon:** I would like to share with this Assembly a brief introduction to the individuals mentioned in the motion. Mr. Darcy Tkachuk holds a bachelor of arts and a bachelor of law from the University of Alberta. He also has an MBA from the University of Western Ontario. He completed a summer language immersion program from the Université du Québec à Trois-Rivières. Prior to serving on the Immigration and Refugee Board of Canada, Mr. Tkachuk worked for local law firms and for Northwestel. He currently serves as the chair of the Yukon Review Board. Mr. Tkachuk is well-known to many Yukoners through his extensive volunteer and community service.

Ms. Elaine Cairns has practised law in the Yukon since July 2001. She was initially called in B.C. in May 2001 and currently called in both Yukon and Northwest Territories. She has practised between 2001 and 2009 as a staff lawyer for Yukon Legal Services Society. Since 2009, she has been employed by Cabott & Cabott Barristers. Ms. Cairns has served on the panel of adjudicators since 2011.

Ms. Karen Keenan has taken several courses through the Justice Institute of British Columbia. She has also studied social work. She currently works as a Crown witness coordinator for the Public Prosecution Service of Canada. She previously served as the diversion coordinator.

Mr. Raymond Kokiwi has an extensive background in human resources, both as a business owner and as a manager for several companies. He has worked with local mining companies and Yukon First Nations. He has also assisted with a local volunteer organization. He holds an MBA and a BBA.

Mr. Speaker, these names were selected by an all-party committee that reviews appointments to major boards and committees. I'd like to thank everyone who put their names forward for consideration. We appreciate your willingness to participate in this important work.

I'd like to mention that we recognize that the panel of adjudicators is a quasi-judicial board. I'm pleased that two lawyers have put their names forward to serve, as I think this will be of benefit to the organization.

I invite all members of the Assembly to support this motion.

**Ms. Stick:** The NDP Official Opposition will be supporting this motion. I would thank those individuals and the others who were not chosen for putting forward their names to this important job. I would also like to thank the government for adding to the panel of adjudicators for the Human Rights Commission and the appointment of the chief adjudicator and deputy chief adjudicator to the list for the Standing Committee on Appointments to Major Government Boards and Committees. We feel this was a good move.

**Mr. Silver:** The Liberal Party will be supporting the names put forth. I would also like to say I'm very privileged to be on the select committee, and I wanted to commend all of the members of the select committee for their temperance and for their ability to work together on these nominations.

*Motion No. 572 agreed to*

**Hon. Mr. Cathers:** Mr. Speaker, the time being only 1:45 p.m., I move that the Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

**Speaker:** It has been moved by the Government House Leader that the Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

*Motion agreed to*

*Speaker leaves the Chair*

## COMMITTEE OF THE WHOLE

**Chair (Ms. McLeod):** Committee of the Whole will come to order.

### Unanimous consent re considering Bill No. 66 as first item of business in Committee of the Whole

**Ms. Stick:** Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to consider Bill No. 66 as the first item of business for Committee of the Whole today.

**Chair:** Ms. Stick has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to consider Bill No. 66 at this time. Is there unanimous consent?

**Some Hon. Members:** Agree.

**Some Hon. Members:** Disagree.

**Chair:** Unanimous consent has not been granted.

The matter before the Committee is Vote 52, Department of Environment in Bill No. 11, entitled *Second Appropriation Act, 2013-14*. Do members wish a brief recess?

**All Hon. Members:** Agreed.

**Chair:** Committee of the Whole will recess for 15 minutes.

*Recess*

**Chair:** Committee of the Whole will now come to order.

### Bill No. 11: *Second Appropriation Act, 2013-14* — continued

**Chair:** The matter before the Committee is Vote 52, Department of Environment, in Bill No. 11, entitled *Second Appropriation Act, 2013-14*. We're going to continue with line-by-line debate.

#### Department of Environment — continued

*On Capital Expenditures* — continued

*On Environmental Sustainability* — continued

*On Parks — Atlin Lake Campground* — continued

**Hon. Mr. Dixon:** Where we left off last week was in a discussion about the Atlin Lake campground under the Parks branch of the Department of Environment. As we know, we had some discussion about the Atlin Lake campground and the Parks branch's plans going forward for that.

I did want to take the opportunity to reiterate a few things. One was earlier in this sitting, I had a chance to respond to a petition relating to the Atlin Lake campground as well as the prospect of the development of another campground — the Conrad campground, which is contemplated in the *Carcross-Tagish First Nation Final Agreement*. I was pleased to note that yesterday, the Premier and Chief of the Carcross-Tagish First Nation signed an MOU, which was for a number of things, but one of the items within the MOU was for the collaborative development of a campground at the Conrad site.

The reason this is relevant to this particular line is that there has been some discussion about whether or not the campground at Atlin should proceed as opposed to a campground out at Conrad. As I indicated previously, we feel that it is indeed possible and beneficial for Yukoners to proceed with both projects. I'm pleased to discuss the MOU between Yukon and Carcross-Tagish First Nation, as it does pertain very much to our plans related to the Atlin Lake campground in this particular budget line.

Yesterday, as I said, the Chief of the Carcross-Tagish First Nation, Danny Cresswell, and the Premier confirmed that both governments support recreational and infrastructure development in the Carcross-Tagish First Nation traditional territory.

They did so by signing a memorandum of understanding that outlines potential projects that the two governments will explore in the coming months. Projects range from wilderness tourism opportunities and remote-access recreational property developments on First Nation and public lands to improvements to the Carcross dock and marina. The MOU will remain in effect for five years. The two parties indicated options for further developing the Carcross-Tagish area, including having remote-access recreational lots available for lottery by August 2014.

The Premier added that any projects identified to move forward beyond initial exploratory work will enter the normal application and public review process.



In that particular MOU, section 6 is devoted to the Conrad campground development. Section 6.1 reads — and I quote from the memorandum of understanding: “The parties agree to explore the potential to formalize a work-plan and construction process for campground development, as outlined in the C/TFN Final Agreement (Chapter 22 s. 11) Section 11-11.2.3...”

I look forward to working with the Carcross-Tagish First Nation in the development of that particular campground, as well as the ongoing work that we have planned for the Atlin Lake campground, which is underway now. The Yukon government is in the process of developing the decision document in response to the recommendations provided by YESAB earlier this month.

I should also note that within the MOU that contemplates the campground development at Conrad, there is agreement to work collaboratively on the development of an expression-of-interest process with regard to the Millhaven Bay wilderness tourism development. In the MOU, the parties recognized the role of potential developers in the expression-of-interest process, specifically to maintain responsibility for consultation with the CTFN and the wider community. The parties also acknowledged that the expression of interest process and related review process will ensure that CTFN treaty rights are properly considered.

There is also provision in that memorandum of understanding for the development of remote-access recreational properties on Yukon territorial government land. The parties agreed to support remote recreational land development. They agreed to work collaboratively to develop remote recreational lots in the CTFN traditional territory. CTFN agreed to inform YG in writing whether proposed remote recreational lot development will affect any treaty rights, how those rights will be affected and how this can be mitigated or otherwise addressed. Parties agreed that their respective officials will confirm mutually acceptable locations for potential new remote recreational lot sites on or before January 31, 2014. The parties agreed to inform each other in writing when consultation obligations have been fulfilled on or before March 3, 2014.

The MOU also provides for the development of remote-access recreational properties on Carcross-Tagish First Nation’s settlement land. The parties agreed to work collaboratively to support a coordinated planning and approval process and to provide in-kind support to one another in the planning and project management required for that initiative.

There is also provision for the development in the MOU of Bennett Beach. The parties recognized CTFN’s right to develop the Bennett Beach parcel, which is lot 1144, quad 105D/02, pursuant to the requirements of the CTFN self-government agreement. Yukon government agreed to ensure best efforts were made to finalize a decision on any required zoning amendments for the subject lands on or before February 28, 2014.

CTFN agreed to keep the Carcross community informed of their development plans for the subject parcel and to

respond to any inquiries from the public or media as required. The parties agreed to discuss options on developing Tagish Avenue as well.

In the MOU, there is also contemplation of improvements to the Nares channel. The parties support the preparation of a feasibility study to consider a public marina in Carcross as indicated in the draft local area plan. Yukon government agreed to meet with the CTFN and the community of Carcross to ensure that Yukon government is aware of community infrastructure priorities, particularly related to permanent moorage options at Bennett Lake. These will be considered, subject to available funding and/or private partnerships that may be entered into.

So there are a number of projects, including the Conrad campground, in the memorandum of understanding with the Carcross-Tagish First Nation, that are very positive developments.

The Chief of the Carcross-Tagish First Nation, Danny Cresswell, said — and I quote: “We look forward to examining the feasibility of these interesting projects and sharing these findings with our citizens and Yukon.”

“The Carcross-Tagish First Nation is pleased to confirm the ongoing working relationship with the Yukon government...”

Further, I would note that in the newspaper yesterday the chief was quoted as saying this was like Christmas come early because of the level of positive reception that we believe this MOU will receive.

I’m very excited about the opportunity to develop the Conrad campground in collaboration with the Carcross-Tagish First Nation. In the MOU signed yesterday, the parties agreed to explore the potential to formalize a workplan and construction process for campground development, as outlined in the *Carcross-Tagish First Nation Final Agreement*, chapter 22, section 11.

I think that’s a positive step forward for Yukon. As I’ve explained previously, I believe there’s a great need within the southern Yukon, in particular in an area that’s roughly a two or two and a half hour drive from Whitehorse for new campgrounds. The Atlin Lake campground, which I discussed at length earlier in Committee debate, is one of those developments we see as being a positive step forward to meet that demand, but the Conrad campground development that was committed to in the memorandum of understanding between the Yukon government and the Carcross-Tagish First Nation government yesterday is another one of those steps forward.

To reiterate our position, those two developments can go together. They are not mutually exclusive. They are not either/or. They are two developments that can be done positively and can be done together. Of course, more work needs to be done in terms of the development of the Conrad campground site, as we have some additional meetings to be had between the Carcross-Tagish First Nation and the Yukon government.

I anticipate that, in the new year, Yukon government will be meeting with the Carcross-Tagish First Nation to determine a workplan and next steps forward.

I think that the Atlin Lake campground, as contemplated in this budget line, and the Conrad campground, as contemplated in the memorandum of understanding that was signed yesterday, are two very positive steps forward for the Parks branch, for the Department of Environment and for all Yukoners, especially those who enjoy camping and getting out into Yukon's wilderness and participating in our exceptional quality of life.

Our campgrounds are, quite frankly — in my opinion — world-class and the services we provide within them are also world-class. We're the only jurisdiction that I'm aware of in North America that continues to offer free firewood, as well as a fairly reasonable level of cost in terms of the camping permits.

Recognizing that my time has elapsed, Madam Chair, I look forward to more discussion about the Atlin Lake campground or the remaining budget line, which I believe is in the amount of \$0.

**Ms. White:** On December 12, after a lengthy and productive debate on the supplementary Environment budget, in an effort to expedite debate, I asked for unanimous consent to clear and carry all lines. Members from the government side disagreed. We talked at great length about the proposed Atlin Lake campground on November 26 and then again on December 12. The minister has told this House that this will be the first new campground developed in a very long time.

Does the minister still believe that a proposed campground with an existing quartz claim, the existing and still active trapline of a Carcross-Tagish First Nation elder and the threat of litigation by the Taku River Tlingit is a wise first choice for development?

**Hon. Mr. Dixon:** I would correct the member opposite that the claims that are existing on that particular site are not quartz claims; it's a placer claim.

That being said, I have explained previously at length that I do think it's possible to develop the Atlin Lake campground in a manner that respects the current and previous users of the land. It respects the neighbours in the area — the folks who have cabins or the Bible camp that is next door to that particular site — and that we will be able to meet our consultation obligations with the Taku River Tlingit First Nation as well the Carcross-Tagish First Nation. I think it's a positive step forward to build a new campground in the territory.

The member correctly noted that I have acknowledged previously that this will be the first campground built in the Yukon in a great number of years. I don't know the exact number of years, but I believe it is over 20. As I have indicated previously, there is strong demand for new campgrounds in this territory. It is something we committed to in the election and something we have committed to since then in a number of different forms. So I look forward to fulfilling that commitment and constructing a new

campground in the territory. Of course, in order to do that we must live up to our obligations in the process.

