



# Yukon Legislative Assembly

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Number 217

1st Session

33rd Legislature

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## HANSARD

Monday, May 25, 2015 — 1:00 p.m.

Speaker: The Honourable David Laxton

# YUKON LEGISLATIVE ASSEMBLY

**SPEAKER — Hon. David Laxton, MLA, Porter Creek Centre**

**DEPUTY SPEAKER — Patti McLeod, MLA, Watson Lake**

## CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
<b>Hon. Darrell Pasloski</b>	Mountainview	<b>Premier</b> Minister responsible for Finance; Executive Council Office
<b>Hon. Elaine Taylor</b>	Whitehorse West	Deputy Premier Minister responsible for Tourism and Culture; Women's Directorate; French Language Services Directorate
<b>Hon. Brad Cathers</b>	Lake Laberge	Minister responsible for Justice; Yukon Development Corporation/ Yukon Energy Corporation
<b>Hon. Doug Graham</b>	Porter Creek North	Minister responsible for Education
<b>Hon. Scott Kent</b>	Riverdale North	Minister responsible for Energy, Mines and Resources; Highways and Public Works
<b>Hon. Currie Dixon</b>	Copperbelt North	Minister responsible for Community Services; Public Service Commission
<b>Hon. Wade Istchenko</b>	Kluane	Minister responsible for Environment
<b>Hon. Mike Nixon</b>	Porter Creek South	Minister responsible for Health and Social Services; Workers' Compensation Health and Safety Board
<b>Hon. Stacey Hassard</b>	Pelly-Nisutlin	Minister responsible for Economic Development; Yukon Housing Corporation; Yukon Liquor Corporation

## GOVERNMENT PRIVATE MEMBERS

### Yukon Party

<b>Darius Elias</b>	Government House Leader Vuntut Gwitchin
<b>Hon. David Laxton</b>	Porter Creek Centre
<b>Patti McLeod</b>	Watson Lake

## OPPOSITION MEMBERS

### New Democratic Party

<b>Elizabeth Hanson</b>	Leader of the Official Opposition Whitehorse Centre
<b>Jan Stick</b>	Official Opposition House Leader Riverdale South
<b>Kevin Barr</b>	Mount Lorne-Southern Lakes
<b>Lois Moorcroft</b>	Copperbelt South
<b>Jim Tredger</b>	Mayo-Tatchun
<b>Kate White</b>	Takhini-Kopper King

### Liberal Party

<b>Sandy Silver</b>	Leader of the Third Party Klondike
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## LEGISLATIVE STAFF

Clerk of the Assembly	Floyd McCormick
Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Rudy Couture
Deputy Sergeant-at-Arms	Doris McLean
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Monday, May 25, 2015 — 1:00 p.m.**

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

*Prayers*

**Withdrawal of motions**

**Speaker:** The Chair wishes to inform the House of changes which have been made to the Order Paper. The following motions have been removed from the Order Paper as the actions requested in the motions have been taken: Motions No. 915 and 929, standing in the name of the Member for Vuntut Gwitchin; and Motion No. 944, standing in the name of the Member for Watson Lake.

**DAILY ROUTINE**

**Speaker:** We will now proceed with the Order Paper. Tributes.

**TRIBUTES**

**In remembrance of Jean Jamieson**

**Hon. Mr. Dixon:** Mr. Speaker, it is a real pleasure and a real honour to rise today on behalf of the Yukon government and all members of the Yukon Legislative Assembly to pay tribute to a real pillar of our community, a force in the history of Whitehorse, the Yukon and northern British Columbia and, in general, an incredibly impressive and extraordinary woman who positively impacted so many lives throughout her long and exceptional lifetime. I am of course talking about Jennie (Jean) Frances Jamieson.

Jennie Callbreath was born on June 22, 1913, in Telegraph Creek, B.C. She passed away peacefully on Thursday, February 19, 2015, just a few months shy of her 102<sup>nd</sup> birthday, here in Whitehorse. Prior to her passing, the family and community believed her to be the oldest living member of the Tahltan Nation, from the Crow clan of the Nalotine territory.

Jean was born Jennie Frances Callbreath, but she changed her name at an early age. Her father had two mules in his packtrain named Jennie and Aggie and her brothers used to tease her, calling her “Jennie the mule”. This of course prompted the name change to Jean.

When Jean’s grandchildren were born, she said that she was too young to be called “Grandma” and decided on being called “Nanny”, so from then on, for anyone — whether you were family or friend, whether you had known her for decades, or even if you had just met her — she was known to most people, myself included, as “Nanny”. The fact that so many people called her Nanny isn’t actually that surprising, Mr. Speaker. After all, when she passed away, she had 31 grandchildren, 48 great-grandchildren, 24 great-great-grandchildren and one great-great-great grandchild — the grandchild of the Member for Vuntut Gwitchin, actually.

Nanny was raised in Telegraph Creek on the family ranch until grade 6. She then spent a year in school in Wrangell, Alaska and continued her education at St. Joseph’s convent in Prince Rupert, B.C. She was baptized in the Anglican Church, but educated in the Catholic school. She played the organ at the Anglican Church in Telegraph Creek.

While at school, Nanny continued to spend her summers in Telegraph with her father and brothers. While in Telegraph, she had her children, Frances, Jimmy, Lois, Dick and Peggy before moving on to Spruce Creek. During her time at Spruce Creek, outside of Atlin, she met many lifelong friends, including Aunt and Uncle Roxborough, Frank Steele and Jim and Dorothy Smith. She worked as a cook’s helper at Spruce Creek at Eastmen’s mining camp.

In 1947, when Nanny moved to Whitehorse, she worked at the Klondike Café on Main Street where the T&M is now. She also worked for T.C. Richards at the Blue Owl Café, where the BMO is now. Nanny started the Hollywood Café on Front Street that Harry Chan later purchased from her.

It was in Whitehorse that she met her future husband and the love of her life, Roy Jamieson. Jean and Roy had two daughters, Fae and Geri. Roy and Jean were young entrepreneurs who opened a small grocery store called “Jamieson’s” and a small company called “Jamieson’s Electric”. During their years running Jamieson’s, they were known for their quiet generosity to community members and never wanted to see anyone in need.

Nanny is best remembered sitting in the window of the store greeting everyone who walked through the door. Many Yukoners’ childhood memories include buying candy at Jamieson’s or, from time to time, even pinching a little bit of candy from Jamieson’s as well.

Jean was also known for her love of politics. There was not an election held — whether it was territorial or federal — that Jean was not involved in. She was a lifelong Conservative and lifetime member of the Yukon Party. She worked tirelessly on each and every election for Erik Nielson, and while she wasn’t the most mobile, she was perhaps — behind my own mother — my most enthusiastic supporter. Shortly after the 2011 election, knowing that I would be lacking in this area, she bought me this tie that I’m wearing today. The last time that I wore it was on the very first day of the Legislature when we convened in 2011.

When Jean was born, Sir Robert Borden was in his first term as Prime Minister of Canada, George V was king and Woodrow Wilson had recently been elected as President of the United States. During her life, Jean saw 15 Prime Ministers and 17 American Presidents.

She retired around the age of 70, and over the years she brought with her a great smile and a wonderful sense of humour, and was always one of the last people to leave the party. I mean that quite literally — she had no problem out-partying people half or even a quarter of her age, well into her life. Whenever Jean walked into a bar or dance hall where Hank Karr and the Canucks or Yukon Jack were playing, the song, *There’s a Tear in My Beer*, was dedicated to her almost immediately. Soon after, Jean’s hands and feet — and in her

later years, her walker — were moving and grooving to the tune as well. She loved to go the Legion on her Saturday afternoons to play crib. Even if in her later years she couldn't see the cards, it never stopped her from winning, I should note. She was known for her shortbread, white bread, white cake and cinnamon buns.

She was also a very committed monarchist and enjoyed reading about the Royal Family and collecting royal keepsake china. I remember on her 100<sup>th</sup> birthday she received so many commendations and congratulations from all over — a letter from the Premier of Yukon, a letter from the Prime Minister of Canada, a letter from the Governor General of Canada — but by far, she was most excited about receiving a birthday letter from none other than Queen Elizabeth II herself.

Her 100<sup>th</sup> birthday was quite the event. I recall I had to wait with my fiancée and daughter almost an hour in line for a chance to give her a hug and wish her a happy birthday. I think it was a real testament to what a lady she was and how important she was to so many people.

I think that if Nanny's exceptional life offers us any lesson, it's on how to live life to the fullest and that attitude matters so much more than age. Throughout her life she loved nothing more than spending time with her friends and family, and I have no doubt that that love contributed to her longevity — that and a glass of red wine, or sometimes two, before bed each night.

Before I conclude, I wanted to note that we're joined by a number of friends and family of Nanny's who are with us in the gallery. I didn't bring a list so I'll try to introduce everybody here. We have some family and some friends. I'll start at the top. Lorraine McInroy, Lynn King, Ryan Jamieson — who I believe is a grandchild of Nanny's — Danny Johnson, Jennifer Tuton, Jodi Tuton, Rachele Blais, Lindy Dunlop, Mike Tuton, Chayce Tuton, Craig Tuton, Geri Tuton — her daughter — Robby and Marilyn King, Jen O'Neil, Jared Tuton, my fiancée Britney McNeil and my mom Linda Dixon, and Johnny and Bohdi Elias who are Jean's great-great-grandchildren. As well, there is an old friend, Gord Steele, of course — and Jamie Gleason. I skipped over Jamie. There he is. He just walked in late. That's why. Sorry, Jamie. I didn't see Jamie before.

I would like to ask members to join me in welcoming Jean's friends and family to the gallery and join me in celebrating what was certainly a very exceptional life in the Yukon.

*Applause*

### **In recognition of Yukon firefighter Firefit challenge teams**

**Mr. Barr:** I rise today on behalf of the entire Yukon Legislative Assembly to pay tribute to the Yukon firefighters who went this weekend to Vancouver to compete in the Pacific regionals of the FireFit challenge.

The FireFit challenge, known as “the hardest two minutes in sport” puts firefighters in 50 pounds of gear and on air supply through a seven-stage obstacle course. It's gruelling and participants dig deep to compete. As one firefighter puts

it, your lungs are screaming and you're sucking air through a straw — all the while up flights of stairs and performing high-output feats of strength.

The FireFit challenge also gives back to the community. Every competition raises funds for a local charity and this weekend, the race collected money to support the construction of a post-traumatic stress disorder clinic at Vancouver General Hospital.

By being on the leading edge of looking after the women and men who look after our communities, FireFit participants took yet another step to destigmatize the challenges faced by first responders who suffer from PTSD. This year, Yukon sent two teams, whose participants ranged in age from 23 to 51. They participated in individual and relay events. One team represented the City of Whitehorse's fire department and one represented the Yukon fire service.

The Whitehorse fire team included team captain, Jeremy Beebe, Alex Cusson, Boris Hoefs, Coty Fraser, and Donnovan Misener. The Yukon fire services team was captained by Tagish Fire Chief Boyd Pyper, and included Deputy Fire Marshal James Paterson, Mount Lorne volunteer firefighter, Shaun Cooke, and Whitehorse volunteer firefighter, Rob Curtis.

Yukon's FireFit teams trained for six months, often six times a week, and if you were around the Black Street stairs, you may have seen them running the Millennium Trail or those stairs in full gear, Mr. Speaker. These firefighters are driven to push themselves like this because they believe that their communities and their neighbours deserve the best they can be.

Deputy Fire Marshal James Paterson, the head coach and participant, was part of the Yukon team that competed nationally and internationally over a decade ago and it has been his passion to revive Yukon's participation in this event. Not only has he achieved this goal, but he has succeeded in building two teams with even more firefighters representing four Yukon firefighting organizations.

Mr. Speaker, did they ever succeed. They competed against some of North America's top firefighting teams. A number of Yukon's participants qualified for the Canadian nationals and almost all of them registered personal FireFit bests. The Whitehorse team in particular should be singled out for praise. During the relay competition, they finished in fourth place overall and only one second behind the Chilliwack team that was expected to dominate the course.

On behalf of the Yukon Legislative Assembly, I would like to salute the Yukon firefighters who rekindled the territory's FireFit presence after so long.

Thank you for your service to our communities and good luck preparing for the nationals.

### **In recognition of Honour House**

**Speaker:** While we are on the subject of first responders, I was at the Honour House gala this past weekend. At this event, they raised in excess of \$100,000 toward Honour House. Honour House is a place in the Vancouver area — actually in New Westminster, where first responders

can stay — active or retired, or their family members — if they are doing treatments or are in the Vancouver area for a treatment of some sort. The reason I mention it is because Yukoners have been staying there as well. Quite a number of Yukoners have gone down and have been able to stay there. If you have the opportunity, check out their website. It is a fantastic program and just a wonderful building. I would like to thank them and our first responders for all their work.

Introduction of visitors.

Are there any 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. Moorcroft:** I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to:

(1) implement the recommendations made by the Auditor General in the March 2015 report on corrections; and

(2) meet its obligations under the corrections act by assessing whether the core rehabilitation programs at Whitehorse Correctional Centre meet the needs of Yukon First Nation offenders and are effective in reducing reoffending in Yukon First Nation offenders, and working with Yukon First Nation governments to adjust the core rehabilitation programs to better meet the needs of Yukon First Nation citizens in correctional programming.

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

THAT this House urges the Government of Yukon to proactively take steps to promote the benefits offered under the home repair program to mobile homeowners who are faced with a necessary oil tank removal and replacement.

**Mr. Silver:** I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to:

(1) explain why the cost of the Whitehorse General Hospital expansion project has increased from \$45 million to \$72 million since it was first announced only four years ago;

(2) confirm that, despite the fact that the government is spending \$72 million, the new hospital expansion does not include any new beds; and

(3) ensure the expansion project includes a new and fully functional EMS dispatch centre.

**Speaker:** Is there a statement by a minister?

This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Hydraulic fracturing

**Ms. Hanson:** This government, Mr. Speaker, will stop at nothing to open Yukon to fracking. They have not been

stopped by science, nor by the vast majority of Yukoners who say that fracking threatens our land and our water and doesn't belong in the Yukon.

This spring, the ink had barely dried on Yukon's select committee report on hydraulic fracturing before this government announced it will be accepting applications to frack the Liard Basin. The select committee made it clear: each of the 21 select committee recommendations must be addressed before hydraulic fracturing is even considered in the Yukon.

Why has the Premier given the green light to fracking in the Liard Basin when it is nowhere close to meeting the obligations set out in the select committee report?

**Hon. Mr. Kent:** Again, our government took quite a bit of time to review the select committee reports. I would note that both opposition parties came out almost within 24 hours — condemning the activity of fracking 24 hours after the release of that report. We took time. We reviewed the 21 recommendations. We've decided to accept and are addressing all of those recommendations, whether it's water-related or engaging in further public dialogue or conducting an economic analysis.

Again, we believe that developing a strong and robust oil and gas sector in the territory is good for the Yukon and it's good for our economy. It will allow many Yukoners who are working outside of our borders to return home and have opportunities in that industry right here in the Yukon. We're moving forward with fracking in the Liard Basin, but only with the support of the affected First Nations — that includes the five Kaska First Nations as well as the Acho Dene Koe.

**Ms. Hanson:** You know, the Yukon Party government keeps repeating that it accepts all of the recommendations of the select committee report. What it doesn't say is that only a handful of the government's commitments actually match what was agreed to by the committee. Although not a single one of these now watered-down commitments is yet completed, this government is opening the Liard Basin to fracking — an area nearly twice the size of Prince Edward Island.

Yukon's land and resources belong to Yukoners. It is imperative that we as legislators take the time to get this right. There is no rush to develop hydraulic fracturing before meeting even the bare minimum precautions set out by the select committee. The gas isn't going anywhere, but if we rush into this decision and go down the wrong path, there is no going back.

Will this government acknowledge that its response to the select committee does nothing to address the concerns raised in the select committee report?

**Hon. Mr. Kent:** Early on this session on one of the opposition private members' days, there was a motion brought forward by the Member for Copperbelt South with respect to the issue of shale gas development. I took the opportunity to read into the record the 15-page document that is the Government of Yukon's response to the select committee's final report regarding the risks and benefits of hydraulic fracturing.