We will be responding the recommendations put forward by YESAB in due course. There are timelines that are required to be complied with for the issuing of the decision document, so we will of course meet those timelines as required by law and issue a decision document. I don't have a status update on the work on the decision document, but I'm sure that officials would indicate that that work is ongoing and moving ahead positively.

As I also indicated, we will meet our consultation obligations with the Taku River Tlingit First Nation but, in order for us to effectively mitigate any impacts that the development of the campground may have on their asserted aboriginal rights, we need to understand what those impacts might be. In order to do that, we need to hear from the Taku River Tlingit First Nation about what those issues may be.

So far in my meetings and correspondence with the Taku River Tlingit First Nation, they have indicated simply that they aren't interested in any development anywhere in their asserted area until they have a land claim. While we respect their position and have indicated to them that we are more than willing to enter into a consultation protocol with the Taku River Tlingit First Nation, and that that consultation protocol would probably be an excellent step forward for the relationship between our two governments and would probably positively influence future consultations, we haven't received positive response from them on that particular offer. Absent consultation protocol and absent a land claim, we will continue to meet our consultation obligations as required by the common law and hope to do that in due course.

With regard to the trapline, as I've said, that was something that would be considered in YESAB. I'm confident that a campground can be constructed in a way that does not overly negatively affect existing users of the land. With regard to the Conrad campground development, I look forward to bringing that into fruition as well, as we work in collaboration with the Carcross-Tagish First Nation pursuant to the memorandum of understanding that was signed yesterday and bring forward, hopefully within the next few months or years, two new beautiful campgrounds in two beautiful locations in the Yukon Territory that will be accessible not only to the residents of Whitehorse, but to all Yukoners and all visitors and will reflect the beauty and excellent lifestyle that we have here in the Yukon — and I look forward to bringing that work forward.

*Parks — Atlin Lake Campground in the amount of \$59,000 agreed to*

*On Total of Other Capital*

*Total of Other Capital in the amount of nil cleared*

***Total Capital Expenditures in the amount of \$472,000 agreed to***

***Total Expenditures in the amount of \$1,660,000 agreed to***

***Department of Environment agreed to***

**Chair:** Vote 52 has cleared Committee. We're going to move into Executive Council Office, Vote 2. Committee of the Whole will recess for five minutes while we await officials.

*Recess*

**Chair:** Order. Committee of the Whole will now come to order.

The matter before the Committee is Vote 2, Executive Council Office, in Bill No. 11, entitled *Second Appropriation Act, 2013-14*.

### **Executive Council Office**

**Hon. Mr. Pasloski:** It's my pleasure to have Janet Mann, assistant deputy minister, here with me as well this afternoon. I would start by providing a few brief comments to introduce the request for the supplementary funds for the Executive Council Office. Of the total requests, 90 percent relates to wage and benefit adjustments resulting from the collective agreement covering YEU employees and an adjustment for those employees in the management category, including the performance pay for the 2012-13 fiscal year.

For employees covered by the collective agreement, adjustments effective January 1, 2013, and January 1, 2014, are reflected in this request. Madam Chair, changes in accounting practices now require departments to cash flow into the new year any final payments for transfer payment agreements with a reporting requirement that falls after the end of the fiscal year. In this request, an amount of \$58,000 is requested for this purpose for the program managed by the Youth Directorate. This amount will support our financial obligations with a number of youth-serving organizations across the territory.

Also related to accounting at year-end were several program commitments that were not completed by the end of the fiscal 2012-13 year, for which revotes are requested.

For the Development Assessment branch, \$78,000 is requested for two projects supporting our obligations in implementing the *Yukon Environmental and Socio-economic Assessment Act*. Also for the Development Assessment branch, \$10,000 is requested to finish maintenance and upgrading work on the development assessment review tracker — or DART — system, which could not be finished before March 31, 2013, due to contractor capacity issues.

For the Bureau of Statistics, \$30,000 is requested to cover expense obligations associated with a recruitment completed near the end of the fiscal year. For the Water Board Secretariat, \$28,000 is requested to cover the cost of a public hearing for a water licence renewal application that had commenced but had not been completed by March 31, 2013. The sum of these one-time revote requests is \$146,000.

Madam Chair, progress continues on a number of projects funded by the northern strategy trust. In this supplementary request, there are increased amounts requested for two projects totalling \$45,000 under the Aboriginal Relations program and a decrease request for one project under the

northern strategy program for \$70,000. The former projects are managed by the Executive Council Office and the latter was approved for the Southern Tutchone Tribal Council. The project has been cancelled.

Also in this request is an additional \$10,000 for payment obligations due to a number of boards and councils established pursuant to final agreements, which is 100-percent recoverable from Canada.

Each year, the escalator amount, applied by the Government of Canada, is estimated when the budget is developed and adjusted, if required, through a supplementary request once it's finalized. Madam Chair, these are the highlights of the significant changes included in the supplementary. I would like to just take a few moments to provide some brief comments about the new presentation of the department budget in this supplementary.

Members will note that the number of programs has decreased slightly from the main estimates presentation. This is a result of a small reorganization that has taken place this year. The majority of the department programs are now grouped into three divisions, which are now represented as programs in the budget: strategic corporate services; aboriginal relations; and corporate programs and intergovernmental relations.

This small reorganization was implemented to meet current and anticipated program delivery needs. The key drivers for the organization review were the retirement of several staff in senior positions, increased responsibility for cross-department leadership and management assigned to the Deputy Minister of the Executive Council Office, and the need to re-profile and rationalize services to First Nations and departments in a modern treaty environment.

Madam Chair, when fully implemented, the reorganization will be cost neutral with no change in the total number of full-time equivalent positions in the department.

The former Governance Liaison and Capacity Development and Land Claims and Implementation Secretariat have been amalgamated into a new program area called Aboriginal Relations.

The Intergovernmental Relations service group has now been amalgamated with the Bureau of Statistics, the Yukon Water Board, the Youth Directorate and Office of the Science Advisor into a new program area called Corporate Programs and Intergovernmental Relations.

The new Strategic Corporate Services program area will include those service groups that provide corporate leadership, strategic planning, strategic advice to the Cabinet, strategic communications advice and training — both within the department and to other departments. This division will include Policy and Planning, Human Resources, Finance, Administration and Systems, Communications and the Development Assessment branch. No changes were made to the other program areas presented in the budget: our Government Audit Services, Commissioner's Office, Cabinet offices and northern strategy.

With these few comments that I've made, I am pleased to answer any questions. Before I sit down, I just want to

acknowledge the great work of all the staff within the Department of Executive Council Office and wish them and all theirs a merry Christmas.

**Ms. Hanson:** I thank the minister opposite for his opening remarks and for the brevity of those. I appreciate that. I also would like to thank the officials who briefed the opposition — it feels like a very long time ago. The briefing was helpful and set some context. I made note of perhaps four areas that still would require some follow-up, and I will raise them just in general.

The minister spoke at the outset with respect to the \$441,000 identified for the collective agreement and managers salary increases, and we had indicated that we would like to have that broken out between collective agreement and management. We have done that with each department, as you will recall, so we are just looking for a snapshot that tells us how much is attributable to that stream that goes toward performance-based or management salaries — there are different criteria there. So that is one aspect.

The minister spoke also about the reorganization, which was explained as well during the briefing. I have a couple of questions with respect to that. I note that when I look at the website for the Executive Council Office, it still does not reflect this new reorganization — in keeping with trying to make sure that people can access and get the right sources of information, if the minister could inform us as to when the reorganization, which I believe is in effect now, will be reflected in the public face of the Executive Council Office so that we — the public and members of opposition — can access and go to the right place at the right time for information of the activities of these reorganized branches.

The Aboriginal Relations branch has come from the Land Claims and Implementation Secretariat and now has four bullets under it: program management, policy planning, implementation and reconciliation, and First Nation relations and capacity development.

So I understand that that latter one has simply been subsumed. The ADM position that was there will be brought in under Aboriginal Relations.

I am curious and would ask the minister to outline what the functions are of the implementation and reconciliation program within the Aboriginal Relations branch — if you could describe what reconciliation activities and what resources are ascribed to the reconciliation element of implementation and reconciliation under Aboriginal Relations. I just want to make sure that, in keeping with the minister's move to go through here that I'm not leaving anything out so that we don't have to waste time.

The last one — the minister made comment that the government's Audit Services branch has not changed in terms of organizational structure. I'd just like to have the minister confirm for me if there is currently a director of Audit Services and is there an audit plan for the government's Audit Services for this fiscal year and when would it be made available to the House.

**Hon. Mr. Pasloski:** First off, on the collective agreement, effective January 1, 2013, there is a one-time

\$11,000 for January to March of 2013; entitlements ongoing, \$61,000, for a total of \$72,000; and a one-time managers salary increases for the last quarter of the last fiscal year was \$73,000 and ongoing \$55,000, for a total of \$128,000.

As to the work, website work is currently underway right now to make those modifications. I can't give you a specific date yet for completion of that work.

On the reconciliation, I would suggest we'll provide you some written documentation in terms of implementation and reconciliation, as per your request. On the audit, I'm just looking for my note. We hope to have someone hired by the end of this year and in place by early beginning of next year. What has been the standard practice is not to go over what the plan is at this point. The plan has been improved by DMRC but, if required, we can do a follow-up.

The role of the Internal Audit Services is to support accountability by providing departmental management with objective information focused on opportunities to improve program operations. It's important to select audit projects through risk-based planning processes.

I can say that the *Environment Act* is almost completed. I believe that the audit strategy for the outbound years has now been approved by DMRC and we can provide that information for you.

**Ms. Hanson:** I appreciate that — if the minister could just tell us how long this position has been vacant and the number of departments, or programs of departments, that are part of the audit plan for this year. The only one I've seen from 2012 was Public Service Commission, which was February — perhaps it was February 2013 — and perhaps his official could confirm that for me. I may be misspeaking whether it was 2012 or 2013. I'm not clear which internal program audits of the Government of Yukon have been completed this year.

I'd just like confirmation that those are just posted — there's no release given to the public or to the Legislative Assembly. How do we know that they've been completed — I guess would be my question.

**Hon. Mr. Pasloski:** I believe that the vacancy in that position is approximately three months. Once that position has been filled, the bulk of the work on the audit for the *Environment Act* is completed. Once our new person is able to review that work, it will then go to Management Board for review and approval. Once Management Board approves it, it will be posted.

I will remind the member opposite that it is an internal management tool that the government uses to objectively look and ensure that we support accountability —

**Some Hon. Member:** (inaudible)

**Hon. Mr. Pasloski:** What she is reminding me is that the *Environment Act* does get brought to the House, because it's directed to occur every third year — so it will be brought forward. I'd just like to remind members that this is indeed an audit tool. We are working and coordinating what we are doing with the office of the Auditor General of Canada to ensure that there is the best use of resources — that we don't end up duplicating in terms of work that's being done.

We feel that this is a very important role that needs to be done to continue to ensure that we are managing each department in a manner which speaks to transparency and accountability, the best use of taxpayers' dollars and ultimately the best benefit for all Yukoners.

**Ms. Hanson:** I raise that question, not because I question the Audit Services branch — I raise it because, in other jurisdictions and in a jurisdiction that has assumed the provincial-like responsibilities that the Yukon government has — that we have — the function of the kinds of audits that are done by Audit Services in other jurisdictions, those audits would be subject to review by the Public Accounts Committee.

In this territory we have a very limited window, in terms of the accountability and transparency that the minister opposite has spoken to. The Auditor General looks at perhaps one program of one department on an annual basis. When I talk about wanting to know what the audit plan is, yes I understand it is a tool for management review, for looking at the internal accountabilities. It's not a tool that's exclusively for the purview of Cabinet or government. We are members of this Legislative Assembly, so it's important that we find mechanisms to ensure that that review occurs in the public domain, which is represented by this Legislative Assembly.

When I ask what the mechanism is for access to knowing when an audit is being completed or has been completed, I'm not speaking solely about the legislative reviews. I made the example of the Public Service Commission audit — the internal audit — and there have been others, some of which — and certainly the PSC one — do raise some questions that we have only had very minor discussions — one question so far. I simply am looking for clarification; I don't want to prolong that aspect of it.

I have one last question, I hope. It really has to do with going back to the issues of the Aboriginal Relations section. I'm curious if the minister could speak to when the Yukon Party changed its mind and what was the trigger, and what would be the mechanism, to allow the provisions — that I am so happy to see — that are included in the memoranda of understanding and various economic development projects within the Carcross-Tagish First Nation traditional territory. It speaks specifically to the Millhaven Bay wilderness tourism development project at Bennett Lake.

You will recall, and I'm certain that the Minister of Tourism will recall, there was a fair amount of consternation in the months and weeks, including the events and discussions at the Tourism Industry Association meeting in Haines, Alaska, last May. At that time, the suggestion was fairly simple. It was, would the Government of Yukon step aside — like, stop putting roadblocks up? So my question is, what made the government change its mind?

Those were the words used, Madam Chair, by a number of people, including a keynote speaker for the convention, Mr. Rich Thompson from Northern Vision Development, and by the CEO of the Carcross-Tagish First Nation, as well. I know that people in the Carcross area, and I know the tourism

sector, will be thrilled to know that the Yukon has apparently changed its mind.

My question is, what was the trigger? What will be the mechanism to allow access to the land that was identified as appropriate for this resort? Because I think we all see that there is a significant potential benefit for the Yukon, and not just the Carcross-Tagish or Southern Lakes region, which I personally happen to believe is one of the most stunningly beautiful places in the world — way more beautiful than Kluane.

I look forward to this evolving and developing. I know that there was real concern expressed last year leading up to the tourism meeting about the tight timelines that all parties were dealing with, with respect to the expression of interest process because, you know, we're dealing with outside significant investment here.

So just as a matter of clarification, is this a matter that was part of the implementation and reconciliation function of Aboriginal Relations, nested within the Executive Council Office? Or if the Premier could just outline what the steps were and what he sees as the next steps the government will be doing, as it steps aside to allow this to go forward.

**Hon. Mr. Pasloski:** The first question — I guess I would say that the reason the internal audits don't come to Public Accounts is because all of our accounts are audited by the Auditor General and they, in turn, come to Public Accounts for everybody to scrutinize and to ask questions about. So all of that work that is done internally is, in fact, also reviewed by the Auditor General's office.

I think the member opposite did mention Millhaven Bay, but I think it's also important to mention some of the other features of the MOU that the Minister of Economic Development talked about earlier today.

Of course, Millhaven Bay is very exciting in terms of a tourism opportunity, but I think that as a Yukoner who has lived here for almost 25 years — and when I talk to people all over this territory — the opportunity for Yukoners to get access to their own cottage lot is something that is near and dear to many Yukon people. In fact, this was something that was part of our platform that we put forward in the last election, along with increasing our campgrounds as well.

We are very excited and very proud to be able to move forward on both of those accounts. Also, there will be opportunities for remote-access cottage lots on Crown land, but also the opportunity — if the Carcross-Tagish First Nation is interested to do so as well — on settlement land. There could have been appetites in the past, however, I think that I do want to congratulate the foresight right now that we see within leadership of Carcross-Tagish First Nation and the relationship that they have with this government — to be able to look at a broad scope of this MOU — as we also talked about Bennett Beach development, improvements to Nares Channel, Conrad campground. So I just want to say that yes, Millhaven is an important component of this MOU, but all components of this MOU in fact are very exciting.

What it does talk about is our continued due diligence and the working relationship that occurred with the First Nation.

Not to underscore the important work of the officials on the many different files that they do on a day-to-day basis, but putting this together did involve certainly a lot of discussion that occurred between the elected officials, both with the Carcross-Tagish First Nation and with elected officials of this government and also conversations with the Carcross-Tagish Development Corporation as well.

There are a number of things that must go forward with this project. The proponent will have to come forward to introduce the project to the community and to Yukon to really garner the support that they need to be able to move forward. Of course, any project like this would have to go through an environmental and socio-economic assessment through YESAB as well.

As we have stipulated by signing this MOU, these are projects that we feel are not only good for Carcross-Tagish traditional area, but we think that such agreements are very important to the entire Yukon. Not only have we worked hard and diligently on this, we will continue to work and maintain and build those relationships with all the other First Nations in the Yukon. I do believe, and as we have said many times, there are great opportunities, whether it's in the north, the south, the east or the west end of our great territory. We will continue to work with First Nations to look at those opportunities where we can see a benefit for everybody. As we know, any economic development in this territory will have a net positive effect on all Yukon people.

So really the answer to that question is that there will be a — the next steps for that Millhaven project will be to have the proponent come forward at that point in time. Then you want to get into the formal process. They would then move into a YESAB process. We will do what we need to do to help facilitate this on the land that is identified and as is articulated by the MOU that was signed yesterday by me and Khà Shâde Héni Danny Cresswell.

**Mr. Silver:** Thank you to the department official for her time here today. It is much appreciated.

I'm going to start with the Nutrition North Canada program. The Liberal caucus has been raising concerns about the Nutrition North Canada program brought in by the federal Conservatives ever since it has been — well, before it was implemented, actually. To their credit, the Government of Yukon has also raised concerns. The federal government unfortunately hasn't taken any action on the Premier's request to make changes to this program. The Auditor General of Canada is going to look at the issues in the fall of 2014 report.

I was wondering if the minister responsible for the Executive Council Office could give us any information that the federal government has forwarded to his office.

**Hon. Mr. Pasloski:** I know that this House and the member opposite are aware of the ongoing work that has occurred.

I want to specifically recognize our MLA for Vuntut Gwitchin for the work that he's done tirelessly for many years on the changes that have occurred to this program. We are aware, as well, that the government has been a strong advocate as, in fact, this entire Legislative Assembly has been

supportive with the support of the unanimous motion that was done by this House, followed subsequently by letters from myself to the Prime Minister articulating the support of this House for looking at that project.

I do believe that there is a great opportunity here to look at different ways and we continue to advocate for looking outside the box on how we can solve the issues that we have with providing the Nutrition North Canada program to the community of Old Crow, simply because this is the only community in the Yukon that subscribes to this program. A lot of the problems that have plagued this program across the north don't apply — aren't applicable — to the Village of Old Crow. Ones that especially come to mind are the issues that they have with the bargaining of food to northern communities throughout the islands and the coastlines of Nunavut — or to Northwest Territories as well.

We have not received any formal notice in terms of an audit of the program to this office.

What I can tell the member opposite is that we will continue to advocate and work with not only our Member of Parliament, but our senator as well, to continue to look for the best way to solve the problem that all of us in this House agree is one that impacts all the people in that community. When your food costs are so high, it takes money away from everything else that you would like to be able to have money for — if it's even just to be able to save money or to have more money to spend on recreational opportunities or extra educational opportunities for children, or even to buy a new belt for your snowmachine so you can go hunting. So we're all very aware of those costs and we'll continue to be diligent to try and find solutions for them.

**Mr. Silver:** Thank you to the minister responsible for that answer. We will be looking forward to any updates that we can get from the Auditor General's report coming in the fall of 2014.

Some time ago, a five-year review of YESAB began. Can the Premier update us on where this process sits today?

**Hon. Mr. Pasloski:** I can report that the actual formal five-year review process has in fact ended. There was a letter written by the former Minister of Aboriginal Affairs and Northern Development Canada to Yukon First Nations and the Government of Yukon concluding the five-year review that has occurred.

There were many recommendations and most of them were unanimously agreed upon by everyone. There were a couple of issues that there was no resolution on; however, the process did not require consensus on all issues. Government of Canada has served notice that that process has been completed. We are now in the process of implementing all of those recommendations. A lot of them are administrative in nature and will also help streamline and make more efficient the processes that do occur there.

One of the issues was around money and the feeling that many First Nations feel that they don't get enough money to be able to do the work they need to do in terms of providing adequate review on projects going through YESAA. I would concur. The Yukon government is in the very same position.

We feel that through that agreement, we too have not been able to be compensated in the value that would equal the investment that the government has to make to ensure that we provide the due diligence that's required for YESAA.

That's where we are on the five-year review. I do believe that, at this point, that would be the end. The minister also indicated that there wouldn't be another intensive review of this legislation going forward. I think there is the opportunity for legislative regulatory amendments but not to have a comprehensive review of the entire legislation in another five years. He did indicate that at this point their government has no interest in doing that.

**Mr. Silver:** When we moved to the *Environment Act* and the audit system, I know that the Leader of the NDP did bring this up and asked a few of my questions. I still have a few questions on that. I've brought this up in the House as well, asking the Premier about the audit of the *Environment Act* that was supposed to be ready in June. We're not there yet.

I did ask the minister responsible for Environment, as well, about this, and his response was — and I'm quoting here: "My understanding is there has been a delay in regard to the audit unit and some staffing changes, so that's the cause for the delay in the audit. I'm sure that the Premier would have more details, as that's his department." I was quoting from Hansard, Thursday, December 12.

Are there more staffing changes here other than the previous auditor? What happened to the previous auditor? Are there audits that are on the way, or are we waiting for that position to be filled and then starting again? Are there some audits that are in the works?

**Hon. Mr. Pasloski:** As I had articulated, the position of director of Government Audit Services has been vacant for approximately three months. We anticipate having that position filled by the end of this year with the director in place early in the new year. There are also three auditors who work in that department. There is currently one vacancy there; however, the other two auditors continue on doing the work they have assigned to them. As for the reason for the vacancy in the director's position, I would just only say that it was a personnel issue and not an issue that the government would respond to.

**Mr. Silver:** I just have a few more questions here. The inquiry on missing aboriginal women — last spring the Premier agreed to call for a national inquiry into missing and murdered aboriginal women. I commend him on that. This summer our Member of Parliament, after two years in office, also decided that it was an important issue and was willing to call an inquiry into this matter.

Unfortunately the Prime Minister has rejected this call, and we are wondering what more the Premier intends to do on this file. Is this government prepared to accept the opinion of the PMO?

**Hon. Mr. Pasloski:** Canada's premiers continue to support the leaders of the national aboriginal organizations' call for a public inquiry to ensure that the provinces and territories are engaged in creating the scope for that inquiry.

The Council of the Federation — which, I believe, will soon be called by Canada's premiers — does meet with the leaders of the national aboriginal organizations annually during our summer meetings, at which we talk about many important issues. Some are very important topics such as the one the member opposite is describing, but they also include economic opportunities and education for aboriginal children. Not only does this government support that call but, as the member knows, we all have supported that call with a unanimous motion on this issue. We continue to work with our Member of Parliament to continue to advocate within his caucus — with the support that there is within this territory and, in fact, the call across the country in the support of the aboriginal leaders — to get the federal government to look at implementing a national public inquiry to really try to answer some of those questions that remain unanswered and help that process for those people who have had to deal with the tragedy and the loss in their lives.

**Mr. Silver:** I have one last question for the minister. A resource development agreement in Southeast Yukon — earlier this year, the Premier did tell CBC reporters that he was hoping to negotiate a resource development agreement with Liard First Nation. The former chief told me that the Premier told him that he wanted that in place before the next LFN election. That agreement didn't happen. I'm just wondering if this is on the agenda and where we are with this agreement.

**Hon. Mr. Pasloski:** Thank you, Madam Chair. As you are aware, there was an election that was held in your riding yesterday — that in fact there is a new chief and council who will assume responsibility for Liard First Nation. I look forward to our first meeting. I am now attempting to get in contact with the chief-elect to congratulate him on his election. The simple answer to the question is — which would apply across the entire territory — that we continue to encourage First Nations to work together as partners in our economic future and we definitely would be willing to entertain discussions on how we can continue to find ways to create opportunities that will be of benefit, again, to the southeast corner of our great territory.

As I have said many times, Southeast Yukon holds within its grasp many different opportunities — from forestry to mining, tourism, potentially oil and gas. There are a lot of different opportunities and great economic spin-offs that could occur in that area that would result in jobs and training businesses for local individuals and really increase that spirit of anticipation and pride in a community that comes with the success that you can get with economic prosperity. Not only would that make a significant difference to Southeast Yukon, but such economic activities — as I have said — affect all of us across the territory.

So if we see a great rise in opportunities in Southeast Yukon, the rest of Yukon will benefit from that, as well. So we will actively engage and look forward to building a relationship with the new chief and council, discussing those opportunities that we can forge together.