There are a number of activities being undertaken across many departments, whether it's Energy, Mines and Resources, Economic Development, Health and Social Services, the Department of Environment — there are multiple departments engaged in doing this work, ensuring that we're addressing those recommendations that were brought forward by the all-party committee. Three government members and three opposition members spent an awful lot of time developing that report, and I would like to again thank them for their work in developing that.

Again, when it comes to the activity of shale gas development, what the Leader of the Official Opposition fails to mention is that there will still be permits and licences required. This type of activity will still have to go through the YESAA process as well as the water licensing process. In her race to unduly scare Yukoners into thinking that the world is going to end, she certainly forgets to talk about all of those licences and permits that will be required and also that we will not proceed without the support of affected First Nations.

**Ms. Hanson:** Right — and Yukoners know what this government thinks about YESAA. Saying that they accept the select committee report is at complete odds with their pursuit of fracking in the Liard Basin, and their response fails to meet the basic standards set out in the recommendations. There is a world of difference between mandating an independent risk assessment of fracking on human health and the government's assurance that they will work out an approach to assess health implications.

Demonstrating that fracking liquid and gas leaks are preventable in the long term is a much higher standard than the government's vague commitment to develop techniques to monitor these leaks. Ensuring that powerful greenhouse gases are not released by the fracking process is not the same as merely managing their rate of release, as the government suggests.

Will the minister recognize that his actions don't match his words and that he is not in fact implementing the select committee's recommendations?

**Hon. Mr. Kent:** I will say again that this government is accepting and addressing all 21 of the recommendations that have been brought forward by the Select Committee Regarding the Risks and Benefits of Hydraulic Fracturing. I know that when it comes to this type of activity, we see that there are tremendous opportunities for Yukoners. I have mentioned before that there are opportunities for Yukoners who are currently working in places like British Columbia, Alberta and Saskatchewan to move home so that they can take advantage of opportunities here. There are business and contracting opportunities, not only for businesses in the immediate vicinity of Watson Lake, but also businesses throughout the Yukon when it comes to a strong and robust oil and gas industry.

The Kotaneelee wells that are conventional gas wells located in the Liard Basin are long-producing wells. They were top producers in Canada at their peak. They have contributed over \$45 million in royalties to government coffers, including over \$10 million to First Nation coffers. We

will be disagreeing with the NDP when it comes to a strong and diversified economy. We believe that developing our natural resources is something that we can continue to do and do responsibly and ensure that it is done for the benefit of all Yukoners.

#### **Question re: F.H. Collins Secondary School reconstruction**

**Ms. Moorcroft:** Ever since their premature, pre-election ribbon cutting, the F.H. Collins replacement project has been a classic case of Yukon Party bungling. After throwing away millions of dollars in planning, the Yukon Party awarded the general contract to Alberta's Clark Builders — so much for local contractors. The government could learn from Yukon College, which has made a point of hiring Yukon companies for design, site preparation and construction. Contrary to the minister's assertions, many subcontractors at F.H. Collins are from Outside and use fly-in/fly-out labour extensively.

When it comes to this important and expensive piece of infrastructure, why was the Yukon Party government not interested in maximizing the benefits to local workers and local businesses?

**Hon. Mr. Kent:** Under the business incentive policies, the Government of Yukon provides rebates to contractors working on eligible government contracts as incentives to hire Yukon residents and to use Yukon-manufactured products when delivering those contract requirements. As of April 13, the information that I had from the Department of Highways and Public Works was that, of the 44 subtrades active on the site, 26 of them were local. Of the other 18, almost all used some local tradespeople and labour. When it comes to local suppliers, there are 21 local suppliers who have contributed to this project.

We feel that this project will greatly enhance the educational opportunities for Yukon students. We are excited that the project is on time and on budget, scheduled for completion at the end of August and occupation sometime later on this year after commissioning and fit-out. We are proud of what is taking place over there, and we are proud of all the Yukoners who have had opportunities associated with that project.

**Ms. Moorcroft:** I think the minister should walk through the parking lot at F.H. Collins and explain why there are so many B.C. licence plates. We hear the exterior work on the school has been done by an Outside company using fly-in/fly-out labour — ditto for dry walling, structural steel, most of the welding, fire installation and the windows.

We've also heard that there are multiple complaints against an Outside subcontractor for violating Yukon's employment standards rules and the fair wage schedule.

Does the minister care to comment: How widespread is the problem of Outside subcontractors on the F.H. Collins job failing to live up to Yukon law?

**Hon. Mr. Kent:** Any employee who believes that they have not been paid in accordance with the *Employment Standards Act* can file a complaint. The employment

standards officer will investigate the complaint and determine the proper course of action.

The Yukon is also a signatory on the *Agreement on Internal Trade* and this means the Yukon is open for business for all Canadians, which means that our local contractors can bid and be successful on work outside of the Yukon as well where there are often more construction dollars available.

That said, I will again repeat that we had 21 local suppliers to this project, including everything from lumber to graphics to freight. Air North, Yukon's airline, was also a supplier. Of the 44 subtrades active on the site, 26 are local companies. I know the Leader of the Official Opposition, off-mic, continues to offer her comments, not caring that 26 of 44 subtrades on-site are local and, of the other 18, almost all of them use some local tradespeople and labour.

This is an exciting project for the Yukon. We'll look forward to the class of 2016 being the first graduating class there and the class of 2015 being the last graduating class in the old school that was the site of graduation for many members on this side of the House.

Again, this is an exciting project that's offering a number of local benefits in spite of what the opposition would claim.

**Ms. Moorcroft:** Many Canadian jurisdictions do have local preference. Indeed there are public servants who will investigate and determine the veracity of the complaints. We've been down this road before — think Dowland Contracting and the hospital construction contract. The complaints from workers at the F.H. Collins jobsite deal with unpaid overtime, violations of the fair wage schedule and unpaid vacation pay.

The Outside subcontractor has bid and won other Yukon government jobs. It's pretty easy to bid low on a job if you aren't paying workers a fair wage.

How does Highways and Public Works monitor contractors to make sure all the rules are followed and workers are paid a fair wage?

**Hon. Mr. Dixon:** Obviously we expect any Yukon business that is being employed to conduct a Yukon government contract to follow Yukon's laws, especially those related to the safety of our workforce or our labour laws here in the Yukon.

In the event that there is a complaint or there is a problem that's found by either our staff in the Yukon government or reported by Yukon workers, there is a process in place in which they can raise those issues and have those concerns addressed. That's not something that the Yukon government plans to interfere with or change. I know it's clear from the NDP's comments that they would interfere in that process somehow and become involved politically in what is otherwise an independent process. That's not the approach that this government is going to take. We expect all companies to follow the law. We expect all Yukon businesses to follow Yukon's labour laws and I think it's clear that the NDP would interfere in that process politically, as we're hearing off-mic from the Member for Mayo-Tatchun.

### Question re: Peel watershed land use plan

**Mr. Silver:** I have a question for the Premier. Over the weekend, Yukoners learned that the Vuntut Gwitchin First Nation signed its intent to join the appeal for the Peel land use court case.

In announcing its decision, VGFN said that it has concerns regarding the Government of Yukon's conduct during the later stages of the Peel planning process. This brings to three the total number of Yukon First Nations now involved in this court action against the Yukon Party government.

In light of this new development, will the Government of Yukon abandon its appeal of this court case?

**Hon. Mr. Pasloski:** After the Yukon Supreme Court decision on the Peel, our legal advice received was that we had a strong case for appeal, Mr. Speaker.

Nevertheless, we went to the First Nations to pursue an out-of-court arrangement that everybody could live with. We did this because our government would prefer an out-of-court decision on this issue. However, First Nations were not interested in an out-of-court arrangement. This left us with our current situation: preparing for an appeal. Our goal, as I have stated repeatedly, is to achieve clarity on the land use planning process and assurance that democratically elected public governments have the final say over what happens on public land.

**Mr. Silver:** If the Premier wanted an out-of-court decision on this, he should have shown up for the consultation stage.

The VGFN says it will support the Na Cho Nyäk Dun and the Tr'ondëk Hwëch'in on all Peel-related matters. They have formally lined up to fight this government in court. It's very unfortunate that it has to come to this, but it's no surprise, given how this government treats those who disagree with it. The VGFN has specifically identified concerns regarding the Yukon government's conduct during the later stages of the Peel planning process that resulted in their getting involved in this court case. They also said that they will continue to be vigilant to protect the integrity of their land claims agreement, including a land use plan provision. When I hear statements like this, Mr. Speaker, I pay attention. VGFN obviously feels its agreement is under attack.

In light of this new development, will the Government of Yukon abandon its appeal of this court decision?

**Hon. Mr. Pasloski:** Of course we know that the Vuntut Gwitchin First Nation did actually go through the consultation and signed on and approved the Yukon government's proposed land use plan for the Peel region.

Mr. Speaker, our overall goal with regard to the Peel has been clearly stated a number of times, and that is clarity on land use planning processes. That said, after the Yukon Supreme Court case, we did approach the First Nations on a number of levels to suggest a negotiated solution that we could all live with. This was not an unusual approach for this government. We work together with many partners in many ways.

A recent example is the court case between the Yukon government and the French school board. While the court case proceeded all the way to the Supreme Court of Canada, we worked together with CSFY to find mutual goals. Now that we have a decision in that case, we are continuing to talk and to work together with the school board. Our goal in that instance is to find a solution without the need to go to court.

In the case of the Peel, our goal is clarity on the land use planning process and assurance that democratically elected public governments have the final say on what happens on public land.

**Mr. Silver:** It's very disappointing to hear that this government's preferred course of action is to fight Yukoners in court.

The VGFN says it supports the Peel commission's final recommended plan. It says it has concerns regarding the Yukon government's conduct during the later stages of the Peel planning process. How does the government respond to these concerns? Well, "see you in court" — the same response that they gave to other Yukon First Nations who wanted to see the Peel land use plan implemented. We now know that the government has already spent thousands of dollars fighting this in court. We know the government has recently hired a very expensive Toronto firm called Torys LLP to fight the continuing case.

Can the Premier at least let Yukoners know how much this court battle will cost Yukon taxpayers in legal fees alone?

**Hon. Mr. Pasloski:** As I've noted, our government was interested in finding a solution that all parties could live with, achieving this out of court. As Premier, I spoke to the chiefs of the First Nations, our lawyers spoke to the First Nation lawyers and our government staff spoke with First Nation staff. In all cases, the answer to our offer was no. We fully understand their right to make this decision, but it was a disappointment to us, because we would prefer to not be in court. We would prefer to work together to find solutions as partners, as we have done in so many other cases.

#### **Question re: Affordable housing**

**Ms. White:** It hasn't been a good Sitting for Yukoners hoping that the Yukon Party government would finally take meaningful action to improve the quantity and affordability of our housing market.

Yukoners were hoping that this Sitting would finally bring steps to make things better, like news of more affordable rental housing units on the heels of last year's cancelled projects, or even a sign that the Yukon Party agrees with the United Nations and recognizes the importance of housing as a human right. Instead, last Thursday, the minister responsible for the Yukon Housing Corporation said that, in his humble opinion, he doesn't believe that housing is a human right.

Can the Yukon Housing Corporation minister tell Yukoners how many more affordable rental housing units will be available as a result of the government's recent spending announcements?

**Hon. Mr. Hassard:** I guess it's impossible for me to know how many in exact numbers it's going to be, because we

don't know how much people are going to spend on each unit. It is important to understand that we've spent or are in the process of spending a lot of money of the northern housing trust funds to do exactly what the member opposite is asking.

We have the municipal matching rental construction program. We have rental quality enhancement grants, accessibility enhancement grants, rental housing allowances for families and rent supplement enhancements. There are all programs created to help Yukoners have safe, affordable housing here in the Yukon. So I believe that this government is doing a good job in this regard and will continue to work hard for all Yukoners.

**Ms. White:** Let's recap. Here we have a government that has finally, after three years, admitted to Yukoners that it doesn't believe that housing is a human right. During that same debate, the minister responsible for the Yukon Housing Corporation also failed to clarify how grants offered to landlords to improve rental units would not lead to rent increases for tenants.

Tellingly, the minister also used the debate about the rental quality enhancement grant to give his perspective on the program — and I quote: "I'm not saying that everything here is the best way to go forward or it's not the worst way to go forward ...". Why does the minister think that, when it comes to housing, Yukoners should settle for anything but the best?

**Hon. Mr. Hassard:** I tried to explain to the member last week that there's a reason that she is on that side of the House and I'm on this side of the House, and just because we don't agree on everything — that's democracy. That's why we're here. I believe if the member wanted me to implement her platform, I probably would disagree too.

So I believe that this government is working hard. We've listened to many NGOs — many people from across the continuum of housing here in the Yukon — to put forward programs that work well for as many Yukoners as we can. I agree that we're never going to solve all of the issues. We are never going to have a perfect situation for every Yukoner. That is called reality and, unfortunately, the member opposite doesn't seem to realize that. We are committed to working hard for Yukoners and we will continue to work hard for Yukoners.

**Ms. White:** The minister is absolutely right — we on this side of the House believe that housing is a human right. The Yukon Party government just isn't able to justify its choices when they are asked to provide fairness and long-term funding for both landlords and homeowners. When it comes to accessing safe, warm, dry and affordable housing, the Yukon Party government's only plan to help the most vulnerable members of our community is the not-yet-constructed new Salvation Army complex. Meanwhile, other jurisdictions are taking action. In Medicine Hat, Alberta, they are setting an example by taking targeted housing actions. By recognizing that stable housing is the first step to breaking the cycle of poverty, Medicine Hat has practically eliminated homelessness by giving residents keys to their own apartments.



Why do Yukoners have to watch other Canadian jurisdictions, like the municipality of Medicine Hat, take action on homelessness while the Yukon Party government — the territorial government, I would point out — continues to stand idly by and does nothing?

**Hon. Mr. Hassard:** It is interesting that the member opposite chooses to say that we are doing nothing. \$150 million over the last 10 or 15 years — I think that is doing something. Just because the member opposite doesn't like my humble opinion on housing as a human right, I don't think that means a whole lot either. Just because I am the minister of housing, it doesn't mean that I make all of the decisions and I decide who gets a house or not. That is not how it works when you are in government. We work hard every day with the departments — all departments, including Health and Social Services or Justice or whichever department may be involved — in providing housing for Yukoners. We work hard to create an economy for Yukoners so they can build their own homes. This government is committed to all people of the Yukon and will continue to be committed to all people of the Yukon.

**Question re: Marketing wildlife viewing opportunities**

**Mr. Barr:** Tourism is a major driver of Yukon's economy, bringing in \$250 million in 2012. Tourism is not a boom-bust industry and provides much-needed stability to Yukon's economy. The Yukon has so much untapped potential for tourism growth. I hear this all the time when I speak with tourism operators. I heard it again last week at the AGM of the Wilderness Tourism Association of Yukon. One of the Yukon's great draws is our wildlife. Few places can boast the opportunity to see moose, caribou, grizzly and black bears, and migratory birds in their natural habitat. A lucky few might even get to see a wolverine or a wolf. In order to grown tourism, we should be doing more to market the unique opportunities to see wildlife in the Yukon.

Why doesn't the Yukon government do more to market wildlife viewing opportunities to tourists?

**Hon. Ms. Taylor:** This government is doing everything in its possible realm to certainly advocate and market all that there is to offer when it comes to Yukon tourism. In fact, when one takes a look at the budget that we are currently debating within this Assembly today, one only has to take a look at the record level of marketing investments this year alone. That includes the largest ever tourism marketing initiative — the Yukon Now initiative — which promotes — inclusive of wildlife, which is one of our four key pillars under our tourism marketing strategy that we market in collaboration with Yukon's tourism industry. It includes television commercials and many different pillars under that particular marketing initiative.

We are very excited about this year's tourism industry. On all accounts, tourism looks very positive indeed. It is a very positive net contributor to Yukon's economy and we'll continue to work in collaboration with the Tourism Industry Association of the Yukon and all of its partners to advance and grow tourism as we have all along.

**Mr. Barr:** I'm speaking specifically about wildlife viewing. There is a great opportunity here. Tourism operators know this is a major Yukon advantage — to see wildlife in their natural habitat.

Alaska has tracked that over \$3.4 billion was spent in one year alone by tourists drawn solely by the state's abundant wildlife. Many of these tourists already go through the Yukon to get to Alaska. We're speaking a number that is — our transfer payment is \$1.3 billion. We're speaking about billions of dollars here.

What is this government's plan to measure and grow the contribution of wildlife viewing tourism to Yukon's economy?

**Hon. Mr. Istchenko:** I do thank the member opposite for the question. I thank my fellow colleague for answering the first part of this, but this is a good opportunity to highlight some of the wonderful things we're doing with our Wild Discoveries series. Last year, the Wild Discoveries series delivered over 30 events across the Yukon, hosting 655 participants. These interpretative events ranged from elk bugling evenings, nature programs for children and events about wolves, beavers and fish.

There are so many community projects that we've done, partnerships that we've had with the Tr'ondëk Hwëch'in on the interpretive trail in Dawson and Forty Mile, the Keno Community Club, improvements to the Alpine Interpretive Centre, the Girl Guides, Ducks Unlimited, Yukon Energy, Swan Haven — I'll speak a little bit about Swan Haven after. I had the opportunity to go to the Town of Faro's Crane and Sheep Viewing Festival. It was incredible. The City of Whitehorse has some significant wildlife areas. Even the local resource council out in Kluane, Dan Keyi, has some opportunities for wildlife viewing in their interpretive centres.

So, Mr. Speaker, are we doing lots? We sure are doing lots. I would also just like to put a plug in for all those private businesses in the Yukon that have local guides that take people out, whether it's an outfitter and you're going fishing or you're hanging out with one of the local companies taking you on a tour — Ruby Range — they're great people and you're wildlife viewing the whole time you're there.

**Question re: Greenhouse gas emissions, transportation sector**

**Mr. Tredger:** Earlier this year, scientists from around the world released a statement that reasserted that in order to prevent a rise in temperature beyond two degrees Celsius — the safety limit agreed to by governments — a large portion of known fossil fuel reserves must be left in the ground.

Leaving fossil fuels in the ground means we need to aggressively switch to renewables. We must try new approaches. The status quo is not an option. This year's state of the environment report found that, once again, the transportation sector is the largest contributor of greenhouse gas emissions in the Yukon.

What strategic plans and targets does the Yukon Party government have to reduce greenhouse gases in the transportation sector?

**Hon. Mr. Kent:** Yukoners can be very proud of the amount of energy that we produce and the amount of electricity that we produce from renewable energy sources. Approximately 94 percent of the entire usage for the Yukon — and 99.5 percent I believe was the number in 2014 of the grid energy — was produced from primarily hydro with a small portion coming from wind and an even smaller portion coming from solar.

The Yukon government is investigating a number of new renewable and clean energy technologies, as well as new energy-efficiency initiatives. Developing a robust, affordable and flexible energy system that matches variations in demand requires a number of options. Again, we are looking at investments in geothermal. We are out consulting right now on a biomass energy strategy. There are significant investments being made in next generation hydro as well. That of course will form the legacy bookend for our plan for clean power for Yukoners.

Again, when it comes to the work that we're doing as a government on energy efficiency and providing clean energy to Yukoners, I think that the Yukon government can be very proud of the efforts to date and even prouder of what is to come.

**Mr. Tredger:** Transportation emissions make up 60 percent of Yukon's greenhouse gas emissions. If we are really taking emission reduction seriously, we need to take action now to reduce those numbers. Yukon is a big jurisdiction and we currently rely on personal vehicles for much of our transportation, but that is no excuse for not tackling this issue head on and doing what we can. We have seen examples of initiatives in Yukon to reduce reliance on personal vehicles for transportation. The City of Whitehorse has revamped their transit system to increase ridership and Husky Bus of Dawson City has shown that a regional transportation system is feasible.

What is this government doing to support Yukon citizens, Yukon businesses and Yukon municipalities in their efforts to build an effective, efficient and reliable low-carbon transit system?

**Hon. Mr. Istchenko:** I thank the member opposite for the question.

The transportation sector definitely is the largest source of greenhouse gas emissions in the Yukon. We see that the effects of climate change are perhaps most pronounced in the north, as northerners. We are a very small jurisdiction of less than 40,000 people and we contribute less than one percent to Canada's greenhouse gas emissions. In the transportation sector, some of our targets are by 2015 — and you can see this already in a reduction of emissions from the Yukon government fleet vehicle operations by five percent — a reduction in emissions by the transportation sector by 10 percent. It is an industry standard for there to be a delay in some of this reporting because it goes to the federal — there is an 18-month lag in the official greenhouse gas data that comes from Environment Canada.

One thing to remember is that consuming carbon is not a luxury in the north — it is a necessity. We have to heat our

homes and transport essential goods and services to feed and support our families. So while there are many perspectives to be considered, we are not going to condone on this side a course of action that will lead to an increased cost of living for northerners, especially for the cost of food and our essential needs.

**Mr. Tredger:** We need to begin making changes now. If we start replacing gas- and diesel-burning vehicles with electric vehicles, we can have an important first step in tackling climate change. This technology might not yet allow for a Whitehorse-to-Dawson trip on a single charge, but people who commute to work in Whitehorse would certainly be interested in this option. Whitehorse may have the right conditions for an electric vehicle pilot project. The City of Whitehorse operates a transit system and a fleet for their employees. Yukon government has hundreds of vehicles in its fleet and spends around \$1.5 million on gas and diesel per year.

Has this government considered implementing an electrical vehicle pilot project in Whitehorse to help reduce fuel consumption and greenhouse gas emissions?

**Hon. Mr. Kent:** When it comes to government assets, we're making a number of strides. When it comes to energy efficiency, this building that we're in right now is one of the largest consumers of heating fuel and, this year, we will be undertaking a project to reinsulate and re-side the main administration building. Replacing the old F.H. Collins with a new LEED silver building will also lead to tremendous opportunities there. Again, we're looking at alternative energy opportunities as well on that site. Biomass district heating is something that I think we can consider.

One only has to look at the Department of Education and the provision of bus passes on city transit to a number of high school students throughout the City of Whitehorse as another positive step forward that we're taking to encourage more and more students to get on to city transit and use it. The feedback that I've heard — as well as what my colleague, the Minister of Education, has heard — is that the students enjoy the independence that they receive from having those transit passes.

Again, Mr. Speaker, we'll continue to work not only internally to identify some of the assets that we can make more efficient; we'll also work with our partners, whether they are other levels of government or industry, to ensure that we offer energy-efficiency incentives as well as the transit and transportation-type incentives that work to lessen our dependence on single vehicles and lessen our greenhouse gas emissions.

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

We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

### GOVERNMENT MOTIONS

#### Motion No. 899

**Clerk:** Motion No. 899, standing in the name of the Hon. Mr. Pasloski.

**Speaker:** It is moved by the Hon. Premier:

THAT this House urges the professional staff of art curators and the director and chief executive officer of the National Gallery of Canada to give favourable consideration to include in the National Gallery's collection the work of an iconic and important figure in Yukon and Canadian art, the late Ted Harrison.

**Hon. Mr. Pasloski:** On January 23, 2015, I wrote a letter to Mr. Michael Tims, chairperson of the Board of Trustees for the National Gallery of Canada. In that letter, I stated it was time to include the work of Ted Harrison in the National Gallery of Canada. The chairperson responded to my letter on January 28, 2015, and advised me that while the Board of Trustees of the National Gallery does approve the acquisition of artwork valued at \$100,000 or more, the board, and any of its members individually, are not involved in initiating proposals for the acquisition of works of art by the National Gallery.

It is the gallery's professional staff of art curators who identify works of art to be considered for inclusion in the national collection and bring forward to senior management and to the gallery's director and CEO, Marc Mayer. Mr. Speaker, that is the reason why Motion No. 899 is worded the way that it is.

On February 2, 2015, when I was in Ottawa for Yukon Days at Winterlude and meetings with federal ministers, I took the opportunity to meet with Mr. Mayer first-hand and make the case for including Ted Harrison's artwork in the National Gallery's collection.

In a subsequent letter to me, dated February 26, 2015, Mr. Mayer outlined the procedures the National Gallery utilizes in its acquisition and exhibition process. He explained that the National Gallery's first consideration is the role that the individual objects play in the advancement of art in Canada through their intellectual or aesthetic qualities, as well as influence within the field. Commercial success is not part of their criteria.

The National Gallery of Canada's acquisition process is detailed and comprehensive, and it is identical for both purchases and gifts. Numerous formal arguments are documented and several discussions are undertaken at various levels of organization for every object under consideration. Further, the Board of Trustees retains a third party team of external expert advisors to test the professional staff's proposals.

Mr. Mayer pointed out that the late Mr. Harrison's work had yet to successfully proceed through the National Gallery's highly competitive and rigorous process. Back in 2009, the director of the National Gallery at the time indicated that the National Gallery curators had considered including Ted

Harrison's artwork, but it did not pass muster. The current director, Mr. Mayer, pointed out in his letter that while he cannot predict what will happen in the future, there is certainly the possibility that the future NGC curators may assess his work differently and come to different decisions. So there is hope, and that is the purpose of this motion that we have here today. We have to convince the director and the NGC curators that the artwork of the late Ted Harrison merits inclusion in the collection of the National Gallery of Canada.

While the Yukon has been a source of interest and inspiration for some renowned artists, such as A.Y. Jackson, no current artist in the National Gallery of Canada has captured the essence of Yukon and the spirit of the north like Yukon's Ted Harrison. There are no Harrison skies in the National Gallery of Canada. In touring the gallery, you will see famous works of the Group of Seven inspired by Canadian landscapes. You will see the work of Emily Carr, inspired by the indigenous peoples of the Pacific Northwest coast. You will see the inspired works of Maritime artist Alex Colville, Canada's preeminent war artist of World War II and master crafter of enigmatic images portraying the human condition.

While the National Gallery doesn't consider regional representation when choosing what art to acquire, one would hope the gallery's artwork would attempt to reflect the artistic talent that this great country of ours has to offer from sea to sea to sea. We in the north fully recognize that Canada is greater than the sum of its parts. At the same time, however, many southern Canadians do not appear to recognize there is a vast, beautiful land in Canada north of the 60<sup>th</sup> parallel.

Ted Harrison was a newcomer to this land, not arriving until he was 41 years old when he moved to Carcross. He had succumbed to the spell of the Yukon. Yukon's bard, Robert Service, said it best: "It's the great, big, broad land 'way up yonder'". What Robert Service put down in verse, Ted Harrison painted on canvas board and inscribed in stained glass.

I've watched the big, husky sun wallow  
In crimson and gold, and grow dim,  
Till the moon set the pearly peaks gleaming,  
And the stars tumbled out, neck and crop.

It sounds like Robert Service is describing Ted Harrison's painting, doesn't it? Ted Harrison himself questioned how he could capture the beauty of the land. He wondered: "How do I paint the sky and these mountains? How can I capture the movement, the music, of this land? Nature is so powerful, deep inside me I felt a streak of rebellion fanning into flame." He captured it in an explosion of vibrant colours: purple mountains, pink lakes, rolling hills, orange swirling skies and various shades of blue.

We, in this House, don't have to go very far to see how well he succeeded. His three-panel piece at the entrance of this Legislature is entitled *Departure of Persephone*. *My Yukon* is located in the foyer of the Education building and *Vast Yukon* is on the ground floor of the David Turpin building at the University of Victoria campus. His magnificent stained glass windows grace Christ Church Cathedral here in Whitehorse. The thousands of Canadians and visitors who

attended Expo 86 in Vancouver were introduced to his work through the dramatic, three-dimensional backdrop depicting the northern sky above an open-air theatre at the entrance to the Yukon pavilion.

His work has been treasured and appreciated by premiers, prime ministers and presidents. Premier Christy Clark of British Columbia sent a letter, dated March 13, 2015, to the National Gallery of Canada endorsing our call for including Ted's work in the National Gallery collection.

In October 2009, 13 of Ted Harrison's paintings were given a place of honour at 24 Sussex Drive in Ottawa, the home of Prime Minister Harper.

His work hangs in prestigious galleries and private collections around the world. President Ronald Reagan sent the artist a hand-written note of appreciation. Ted's fascination with Yukon was not limited to landscapes. His images appeared in illustrated volumes of Robert Services' poems, *The Cremation of Sam McGee* and *The Shooting of Dan McGrew*. A Harrison image appeared on Christmas cards for UNICEF and Canada Post released a 45-cent commemorative postage stamp in 1996 depicting gifts being delivered by sled in artwork entitled *Northern Christmas*. Ted Harrison was an artist of many talents and, at one time, produced editorial cartoons for the *Whitehorse Star* newspaper. In addition to illustrating Robert Service's famous poems, Ted Harrison produced other volumes for children, including *O Canada* and *A Northern Alphabet*. In 1980, he wrote an autobiography, *The Last Horizon* and in 2009 was the subject of a detailed biography by Ms. Gibson in a volume entitled *Ted Harrison: Painting Paradise*.

In 2012, Painter's Lodge in Campbell River presented a special salute to Canada's most popular artist and screened a Monty Bassett documentary about Harrison's life called *Land of the Chartreuse Moose*, based on Gibson's book.

Ted Harrison was invested as a member of the Order of Canada in 1987 and named to the Order of British Columbia in 2008. He also holds four honorary doctorate degrees. Mr. Harrison donated his cabin in Carcross on Yukon's Crag Lake along with \$50,000 for the establishment of a painters' retreat. The Ted Harrison Artist Retreat Society has refurbished the cabin through the community development fund and a grant from the Arts Fund. We are currently working with the Ted Harrison Artist Retreat Society and Ted's son Charles to re-establish the artist in residence program. A celebration of Ted's life is planned for Whitehorse at the end of this month.

Ted Harrison has become one of Canada's most popular artists. His artwork has become the visual shorthand of Yukon in the minds of many Canadians, with his paintings so eloquently depicting life in the north. It is high time that Ted Harrison's work is included in the National Gallery of Canada, celebrating his life and the contributions he has made to our country.

I urge all members of this House to give unanimous consent to this motion so that we can send a clear message to the National Gallery of Canada that it is time to include Ted Harrison's work as part of their collection on behalf of the people of Yukon and all Canadians.

**Ms. Hanson:** I am very, very pleased and honoured to rise to speak in support of this motion. When I heard this morning that this motion was being brought forward for debate, I was actually quite thrilled.

As a member of the Legislative Assembly, on a personal level, this is an incredibly important motion that is being put forward here to finally see recognition of one of Canada's truly great artists — Mr. Ted Harrison.

I just thought it would be helpful to set the context in terms of Ted Harrison and why I think that the national art gallery needs to be stepping back and considering the art of Ted Harrison and why it is so important that his work be included in the gallery's collections. As the Premier commented, for many, many Canadians outside of the Yukon, it was Expo 86 that really introduced Mr. Harrison to the world. There was a description of it — that it was like walking into the painting, that you were walking into the north. They got a sense of what the north was about by how Ted depicted it.

Many people think that Ted Harrison always painted the way we see the paintings out in the lobby — what looks like a very simple style of lines — and this is one of the reasons why the National Gallery, in some of its commentary — has implied that they don't see the depth of his artistic talent. In fact, Harrison has been described by many as something of a Renaissance man. When you met Ted and you talked to him, you sort of thought he was just this folksy kind of charming, short, little English guy with a neat accent — a great storyteller.

What we don't often realize is that he was in fact a classically trained artist. He was educated in the community that he grew up in. He had an early artistic promise, and one of things I remember him talking about was that he grew up in a tiny mining community, which is called the Village of Wingate, in the County of Durham, a community that is shared by another resident of downtown Whitehorse and another long-time cabin owner at Crag Lake, Dorothy Drummond. Dorothy Drummond and Ted used to always have a great sharing of tales about that area of England, where he grew up.

Ted was a twin. He had a sister — Elgar. As I said, they grew up in a mining community, as he described it, a very hardscrabble life. He described it one day when we were sitting out at Crag Lake. He said, "You know, if you have ever watched the movie, *Billy Elliot*?" He said, "That was me."