**Chair:** Is there any further general debate on Vote 2?

**Mr. Elias:** It's a pleasure to rise and engage in debate in the Executive Council Office. I appreciate the question from the interim Liberal leader about the situation that Old Crow is in with regard to the Nutrition North Canada program. I just wanted to give the House a bit of an update.

What our community has given our leadership, including myself, direction to do is to take control of the situation with regard to accessibility and affordability of food for our constituents, the people in Old Crow. So what we have done is we have all worked towards being a part of the Arctic Co-operatives Limited partnership, which is a company that spans across the Arctic. So at present we are well on our way to building a co-op in Old Crow. Hopefully the doors will be open on July 11, on the Monday.

As everyone is well aware, we have done a tremendous amount of work trying to gain control back from the changes that were happening in the Nutrition North Canada Program. We have made several face-to-face meetings with the ministers federally to express our concerns about the program and how Old Crow is unique in terms of accessibility and affordability of nutritious, perishable foods.

This House is well aware that we passed several unanimous motions in support of the community of Old Crow's efforts to regain that control. I believe the Hon. Premier met face-to-face with the Prime Minister last summer to express his concerns to the Prime Minister about Old Crow's unique situation with regard to the implementation of the Nutrition North Canada program. I also went to the Standing Committee on Aboriginal Affairs and Northern Development to express the community's concerns. They flew me to Ottawa and they asked me to present in front of the committee. I've done that on behalf of my constituents. We've also met personally with the Auditor General and urged him, together with a hand-delivered letter, to say, "Can you please audit the program in terms of what the situation is in Old Crow, the unique situation, to try to find some solutions and some flexibility within the Nutrition North Canada program?"

Back to the Arctic Co-op — when we looked at the opportunities here and when we flew some of our representatives to Winnipeg, they have seven co-op principles that were looked on favourably by the general assembly in Old Crow — I'll just read them out: voluntary and open membership; democratic member control; members' economic participation; autonomy and independence; education; training and information; cooperation among co-operatives; and having a concern for the community.

What's happening right now is that, in speaking with the president of the Arctic Co-operatives Limited, he has told me he has never seen across the north in his time administering the program the efforts of the Vuntut Gwitchin First Nation and their level of commitment in terms of capital and commitment to getting this project off and running on a good foot. He's just incredibly astounded by the leadership of the Vuntut Gwitchin First Nation and what they are doing.

What the Vuntut Gwitchin government is going to do is build a co-op to the standards of Arctic Co-operatives Limited and they're going to lease it for 20 years. They're going to

provide capital for the first amount of foods and goods to get the co-op going. We've already elected our first director and our first chairman for the cooperative that exists in Old Crow right now. The bylaws have already been completed and it's expected that the co-op will be incorporated in early January 2014.

Things are moving along quite quickly. The building is actually being constructed as we speak, pre-fabbed in preparation for the winter road. Hopefully there's enough snow for the co-op — it's being built right now, so it'll be pre-fabbed and taken to Old Crow and put up by the community.

What else is going on here? Let's see. As it stands right now, the new co-op is going to be bigger than the store that's in Old Crow right now — the Northern Store. We do have an agreement with the Northern Store. Old Crow is such a small community we can only afford one grocery store, so Northern Store will remain a presence in the community until the co-op is up and running — hopefully on time, on schedule and on budget.

There is a tremendous amount of work that has been done, and I appreciate the Minister of Economic Development in responding to the community's needs for education and training with regard to the board and the directors and their leadership development program. I think that once those doors open, it will be a proud day for the community to take ownership of their food and goods and services in the community of Old Crow. I thank you for the opportunity to update the House on that front.

**Chair:** Is there any further general debate on Vote 2? We are going to proceed with line-by-line on page 1-4.

***On Operation and Maintenance***

***On Strategic Corporate Services***

***Strategic Corporate Services in the amount of \$288,000 agreed to***

***On Aboriginal Relations***

**Ms. Hanson:** I'd appreciate it if the minister could confirm for the record that in coming to that \$73,000 additional supplementary, there was a notice — and I just need clarification because my notes don't reflect what the \$56,000 reduction was. There are a number of additions that get us to the \$73,000. I have a note here of a \$56,000 reduction — something about implementation funding. I made a note in brackets around environment, but I'm not sure exactly what that was, and I would appreciate a clarification.

**Hon. Mr. Pasloski:** Madam Chair, she's just asking about the offsets and the increases. There will be a decrease in the investment being made by departments in implementation activities. Typically departments report reduced requirements due to delays in recruitment or contractor availability.

***Aboriginal Relations in the amount of \$73,000 agreed to***  
***On Corporate Programs and Intergovernmental Relations***

***Corporate Programs and Intergovernmental Relations in the amount of \$255,000 agreed to***

***On Government Audit Services***

***Government Audit Services in the amount of \$24,000 agreed to***



*On Office of the Commissioner**Office of the Commissioner in the amount of \$4,000 agreed to**On Cabinet Offices**Cabinet Offices underexpenditure in the amount of \$15,000 cleared**On Northern Strategy**Northern Strategy underexpenditure in the amount of \$70,000 cleared**Total Operation and Maintenance Expenditures in the amount of \$559,000 agreed to**On Capital Expenditures**On Strategic Corporate Services**On Office Furniture and Equipment**Office Furniture and Equipment in the amount of \$15,000 agreed to**On Building Maintenance, Renovations and Space*

**Ms. Hanson:** I'd like clarification. This is the second time that we've had sort of a put-on-hold notice with respect to the lapse of funds approved for costs associated with the main administration building library renovation project. You will recall that we've raised — certainly from my constituents in downtown Whitehorse, there have been a number of suggestions about making that space available for the provision of services that are direct-contact services, such as the non-insured or the medical health programs where people currently have to go to the fourth floor of a building that frequently has a non-functioning elevator.

So I'm just wondering if this is on hold or if fact are we putting this aside? Is it related to the notice that was sent out a number of months ago about the complete retrofit of the main administration building? Simply, we'd just like to know if it's not going to happen as part of a renovation, but it's really part of a much larger project — perhaps it would be more appropriate to put it that way.

**Hon. Mr. Pasloski:** In fact, the short- to medium-term plan for that existing space will be a staging area to move employees who need to be moved while we do the retrofit of the administrative building. As they go into areas and need to disrupt that area because of the upgrades to the mechanical and the insulation, we will be transitioning people or staging them in that space until the time that we finish the investment in this building, which will cause a substantial reduction in greenhouse gas emissions and a substantial savings in terms of energy costs to keep the building warm and to keep it cool in the summer. In the interim, we will use that space to accommodate employees so they can continue to do their work in the most uninterrupted space.

**Ms. Hanson:** I'm pleased to hear the minister's response on that. It does make sense in terms of an interim staging area. I guess it begs this question: when will this Legislative Assembly see the completed and projected costs for what it is going to look like — what the costs are — and the commencement date? We had a couple of furtive attempts out here — loud jackhammers that went weekend after weekend to put a new cement pad down, and that's about it so far. I think that was some \$50,000.

What is the overall budget to complete this project? When will we see that budget made available and the plan for that? If we're talking about this portion of it, surely there has to be a plan somewhere.

**Hon. Mr. Pasloski:** On top of the jackhammering and the new cement pad, there was the infrastructure and the replacement of two new generators for the building. That work has been completed this year. A substantial amount of design work, I believe, has been going on this year. As to the exact details of the timelines — and the costs can be articulated in, I think, the questioning when we talk to Highways and Public Works. I can say that this is an important project for us because we believe that it will have a substantial return on investment. The return on that investment will be a very short period of time because of the substantial savings that we will see in terms of energy reductions and the reduction in greenhouse gas emissions as well.

*Building Maintenance, Renovations and Space underexpenditure in the amount of \$60,000 cleared**On Total of Other Capital**Total of Other Capital in the amount of nil cleared**Total Capital Expenditures underexpenditure in the amount of \$45,000 agreed to**Total Expenditures in the amount of \$514,000 agreed to Executive Council Office agreed to*

**Hon. Mr. Cathers:** Madam Chair, I move that you report progress on Bill No. 11, *Second Appropriation Act, 2013-14*.

**Chair:** It has been moved by Mr. Cathers that the Chair report progress on Bill No. 11, *Second Appropriation Act, 2013-14*.

*Motion agreed to*

**Chair:** I will call forward Bill No. 66 for debate in Committee of the Whole. Before we do that, we will take a recess for 15 minutes.

*Recess*

**Chair:** Order. Committee of the Whole will now come to order.

**Bill No. 66: Act to Amend the Placer Mining Act and the Quartz Mining Act — continued**

**Chair:** We are going to resume general debate on Bill No. 66, entitled *Act to Amend the Placer Mining Act and the Quartz Mining Act*.

**Hon. Mr. Kent:** It's my pleasure to just continue my opening remarks that I started last Tuesday on Bill No. 66, just prior to the arrival of the Yukon Development Corporation and Yukon Energy Corporation officials in this House.

Just maybe a brief summary for members with respect to this bill — of course, everyone knows that the changes to our

Yukon *Quartz Mining Act* and Yukon *Placer Mining Act* were necessitated by the Court of Appeal decision that was rendered last December.

There were two declarations put down in that Court of Appeal ruling. The first one was to consult with Ross River Dena Council to determine whether mineral rights on Crown land within the Ross River area were to be made available to third parties under the *Quartz Mining Act*. Consultation is underway on this item, as I've mentioned, on a number of occasions through Question Period, as well as — perhaps — even second reading on this bill. The Executive Council Office is the lead on working with Ross River to identify lands within their traditional territory, where mineral rights will not be made available.

So again, that work is underway with government-to-government consultations with the Ross River Dena Council. I would assume that any questions with respect to that declaration would have been brought up with the Premier in his role as minister responsible for the Executive Council Office when he was up, just prior to Bill No. 66 coming to the floor.

The second declaration is to notify and, where appropriate, consult with and accommodate the Ross River Dena Council before allowing any mineral exploration activities to take place within the Ross River area to the extent that those activities may prejudicially affect the asserted aboriginal rights claimed by the Ross River Dena Council.

The statutory amendments presently before the House will facilitate such consultation in relation to class 1 activities. The current legislative regime that we have in place already enables notification and consultation at other levels of mining exploration activity — I guess those would be the class 2, 3 and 4 levels of activity that occur.

I know that we perhaps will get into a bit of discussion and debate in Committee here with respect to successor resource legislation. I have spoken about that at second reading as well, in that we don't believe that these amendments trigger that necessity to invoke successor resource legislation, nor do we believe that the legislation itself requires a complete overhaul. We will differ obviously with the Official Opposition on this and our feelings with respect to the free-entry system, but we don't believe that it's incompatible with either First Nation final agreements or Yukon's legal obligations to consult with First Nations.

It's this government's view that there is a fundamental role for the individual and entrepreneurship in our society, especially when it comes to discovering hidden mineral wealth by following up on hunches and ideas or what many prospectors do to pursue their dreams. It's not our view that governments should control, regulate and oversee every aspect of where people can and can't go and what they can and can't do. If that view is taken with the mining industry, then it could be applied to every aspect of our society.

The *Umbrella Final Agreement* and First Nation final agreements recognize and were designed around Yukon's public statutes, including the *Quartz Mining Act* and the *Placer Mining Act*. The mining statutes aren't at odds with the

final agreements. This is apparent in the definitions of category A and category B land access provisions and royalty sharing provisions, as well as other aspects.

We consistently hear that free-entry system implies that mining is the first and best use of the land irrespective of any other economic interests and values. This is simply not the case. Free-entry simply means that the rights to the mines and minerals can be acquired by an individual acting on his or her own initiative. It doesn't prevent others to hold a surface interest in the land. The proof of this is how active all of our economic interests are — from tourism to outfitting to agriculture and forestry — in a territory that has had an active mining and mineral exploration industry for well over 100 years.

With respect to the mining legislation in general, the Yukon doesn't believe that the proposed amendments trigger the provision of the devolution transfer agreements that suggest that we require successor resource legislation and we have advised First Nations that we can meet to discuss priorities for the development of new resource legislation in general, not simply for mining. Our government is willing to meet with First Nations to discuss these priorities and how this work may proceed.

As I've mentioned in the House previously, it is my understanding that with respect to the successor resource legislation working group, the top priorities that were identified would be for forestry and lands. The *Forest Resources Act* was tabled in the Legislature and was passed. Lands work has not yet been completed.