Imagine being an artist, a little kid who really wanted to paint in a community where your job was going to be what your dad's job was. If you were lucky, you would go down the mines and you would be a miner all your life, and he aspired to be an artist. He said he didn't exactly fit in that well in that little community, but he had the support of his family, and his artistic promise was recognized and he went to Hartlepool College of Art where he graduated. But the interesting thing is that he didn't go on to be an artist immediately. He joined the British Army's Intelligence Corps. The postings that he had did a couple of things: they led to an incredible repertoire of

stories, but they also did another aspect of deepening his appreciation of art, not just from what he had learned in the classical training in Britain, but also the appreciation of the artistic experiences when he was posted to India, Egypt, Kenya, Uganda, and what was then Somaliland.

After he got out of the army, he went back to Hartlepool to complete his artistic training, where he received a diploma in design in 1950. Then he took his art teacher's diploma from the University of King's College. Then he began his work in teaching. One of the major contributions of Ted's work as an artist was in teaching and reaching out and pulling the artist out of so many young students from everywhere from the Cameron Highlands in Malaysia to New Zealand and finally to Canada. When Ted and Nicky first came to Canada, they lived in the Wabasca reserve in northern Alberta and, like a number of people in that era — we know many of the teachers who came through the same sort of route in northern Alberta ended up in the territory.

As he described it when he saw the Yukon — and as the Premier said — he said, "How do I depict this?" He said he had to rethink his whole classical art training, because he said that if he applied that to the Yukon, it did not apply because it couldn't capture the intensity of the light and the intensity of the colours here.

Those of you who have seen Ted's early work — it was totally deconstructed. There was white with black lines and an orange sun or moon — red or orange. That was it. That was the colour and then, over time, that vibrant colour that he felt emboldened enough to try to apply — that colour which we see and we identify the Ted Harrison skies. He was able to capture them as we see them. You wonder sometimes if we're seeing Ted Harrison — if we see the skies differently because of Ted Harrison because we identify with that or if it's the other way around.

The fact of the matter is that Ted's style evolved over the years from the mid-1970s when he came here — those early, early paintings, sort of etchings — to the brilliant mass of pieces that we see everywhere except the national art gallery. It's ironic. Last year I was in Stratford, and you walk into the main theatre there and there's this massive Ted Harrison on the main gallery walls, and you think, "Wow, Stratford thinks he's an artist. What's wrong with the national art gallery?"

Over the years, when he started painting and working as an artist full-time from about 1980, he received many, many recognitions and honours — honorary doctorate degrees — and recognition by many boards across this country. He was also an incredibly generous man in terms of donating his art and the proceeds of his art to the community.

The Premier mentioned that one of the things that Mr. Harrison did in terms of sharing and establishing that legacy was to establish a society — the Ted Harrison Artist Retreat Society — which is his legacy really. It was established in 1999 at Crag Lake. The Ted Harrison cabin is out there. It is a 2,000 square foot, two-storey log building. Over the course of the last 15 years, dozens of artists have been able to have residencies due to the generosity and vision of Mr. Harrison.

The irony is that national bodies like the national arts council have held their annual meetings at the Ted Harrison Artist Retreat. They have come to see how beautiful his place is and to see where Ted Harrison was inspired. But so far the objectives of this motion haven't been achieved. We have an opportunity to send a unified message to the national art gallery about the importance of the inclusion of Ted's work.

The Ted Harrison Artist Retreat that Ted established has done an awful lot to increase the importance of local artists. As well, he had this vision that established artists from around the world would also come to the Yukon and, as he said, simply be artists and have the opportunity that he had, which was to experience the Yukon and be influenced by its beauty. What we've seen over the years is that many, many of those artists have done exactly that.

The Premier made reference to a movie that was made a couple years ago by Monty Bassett and it's called *Land of the Chartreuse Moose*, which was really to talk about the life and legacy of Ted Harrison. This biographical documentary is interesting because he described — in that documentary, it talks about Ted Harrison as an artist and the land that he came to that was so enticing that he, like Gauguin when he went to Tahiti, would spend the rest of his life painting the beauty of the Yukon. That's what Ted Harrison did; he painted the beauty of the Yukon.

Those beautiful paintings have been reflected in the books — the illustrations — that have been used to bring to life the Robert Service poems. In the last few decades, his — it really is at the very core a revolutionary style of painting and it changed the way the world looks at the Canadian north. People know the north in many parts of this country because of Ted Harrison. They identify immediately with the north with his art, through the eyes and the lens that Ted applied to it.

In that movie, *The Land of the Chartreuse Moose*, Monty Bassett makes a strong case that a certain elitist attitude at the National Gallery of Canada has excluded two very, very popular artists — Ted Harrison and Robert Bateman. Both of these men are incredibly well-recognized Canadian artists, but neither of them is included in the gallery. Bateman is making the case in this movie that Harrison's work should be included, even though his legacy in terms of commercial success far outstrips Ted Harrison's, but the reality is that Bateman — who is internationally renowned — recognizes the quality and inherent appeal of Ted Harrison's work and makes this case very strongly in this movie that Monty Bassett has put together.

I raise that because that movie will be shown this weekend, as the Premier mentioned. This weekend there are a couple of things occurring that tie in very nicely in terms of the timing of this motion. On Friday evening, the Ted Harrison Artist Retreat Society is holding a gala as a part of their fundraising initiatives to complement the support that has been received by the territorial government to do repairs and structural work on the retreat. There will be amazing art available for people to purchase, including a piece that Ted's son, Charles, has donated, that I am told has a reserve bid of

about \$17,500. It is a beautiful piece. I have only seen a photo of it, but it will be gorgeous for whoever is lucky enough to have that kind of money to share. They will be very pleased, I am sure.

On Saturday, Ted Harrison's family — his son Charles — in respect of Ted's last wishes, a gathering is being held. Charles calls it "Ted Fest II", because there was a gathering on May 3 in Victoria for community members in Victoria where Nicky and Ted had retired in 1993, after Nicky was diagnosed with Alzheimer's. They established a good community down there, so they gathered on May 3. On May 30, this Saturday from 1:30 to 5:30 p.m., Ted is inviting Yukoners to come and share a story, because that is what Ted loved — storytelling. There will be art; there will be replicas of Ted's art and many opportunities for people to express — and perhaps this is an opportunity for the Yukon government and for all of us as legislators to encourage people to express their support for the National Gallery of Canada to have Ted's art included. Perhaps we could put a book or something there to encourage people to sign it and to have it sent off to the gallery.

I anticipate that there will be many people who would like to come and talk about what Ted meant to them, as either the fire chief in Carcross or a teacher at the Whitehorse, Yukon vocational college, who brought out in them — recognized in them — the shy kid in the back of the classroom, who didn't know how to talk about art and didn't know if they had any artistic talent, and Ted pulled it out of them and showed them in a very patient way.

Mr. Speaker I can tell you that since 2000, when I first became involved with Ted's residence, the number of people who have come and spoken about how Ted brought out in them and encouraged in them that it was okay to be an artist — whether it's Mary Caesar of the Liard First Nation or Eugene Alfred — there are just dozens and dozens of Yukoners — Heather Jones, a well-known photographer — who have become emboldened to be artists because of Ted's encouragement.

There are many ways to describe the merit of why somebody should be in the national art gallery. I'm sure that most of the Legislative Assembly members have been to the national art gallery and you can see in your mind's eye that there are some beautiful places where a Ted, a massive Ted, with the north to invite us in would be so appropriately placed.

I really do encourage all members to support this and I would like to encourage us to think of creative ways of getting Yukoners onside to also raise their voice in support of the motion brought forward today by the Premier, the Member for Mountainview.

**Mr. Silver:** It is absolutely with great pleasure that I also rise to speak on this motion. When we do think of Yukon's great storytellers, as mentioned already in the Legislative Assembly — we talked about Jack London and Robert Service and the men who wrote and followed the gold rush, but Ted Harrison deserves to be seen as a storyteller in

the same vein — maybe a different medium, maybe a different time, but a northern icon all the same.

His remarkable work shows a unique version of Yukon's people and its places and he has captivated Canadians and people around the world for many years. I have a print of his painting of Robert Service School hanging in my office.

There is one main difference between Harrison, London and Service. Ted Harrison didn't follow the stampede here for a year or two. He came here to live in the Yukon and he built a life here for more than 25 years. Even when he left to retire in the south, he missed the Yukon so much that he painted a giant mural of the Yukon landscape on a wall in his own home.

Ted Harrison's work has been recognized across Canada. In 1987, he received the Order of Canada for contributions to Canadian culture, as mentioned. The National Gallery of Canada is mandated to — and I quote: "maintain, and make known, throughout Canada and internationally, a collection of works of art, both historic and contemporary, with special ... reference to Canada".

It is only fitting that the work of Ted Harrison should be hung among Canada's and the world's greatest artists residing in Ottawa. His works place the Yukon's greater narrative of Canadian art in a way that only a handful of artists ever have done before and will ever do after him.

Mr. Harrison died earlier this year but, through the Ted Harrison Artist Retreat, his legacy will continue to bring Canadian artists to the Yukon to find inspiration in our stories, in our communities and in our landscapes.

As mentioned, this Friday night there will be a fundraiser at MacBride Museum to support this great program. There will also be a celebration of life at the Kwanlin Dun Cultural Centre at 1:30 on Saturday.

I would like to thank the Premier, the Member for Mountainview, for putting this motion forward today. I will unequivocally be supporting it and hope that the National Gallery of Canada will recognize its oversight and include Ted Harrison's work in its permanent collection.

**Speaker:** Are you prepared for the question?

**Some Hon. Members:** Division.

#### Division

**Speaker:** Division has been called.

#### Bells

**Speaker:** Mr. Clerk, please poll the House.

**Hon. Mr. Pasloski:** Agree.

**Mr. Elias:** Agree.

**Hon. Ms. Taylor:** Agree.

**Hon. Mr. Graham:** Agree.

**Hon. Mr. Kent:** Agree.

**Hon. Mr. Dixon:** Agree.

**Hon. Mr. Hassard:** Agree.

**Hon. Mr. Cathers:** Agree.

**Hon. Mr. Nixon:** Agree.

**Ms. McLeod:** Agree.

**Ms. Hanson:** Agree.

**Ms. Stick:** Agree.

**Ms. Moorcroft:** Agree.

**Ms. White:** Agree.

**Mr. Tredger:** Agree.

**Mr. Barr:** Agree.

**Mr. Silver:** Agree.

**Clerk:** Mr. Speaker, the results are 17 yea, nil nay.

**Speaker:** The yeas have it. I declare the motion carried.  
*Motion No. 899 agreed to*

**Speaker:** We will now proceed to government bills.

## GOVERNMENT BILLS

### Bill No. 87: *Personal Property Security Registry (Electronic) Amendments Act* — Third Reading

**Clerk:** Third reading, Bill No. 87, standing in the name of the Hon. Mr. Dixon.

**Hon. Mr. Dixon:** I move that Bill No. 87, entitled *Personal Property Security Registry (Electronic) Amendments Act*, be now read a third time and do pass.

**Speaker:** It has been moved by the Minister of Community Services that Bill No. 87, entitled *Personal Property Security Registry (Electronic) Amendments Act*, be now read a third time and do pass.

**Hon. Mr. Dixon:** It's a pleasure to rise today at third reading of this bill to commend it to the House.

I would direct folks to both of my second reading speeches for some more information about the bill. I don't have too much more to add today, but I did want to conclude the passage of this bill by again thanking the individuals in the Department of Community Services and Department of Justice who did the hard work of doing the policy work that underpins this bill, as well as the legislative drafting work that we see before us today.

As I've indicated previously, passing legislation is no small task, and those individuals in the departments who did this work deserve to be commended for their work and for their efforts on this bill.

I have noted previously that I think it is an excellent step forward for businesses in Yukon that buy and sell goods and individuals who borrow or lend money against personal property. The creation of an electronic registry that this act allows will go a long way to facilitating commerce in the territory and thus, in a certain sense, makes the Yukon a more competitive place to do business.

It fits within the mandate of this government to make the Yukon a good place to own and operate businesses, and we look forward to seeing the registry created in the near future to allow that to happen. Without anything further, I would commend this bill to the House and look forward to seeing it pass today at third reading.

**Ms. Stick:** While we are happy and supportive of the move that will see this data collection streamlined and resolve

problems that are currently faced by the department, which is still using a paper system, the NDP, unfortunately, will not be supporting Bill No. 87. We feel that this one clause that is to be added to this act that reads: "The *Access to Information and Protection of Privacy Act* does not apply to any data that is collected, used or disclosed under this Act" — by the addition of that one clause — which, if it had been removed, would not have changed the intent or the validity of the act and would not have hampered anything that the minister has espoused. By putting that in, we feel that people's protection of their privacy and personal information has just been set aside. That is not right. We are still unclear as to why adding this clause to the bill that removes the protection of the *Access to Information and Protection of Privacy Act* — we are not clear how that will be helpful. Ultimately, we believe the protection, privacy and personal information should not be just set aside. It is too important.

Mr. Speaker, we will not be supporting this bill. The NDP believes that Yukoners deserve to have their personal information protected. They have the right to request corrections if there is information that is not correct, and we believe they have a right to make a complaint to the Information and Privacy Commissioner if they feel that their personal information has not been handled appropriately. We will not be supporting this bill. We support the intent of it but, with the addition of this one clause, we cannot.

**Speaker:** Does any other member wish to be heard?

**Some Hon. Members:** Division.

### Division

**Speaker:** Division has been called.

### Bells

**Speaker:** Mr. Clerk, please poll the House.

**Hon. Mr. Pasloski:** Agree.

**Mr. Elias:** Agree.

**Hon. Ms. Taylor:** Agree.

**Hon. Mr. Graham:** Agree.

**Hon. Mr. Kent:** Agree.

**Hon. Mr. Dixon:** Agree.

**Hon. Mr. Hassard:** Agree.

**Hon. Mr. Cathers:** Agree.

**Hon. Mr. Nixon:** Agree.

**Ms. McLeod:** Agree.

**Ms. Hanson:** Disagree.

**Ms. Stick:** Disagree.

**Ms. Moorcroft:** Disagree.

**Ms. White:** Disagree.

**Mr. Tredger:** Disagree.

**Mr. Barr:** Disagree.

**Mr. Silver:** Disagree.

**Clerk:** Mr. Speaker, the results are 10 yea, seven nay.

**Speaker:** The yeas have it. I declare the motion carried.  
*Motion for third reading of Bill No. 87 agreed to*

**Speaker:** I declare that Bill No. 87 has passed this House.

**Mr. Elias:** Mr. Speaker, 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):** Order please. Committee of the Whole will now come to order.

The matter before the Committee is Vote 2, Executive Council Office, in Bill No. 18, *First Appropriation Act, 2015-16*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

### Bill No. 18: *First Appropriation Act, 2015-16* — continued

**Chair:** The matter before the Committee is Vote 2, Executive Council Office, in Bill No. 18, entitled *First Appropriation Act, 2015-16*.

#### Executive Council Office

**Hon. Mr. Pasloski:** I am very pleased to have with me today Catharine Read, in her new capacity as the Deputy Minister of the Executive Council Office. Thank you for being here.

I am pleased to introduce the Executive Council Office budget for 2015-16. The budget put forward this year will support efforts to provide and promote government-wide strategic leadership, foster effective relationships with our clients and other governments, and enhance Yukon government's role and profile, nationally and internationally.

As a central government department, the Executive Council Office has both unique opportunities and responsibilities to help achieve the government's goals for the benefit of Yukon. It provides corporate leadership, support and services in a wide range of areas to all Yukon government departments.

The 2015-16 ECO budget forecasts overall operation and maintenance spending of \$23 million and capital spending of \$312,000. The operation and maintenance budget requested for this year represents a decrease of approximately \$2 million from the 2014-15 forecast. The change is related to the way

that the land claims implementation fund will now be administered.

As members know, land claims implementation funding is provided by Canada to meet Yukon government's obligations under the final and self-government agreements. This funding, which is approximately \$4 million this year, is part of the government's base funding. Up until this year, the annual implementation fund amount formed part of ECO's budget and would then be allocated by departments, based on project proposals approved by the Deputy Ministers Review Committee. This arrangement has been in place since 1995.

It has become apparent that several of the projects funded through the implementation fund are long term and ongoing. Because of the nature of the projects, it is more efficient and appropriate to move these funds permanently to the budgets of the relevant departments. As a result, approximately \$3 million of the land claims implementation funding has been allocated permanently to seven departments to fund their ongoing implementation activities. These departments are Community Services, Energy, Mines and Resources, Environment, Justice, the Public Service Commission, Tourism and Culture, and ECO.