Again, Madam Chair, this is a cooperative arrangement — this successor resource legislation working group — and we need to ensure that in order to remain competitive in the mining industry, not only in Canada but throughout the world and that we have a regulatory and legislative framework that is compatible with others that exist. With the changes that we've made to our mining legislation over the years, as well as these changes, we feel that we can continue to be competitive with other jurisdictions when it comes to supporting a successful mining industry in the territory.

Again, with respect to these amendments that are before the House now, many of them are enabling amendments and they will allow us to develop regulations. As we move through the bill, clause by clause, or get into specific debate on the bill, I'm sure many questions will arise. I would be happy to answer them.

I'll turn it over to members of the Official Opposition or the Third Party for questions at this point.

**Mr. Tredger:** I thank the minister for his comments and I would welcome the official from Energy, Mines and Resources to the Legislature.

The minister mentioned wanting a stable mining industry. The First Nations that I've talked to also wish that. Yukon New Democrats also wish that. How we get there and how we arrive at the certainty to achieve that is the question.

In the Little Salmon-Carmacks case, the Supreme Court of Canada upheld the requirements that the Yukon government had a legal obligation to consult with Yukon First

Nations on matters that affect aboriginal rights and treaty rights, even where there is a final agreement and no specific consultation is referenced in that agreement.

The finding that the quartz and placer mining acts infringe rights and title of the Ross River Dena Council cannot be limited to just the Ross River Dena. It is clear that these acts infringe the treaty rights of settled Yukon First Nations as well as non-settled First Nations.

Yukon First Nations have repeatedly raised this issue with the Yukon government and have requested full consultation on the quartz and placer mining acts. In particular, Yukon First Nations have referenced the devolution transfer agreement and the fact that the amendments in Bill No. 66 trigger the successor resource legislation provisions contained in the agreement. The devolution transfer agreement commits the Yukon to a collaborative process with Yukon First Nations in amending, updating and developing Yukon resource legislation, yet this government has steadfastly refused to honour the provisions of the agreement.

In a letter to Yukon First Nations dated September 13, the Premier says that he does not agree that Bill No. 66 or the Ross River Dena court decision triggers the requirements of the devolution transfer agreement. This was repeated today by the minister.

Will the minister explain the reasoning as to why believes that the amendments to Bill No. 66 do not trigger the requirements on the devolution transfer agreement?

**Hon. Mr. Kent:** I should apologize; I would like to welcome Bryony McIntyre from the Department of Energy, Mines and Resources who is providing assistance to me in the House today.

Again, as I mentioned, the Yukon doesn't believe that the proposed amendments trigger the provision of the Appendix B of the devolution transfer agreement and do not agree that this work required formalization through the successor resource legislation working group. I know that I have outlined other minor amendments that have been made to our mining legislation over the past number of years during second reading and previously, so I won't repeat those amendments.

We have advised First Nations that we can meet to discuss priorities for the development of new resource legislation in general. Again with respect the amendments that are before the House, we don't believe that they constitute a substantive regime change, and that's why we don't believe that they trigger the provision in the devolution transfer agreement that would require formalization through the successor resource legislation working group.

**Mr. Tredger:** I believe that the Court of Appeal did disagree with minister opposite. The right of notification is very significant to mining legislation and to First Nations. This isn't a minor matter; this is of major importance.

The devolution transfer agreement requires that Yukon and First Nation governments create a successor resource legislation working group, consisting of representatives of both YTG and the First Nations. The working group is supposed to serve as a cooperative body to facilitate YTG and First Nations respecting the development of successor

resource legislation. The First Nations have requested that the successor resource legislation working group be convened under the devolution transfer agreement. This work has, as the minister mentioned, worked successfully on the recent updating of the *Forest Resources Act* and regulations. The First Nations are requesting that the devolution transfer agreement be enacted to deal with amendments to the quartz and placer mining acts.

Why has the minister refused to convene the successor resource legislation working group, as required?

**Hon. Mr. Kent:** Again, respectfully, for the member opposite, I believe we are going to agree to disagree on this, as we've agreed to disagree with First Nations with respect to convening of the successor resource legislation working group. I will advise members of the House — although I wasn't a member of the House when this work was undertaken — that to develop the *Forest Resources Act* was a three-year process. I don't believe that even the Court of Appeal — in giving us only one year to conduct the legislative changes — would have agreed that they were substantive enough to convene — what the experience has been with respect to the forestry act — a three-year process.

We don't believe that these amendments substantively change the current requirements and the classification system. It merely puts in a notification requirement. I do stand corrected. The *Forest Resources Act* was actually a five-year process. I thank the Member for Lake Laberge and Minister of Community Services, who was in the Legislature during that time, for pointing that out to me.

With respect to this, as I mentioned previously, Yukon has advised First Nations that we can meet to discuss priorities for the development of new resources legislation in general. We are willing to meet with First Nations to discuss these priorities and how this work may proceed.

All resource management regimes require ongoing updates and improvements. I have highlighted them in the past, and they include amendments to legislation and regulations, new and amended policy direction and improvements to procedural aspects. Just because the current mining legislation needed some amendments to address a court order does not imply that the entire regime needs to be replaced. That's an incorrect premise and would create complete uncertainty for everyone every time a court decision was issued. Steady improvement and adaptation is far better than completely overhauling the rules or the legislation, and we don't believe that there's a basis for a complete overhaul of the legislation.

Since this current legislative framework for mining is similar to regimes used in many other jurisdictions elsewhere in Canada — and those are the same jurisdictions that we are competing with for not only national investment dollars but, indeed, international investment dollars — we need to make sure that our mining legislation, our regulations and our permitting regime is competitive with those other mining jurisdictions in Canada, as well as other mining jurisdictions around the world.

**Mr. Tredger:** The minister opposite may agree to disagree, but the First Nations don't. There are legal obligations to come to an understanding with them. It's not a matter of "we disagree" or "we don't disagree"; it's a matter of our moral and legal obligations to fulfill our treaty requirements.

I understand that the minister is feeling somewhat under a time constraint. The decision was handed down a year ago. It wasn't until halfway through the year that efforts were made to contact and begin to work with the First Nations. What I've heard from First Nations and, indeed, from the mining community, is that we do not need to rush into this legislation. There are other options available.

We need to take a deep breath. We need to step back and think about what we're doing. I understand that the Ross River Dena Council wants Yukon government to withdraw mines and minerals within their traditional territory for a limited time in order to allow the Ross River Dena Council and Yukon government to develop arrangements for the conduct of exploration activities in the Ross River Dena Council traditional territory. It seems to me that this is eminently reasonable, given the constraints we're under now and the rush to get this through.

Also, First Nations have asked and look forward to the opportunity for the government to step back from its proposed amendments and begin to engage in genuine consultation and collaborative arrangements with the Yukon First Nations to develop new Yukon government mining legislation.

There are options. It's time for this government to show some leadership, to step back and to consider that. Given that the government has come ahead, I have heard almost universally that it has been a rushed process. Champagne and Aishihik writes in their letter to the Premier: "There has not been sufficient time, nor enough information or opportunities to discuss issues and exchange ideas to provide a fully informed and considered opinion."

That is repeated again and again — Council of Yukon First Nations, Tr'ondëk Hwëch'in First Nation, Selkirk First Nation. They are concerned that we're rushing into this. There are options.

How will the minister, or the minister's lawyers, explain to the House or to the legal system how 14 days of consultation would meet any legal requirement for consultation with Yukon First Nations?

**Hon. Mr. Kent:** Just to be clear with members of the House — and I thought I had done this on a number of occasions that we had spoken about this before — the December 27 deadline is not a false deadline. It's time imposed by the Yukon Court of Appeal for the declarations of the court to come into effect.

To step back to those declarations, I spoke off the top of the two declarations. The one is being led by Executive Council Office with respect to identifying land within the Ross River Dena Council that will not be made available to third parties under the *Quartz Mining Act* and consultation is underway on that specific item. There has been an exchange of ideas, but that is being led by Executive Council Office.

Just to clarify again, that is the one declaration of the two that the Yukon government chose to appeal to the Supreme Court and we were denied that appeal in September.

The second declaration that has led to the amendments that are before this House today with respect to consultation in relation to class 1 activities — the Yukon government, after taking the appropriate amount of time, chose not to appeal that particular declaration. There was initial correspondence to First Nations sent out in March of this year, as a matter of fact, with respect to our decision not to appeal that decision and that we would begin work.

That work did begin in the spring. It went through our internal government processes that we have, and in May 2013, there was direction given to Energy, Mines and Resources to begin consultation on amendments to the act. That was a 60-day consultation period from June 3 to July 31. Meetings were held with Tr'ondëk Hwëch'in, Na Cho Nyäk Dun, Selkirk First Nation, Carcross-Tagish First Nation, Ross River Dena Council, the Mayo District Renewable Resources Council, the Yukon Prospectors' Association, Klondike Placer Miners Association and the Yukon Chamber of Mines.

Written comments were received from all of the industry associations, a number of individual Yukoners, a number of NGOs, and 10 of the 14 Yukon First Nations. Again, that was after that 60-day — not 14-day — consultation period with respect to the amendments to the legislation.

As all members know, there was a Cabinet shuffle in early August. Throughout August, September and October, there was continued dialogue with First Nations as well as industry associations with respect to these changes that led to the tabling of the amendments to the *Quartz Mining Act* and *Placer Mining Act*, or Bill No. 66, which we are currently debating.

Beyond that, we are working to meet this December 27 deadline. There were, of course, regulations that need to be developed because many of these amendments that are before the House are enabling amendments and will be dealt with through the regulatory regime.

That was the time period that the member opposite referred to. We have been in constant contact with First Nation officials throughout the summer and fall as we lead up to the December 27 deadline. I am sure that there will be continued contact at the officials level even as we move into the new year.

We are working to meet the court-imposed deadline of December 27. It's not a false deadline. It is time imposed by the Yukon Court of Appeal to meet the declarations of the court so that they can come into effect. That is what we are doing with these amendments to the *Quartz Act* and *Placer Mining Act* for one of the declarations. The other, as I mentioned, is being led through the Executive Council Office to consult with the RRDC to determine which lands within the Ross River area will not be made available to third parties under the *Quartz Mining Act*.

**Mr. Tredger:** There seems to be a misunderstanding of what consultation is. In June, the Department released a discussion paper that was sent out to First Nations.

I will read from Chief Kevin McGinty with Selkirk First Nation, in his letter to the Premier of December 2: “Developing the appropriate post-Ross River approach to mineral exploration in the Yukon is a serious and substantive engagement. The steps to be taken by Yukon will have a direct effect on our First Nation and on our experience with mineral exploration activity in our Traditional Territory. In my August 1, 2013 letter to the Deputy Minister (‘Energy, Mines and Resources’) on this file” — this was in response, if I might interject, to the discussion paper released in June — “I asked Yukon to return to discussions with our First Nation as to Yukon’s proposals for this legislation, as those proposals may have evolved from the June discussion paper, and to do so before Yukon proceeded with the legislation under the auspices of Cabinet secrecy.”

“Unfortunately, this did not occur. We did not receive our first insight into Yukon’s proposal until November 7, 2013, the day after Bill No. 66 (the “Bill”) was tabled in the Legislature. We received our next tranche of information on November 13, 2013, when EMR delivered to us additional material illustrating some of the changes to regulations which Yukon foresees. The actual proposed regulations still have not been provided. We were then advised that Yukon requires any further comments to be delivered by December 2, 2013. This certainly has not been the fulsome process and opportunity for robust dialogue that we had proposed and that the subject deserves.”

I will ask the minister, again — will the minister explain to this House how this consultation would meet any legal requirements for consultation with First Nations?

**Hon. Mr. Kent:** With respect to the main concepts that are in the changes to Bill No. 66 that we are discussing, the main concepts were around notification, security and identified areas. Those were the concepts that were identified in the discussion paper. They were discussed with First Nations and included, and were part of the engagement during the fall after that initial 60-day consultation period had concluded. The act amendments that we have before us follow these concepts. I understand — although it was done at the officials level — that Selkirk First Nation was part of the discussions in the fall. There was even a visit to the community — I believe — by EMR officials to meet specifically with Selkirk First Nation officials on this. I didn’t have any engagement at the political level, but a lot of this work obviously takes place at the officials level.