Of the \$3 million moved to department budgets, \$390,000 was permanently allocated to the Executive Council Office to fund three positions: a strategic communications advisor; an implementation analyst/negotiator; and an implementation fiscal advisor — all in the Aboriginal Relations division. These positions were previously term positions funded by the implementation fund.

After the permanent reallocation of the \$3 million, approximately \$1 million of the implementation fund remains in the ECO budget to be allocated annually to departments based on approved project proposals. This is an administrative change that has a neutral result in terms of the amount Yukon government as a whole spends on the implementation of land claims; however, it results in a substantial decrease in the overall operation and maintenance budget of ECO.

Other highlights in the ECO operation and maintenance budget relate to our contribution to the Jackson Lake healing camp for the second year of a three-year funding agreement; funding for the White River First Nation in relation to reconciliation agreement discussions; initial funding in support of Yukon government's role chairing the Council of the Federation in 2016; a contribution in support of a viceregal conference to be held in Yukon in 2015; and funding for salary market adjustments for staffing and re-staffing actions.

I would now like to provide a brief overview of the Executive Council Office divisions and branches and their activities in the upcoming year. One of the key objectives of the Strategic Corporate Services division is to promote and organize wide approaches to key government initiatives that departments will implement. These initiatives include providing corporate leadership in the administration of the development assessment regime through the Development Assessment branch. The branch also works with First Nations and the federal government to continue to support the successful establishment of the *Yukon Environmental and*



*Socio-Economic Assessment Act*, YESAA — the forum that was created to address ongoing YESAA issues.

The Strategic Corporate Services division also works to advance corporate strategic planning as an effective tool for realizing government objectives and coordinates policy and communications advice provided to Cabinet and the Premier, as well as coordinating strategic corporate communications. The operation and maintenance budget for Strategic Corporate Services division is \$5.2 million.

The strategic objectives of the Aboriginal Relations division include leading negotiations and discussions on behalf of the Government of Yukon regarding aboriginal interests in Yukon and promoting effective implementation of final and self-government agreements by the Yukon government. In the coming year, this division will continue to work toward reconciliation agreements with a number of First Nations that do not have final land claim agreements or self-government agreements. An approach based on reconciliation will increase certainty and build relationships with First Nations by addressing issues of mutual concern, such as consultation processes, capacity, funding, collaborative resource management, and resource revenue sharing.

In December 2014, Yukon government and White River First Nation jointly announced that they had initiated preliminary negotiations with the goal of reaching a reconciliation agreement. The parties have moved into more detailed negotiations and remain optimistic that they will reach an agreement that will create new opportunities in their government-to-government relationship. An amount of \$250,000 is requested in this budget to support this initiative.

Yukon government has also recently begun preliminary negotiations for a reconciliation agreement with the Kaska, which comprises the Ross River Dena Council, the Liard First Nation and the Kaska Dena Council. The goal of these early discussions is to move into detailed negotiations in the coming months. In addition, Aboriginal Relations division has been making progress on a number of intergovernmental accords with First Nations that provide a framework to work together on common priorities.

Yukon government recently signed an intergovernmental accord with Carcross-Tagish First Nation. This agreement included a \$2.7-million financial contribution to support the construction of a learning centre in Carcross, which was part of the ECO capital budget last year. Over the coming year, we will continue to work with Kwanlin Dun First Nation to develop an accord and are looking forward to engaging with other First Nations regarding new or renewed accords.

Other work of the Aboriginal Relations division includes leading the implementation and promoting understanding of Yukon First Nation final and self-government agreements in a manner consistent with the Yukon government's obligations and interests. The budget for the Aboriginal Relations division is \$8.1 million, which represents approximately 35 percent of the total operation and maintenance budget for ECO. Of this amount, a total of \$4.2 million has been budgeted for implementation funding. This is comprised of the remaining \$1 million in the implementation fund for approved project

proposals throughout Yukon government, and \$3.2 million for boards and councils to support their important work.

In addition, \$100,000 has been budgeted for the Yukon government's annual contribution to the Council of Yukon First Nations to facilitate the participation of Yukon First Nations in the Yukon Forum.

Madam Chair, the Corporate Programs and Intergovernmental Relations division comprises five areas as follows. The Intergovernmental Relations branch coordinates and leads the Government of Yukon's intergovernmental relations activities with provincial, territorial, federal and international governments to advance the political, social, cultural, economic and environmental priorities of Yukon. The branch provides strategic advice and support to facilitate the Premier's participation in ministers' meetings and meetings of the Council of the Federation, western premiers and other forums. The Intergovernmental Relations team also includes the Office of Protocol, which organizes and coordinates state ceremonies, diplomatic visits and other official ceremonies related to intergovernmental affairs.

There is \$1.2 million requested in this budget to support the work of Intergovernmental Relations. The branch also has two contribution agreements with parties outside the government, and these include the ongoing support to the Vuntut Gwitchin First Nation for their efforts to protect the Porcupine caribou herd and a small contribution — \$5,000 — to the Fathers of Confederation Buildings Trust in Prince Edward Island to support the Confederation Centre of the Arts.

Yukon government will be chairing the Council of the Federation from July 2016 to July 2017, and the Intergovernmental Relations branch is leading the preparing for this significant role. Chairing duties include hosting the annual summer meeting and providing support for the transitions from the previous chair to the subsequent chair. Of the total costs associated with these duties, the main portion will be requested in the 2016-17 fiscal year. However, in this year there is an amount of \$47,000 budgeted.

The Water Board Secretariat provides professional and administrative support to the Yukon Water Board, an independent administrative tribunal established under the *Waters Act*. The staff at the secretariat help applicants and intervenors to participate in the board's public processes, providing licensing recommendations and professional expertise on policy, procedures and technical issues to the board. It translates the board's decisions into enforceable licences. Staff also maintain a public register of water licences, applications and related information on a website.

The budget for the Water Board Secretariat is requested at \$1.6 million for the 2015-16 year, which funds personnel, operations of the board, and public hearings. I would also highlight that two new permanent positions have been created at the secretariat, namely a licensing manager position to assist in ensuring timely reviews in the application phase of the licensing process, and the position of a technical advisor to ensure availability of technical expertise to review water licensing applications. However, no new money is requested

in the Executive Council Office budget in support of these positions as they have been funded within existing resources.

The Youth Directorate provides support for youth leadership initiatives through a number of funding programs. In 2015-16, the Youth Directorate will be providing more than \$1.2 million in funding for programs directed at youth leadership and support around Yukon. This represents almost five percent of the total operation and maintenance request. The budget includes \$660,000 in direct funding to organizations that serve youth, such as Bringing Youth Towards Equality, the Boys and Girls Club of Yukon and the Youth of Today Society. There is \$102,000 allocated to the youth investment fund and the francophone youth organization Jeunesse Franco-Yukon will again receive a contribution of \$25,000 to support their activities focusing on youth in our active francophone community.

A time-limited three-year contribution of \$140,000 per year, which commenced in the 2014-15 fiscal year, will be made to the Heart of Riverdale youth centre. The money will be used to support programming activities. Community organizations and other governments will receive a combined total of \$320,000 to work with youth and deliver activities on a year-round basis in Yukon communities through the youth leadership activities program.

The Bureau of Statistics works in collaboration with the national, provincial and territorial governments, departments and agencies to collect statistical information and work on statistical and research projects and methodology.

Finally, the Office of the Science Advisor enhances the government's ability to assess, apply and develop scientific knowledge and science-based solutions.

Overall, the operation and maintenance budget for Corporate Programs and Intergovernmental Relations division is \$5.9 million.

Also housed in Executive Council Office is the Government Audit Services branch, which provides independent and objective audit and advisory services to help strengthen government performance and accountability with an operation and maintenance of \$569,000.

This list highlights only a portion of the many activities and responsibilities that the Executive Council Office has been tasked with for the coming year. In addition to the foregoing, the following are also included in the ECO's budget. For the Office of the Commissioner, Yukon government provides administrative and communications support in the amount of \$314,000. As members know, the Office of the Commissioner now has a permanent home in the Taylor House. It is fitting that the office of the Yukon's head of state will now be housed in this significant historic building, which will be showcased at the viceregal conference to be held in Whitehorse this summer — for which we are making a contribution in the amount of \$64,000.

For the Cabinet offices, funding in the amount of \$2.8 million is also included in the ECO budget to provide members of the Executive Council with planning and administrative services. This covers staff, travel and communications. A senior community advisor has been added

to the Cabinet staff complement, though no new funding is requested in support of this position as it has been funded with existing resources.

These are the highlights for the upcoming year of the operation and maintenance budget. There are no new changes in the sources of revenues associated with the program activities of ECO. As in previous years, recoveries from Canada relate primarily to the expenditures associated with the implementation of land claim agreements, which fluctuate annually.

As noted previously, the capital budget request to support all programs under ECO is \$312,000. This request includes amounts allocated for office furniture and equipment, building maintenance and renovations, and to support the acquisition of computer infrastructure that has reached the end of its lifecycle. This budgeted amount is substantially smaller than last year's forecast. Funds for contributions to the Carcross-Tagish First Nation for the learning centre and to Vuntut Gwitchin First Nation for the community centre were included in last year's budget.

Before I finish, I would also just like to take an opportunity to indeed thank all the staff who comprise the Executive Council Office for their wonderful work. With these comments, I look forward to answering any questions that members have on the 2015-16 budget for the Executive Council Office.

**Ms. Hanson:** I thank the minister for his comments in setting the backdrop for the highlights of the budget initiatives for the Executive Council Office for 2015-16. I thank the official for her presence here today and for a transition, I guess, briefing that was provided to us some time ago.

Madam Chair, my thoughts about the approach to the budget debate this afternoon on the Executive Council Office would be to go through each of the branches that are identified in terms of Strategic Corporate Services, Aboriginal Relations, Government Audit Services, Office of the Commissioner and Cabinet Offices, and then a couple of other sundry items to simply facilitate moving it along because of the pressures that I'm sure everybody is feeling to complete all of the remaining departments and agencies by the end of this week.

As the minister said, the Executive Council Office plays a pivotal role, not just in setting the tone for the government's intergovernmental presence and relationships but, as a central agency of this government, it has a very powerful role to play in terms of ensuring that there is a unified voice for the territorial government. It's in that vein that I have a few questions to ask.

If we look at the Strategic Corporate Services area, as the minister I believe started to outline, this is an area where the coordination of the corporate management issues, including ensuring that, as government, as Cabinet reviews various initiatives coming forward, there is a very comprehensive and cohesive message that is being presented to Cabinet so that it would be making decisions.

My question for the minister is: Does the government apply a common lens for all submissions to Cabinet with

respect to a series of questions being asked of a minister who is putting forward a proposed expenditure or initiative that would ensure that, for example, there's a reflection of how this initiative either impacts First Nation governments or how it is consistent with negotiated arrangements? I mean this in all respects, Madam Chair — not just on those that are talking about First Nation issues, but whether we're talking about environmental or community services initiatives or education or health. If we look at initiatives that are coming forward from Energy, Mines and Resources, does that come through with an analysis with respect to First Nation implications?

Does every Cabinet submission also have a reflection — a lens — that looks at it from the perspective of women and the impact on initiatives that are given, so that the Women's Directorate is part of that overall corporate lens that we expect government to function within? Given the importance overall — strategically — in the 21<sup>st</sup> century of the environment, do all Cabinet submissions look at the environmental implications with respect to the environment? Just to get a sense of the context here.

**Hon. Mr. Pasloski:** All Cabinet submissions from the provider submitted to Cabinet are reviewed by the Cabinet secretariat. They do their assessment prior to coming forward for discussion and decision at the Cabinet table. That analysis that is done is provided through ECO, through the secretariat. Their responsibility is to assess the submission as described through the submission from the various departments and do an assessment that is relevant, based on what the request is — also looking at all items deemed to be potential points that Cabinet ministers may need or want to discuss during their deliberations. Of course those discussions are in Cabinet confidence, but of course it is important that we look at trying to accommodate and factor in all considerations deemed to be relevant, prior to Cabinet making a decision on any submission.

**Ms. Hanson:** I think maybe I will try re-framing that question. I am not asking for Cabinet confidences. I am simply asking for the — I will put in this in a straight-language format — so that, this is the Strategic Corporate Services, I am presuming that the strategic overview is here. Does Cabinet request of this branch that this lens be applied to all initiatives going forward? I will perhaps give one small example. If there is an initiative coming forward that sees changes to legislation that may in the past may have had a reference to a First Nation's status legally — that it is referenced now in the context of self-government. When we look at any Cabinet submission coming forward that is talking about expenditures, does it look at the environmental implications? I am looking simply for the kind of standards — is a similar lens applied, so that there is — what I am looking for from that strategic point of view — and maybe that should be clearer than this — is that, looking for the build-in there from the strategic point of view that there are no silos.

What we see, what we experience in government — and this Yukon government is not unique — is that unless you have those common lenses, you get silos. You can have one minister proposing something that will have a direct

implication negatively on another area. How is that managed in this context? I'm not asking for Cabinet confidences; it is simply what the process is. There are common formats used for a memorandum to Cabinet by different governments. I'm simply asking: What are the common lenses applied by this Cabinet in terms of the strategic priorities that it has?

**Hon. Mr. Pasloski:** I think the short answer to her question is yes. Certainly as I was articulating as well, all submissions that come to the secretariat go through a rigorous analysis. They will look at all of the concerns from a strategic corporate perspective that could have an impact on the submission that is before them. First Nations or the Women's Directorate were the two examples the member opposite described. Submissions are also reviewed by the policy review committee, which is comprised of all departments.

The short answer to the member's question is yes. There is a large corporate strategic lens placed on submissions prior to them coming forward to Cabinet.

**Ms. Hanson:** Another aspect of Strategic Corporate Services is — to quote: "To represent Yukon government on matters relating to the *Yukon Environmental and Socio-economic Assessment Act*." Madam Chair, we're aware that tomorrow, Bill S-6 will no doubt be finally finalized and unfortunately pushed through Parliament. My question to the minister is: What is the next step for the Yukon government with respect to Bill S-6?

**Hon. Mr. Pasloski:** As I have described many times, the YESAA amendments, Bill S-6, is a federal process. I'm not privy to what will happen in Ottawa. My understanding is that there still needs to be a report from the committee before there's a final vote, but again, I don't know whether that's today, tomorrow or this week or the subsequent week to that.

Just a small comment in response to the Leader of the Official Opposition, it is in fact a democracy and there will be a vote that will occur in the House of Commons and a majority vote will then determine whether or not anything will move forward. That's what democracy is.

Having said that, we have spoken many times — I have spoken many times — about where our position has been on those specific amendments to federal legislation. I have also spoken many times of our willingness to sit down with First Nation leadership, as has been the case in many other examples. I have used the devolution transfer agreement and Yukon oil and gas as a couple of other examples of federal legislation where leaders in Yukon then sat down and found a path forward about how we actually implement this legislation or in this case, these amendments, on the ground here in Yukon.

Of course, that opportunity still exists, and I am hopeful that if in fact this does pass through the federal process, there will be an opportunity where everybody will sit down and act in a manner that is best for our territory. I know that we continue to see focus by both opposition parties on confrontational aspects, purely for political gain. However, we will continue the dialogue with First Nations. We will continue to create an opportunity to sit down — as has happened in the past — to find a way forward here on the

ground in the territory to be able to implement such amendments, if in fact they do occur.

**Ms. Hanson:** The minister opposite has a skewed version of reality with respect to the preceding bilateral agreements that he refers to. In fact, the discussions with respect to the *Oil and Gas Act* — the bilateral discussions occurred before the *Oil and Gas Act* was passed. That is why the *Oil and Gas Act* had within its body of legislation the provisions of consent, which this government removed. The devolution transfer agreement and the legislation that gave effect to that — the discussions and the engagement of First Nations occurred before the devolution transfer agreement was completed. It was conditional on that devolution transfer occurring. The minister has it backward. He is attempting to come back and say: “After we pass offensive amendments, then you should come to the table.” I think that is a very difficult call.

Madam Chair, I asked the minister directly — on December 1, in Parliament, I witnessed Minister Valcourt contradict what had been the public lore here: that all four amendments had been introduced by the federal government unilaterally. Minister Valcourt said, and then it was echoed by the Member of Parliament for Yukon, that in fact two of the four controversial amendments were requested by the Premier of the Yukon. Those are his words, not mine. Does the minister agree with those statements made by Minister Valcourt?

**Hon. Mr. Pasloski:** I guess I was waiting for a question. We can discuss the amendments again.

Contrary to her accusations, we here in the Yukon Legislative Assembly are not passing any amendments to YESAA. This is federal legislation that has gone through a federal process. We were part of that process as being consulted. I have stated many times that through that process we feel that our recommendations and our comments were listened to and accommodated. They, in fact, considered them before they came forward with amendments. I will not and have not commented on the consultation that went between the First Nations and the federal government. That would be disrespectful. Having said that, I do believe that our consultation was adequate. Yes we did come forward with recommendations as a result of the federal government’s process to improve the northern regulatory regimes. It was through those processes that we provided comments, looking for consistency with other jurisdictions. Through consistency, we have a greater chance of being competitive and attracting more dollars to the territory.

We could sit here and I could go over each of those amendments and where they were. The reality, as I have stated before, is that all the way back, subsequent to the five-year review, when Canada decided to pursue further potential amendments, immediately Yukon government shared all of its comments, proposals and recommendations that they provided to the federal government — they were provided to First Nations. There was full disclosure of our comments to First Nations when this process began, all the way back in 2012. Every time we provided comments and recommendations, we

provided a copy of them to First Nations so that they would be aware of exactly what it was that we were proposing, or we were asking for — again, looking for an opportunity to ensure that our legislation is consistent with other jurisdictions.

**Ms. Hanson:** I just asked the minister to answer my question.

Was Minister Valcourt telling the truth — yes or no? Did Yukon submit two of the four amendments — yes or no?

**Hon. Mr. Pasloski:** Again, I fail to see how this is part of budget debate for the 2015-16 ECO budget, but for the record, we of course can go over that again. It won’t be the first time that we had this discussion because, in fact, in this House, history will show that we have had that discussion already.

On timelines, Yukon government did not ask that the assessment timelines be included in Bill S-6, but when Canada proposed this in the 2013 draft legislation, we supported the recommendation and asked that the timelines for the adequacy stage also be included.

Issue two — on the delegation of authority — in 2012 the Yukon government did suggest that a provision be added to enable the federal minister to delegate to the territorial minister any of the federal minister’s powers, duties or functions under YESAA. Delegating some of the responsibilities of the federal minister to the Yukon minister within the scope of Yukon’s jurisdiction is consistent with local responsibility for matters that are of importance to the territory. The devolution of responsibility that occurred more than a decade ago has been very substantial and beneficial to this territory, allowing the assumption of powers and decision-making here in Yukon, and has been very successful in the past.

This delegation of authority — this amendment — is consistent with similar federal legislation that is enacted by Canada in the Northwest Territories and Nunavut.

On policy direction, in 2012, the Yukon government suggested a provision that would enable the federal minister to issue policy direction to YESAB. Policy direction provides the opportunity to ensure a common understanding of legislation between the government and the board. This amendment is consistent with similar federal legislation that was enacted by Canada in the Northwest Territories and Nunavut.

Around renewal and amendment clause, in 2012 the Yukon government requested that YESAA be amended to clarify. This was really seeking a clarification that a renewal or an amendment to an authorization is not in itself a requirement for an assessment.

Yukon suggested this clause because YESAB’s practice has been to assess a project for the term of the authorization. For example, a solid-waste facility has a three-year authorization, which meant that YESAB would only look at the project’s effects for three years. As I’ve stated before, we support the proposed amendments that we see in Bill S-6. Bill S-6 allows us to have an environmental assessment process that is consistent with other jurisdictions, allowing us a greater chance to be able to see those investment dollars coming to

this territory, to see projects move forward here that create jobs and business opportunities for Yukoners.

**Ms. Hanson:** The minister opposite has just articulated exactly why this is relevant to 2015 and 2016 and probably going forward, because when this legislation is passed — and, as he has clearly set out, he has just absolutely defied the relationship that was established in the *Umbrella Final Agreement* and First Nation final agreements and in the made-in-Yukon environmental and socio-economic assessment legislation.

Flying in the face of a made-in-Yukon approach, he has decided to tell papa in Ottawa to be able to give him directions. That's a pretty sad commentary.

I would like to move on to Corporate Programs and Intergovernmental Relations. One of the lead areas of that section is to coordinate and lead the Government of Yukon's intergovernmental relations activities with provincial, territorial, federal and international governments and to lead negotiations and to work with governments.

I'm interested in knowing if the minister could update or provide an overview of the work that is done with respect to international trade agreements in this area.

**Hon. Mr. Pasloski:** That's a question that is appropriate for the Minister of Community Services — actually my correction, I believe Economic Development is the minister who is responsible — but we know very clearly that the NDP are opposed to free trade. That's not a surprise to anybody in this country — certainly not in this territory as well.

We do believe in and support Canada's ambitious plan to create more free trade agreements because of the tremendous benefits that have occurred as a result of them. We only have to look at 25 years of success as a result of NAFTA.

I know that the NDP are protectionist and are really concerned about ensuring that all of us pay more for everything, and we just simply disagree.

**Ms. Hanson:** The minister opposite, I think, misrepresents the point of view of the New Democratic Party with respect to trade agreements. We absolutely support them when they are in the best interests of the country and of the region. It is one of the reasons why we have raised the implications and asked this government repeatedly what it has done to ensure that some of the provisions in some of these agreements that have negative implications for local procurement and employment are not overridden. We have also raised concerns on an ongoing basis with respect to the implications of the yet-to-be-ratified — but currently signed — FIPPA with China. That has a 31-year life that has the potential to — and we have heard from First Nation governments and governments across this country — have significant implications for binding governments, including this government, with respect to investor state investments in this territory.

The minister signed an agreement — the Shaanxi agreement — not too long ago. We know that the Wolverine mine is a corporate citizen of the Shaanxi province.

Based on this intergovernmental relationship that is part of Executive Council Office, and working with international governments, did the Premier reach out to his counterparts in Shaanxi government to find a solution before Wolverine went into court protection?

**Hon. Mr. Pasloski:** I think in response to the NDP's last comment, I will, for the record, ask her to name one free trade agreement that the NDP has supported, because there are none. For her to say that they support free trade agreements is absolutely wrong.

We have not reached out to the new governor of Shaanxi province with relation to this deal. This is an agreement between two governments. It doesn't include some of the private organizations that exist or may be located within that jurisdiction. We continue to be vigilant and do what we can to support those Yukon small businesses and Yukon workers who have not been fully compensated for their work and the services that they have provided — and, of course, directly in terms of monies that are owed in terms of money for mine closure and mine reclamation. We will continue to do that work, and we will continue to promote the mining industry because, as I have said often, mining is indeed the cornerstone of our economy. We only need to see a downturn — the first downturn in this industry for a while — and how it affects the entire territory.

In fact, when mining is going great, it doesn't matter what is occurring in many other jurisdictions. We just have to look back to 2008-09 and how strong we continue to grow because of the growth in the mining industry at that time.

We'll continue to work on those things that this government can control to try to ensure that, coming out of this downturn in the mining economy, we'll be in a much better position and that is record capital investments that we have right now in infrastructure and working with enhancing our regulatory and permitting processes — doing that along with First Nations, with the Water Board, with YESAB, with business as well and investing in mine training. We will do what we can to ensure that a portion of our economy that is so vital to this territory will be able to hit the road running, so to speak, as we come out of this downturn, really to the benefit and the prosperity of this entire territory.

**Ms. Hanson:** Could the minister set out in short form — point form — the substantive nature of the Shaanxi agreement?

**Hon. Mr. Pasloski:** Thank you, Madam Chair. In fact, I have tabled the agreement in this House at an earlier date and it's for her to peruse if she so chooses.

**Ms. Hanson:** I guess he doesn't recall.

Another area in intergovernmental affairs has to do with water management agreements. I believe that Yukon is a signatory to the *Yukon-Northwest Territories Transboundary Water Management Agreement* and the Mackenzie River basin water agreement. These agreements are intended to assure the transboundary waters are safe to drink and the aquatic species taken from them are safe to eat. They commit the signatories — that includes Yukon — to protect these waters and not to pollute them.

Is Yukon satisfied that it can frack in areas subject to transboundary water agreements or will it be required to renegotiate these agreements?

**Hon. Mr. Pasloski:** Certainly right now we are currently in negotiations on transboundary waters with the Province of British Columbia and remain in talks as well with Northwest Territories when it comes to transboundary waters.

**Ms. Hanson:** Is there a projected time frame for including these discussions with those jurisdictions?

**Hon. Mr. Pasloski:** They are ongoing and I anticipate that they will be completed in due course.

**Ms. Hanson:** Is the objective of these discussions to amend the agreements with respect to the *Yukon-Northwest Territories Transboundary Water Management Agreement* and/or the Mackenzie River basin water agreement?

**Hon. Mr. Pasloski:** I will actually defer comment on the specific details of that to the pleasure of the member opposite to ask the affected minister. Short of that, we can provide in writing some details as to the current status of what is actually in play, not only between Yukon and British Columbia and the Northwest Territories, but also with Alberta and the Northwest Territories.

**Ms. Hanson:** I'll take that as an undertaking by the minister to provide a detailed update on those arrangements and I thank him for that.

An area that sort of is in the budget is the area of the Youth Directorate and it's an area that sort of seems to have a static kind of a budget allocation. I guess what I'm looking for — I understand the kind of funding initiatives that have been funded through the Executive Council Office and directed toward Heart of Riverdale and a couple other things like that. I'm more interested in the work that the Youth Directorate does to support government departments and youth service providers in the delivery of youth programs and activities. This is about the policy development aspect, so what work does the Youth Directorate do there and with whom? I understand the transactional piece about the funding of initiatives, but we're talking about a youth strategy — is there a youth strategy? How does the work of the Youth Directorate fit within Corporate Programs and Intergovernmental Relations in terms of its importance and the kind of role it plays vis-à-vis youth and youth in the context as I was talking about earlier — the corporate lens that is placed on government initiatives?

**Hon. Mr. Pasloski:** As I described earlier, we do have, on all analyses on decisions that go forward to Cabinet — there is a sort of boiler plate, for lack of a better understanding of all the analyses that each submission goes through — from the secretariat before it comes to Cabinet. She had mentioned First Nations and Women's Directorate earlier, and now she's asking the same question essentially but from a Youth Directorate perspective and the answer remains the same. I also mentioned of course that there is a policy review committee that comprised of all departments that will review submissions prior to coming Cabinet for decision.

**Ms. Hanson:** My question was actually quite specific to what policy advice and policy development the Youth Directorate does.

**Hon. Mr. Pasloski:** I would look at that in the context of the policy shop within ECO — that would be the answer to that question — which is responsible for all the divisions and branches within ECO.

**Ms. Hanson:** There are a number of other areas, but at a certain point it is just not worth it. In Government Audit Services, can the minister set out for the House the audit plan for Government Audit Services?

**Hon. Mr. Pasloski:** We are currently — it is really just being finalized by the audit committee, as we speak — and the results of that will be posted on the website.

**Ms. Hanson:** Can the minister tell us — or correct me, if I am wrong — that the last reported audit was the audit on staffing in February 2013? I am sure he would like to correct me if I am wrong.

**Hon. Mr. Pasloski:** Government Audit Services works to improve the efficiency, effectiveness and accountability of public sector programs. Audit projects are selected based on an assessment of risks through a risk-based planning process, and the selection of audit projects takes into account the planned areas of audit by the external auditor, the Office of the Auditor General of Canada, in order to avoid duplication and audit overload for a particular program area — not only audit overload for that department, but also just the duplication and non-efficient use of money.

I don't have them in front of me, but when audits are completed, they are posted within 90 days, I believe, so I think that is out there for public disclosure at this point.

**Ms. Hanson:** I am assuming — since the minister hasn't told me that there has been anything subsequent to 2013, and we are waiting for an audit plan and it is 2015-16. Either we have had none or there are some underway, but we're not sure.

I raise this, Madam Chair, because it is fairly important, as the minister said. When I look at the last one that I have — and I certainly attempted to have discussion in the Legislative Assembly on the audit bureau's audit with respect to staffing, and that was in February 20, 2013. I raise this because it gives you a sense of the kinds of issues — and they are material, financially as well as policy-wise.

From that audit — and I quote from page 13: "Whereas we found weaknesses in the regime to monitor quality in competition files, we found no such regime for monitoring quality in non-competitive staffing actions like direct hires, exemptions and temporary and acting assignments. According to 2009/10 data, over 60 percent of approximately 1,900 staffing actions could fall into these other categories." What that is saying is that there is no real monitoring of the non-competitive direct hires — over 60 percent of those actions.

The question I would have is: How does the government auditor follow up on this report? What are the updates, given that it is now two-years plus since that last audit was done? What benchmarks are established for improvements? Certainly we don't want to be seeing 60 percent of roughly

2,000 staffing actions not having any quality controls with respect to non-competitive actions like direct-hire exemptions, temporary and acting assignments. As the audit of staffing pointed out, that can lead to certain perceptions of or actual abuses of the system. What kind of follow-up is done? How is that follow-up recorded? How and where are those updates reported? What assurances does the government have that the issues are being followed up or being addressed — those issues that are identified by the audit bureau?

**Hon. Mr. Pasloski:** One of the challenges — and where there existed a gap — was during the time when we were actively recruiting an internal auditor. That in fact was an HR issue. Now that that has been resolved, we have continued to move forward. There will be a release of the IT security audit in due course. With respect to the member opposite's comments on the staffing audit, we are on track to implement all of the recommendations from the staffing audit. Follow-ups do occur every six months, and the results of that are posted to the website.

**Ms. Hanson:** Seriously? Are they posted to the website? I would be most pleased to see that. That is good news. I will be looking forward to seeing those follow-ups reported to the website.

The minister was talking with respect to the office of the Commissioner and the move from Closeleigh Manor to his new location on Main Street. He identified that there has been quite a significant increase in both the operation and maintenance budget for the Commissioner's office as well. It is my understanding that there are additional monies provided for the renovations. Can he identify for us what the actual total costs of renovations are for the new Commissioner's offices?

**Hon. Mr. Pasloski:** I don't have the numbers with me. We can supply them; however I will comment on it that a majority of those costs were related to the actual building structure itself, whether or not the Commissioner was going to be in there. I stand to be corrected, but I think there were some seepage issues. There were some structural issues. These were things that were going to have to be done to the building, whether or not the Commissioner was in there. The actual dollars for renovation expenses to put specifically a sign to the Commissioner — I'm going to say approximately \$50,000, but we will get a number and put it forward if the member opposite so requests. The total amount again was larger than that, but most of that was a result of improvements that were required to that building and would have had to be done whether the Heritage branch or the Commissioner was in there, once those issues were identified.

**Ms. Hanson:** I appreciate the minister undertaking to provide the total cost of the renovations. I just note that it wasn't the Heritage branch; it was actually land claims mandated committees that were housed there before.

Madam Chair, in the Cabinet offices budget, the personnel costs have gone up significantly from the actual costs in 2013-14 because we still haven't got the actual costs for this past fiscal — from \$2,300,000 to \$2,600,000. Can the minister explain the role of the newly appointed community liaison officer and how that differs? Is it a political

appointment? Does the function overlap with the role of Community Services officials, for example? What was the need to have a political appointment to do community liaison from Cabinet?

**Hon. Mr. Pasloski:** All of the staff that work in the Cabinet caucus offices are there to support and to provide support to Cabinet and caucus, so whether it's at an administrative level or whether it's at the chief of staff level, that is in essence the role and the responsibility of each and every one of the people who works there.

Having said that, I would acknowledge that role — Geraldine Van Bibber is fulfilling that role and doing so very admirably because of her experience within this territory in many respects. The answer to the question is that all people who work or are employed in those offices are there to provide support to Cabinet and to caucus.

**Ms. Hanson:** Could the minister explain the role of the community liaison officer then? What is the job description — the role description?

**Hon. Mr. Pasloski:** Again, I said they are here to support all members of the Cabinet and caucus. I think the name in itself speaks very much for what that role is. We all are here — as members opposite have staff that provides support services for their offices and the workings of their offices, that is in fact the job of all positions within our office.