The regulations that were discussed in November — again, respecting that December 2 deadline — are enabling to support the act. There are those main concepts of the act, and the regulations will support those. I believe that, with the initial notification that went in March and the 60-day consultation period and the engagement throughout the late summer and early fall on this bill, it does meet the requirements that we needed for consultation, given the nature of the amendments that are before the House right now.

Again, I believe that we have conducted the consultation required to meet the court-ordered declaration of December 27, which is why this bill is before the House right now and

why we’re confident that we can meet that deadline with respect to the declaration from the Yukon Court of Appeal that we’re discussing.

**Mr. Tredger:** If I can quote from Justice McGeach on consultation: “Consultation does not mean negotiation or agreement. It means: setting out a proposal not fully decided upon; adequately informing a party about relevant information upon which the proposal is based; listening to what the others have to say with an open mind (in that there is room to be persuaded against the proposal); undertaking that task in a genuine and not cosmetic manner. Reaching a decision that may or may not alter the original proposal.” I would suggest that consultation has not occurred.

But I would like to go on to another issue that is part of Bill No. 66. Again, I would like to quote from Chief McGinty of Selkirk First Nation: “We appreciate Yukon’s commitment to amend section 130 of the Act so as to affirm that the mining industry should operate in the manner that ‘respects the aboriginal and treaty rights referred to in section 35 of the *Constitution Act, 1982*’”, among other things.

“These rights include, as you know, our treaty-assured rights of harvesting, as well as entrenched requirements for discussions with our First Nation relating to mining activity on or in the vicinity of Settlement Land and its resources. These rights are paramount to any which Yukon may provide to industry by way of the Act. They are part of the context in which the Act, as amended, will have to operate.”

My question for the minister is, will the minister explain to this House and to First Nation governments how Bill No. 66 and the regulations will ensure that First Nations’ rights are respected? To this date, Yukon First Nations have not heard anything substantive from the government yet on this important question.

**Hon. Mr. Kent:** With respect to the first part of the member’s question and the *Constitution Act* reference that he made, of course that has already been done, but that insertion formalizes that in the legislation. That is something that we conduct already, but again, I’m happy that Chief McGinty and other First Nations were pleased that part was put in the bill, because it does formalize that work that is already being undertaken.

With respect to those main concepts around notification, security and identified areas that were included in the discussion paper, what these legislative amendments and the subsequent regulations that we will bring in once this bill clears Committee and third reading and passes and receives assent — it will really develop or set up a framework for how the tools that we have before us can be used in the area of First Nations. So again, this will facilitate further discussions and we anticipate continued engagement with Yukon First Nations and industry on the amendments to the regulations. The development of a process to receive and review notices will continue beyond what we’re accomplishing here in the Legislature, prior to it rising on Thursday.

Just to reiterate, really what these amendments do is set up that framework for how different tools can be used in different areas of the Yukon to achieve the main concepts

around notification, security and identified areas with respect to the Yukon Court of Appeal court-ordered deadline of December 27 that we're working toward.

**Mr. Tredger:** Madam Chair, Bill No. 66 would provide that a regulation may identify an area on which special operating conditions are to be applied through administrative means to any class of placer mine land use, operation or exploration programs. But the role of affected First Nations in the identification of special operating areas is unclear.

Can the minister explain how the government will determine the areas subject to these special operations conditions? How will the government involve First Nations in this process and who will ultimately make the final decision?

**Hon. Mr. Kent:** With respect to the special operating conditions for an area as described by the member opposite, the chief of mining land use would set those special operating conditions, but in developing the standards and the area — that will be done in consultation with the First Nations.

**Mr. Tredger:** The issue of special operating conditions is closely linked to that of land use planning, which is an important part of the First Nation final agreements. How will the government ensure that the identification of special operating conditions is aligned with the land use planning process as laid out under the final agreements?

**Hon. Mr. Kent:** With respect to land use planning, everyone knows that land use plans are only done in areas where we have final agreements or settled First Nations. Of course, there are the three First Nations in the Yukon that do not currently have land claim agreements in place. But again, with respect to land use plans and the special operating conditions, they would be part of the implementation tools when those land use plans are put into effect. So the special operating conditions reflect the decisions that are made by the final land use plan that is in place. Again, it will be done through the implementation and setting out any special operating conditions in an area that has undergone land use planning.

**Mr. Tredger:** Does the minister expect Yukon First Nations to cede their legal and treaty rights to the chief mining officer and allow him to determine special operating areas and levels of activity on their traditional territory?

**Hon. Mr. Kent:** Just to be clear, the area itself can only be set aside by Cabinet. There will obviously be consultation with affected First Nations. The special operating conditions that the member opposite references that are set by the chief of mining land use will be done in consultation with the affected First Nation.

**Mr. Tredger:** So I guess I'll take that one step further. Does the minister expect — has he had consultation with First Nations that indicates they are in agreement with ceding their treaty rights, their self-government agreements, their final agreements and the rights that they've gained under that to a decision made by Cabinet?

**Hon. Mr. Kent:** Where there are settled First Nations there are settlement lands as well as public lands — or Crown lands — that exist in those areas. Categories A and B are the

settlement lands. The Crown lands are public. We've seen successes with the *North Yukon Regional Land use Plan*, which was a very collaborative effort that was made working together to manage land use.

As I mentioned in my previous answer, the special operating conditions that will be set by the chief of mining land use would be done respecting those final land use plans that are in place.

This is an opportunity for consultation and collaboration when we're identifying the special areas, as well as the special operating conditions that would exist. The special operating conditions are set by the chief of mining land use and the areas would be set by Cabinet.

**Mr. Tredger:** I would suggest that those negotiations or consultations have a better opportunity for success if they are entered into before authority is ceded to the Cabinet. The minister can follow up on that.

Bill No. 66 directs the Yukon government to determine if the effects of class 1 activities on any existing or asserted aboriginal rights — if any adverse environmental or socio-economic effects in certain areas can be appropriately mitigated. Does the minister believe that the duty to accommodate is limited to the obligation to appropriately mitigate effects on existing or asserted aboriginal rights?

**Hon. Mr. Kent:** The attempt to mitigate effects is one of the tools that is available to support the accommodation that we are talking about here in the Legislature today. It is one of the tools that is available to us, and I know it is one of the tools that the Yukon Environmental and Socio-economic Assessment Board uses. When conducting their work, they try to determine ways to mitigate adverse environmental or socio-economic effects. It's one of the tools that they use, and is one of the tools that we will use with respect to class 1 activities.

**Mr. Tredger:** I would suggest that the duty to accommodate entails a lot more than mitigating effects. Bill No. 66 contemplates a level of exploratory activities that is considered benign, or that no notification of the appropriate First Nation is required. That is, that Bill No. 66 contemplates levels of exploration where the right to be notified would be ceded by the First Nation. It seems to suggest that the government does not believe that exploratory activity at certain levels is necessary.

Have those levels been determined? Have they been determined in consultation with the First Nations? What is the result of those consultations with First Nations and who will ultimately decide what is benign and or not necessary for notification on First Nation traditional territory?

**Hon. Mr. Kent:** I think what the member opposite is referring to is not included in the legislation. However, there are regulations that are enabled by this and they are with respect to the class criteria. I know there has been an awful lot of discussion on the class criteria with respect to what occurs for class 1 activities.

There are a number of activities, such as the number of person days per camp, storage of fuel per container, construction of lines, the number of clearings per claim and

surface areas of clearings. There is a whole list that is available publicly with respect to class 1 criteria.

In order to meet the December 27 court-imposed deadline, we do not need to have the class criteria regulations finalized. So those discussions will continue with First Nations, as well as our industry partners and industry NGOs, into the new year before determining what type of class 1 activity will be allowed without requiring notification. Of course, there are some that we would expect would require notification, such as the use of explosives, but cutting a trail from a camp to an outhouse, or something like that, we don't believe will infringe, perhaps.

But you know what? Those are my personal thoughts with respect to class 1, and I know that the class criteria discussions will continue in the new year. We do not require them to be finalized to meet the December 27 deadline. We look forward to continuing those discussions in the new year with our First Nation partners, as well as our industry partners, so that they can perhaps come to a common understanding of what type of activity is taking place and the type of impact that activity has on the land.

**Mr. Tredger:** I guess it's important that the question is, who is going to determine what class 1 activities are benign? How is that going to be determined? What happens on December 28 when somebody wishes to stake an area or to move into an area, if we don't have those clear regulations in place? Is there going to be a moratorium? Is there going to be some direction given from this government that one activity and no other activity is allowed? Who is going to notify? Who is going to be notified? Who in the department is going to take those notifications and who are they going to pass them on to, if we're not clear on what class 1 means any more?

**Hon. Mr. Kent:** I will do my best to answer the number of questions the member opposite asked and, if I miss one, I'd just ask him to repeat it the next time he's on his feet.

As I mentioned in my previous response with respect to the class criteria, that consultation will continue in the new year. It's not required. That's a regulation that's not required to be in place in order for us to meet the court-ordered deadline of December 27 so, again, we'll re-engage with First Nations and industry in the new year.

It's important for me to clarify for the member opposite that staking a claim is not a class 1 activity. That's not something that falls under class 1; that is something that can continue to be done. The notifications will only be required in areas that are designated for notification. Any notification needs to go to the chief of mining land use.

I think it's very important. Other areas that aren't designated will be status quo on December 28, but I think it is very important that not only members of the House understand, but the public understand as well, that staking of a mineral claim is not a class 1 activity.

**Mr. Tredger:** How does the minister know whether or not that class criteria are not required by the court of law?

**Hon. Mr. Kent:** In an area that is designated, there is a list — again, it is available. I do have it here with me in the

Legislature. I certainly won't read all of the class 1 activities that are currently in place.

In those designated areas on December 20, those notifications for the current class 1 will apply. That's also to remind members that we will continue to work on class criteria with industry and First Nations early in the new year. One of the fortunate parts of our winter up here is that we don't anticipate an awful lot of class 1 activities to take place through the winter months, so we have some time, prior to the start of the exploration season, to work with First Nations and industry to determine what that class criteria will look like.

With respect to the Court of Appeal's ruling and the December 27 deadline, we can meet them with the existing class criteria under class 1, but we're looking to make changes to that class criteria in consultation with First Nations and industry prior to the start of the substantive exploration season.

**Mr. Silver:** I'd like to begin by thanking the department official for her time tonight. I would also like to thank the minister for his time as well.

I have a raft of questions here. I'll start off with this: when was the drafting of the bill completed?

**Hon. Mr. Kent:** October 2013.

**Mr. Silver:** Why were stakeholders not provided a copy of the bill until it was tabled in the House? I think he might have answered that question.

**Hon. Mr. Kent:** As members know, the Standing Orders — I'll defer to the House leaders. It is within the first five days of the sitting that all the legislation needs to be tabled. Through our internal processes, this particular piece of legislation wasn't completed until just before we tabled it. With the way it worked out, we did meet that five-day deadline. I believe it was tabled on the final day that we were allotted.

I think that provision was put in place in our Standing Orders to ensure that all of the bills could be tabled, obviously, within the first number of days of the sitting so that there are no surprises for members of the House with bills that are tabled later. As soon as we were able to table it, we did. That was on the fifth day of the sitting.

**Mr. Silver:** I will ask a couple of questions together, but I think the first question has been answered. Just for clarification's sake, I will ask, have regulations been drafted? If so, when were they completed? Have the actual regulations been provided to stakeholders and to First Nation governments yet? If not, will they see these regulations before they come into law?

**Hon. Mr. Kent:** Plain-language versions of the regulations were provided to stakeholders in mid-November — leading to, I believe, the December 2 deadline for comments on those regulations. The drafting and final approvals are underway now, but we are not through the process that we need to go through as a government yet, as far as releasing the regulations, but once we are, of course, they'll be released to the public at that time.

**Mr. Silver:** We do know that the stakeholders were given those 14 business days to provide comments on the

plain-language regulations. The question for the minister would be this: what risks are the government exposed to by passing regulations that have not been seen by stakeholders and by other governments?

**Hon. Mr. Kent:** I believe that that consultation period on the regulations, of course, informed our policy direction and the drafting of the regulations. We are working toward these regulations.

The amendments to the act that are before us right now are enabling amendments that will allow these regulations to come in and provide us with the tools to implement what we need to implement with respect to the declaration that I won't repeat, but I know everybody knows that we're talking about consultation in relation to placer mining activities. I don't believe there's any exposure for us. It's simply a case of going through the process and building on what we heard from our stakeholders and government partners about the regulations that will be coming into effect here after these enabling amendments pass the House.

**Mr. Silver:** I believe there is a bit of confusion as far as what direction the regulations are going. Does the minister have a response to industries' concerns that the legislation does go well beyond the issues raised in the Ross River court decision and into the creation of the special operating areas that are being introduced to address this government's version of land use planning?

**Hon. Mr. Kent:** Again, the special operating areas do provide us with another tool that we can use with respect to decisions on Yukon lands and First Nation lands. While that isn't something that was contemplated in the court decision, it is a policy decision that we made in order to give us that added tool to use when we're looking at other aspects for using land.

**Mr. Silver:** There is an awful lot of conversation and confusion over these special operating areas. We've seen letter after letter come in from different First Nation governments asking about this process and who decides. We've also seen from Champagne and Aishihik — for example, talking about that if they had to decide, these special operating areas would be fee simple in category B. That's not necessarily what other First Nation governments have stipulated.

We have heard from industry. They want to know — black and white — “What are these areas that we can and cannot go into?” and we will decide — and it's fine. The way it was explained to me was industry doesn't have feelings necessarily on these decisions. They just want to know, “Can we go in or can we not go in?”

Can the minister maybe give me a comment as far as — does the creation of special operating areas basically come down to no-go areas for the industry?

**Hon. Mr. Kent:** Those special operating conditions will be treated on a case-by-case basis in special operating areas. Where the land or ecological values are different, we'll certainly see different operating conditions applied depending on the special operating areas that are designated.

As I mentioned to the Member for Mayo-Tatchun previously, these special operating conditions will be set by the chief of mining land use, but the special operating areas will be designated by Cabinet, all of course in consultation with First Nations and industry partners.

**Mr. Silver:** Let's sit back a bit here. Can the minister explain how the creation of the special operating areas is related to implementing the court decision? I ask the question because the discussion paper identifies the creation of these areas in relation to land use planning.

**Hon. Mr. Kent:** I thank the member for the question. The special operating areas that are contemplated, as well as the special operating conditions, again aren't in response to the Court of Appeal decision, but they do give us that added tool when we are looking at managing the land — of course, land use plans that exist in the North Yukon, as well as those that are nearing completion, such as the Peel watershed land use plan, and those that are in development, such as the Dawson area land use plan.

This gives us another tool to deal with special operating areas and to develop special operating conditions on a case-by-case basis depending on the values that are identified in these areas. Of course, they may vary, so the conditions will vary from area to area as well. That is certainly what we anticipate.

**Mr. Silver:** Just to clarify — did the minister say that the special operating areas are being put in here not in response to the court case? Just to repeat the question, did the minister say that the special operating areas were not put into the amendment because of the court case? If that is true, then why were they put in there?

**Hon. Mr. Kent:** In these special operating areas and the subsequent special operating conditions that will be applied to the areas — as mentioned, while they weren't part of the court implemented decision, it was a policy decision made that gives us that tool to use when we're looking at land use or different land use activities. Depending on the ecological or environmental or other values that we're trying to protect, that will be on a case-by-case basis. So just to answer the member's question, it isn't something that was necessary as a result of the court case, but it was a policy decision that we made to give us another tool, when we're trying to manage land use throughout the territory.

**Mr. Silver:** If the special operating areas were not put into the amendments due to this court decision, is this something that the Department of Energy, Mines and Resources has had on the shelf for a while and wanted to put into legislation, and then found this was the opportunity to do so? What consultations were done with industry and First Nation governments as to how this particular move would benefit that land use planning, by having that power in the Department of Energy, Mines and Resources' control? Were there discussions with First Nations and with industry on this special operating area?

**Hon. Mr. Kent:** As I mentioned, this was a policy decision and those consultations — as the member opposite referenced — were conducted during that 60-day period as



part of the discussion paper. When we were contemplating these amendments to the *Quartz Mining Act* and *Placer Mining Act*, it provided us with an opportunity to introduce the special operating areas, as well as the special operating conditions, to allow us to improve our management tools. That's why these special operating areas and conditions were included in the consultations that we sought feedback from — not only in June and July, but continued those discussions up to the tabling of the bill in early November.

**Mr. Silver:** I don't mean to spend too much time on this, but I'm very concerned about this decision. This is — as far as I can recall — the first time that we've heard the minister relate these changes to anything other than the Ross River Dena Council court decision.

In talking with First Nation governments — and specifically Ross River — we're hearing category A/category B — absolutely. Category A and category B — there's room for negotiation and exploration and industry on these areas.

The decision — the problems — I guess it comes down to respect, or we just want to know who's on the land. Lots of exploration and lots of activity have been going on the Yukon in the last few years, and that's a big concern. Then you do hear from other First Nation governments a different attitude and a different approach to where they want — like I referenced before, with Champagne and Aishihik saying, fee simple, no, and also category B, no.

So with the special operating areas now being under the control of the ministry — and if these are not related to the court case — I'm just wondering why they're put in here and I'm wondering how much communication has been done with each individual First Nation government, as far as why this is the best route to go under this topic.

**Hon. Mr. Kent:** Just to clarify with the member opposite, in discussions he's had with Ross River, I assume that rather than the category A and B, he's referring to the interim protected lands that exist in not only Ross River and Liard — again, there's that difference between a settled First Nation and a non-settled First Nation.

With the policy decision to include special operating areas and special operating conditions in the 60-day consultation period and the subsequent discussions, it was made just to give us that extra tool to manage the land. Our experience is that YESAB often adds terms and conditions, depending on where the project is taking place, so this allows us perhaps to respond ahead of time to any of those terms and conditions that may be expected from YESAB with respect to certain areas where activities are taking place.

While not required by the court of appeal to come into effect, it certainly is a policy that gives us that tool. The communications with First Nations and industry — on including this tool for us — took place throughout June and July. We will be looking to continue discussions when identifying those special operating areas, and then the chief of mining land use will consult when determining what conditions need to apply in those areas on a case-by-case basis.

**Mr. Silver:** Has industry communicated to the minister responsible that special operating areas will be no-go areas for them?

**Hon. Mr. Kent:** They certainly haven't communicated that to me personally in the meetings that I've had with them. It is my understanding that that has never been communicated to officials in the number of meetings and consultations that have occurred with industry groups, like the Yukon Prospectors' Association, the Yukon Chamber of Mines and the Klondike Placer Miners Association.

**Mr. Silver:** Thank you to the minister for his answers. I was wondering if I could get the costs of the appeal to the Supreme Court of Canada, legal bills, including staff time and outside counsel.

I'm going to leave that and go on to my next question.

Let's talk about the December 27 court deadline to address the rulings. Is the minister concerned about that deadline? Does he think that the rulings will be met? Has an agreement been reached with Ross River with respect to what lands will be available for activities and staking? What are the sticking points, if there are any? Maybe the minister would elaborate on that.

Once again, I'm just not sure of the answer here. It has been talked about a few times, but I don't know if we received a clear answer on whether or not the minister is ruling out a moratorium to meet the requirements of this court decision.

**Hon. Mr. Kent:** With respect to the first question as far as costs, I would have to get back to the member opposite. I certainly don't have that information at my fingertips here today.

With respect to this act and the amendments to the act as well as the regulations that we need, we certainly can meet the December 27 deadline. That's the declaration, of course, that we didn't appeal and that was led by Energy, Mines and Resources as well as looking to the development of the act that's before this House with respect to consultation in relation to class 1 activities in the Ross River area.

With respect to the other question the member opposite asked, I know I've said a number of times that — during Question Period and other times and even in response to the Member for Mayo-Tatchun — in determining what lands in the Ross River area were to be set aside, that is the other declaration made by the Court of Appeal.

That work is being led by Executive Council Office and consultation is currently underway on that item. I know that there are number of different tools available to us to ensure that we have the opportunity to properly identify that land, but we are working through Executive Council Office's lead as well as there is an independent contractor that is providing strategic advice to the Yukon table. With respect to the Ross River table, those government-to-government negotiations are underway. With apologies to members opposite, I thought that I have been clear in Question Period and throughout second reading that that is an Executive Council Office responsibility. I know we unfortunately cleared that department earlier today, so again there will obviously be some other opportunities to

ask questions on the status of that, but it is being led through the ECO process.

**Mr. Silver:** I am truly sorry that we have missed that opportunity — only two more days.

Section 4 of the bill lays out a new section 101. This creates the special operating areas, and it also allows for new restrictions to be put in place in these areas. How long could these restrictions be in place — a month, a couple of years, five years or permanently?

**Hon. Mr. Kent:** I guess it really depends on the situation and that's why I mentioned that it's being dealt with on a case-by-case basis. Certainly some of the potential operating conditions that could be put in place in a certain area are perhaps timing windows. We know there are a lot of issues with wildlife and sheep and perhaps not flying at a certain time of year as far as helicopter traffic goes. To nail it down as to which conditions will apply in which areas, as I mentioned before, that's something that will be developed on a case-by-case basis. It will depend a lot on the environmental and ecological aspects that occur within a certain area that we determine is a special operating area that requires these special operating conditions. It's not something that I can put a time on, because it will differ depending on the circumstances.

**Mr. Silver:** I know that I could wait for line-by-line on these things, but we're running out of time here today. So I'm going to go to section 103(2)(a). It talks about the review period for class 1 activities. It says that the chief may "extend the review period by any reasonable number of days". Why is this open-ended? If the minister can comment on the creation of certainty — and does this section have any support from the mining sector?

**Hon. Mr. Kent:** With respect to that specific clause that the member opposite references, there is the opportunity for the chief of mining land use to extend the timelines or even condense them if nothing is identified by the First Nation. This is fundamental to the Court of Appeal ruling.

In providing that notification, we have to — through regulation — determine an amount of time that is required for notification of class 1 activities. I guess one of the other things — and perhaps I'll relate back to my experience on the YESA Board — when I was a member of the YESA Board. We certainly don't want to have a project or a proposal, for lack of a better word, kicked out of this process because we don't have the ability to extend it a few days or a week or something like that in order to satisfy the notification requirements.

I think that there has been an awful lot of discussion with all of the stakeholders with respect to the timelines. That's something that we are taking into consideration. We heard from First Nations as far as what would be a reasonable time — as well as industry as far as what they believe would be a reasonable time — in trying to find some sort of a balance there that meets everyone's needs with respect to the notification timelines that the member opposite referenced.

**Mr. Silver:** Earlier today, the minister communicated to this House that he doesn't believe that the changes will trigger or should trigger successor legislation, yet we've known from

a few different letters from a few different First Nation governments that they do. This is a unique situation and it's a volatile situation. I would hate to ask the minister to try to predict the future here, but we do know the track record with litigation and First Nation governments. They're batting 100 right now. So, does the minister believe that these changes are going to trigger legal action, because we're not talking about successor legislation and we're disagreeing with the First Nations as a territorial government? Does he have concerns about legal actions coming after the 27<sup>th</sup> and is his department preparing for this or having communications with the First Nation governments about how far off they are in their interpretation?

**Hon. Mr. Kent:** With respect to the *Quartz Mining Act*, I know I've highlighted in the House before — and I believe it was on second reading of this actual bill — the number of amendments that have occurred in the past number of years with respect to the *Quartz Mining Act* in particular. As I mentioned before, we don't believe that these proposed amendments trigger the provision of the devolution transfer agreement that would require us to establish the successor resource legislation working group.

Again, we have advised First Nations that we can meet to discuss priorities for the development of new resource legislation. It is a very much a cooperative arrangement. There are two sides. We feel that the legislation that we have in place is similar to regimes used in many other jurisdictions elsewhere in Canada and that by steadily improving the legislation and adapting it — that is far better than completely overhauling the rules that exist and have existed, for the most part, for quite a number of years.

This system of free-entry staking and other aspects have evolved over the past number of years with the introduction of parks and protected areas and category A and category B lands, as well as special management areas, habitat protection areas and all of the other land uses that we see. We are very proud of the park system that we have in the territory. It's certainly something that goes a long way in attracting tourism of course, which is another important industry.

To speculate on whether or not there would be legal proceedings — I would be doing a disservice to members in the legislature and I am not prepared to do that.