**Ms. Hanson:** I guess we won't get an answer to that one either.

If we could look then at the area of Aboriginal Relations, the minister talked a fair amount over the last while about reconciliation agreements and there are budget line items in Aboriginal Relations with respect to achieving reconciliation agreements with the White River First Nation and the Kaska. How does the Premier define reconciliation and what will the reconciliation agreement look like?

**Hon. Mr. Pasloski:** I think I described it in my opening statement quite clearly. We feel reconciliation is to increase certainty and build relations with First Nations by addressing issues of mutual concern such as consultation process, capacity funding, collaborative resource management and resource revenue sharing.

**Ms. Hanson:** Great.

This next week the Truth and Reconciliation Commission's report will be released publicly. There has been significant media coverage over the last week with respect to the Truth and Reconciliation Commissioner, Justice Murray Sinclair — his views on reconciliation. In listening to Justice Sinclair since he was appointed, and particularly as I've been reading his personal expressions of reconciliation, I don't get the impression that it's transactional. He has made it very clear that it's not about using the word "reconciliation" to get to what you want, but as he said, reconciliation is about forging and maintaining respectful relationships. There are no shortcuts.

So I guess the concern I have is that when the minister describes reconciliation, it sounds like another way of going around — we just want to get an agreement so we can do what we want to do in terms of resource development or other

initiatives that are priorities of this government. So is the driver for this process about resource development in southeast Yukon and in the far west of the Yukon where there are no settled agreements which set, if honoured, the parameters for that intergovernmental relationship?

**Hon. Mr. Pasloski:** We know where the NDP stands on resource development. Sadly, they apparently lack the understanding of connecting the dots as to how important the resource industries have been to this territory for over a century. We understand that and we get that. I have spoken to this on occasion and in Question Period as well.

In order to come forward and have a discussion around reconciliation or around anything, you need two parties to work together to be able to move it forward. I am not quite sure how she is articulating what this process is, but there are two sides at the table. With respect to White River, it is the White River First Nation and the Yukon government officials. When it is with the Kaska, we have the Ross River Dena Council, the Liard First Nation and the Kaska Dena Council who are all at the table. I will, for the record, repeat for a third time that an approach based on reconciliation will increase certainty and build relationships with First Nations by addressing issues of mutual concern. I think that in itself speaks quite clearly as to how we move forward.

This is about charting a path forward for the benefit of everyone. Our preferred choice is land claims and self-government agreements as we have with 11 out of 14 First Nations. That is just not the case at this time. There is no mandate from the federal government, nor is there interest from those three First Nations to move forward. We have now embarked on a path of reconciliation with the goal of ensuring that everybody benefits. It is a path forward to allow these First Nations to be able to build some capacity and have the horsepower that they need to help them move forward and see opportunities that can then be created for them for the benefit of their First Nation, for the benefit of their citizens, and for the benefit of all people who live in those areas.

**Ms. Hanson:** When does the minister anticipate that the overview — the gist — of these reconciliation agreements — process — will be shared with members of the five Kaska First Nations and the White River First Nation? The process — I am not talking about the agreement. I am talking about when they will be invited to understand what the process is.

**Hon. Mr. Pasloski:** As I stated in my opening comments, when it comes to White River — we are already into some detailed discussions with White River. We are still in preliminary discussions with the Kaska with the goal of entering into more detailed discussions on a go-forward basis. We have been meeting with their officials — the people who they have articulated will be representing them through these discussions. We have been meeting in Vancouver because that was their request.

As to when they update their citizens, that will be up to the First Nation, to the Kaska people, to leadership, to decide that. We recognize the duly elected chiefs and councils and that is whom we have negotiations with. It will be the responsibility of those elected leaders to decide when and how

they will be able to articulate what they are doing with the people whom they represent. That is democracy.

**Ms. Hanson:** That is a nice lead-in. When will the Premier share with Yukon citizens who are not members of the Kaska and the White River First Nation what he sees as the objective and what he is putting on the table with respect to the reconciliation agreements — not the litany of what he just read to me, Madam Chair. If that is all that he is going to say, then I think that will be a hard sell for the Kaska Dena if they are just going to repeat those four or five phrases — and similarly for the White River First Nation, and I think for most Yukon citizens. They would like to have a little better sense.

I would remind the minister — he may not remember, because he probably wasn't here — but when negotiations went through a phase of being in Vancouver or Ottawa, citizens — both First Nation and non-First Nation citizens — had very strong objections to that, which is why Yukon negotiations were based in the communities. The Member for Vuntut Gwitchin is acknowledging that. It meant that people were in the communities and people sat around and they listened to what was being said. Of course you have your separate caucus or your separate discussions within your governments, but it is vitally important to have buy in.

If we're talking about reconciliation as a process — not some sort of shortcut to get to a deal, but a process that is actually trying to forge a relationship — wouldn't we want citizens of First Nations and non-First Nations to be engaged in that discussion? I think that is exactly what Murray Sinclair has been trying to tell us over the last number of years through the truth and reconciliation process. This is not a transaction; this is not a real estate deal.

Since the minister has clearly outlined the obligations of the First Nation governments to communicate clearly within their communities — those who have elected them — when will he communicate clearly?

**Hon. Mr. Pasloski:** As I have stated previously, we are in talks with the Kaska. Those talks are preliminary in nature. At the request of the Kaska, those discussions are occurring in Vancouver. It is certainly our hope that, as we actually move into more detailed discussions and into detailed negotiations, these would in fact be held in the community. What I won't do is negotiate through the media, nor will I negotiate through this Legislative Assembly. We will continue to work directly with the Kaska representatives. I, personally, am available and have spoken only recently with both chiefs of Ross River Dena and Liard First Nation, and that is how we will continue to have that dialogue. When there is something to move forward to announce to the public, we will look forward to that day as well.

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

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

*Recess*

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



We are continuing general debate on Vote 2, Executive Council Office.

**Ms. Hanson:** Just before we took the break, we were just finishing up on the minister's responses with respect to his description of the process around the reconciliation agreement. I would just remind the minister that 1984 was not just a book but it was also a pivotal time in Yukon history when the negotiation process cratered. He might want to talk to his officials and others about some of the reasons why. The more things that are done behind closed doors, the more there are chances of history repeating itself 31 years later.

Under Aboriginal Relations — first of all, I just want to ask the minister — he made reference to the important function of this sector in terms of the planning for and working around the Yukon Forum. Can the minister tell us when the next Yukon Forum and/or intergovernmental forum — but Yukon Forum, particularly, since that is within his purview as Premier and minister responsible for aboriginal relations — is there work in play right now to hold a Yukon Forum, and when might that be?

**Hon. Mr. Pasloski:** There is no confirmed date for the next Yukon Forum. As the member opposite is aware, we continue to meet and have informal meetings with First Nation leadership. I believe there could be another one as early as this week. I continue to meet, both on a bilateral basis with chiefs from all Yukon First Nations and also through informal leadership meetings where we continue to have the ability to have frank discussions about issues and help create an understanding of each other's positions. Through such discussions, sometimes there is a way to move forward to deal with some of the pressing or timely issues that are out there. At this point in time, we don't have a date to announce for the next Yukon Forum.

**Ms. Hanson:** Another aspect is the provision of strategic leadership interpretation and then training across government. Could the minister outline what training is provided to Yukon government employees with respect to the aboriginal context within which they are carrying out their work as public servants? In particular, two aspects are of interest. What training is provided and on what frequency with respect to, not just the obligations of the Government of Yukon, but the context and obligations that arise out of the First Nation final agreements and self-government agreements? The second aspect of that is with respect to the cross-cultural context and relationships working on an intergovernmental basis with First Nation governments.

**Hon. Mr. Pasloski:** The member opposite knows, of course, that that responsibility is fully in the purview of the minister responsible for the Public Service Commission. I know that he would be more than excited to describe the recent changes and what is going on with respect to that question when he gets up next time to debate.

**Ms. Hanson:** Given the track record, that will be between now and never. What I am looking at is the description in the budget that says, under Aboriginal Relations, to provide training across government. Does Aboriginal Relations provide training across government, and

what training? I thought it might be an easy answer for him when I was helping him with the notion that it might be related to First Nation final and self-government agreements, but if it's not, then what is it?

**Hon. Mr. Pasloski:** Aboriginal Relations, does in fact, work in conjunction with PSC to ensure that training is provided. I would say that Aboriginal Relations focuses more on the treaty side, where PSC will focus more on the cultural side. We continue to work, not only within Yukon government, but with individual First Nations in many ways to enhance our building capacity, from seconding people who come and work in our government offices to providing access to support in the creation of how to put together impact benefit agreements.

On a day-to-day basis, there is continuing great work that occurs and, perhaps in a sideways way, the member opposite is actually complimenting some of that important work that does occur on a daily basis. It helps to not only ensure that we continue to grow and foster the development of those First Nation governments, but ultimately, for the success of our territory, it is critical that we are all rowing in the same direction. We will continue to work together. We continue to highlight and celebrate the accomplishments of the aboriginal employees that we have within the Yukon government. They are recognized on an annual basis. Some of the work through that committee has been outstanding, not only for those employees who are of First Nation descent who work for Yukon government, but also for the benefit of the employees who work beside them as well.

**Ms. Hanson:** I do recognize the work that is done — and that is another objective, or statement of intent for Aboriginal Relations — to lead and coordinate a strategic approach to First Nation capacity in governance. My question was with respect to providing strategic leadership, interpretation and training across government. We have approximately 5,000 Yukon public servants.

What role does Aboriginal Relations play with respect to providing that strategic leadership, interpretation and training across government? What is the focus of that training?

**Hon. Mr. Pasloski:** Further to my last comment, when it comes to Aboriginal Relations, the focus on that training is with regard to the treaties. So that is the training that is being provided by Aboriginal Relations, as part of our role and responsibility. Again, I think this is part of fostering good governance. It's part of building relationships. It's part of ensuring that non-aboriginal people working for the government have an understanding of the role and the importance of a representative public service for this territory.

So we'll continue to focus on that work, as I've mentioned, and we'll highlight it and make sure that people are aware of those accomplishments by acknowledging every year — certainly one of the highlights for me is to recognize outstanding accomplishments and contributions that are made by Yukon government employees who are also First Nation.

**Ms. Hanson:** To whom is the training provided with respect to interpretation? I'm presuming we're talking about First Nation final agreements. How often is it provided? Is

there a syllabus for the training with respect to the interpretation of agreements?

**Hon. Mr. Pasloski:** I certainly will not be providing a syllabus here, but we will provide for the member a written response to attempt to answer her question.

**Mr. Silver:** Thank you to the department official for her time here today. I very much appreciate it.

I have a couple of other issues here to go through. I'm going to start with the Ross River staking ban — 2013 — with a legal battle with the First Nation government. The Yukon government was under a court order to find a way to work with the Ross River Dena Council on what land would be available for staking in their traditional territory as a backup.

I had asked the Minister of Energy, Mines and Resources about this issue in November, and he said that the staking ban would be lifted in January. The deadline was missed and the staking ban was to be extended once again, and we have some outstanding questions as we find departments to ask these questions in.

If the minister can answer the question: What outstanding issues remain unsolved in order for that ban to be lifted? Could he also confirm for us what percentage of the Yukon is now covered by this staking ban?

**Hon. Mr. Pasloski:** As he has described it, the ban in terms of not being able to move forward with any staking in the Ross River has been extended until the end of January 2017. We have, to date, provided a substantial amount of money to Ross River Dena Council to support their participation in that consultation. We have consulted and accommodated Ross River Dena Council. We will continue to work.

I guess I won't tell you exactly when the date will be — whether it will be before the end of January 2017 or whether it will be sooner than that. That is still to be determined. That's why we continue to work together. That's why I think there are other things that are working in concert with this that are also important, and I go back to the Leader of the Official Opposition's comments around reconciliation as we continue to work together in preliminary discussions on moving forward with a reconciliation agreement.

I believe that everybody does understand the importance of creating opportunities for all Yukon citizens, including the people who belong to the Ross River Dena Council and the citizens of Ross River. It is hopeful that we can find a path forward to allow a successful conclusion and to see again soon, I'm hopeful, the ability for the people of that community, the people of the Ross River Dena Council and all Yukoners being able to benefit from economic growth in that area.

That area is comprised of the entire Ross River area. That was the second part of his question. To my knowledge, that is approximately 63,000 square kilometres. I may have to be corrected, but I believe it is approximately that large.

**Mr. Silver:** Part of the question wasn't answered. If the minister can explain — well, either yes or no — whether he can elaborate on some of the unsolved issues — the remaining issues that seem to keep on pushing this past the deadlines —

that would be great. If we're not calling it a "ban", what are we calling it? Is it a moratorium? Is there another word that I'm supposed to be using here?

Also, square kilometres — does the minister have a percentage that he could attach to that number?

**Hon. Mr. Pasloski:** Madam Chair, the first declaration is related to potential aboriginal title. It was outlined that YG has a duty to consult with RRDC in determining whether mineral rights on Crown land within lands comprising the Ross River area are to be made available to third parties under the provision of the act. That is exactly what we are talking to the Ross River Dena Council about. I can't describe it any other way. That is what it is and that's what needs to be resolved to be able to move forward.

As for the percentage, I know that he was a math teacher, so if it's 63,000 square kilometres — I believe Yukon is comprised of a total land mass of approximately 483,500 kilometres. I know he will be able to figure that out.

**Mr. Silver:** I didn't bring my abacus today but I'm sure I can figure that out later on. I'll do some long division later on, Madam Chair.

Speaking about the reconciliation talks, I'm not sure if this question was answered — whether or not there was an actual mandate for the reconciliation talks. Could the minister expand on that? From that, can we extend that? Has Cabinet set a mandate for White River, for example? Is there a specific mandate for the Liard First Nation or for Ross River Dena Council? Or is the government negotiating with the Kaska as a single entity?

**Hon. Mr. Pasloski:** I do believe that we have answered this question before. The answer to the question is yes, there is a mandate provided by Cabinet to government to pursue reconciliation agreements with the White River First Nation and with the Kaska, which is comprised of the Ross River Dena Council, Liard First Nation and the Kaska Dena Council. That has been provided.

We have also stated that it is a three-stage approach. The first mandate to negotiate is to begin the conversation on an exploratory level. The second mandate is to get into the definitive negotiation. The final mandate from Cabinet would be the approval of the reconciliation agreement. That is the process that is being followed.

As I have mentioned previously, we have been moving along with the case of White River First Nation. When it comes to the Kaska, we are still at the exploratory level. Meetings are being held with their officials who they have assigned to these discussions. We have been meeting with them in Vancouver, and it is our hope that, once we actually get into more definitive negotiations around a reconciliation agreement, these types of conversations can be occurring within those communities that are affected.

**Mr. Silver:** Now that we understand that there are separate mandates per First Nation, can we have examples of some of the conversations — or even how many negotiation sessions have been held? What is the timeline for completion of an agreement? I know we kind of stepped on that already,

but how many negotiation sessions have been held with each specific First Nation?

For example, as you break it down per First Nation, is there anything specific? Access to the Kotaneelee fund — was that on the table for White River, for example? More category A lands conversations — what exactly is being discussed in these reconciliations? I know that the minister has said before that he is not going to negotiate in the Legislative Assembly on these things, but if there is any information that he can share at this time — maybe a Yukon asset construction agreement — what else? Is there anything else specifically that we are talking about in these particular reconciliation sessions?

**Hon. Mr. Pasloski:** I guess, to reiterate what I did say, we won't negotiate on the floor of this Legislative Assembly, nor in the media, but, in a roundabout way, we can say that these negotiations are unique to White River and then they are unique to the Kaska. What the priorities are may vary and, in fact, they do between both groups. What we will do is look at what we have on the table and the path that is going forward in those discussions where there is an agreement to move ahead. I think there are lots of things that can be looked at as part of a reconciliation agreement. As we talked about, one of the large priorities for me is to ensure that the people of those communities, the people of those First Nations, share in the benefits of economic developments that occur within their traditional territories.

Having said that, what comprises a reconciliation agreement could be — and in fact, probably will be — unique from one compared to the other. What it will be comprised of at this point, I would not want to talk about that at this point in time, other than to say that there are a lot of opportunities to look at things that address the needs of both those First Nations and the Yukon government.