With respect to this working group — as I've mentioned before, the top priorities that were determined a number of years ago were forestry and lands. It was a five-year process to get a forestry act into place under this working group. We still need to be able to make some amendments to the legislation. As I mentioned earlier, just because the mining legislation needed amendments to respond to this court order, that doesn't imply that the entire regime needed to be replaced. That is something that would certainly create uncertainty for everyone every time a court decision is issued.

Just to respond — just to sum up — I'm not prepared to speculate on any court action. We always try to avoid that at every cost and work with the First Nations and work with others to ensure that we exhaust every other aspect before going down that road.

**Mr. Silver:** I apologize. I didn't want the minister to speculate. Maybe I'll ask it this way instead — have there been any communications with First Nation governments about legal action based upon successor legislation due to the amendments to Bill No. 66?

**Hon. Mr. Kent:** No, not that I'm aware of. Of course, Bill No. 66 is EMR's responsibility and we're working through these minor amendments and the regulatory changes to ensure that we comply with the court order as well as introduce those tools that we spoke about in the previous question-and-answer exchange.

**Mr. Silver:** Just another clarification question here. Does the minister believe that the declaration of the courts stipulates that the specific regulations from the amendment are also required to be in place by December 27?

**Hon. Mr. Kent:** The regulations are important because they make the amendments we are proposing to the act — for lack of a better word — they make them work. Things such as the timelines we talked about for notification and other aspects like that are important. So we do need those in place to meet the December 27 deadline.

What I mentioned earlier, when questioned by the Member for Mayo-Tatchun, was with respect to the class criteria regulations that would determine what type of activity perhaps didn't require notification.

We certainly know that the mining industry is advancing technology changes. One only has to look at some of the tools that are currently being used by Shawn Ryan — who I know the member opposite is familiar with — the drones that he has developed and is using. Certain aspects like that — I mean, obviously when we get to the class criteria discussions, we'll have to recognize the different way that mining does business now. I think, even back 75 or 80 years ago, prior to the use of helicopters, how much different the exploration industry was at that time to where it is now. There have been advancements made by the industry.

I know that we are anxious to get into those discussions with our industry partners and First Nations in determining that class criteria when it comes to what would require notification, but again that regulation does not need to be put into effect for us to meet the December 27 court-ordered deadline. We will be conducting those discussions in the new year.

**Mr. Silver:** I love those drones. I love the fact that a lot of the brain trust behind this direction is Yukon-made, from the Ground Truth boys all the way up. All of this technology and this forward progression are made-in-Yukon initiatives and I couldn't be prouder of these Klondikers who are involved in this.

The reason why I ask about these regulations is that, until we see the implications of the regulations, it's really hard to determine whether or not the consultations were implemented. That's why the question comes. We know that the court decision has determined the date of December 27. It's just that there's an awful lot of concern from First Nation governments and from industry as to whether or not their voices have been heard with these regulations.

I have a few questions here based upon our questions given to us from both First Nations and industry. We took those questions directly to the department officials during our briefing, and we got some answers and we took the answers back. There have been a few discrepancies that I just want to address here.

We asked the department officials, was there discussion about asking for an extension from the court? Why or why not? What we got back from our briefing was that there was no discussion about asking for an extension. It was never considered according to EMR.

Now we've been hearing back that it was discussed, but it was discussed and it also was determined by the industry side that this was not a best-case scenario. I just want the minister to clarify whether or not an extension was discussed. We know that he has also mentioned on the floor that the Ross River Dena Council didn't want an extension to be discussed either, but now we're hearing from industry that there were discussions about that, and they also determined that it wasn't a good idea.

**Hon. Mr. Kent:** Just to build on the opening comment by the member opposite with respect to the innovation in the industry, we're certainly all proud not only of the work being done as exploration with Shawn Ryan and the Ground Truth guys up in Dawson, but there has been significant innovation not only in the hard-rock mining industry but the placer mining industry that's really been led by Yukon entrepreneurs. I'll just take that opportunity to thank them for that work, because it really lessens the impact on the land and I think that's really what industry is trying to get at.

With respect to what the member opposite asked, I know that EMR officials didn't seek an extension to the December 27 deadline that we're talking about. However, we did receive, as I mentioned before, correspondence from RRDC indicating that they aren't willing to support an extension to the deadline imposed by the courts.

There was another table where discussions were taking place with respect to the declarations. Those were discussions between the Yukon Chamber of Mines and the Ross River Dena Council, but we weren't privy to those discussions and, therefore, don't know exactly the type of discussions that happened around, perhaps, seeking an extension.

I don't have a copy of the letter here with me, but there was correspondence from the Chief of the Ross River Dena Council that they weren't willing to support seeking an extension to the deadline imposed by the courts.

With respect to these class I notification activities, that's why we've been working diligently to bring the amendments to the floor of the House, develop the regulations and meet that December 27 deadline.

**Mr. Silver:** Back to the special operating areas, just to clarify, was the discussion to include the special operating areas in the bill a decision made by the minister or made by Cabinet?

**Hon. Mr. Kent:** If I were making those decisions unilaterally, I don't think I would be a Cabinet minister for very long. In the system that we operate on our side of the

House, certainly issues like that would, for the most part, go to the caucus table and then to the Cabinet table for formalization. Those policy decisions that are made are made by the Cabinet.

**Mr. Silver:** I have more clarifying questions here. Could the special operating areas set aside for land use planning be permanent?

**Hon. Mr. Kent:** With respect to the special operating areas and those conditions that would be applied, it's difficult to answer the member's question because it depends on the type of work that is being conducted, the time of year — and there could be wildlife implications or other environmental or ecological implications that need to be addressed.

So I think it would be highly speculative at this point to say whether or not those special operating areas and the conditions would be permanent. It's a tool we have developed to manage land use and that land use could change over time as well, depending on migratory patterns or other things, but that's just an example and speculative. It would have to be dealt with on a case-by-case basis.

**Mr. Silver:** Where I am going with that is that it also could depend on what party is in government. That is why we are questioning why land use planning is now in the Department of Energy, Mines and Resources. Could the minister comment on that?

**Hon. Mr. Kent:** Land use planning is in the Department of Energy, Mines and Resources, as I believe it has been since devolution.

That's where responsibility for that has resided since that time, and have an awful lot of time for the individuals who work in that branch of Energy, Mines and Resources. I know we've had discussions on the floor over the past couple of years with respect to inspections and that type of thing. Again, I have full confidence in the officials who work in land use planning to provide us with the best possible advice so that we, as a caucus and Cabinet, can make decisions that we believe are to the benefit of all Yukoners.

**Mr. Silver:** Why did the government feel it was necessary to amend the legislation by implementing the court decision? Could the changes not have been made through regulations? It is my understanding that there have been discussions with government about implementing the court decision by making changes just to the regulations.

**Hon. Mr. Kent:** I can assure the member opposite that is certainly a question that I had asked when we were initially contemplating the changes to this act. What was explained to me by officials is that we needed to make these enabling amendments to the act, and then the subsequent regulations, because we needed to create the room or the ability for us to conduct the consultations and the notifications that were required by the court-ordered decision.

As I said, I can assure him those were some of my very first questions with respect to this but, in discussions with officials in EMR, as well as Justice and Executive Council Office, we recognize that these changes were needed to the act and the subsequent changes to the regulations to comply with the court-ordered decision that we're working toward.

**Mr. Silver:** From what we're hearing on the floor of the Legislature today, it begs a new question, I guess. If the aspects related to the special operating areas, which the minister is saying are related to land use planning and not necessarily the court case — if they were left out, could it not have been done that way with changes to the regulations, as opposed to amending the *Quartz Mining Act* and the *Placer Mining Act*?

**Hon. Mr. Kent:** I'm hoping I understand the member's question, but again, the special operating areas and the special operating conditions were a policy direction that we determined — as mentioned — through our internal process to create those. Perhaps the member can clarify for me when he's next on his feet — we could have met the court-ordered declarations without the special operating areas and special operating condition, but we chose to include them in the discussion paper for June and July, because it does give us a tool to manage the land.

It wouldn't only be a land use planning tool, but it's a tool that we can use in other areas of the Yukon to manage the impact on the land, depending on the circumstance. Again, I won't bore members opposite with explaining some of those special circumstances.

Maybe the question was, if that hadn't been included could we have proceeded with regulatory? We couldn't have. We needed those to meet the notification requirements that were set out in the declaration by the Yukon Court of Appeal. We still would have required legislative and regulatory changes to meet those requirements.

**Mr. Silver:** Thanks for the clarification from the minister. How does the bill fit with enacted laws that Yukon First Nations have already developed? I'll give you an example, Madam Chair. I'm going to read from a letter from the Tr'ondëk Hwëch'in government: "In addition to these fundamental defects, Bill 66 does not deal with the conflicts between the Tr'ondëk Hwëch'in *Lands and Resources Act* and the Yukon mining regime. We have already indicated in our 19 November 2013 letter that Yukon failed to meet its obligations under Self-Government Agreement 13.5.4, which requires Yukon to consult with us when it 'reasonably foresees that a Yukon Law of General Application which it intends to enact may have an impact on a law enacted by the Tr'ondëk Hwëch'in' and that 'Yukon shall consult before introducing the legislation in the Legislative Assembly.'"

Does the government agree with the assessment from the Tr'ondëk Hwëch'in?

**Hon. Mr. Kent:** Just for clarification, was this the letter that was sent to Commissioner Phillips from the Tr'ondëk Hwëch'in? Perhaps the member opposite can indicate that next time on his feet. I believe there was a mistake in sending that to the Commissioner, as the Commissioner in Executive Council is determined — I do recall seeing a copy of that letter — perhaps being copied on it, as it was sent to Commissioner Phillips.

The act amendments in themselves, as tools, do not immediately affect First Nation laws. I hope that is the response to what the member opposite was asking.

**Mr. Silver:** So is that a no from the minister?

**Hon. Mr. Kent:** Yes, that's a no.

**Mr. Silver:** I'm losing my hearing here. Thank you to the minister for his answer.

A couple of questions about the Ross River Dena Council and their traditional territory: how big is the traditional territory and how many mining claims were there in the Ross River Dena Council traditional territory this year compared to last year? Are there placer and quartz claims in that area?

We know that it has been discussed with industry and First Nations. How long might a moratorium be in place in the Ross River Dena Council traditional territory if we have to go down that road?

**Hon. Mr. Kent:** Rather than providing incorrect information, I would just ask the member opposite to allow me to provide those numbers to him as soon as I can, with respect to the area and the number of claims, whether they're quartz or placer — that type of thing. With respect to any potential staking ban, that is being led through Executive Council Office. There will be opportunities within the remaining couple of days that we have here to respond to those questions as well.

I would like to thank members opposite for their questions. Bill No. 66 is an important bill for the Yukon, it is important for First Nations and it's also important for our mining industry, in order to ensure that we can continue to have an effective and robust industry — one of the most important contributors to our economy for over the past 100 years. I know we want to ensure that that continues. Seeing the time, Madam Chair, I move that we report progress.

**Chair:** It has been moved by Mr. Kent that the Chair report progress on Bill No. 66, *Act to Amend the Placer Mining Act and the Quartz Mining Act*.

*Motion agreed to*

**Hon. Mr. Cathers:** I move that the Speaker do now resume the Chair.

**Chair:** It has been moved by Mr. Cathers that the Speaker do now resume the Chair.

*Motion agreed to*

*Speaker resumes the Chair*

**Speaker:** I will now call the House to order. May the House have a report from the Chair of Committee of the Whole?

**Ms. McLeod:** Committee of the Whole has considered Bill No. 11, entitled *Second Appropriation Act, 2013-14*, and directed me to report progress.

Committee of the Whole has also considered Bill No. 66, entitled *Act to Amend the Placer Mining Act and the Quartz Mining Act*, and directed me to report progress.

**Speaker:** You have heard the report from the Chair of Committee of the Whole. Are you agreed?

**Some Hon. Members:** Agreed.

**Speaker:** I declare the report carried.

**Hon. Mr. Cathers:** I move that the House do now adjourn.

**Speaker:** It has been moved by the Government House Leader that the House do now adjourn.

*Motion agreed to*

**Speaker:** This House now stands adjourned until 1:00 p.m. tomorrow.

*The House adjourned at 5:28 p.m.*