**Mr. Silver:** On October 29, 2012, the Premier announced the terms of reference to a new resource royalty agreement with 11 self-governing Yukon First Nations. Since then, can the minister let us know how many First Nations have signed on to this agreement? Is the new deal in force? What is the status of this increase?

**Hon. Mr. Pasloski:** At this point, I don't have anything to report on that. I do hope that sooner than later we will have an announcement to make on where exactly that situation is with all of those First Nations and the opportunities for an enhanced resource royalty sharing agreement that came about as a result of negotiations with the self-governing First Nations and with Canada and Yukon government, and that will potentially see First Nations be able to benefit over and above what was agreed to in the *Umbrella Final Agreement*.

**Mr. Silver:** It has been almost two years and any new information would be great. If there are any numbers that he can report, that would be great. Or, if there are any First Nations that have signed on, I would love to know.

I'll go back to Question Period today. During Question Period, the Premier said that Vuntut Gwitchin First Nation signed off on the government Peel plan — I will give you the direct quote: "Of course we know that the Vuntut Gwitchin

First Nation did actually go through the consultation and signed on and approved the Yukon government's proposed land use plan for the Peel region."

Can the minister either elaborate on or correct that statement?

**Hon. Mr. Pasloski:** I have nothing further to elaborate. That is certainly my understanding to be the case. Having said that, we have heard from the public record as to what the reasons were as to why the Vuntut Gwitchin has chosen to approach the courts.

What I said earlier today was that, after the Supreme Court decision on the Peel, the legal advice that the Yukon government received was that we had a strong case to appeal. Nevertheless, we did go to the First Nations involved to pursue an out-of-court arrangement that everyone could live with. We did this because we prefer not to be in court on this issue. However, First Nations were not interested in an out-of-court arrangement, which left us in the current situation that exists now, which is preparing for an appeal. Our goal is to achieve clarity on land use planning and for the assurance that democratically elected public governments will always have final say on the use of public land.

As I said, certainly approaching First Nations as we did is not an unusual approach. In fact, I talked during Question Period about the situation that occurred with CSFY. While the case was before the court and it made it right to the Supreme Court of Canada, we continued to work with CSFY to find mutual goals. Now that we do have a decision on that case, we are continuing to talk and work together with the school board. Our goal in that instance is to find a solution without a need to go back to court and that is exactly what the priority is.

As I also said, earlier today — and I reiterate — is that we did approach those affected First Nations. I spoke directly to chiefs. Our lawyers spoke directly to their lawyers and our government officials spoke directly to First Nation staff, and in each and every one of those cases, the answer to our offer was no.

We fully recognize their rights to make a decision, but it was a disappointment to us and we prefer not to be in court. We prefer to work together to find solutions as partners as we've done so in many other cases.

We are here. We will seek clarity on the land use planning process. We continue to say that we believe that publicly elected, democratically elected governments should have the final say on public land.

**Mr. Silver:** I think democratically elected governments should understand the difference between power and authority and, in this particular case there was — you know, these are federal pieces of legislation that we're talking about here, and consultation — big C consultation — at that time came and went for this government. They had an opportunity to have good faith negotiations about a new plan to reject or modify or accept, and I would argue that the Premier's government had an opportunity — a democratically appointed opportunity — to discuss more during those times than they did.

I just want to go back to —

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

**Mr. Silver:** I will let the Minister of Community Services have his time if he wants to rebut that statement — love to.

Now I want to go back to the statement again. Are we to understand that there is something signed — is there a conversation or is this a signed piece of paper where the Vuntut Gwitchin First Nation approved — signed on and approved — the Yukon government's proposed land use plan for the Peel region? If so, would the Premier please table any of this documentation?

I'm going to move on to my next question because of the time limits here.

I would like to move on to Water Board regulations. In August 2013, a set of interim guides were issued by the Yukon Water Board for oil and gas. I brought this up before in the Legislative Assembly. These new guidelines increase the jurisdiction that Water Board has over the oil and gas industry. These new guidelines treat all methods of oil and gas extraction the same — as being water intensive.

Conventional oil drilling uses far less water than hydraulic fracturing, as we all know, but the water permits under the new guidelines do not differentiate. This has become quite a problem for Eagle Plains where, in a year when they just need water to provide an ice road, they're asked to have municipal-quality Water Board permits. I asked this question in Question Period, and the Minister of Energy, Mines and Resources agreed that there were some issues of fairness to the changes, particularly for one company that was in the middle of the assessment.

Why were these changes made? That is the first question. The Minister of Energy, Mines and Resources has said that the regulations are unfair to some companies. What is being done to rectify this?

**Hon. Mr. Pasloski:** Before I get on to answering the question — I'm not going to let the member opposite get away from some of the comments he made. I remind the member opposite that his party — in fact both parties, NDP and the Liberal Party — accepted the final recommended plan from the commission before there even was a final recommended plan. They hadn't even come out with the final recommended plan but they said that no matter what it is they say, we're going to support it. That, Madam Chair —

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

**Chair:** Order please. Does the House Leader wish to stand on a point of order?

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

**Chair:** Then Mr. Pasloski has the floor, and I can't hear him.

**Hon. Mr. Pasloski:** This was the party that said, during the last election, after the final recommended plan came out, that we believed that the plan was not balanced and that it did not address all of the needs for Yukoners. That has been our position ever since. What I don't believe is leadership is when elected officials blindly throw their support behind a plan before they even know what it is — but it is not anything less than I would expect at this point.

The Water Board is a quasi-judicial board, so I certainly echo some of the responses that the Minister of Energy, Mines and Resources made with regard to the challenges that exist or existed for the company that has been doing exploratory work in the Eagle Plains area. I know that the company continues to have conversations with the Water Board, and we continue to try to look at all of our regulatory processes to try to ensure that we create — I think the best way to describe it is just to take out some of the many curves that are in the regulatory and permitting road. I think there is a lot of opportunity on the mineral side. We are talking about the mine licensing improvement initiative, which is about working with the Water Board, working with the quartz licensing process, working with First Nations and working with industry to try to find a path forward. That work and that dialogue need to continue to go on and will continue to go on, because this government is focused on ensuring that we have a process that is efficient. We are not talking about compromising our processes from an environmental perspective, but we are talking about the creation of jobs. We, quite frankly, have been very supportive of the entire resource extraction industry. That is what differentiates us from the other two parties. We will continue to work toward seeing that we can continue to grow and develop a resource extraction industry in this territory because it certainly is a cornerstone of our economy and, from that, we will continue to see growth in our population and diversification of our economy as a result of that growth and those opportunities. That is a focus for us now and will continue to be a focus for us.

**Mr. Silver:** I really don't know what the minister's answer has to do with the price of tea in China, but I am going to ask the question again. We have changes to the interim Water Board regulations now — water intensive. Everything is water intensive. A particular company lost a year of production, and the minister won't answer here in the Legislative Assembly why these changes were made in the first place. He could dispel the rumour that, basically, these are rules to set up for an unconventional oil and gas industry for fracking, because fracking is water intensive.

If this government is going to be getting ahead on fracking, then sure, it should definitely develop those regulations to monitor water quality. However, this was done before the select committee even deliberated on their duties. So it does beg the question: Why would you have implemented these interim Water Board regulations?

If the rumour can be dispelled today, I'm giving the Premier an opportunity to do so right now. Why were these changes made? We were told that the Minister of Energy, Mines and Resources believed that these regulations were unfair to some companies, so we want to know: Why were they done and what is being done to rectify this situation?

**Hon. Mr. Pasloski:** I cannot speak for the quasi-judicial Water Board as to the reasoning for the decisions that they have made. When we talk about timelines, I can talk about the fact that we have, in fact, implemented timelines on the front end of the process by putting timelines around the administrative and adequacy portions of the application

process. That is the time that is spent prior to the Water Board actually reviewing the application. That certainly does add more certainty and it reduces the amount of time that is required for a class A licence.

We will continue to dialogue and listen to the concerns of industry in an attempt to address all of those concerns. As I mentioned, this government is committed to dealing with things over which we have control. That is why we have submitted a record capital budget for infrastructure. That is why we have created the Centre for Northern Innovation in Mining.

Madam Chair, we will continue to focus on those things that we can control — as I mentioned, mobile trades training trailers, investments in the Yukon Research Centre and Yukon College through the creation of the Centre for Northern Innovation in Mining, investing in energy and telecommunications infrastructure, investing in our roads, bridges and airports, and continuing to do what we can on the regulatory side and with permitting.

Of course, we support the amendments that the federal government tabled in Bill S-6 because we believe that having amendments that allow our assessment process to be consistent with other jurisdictions is a good thing. We believe that the infrastructure we have, combined with the incredible mineral endowment that this territory has and the fact that it's recognized by the Fraser Institute to really be, from a geological perspective, the place in the world for mining — we will continue to work on how we can improve all of those processes, whether it's through oil and gas, the mining industry or any other industry that will come here, and so that we can try to facilitate and continue to grow and diversify a strong economy.

That is not only for people who want to work in the resource industry, but certainly as we grow that industry and we continue to see where we see population growth, we continue to attract people who will live here because of the fact that they can do their business from here and also participate and live in an area that has incredible opportunities, whether it is for their kids and opportunities that they have through sports and athletics or all the supports that we have through the arts, or just the ability to get out, finish your job and hop in your boat and go for a paddle or go for a hike.

The quality of life here is one of those things that we are very proud of and we know that certainly there are sectors, such as the IT sector, where we see huge opportunities to continue to grow and develop and which does not have those cyclical recessive traits that we see in some of the other industries.

**Mr. Silver:** Again, I don't know what the last half of that answer had to do with the question. The minister talks about the variables that he can control. Well, here's a variable that he can control: Don't change the regulatory system on a company that is halfway through an assessment process. The government could control that; that is a variable that he could control.

Is the minister concerned that these changes would actually impede the development of an oil and gas industry in the Yukon, when we only have two companies in the Yukon right now active in oil and gas, one of which is going through a process trying to get some licensing to build an ice road — not to frack, but to build an ice road.

This is a variable that is under their control. Is the minister concerned that these changes will actually impede the development of a conventional oil and gas industry in the Yukon?

**Hon. Mr. Pasloski:** This government is very supportive of the oil and gas industry and we have made that statement multiple times. We understand the connection between supporting these oil and gas industries and the prosperity that it will bring to this territory. We will continue to endeavour to do whatever we can to ensure that this industry will continue to grow and prosper because that is an industry where there are a lot of people who work Outside and live here.

In fact, I just ran into a good friend of my son's — through high school they played hockey together — who is now working in the oil patch in Alberta and has been for a number of years. He would love the opportunity to see a growing oil and gas economy here in this territory, so that he could in fact be back here in the territory. That is exactly what our focus is. We will do whatever we can to ensure that we can create the environment that will work for us from an economic perspective, always ensuring that whatever we do will be done in a manner that ensures our environment and our territory will not only be great treasures to us, but also for generations to come.

I do think as well that it is an opportunity to look at, as we heard earlier today, discussions from the member opposite about emissions for transportation — seemingly oblivious to the fact that our heating oil, most of our food and almost all of our goods come and are transported here from somewhere else.

This government is very supportive of resource industries that can — because we believe we can have our cake and eat it too. We believe that we can have a resource industry that can create jobs but, at the same time, do it in an environmentally responsible manner. That is just not the case in other parts of the world. I think that sometimes we see that blinders — or the fact that the members opposite are oblivious to some of the tragedies and travesties that occur in other parts of the world where mining or oil and gas does occur. We are a jurisdiction that is friendly to the resource extraction industries. We believe that we can have those industries and they can be here working with us in a responsible way but, while we do that, ensure that, through our legislation and through workers' compensation, we have protection for our workers and we have protection for our environment. That certainly is not the case in many other parts of this world. I think that is something that members opposite and the Yukon generally as a whole should pause and reflect on.

**Mr. Silver:** Third time, not a charm.

I am going to move on, but for the record, the minister did not answer why the government introduced these changes

to the regulatory system when a company was halfway through the assessment process. He didn't answer whether or not he is concerned that these changes will actually impede the development of an oil and gas industry in the Yukon. Even though the Minister of Energy, Mines and Resources has said that changes to these regulations are unfair to some companies, the minister did not take the opportunity to tell us what they are doing to rectify this, which, it could be argued, is one of those variables that we could control to support our industry. I gave the minister a chance to set the record straight as to whether or not these interim Water Board regulations were paving the way for fracking, and he did not confirm nor deny.

I am going to move on to the Shakwak money. A little background — since the 1970s, the United States government has, under the Shakwak project, been providing funding to upgrade the highways from Haines, Alaska, to Beaver Creek. Over the years the funding provided for construction has totalled \$400 million — which is 10 times the amount of royalties for oil and gas — just anecdotally. No new funding is coming my way, I understand, as there is only a year or two left in reserve. We do know that the Premier did go to Washington and has been yet to be successful at making an announcement here as to any restoration of that funding. What are the next steps? What are the next steps to getting this funding restored?

It would come down to the transportation bill actually being passed by the United States government. Does the minister have any new information or knowledge as far as when the next transportation funding bill is expected to be passed by the United States government?

**Hon. Mr. Pasloski:** As we have stated many times in response to his statement, this government has supported all of the recommendations of the all-party steering committee that existed to talk about the risks and benefits of hydraulic fracturing.

This is a government that has essentially had, I think, all — or all but one — of the select committees that have ever existed within the Yukon Legislative Assembly — and a committee that was not reflective of the majority government that the Yukon Party has. In fact there were equal members of government and non-government members.

We did also state very clearly that, on top of supporting all those recommendations, we were taking action on those recommendations and that we would look at applications for hydraulic fracturing in the small portion of the Liard Basin that comprises approximately 1.3 percent of Yukon's landmass, contrary to the NDP leader who has made the assertion today that it's twice the size of Prince Edward Island — she's absolutely wrong. It's smaller than the size of Prince Edward Island.

However, we also noted that, before anything would go forward in terms of hydraulic fracturing, there would have to be support of the affected First Nations in that area and, of course, there are also processes such as environmental assessment processes and water licensing as well.

When it comes to Shakwak, I think I've also said it as well. We have been doing our due diligence when it comes to raising awareness on both sides of the border about the Shakwak project. This is an agreement between two sovereign nations that was signed back, I believe, in 1977 and the funding has continued until 2012 where, unannounced to everybody, it was removed from the transportation bill.

Since that time, there has been ongoing work, not only by Yukon government but also by the Alaskans as well because of the significance of this to them. We know that probably at least 80 percent of the traffic on the north Alaska Highway is U.S. traffic, so they certainly understand it. We've had support not just from the state level but also from the federal representatives that the state has — their two senators and also their congressman as well have supported it.

We also have support from labour and from business when it comes to supporting the reinstatement of this project back into the transportation bill, and we've had bipartisan support in both Houses as well.

What we also know is that politics in America are very polarizing. The reality is that we continue to work with officials to ensure that this project is also included in their deliberations. There is still another opportunity this year to see a new transportation bill come forward. There is a good chance that this is one piece of work they can get together in a very polarized environment and the result of that could be a new transportation bill, but if that doesn't happen, I don't suspect we're going to see this become anything of anyone's interest in United States until after the next presidential election, which won't occur until November of 2016 and we won't have a new president sworn in until January 2017.

We continue to advocate. We advocate on behalf of the opportunities that exist from an economic perspective but also from a health and safety perspective as well with that highway.

I have also mentioned in the past that I have had conversations with the Prime Minister about this, and I have had conversations with the Foreign Affairs minister as well. I have had direct conversations with our Ambassador to the United States, Gary Doer, on multiple occasions. We are doing all that we can in this jurisdiction to heighten the awareness. The reality is that the Shakwak agreement is not going to be the deciding factor on whether or not there is going to be a transportation bill. It is worth billions and billions of dollars in the United States. Our goal at this point is to get that agreement put back into the language of the bill, and then move forward from there, so can I estimate as to when that will occur? I cannot, but I have stated that, probably back in the very first Budget Address that I made, there are things that are beyond our control and are financial risks to this territory. I guess it wasn't the first one, because it would have been in 2012, so it was probably in 2013 that we first identified Shakwak as one of those financial risks that this territory might have to face if this agreement between two nations — where the U.S. government has not met its obligations — if they decide to pull out.

This situation is not something that we would be pleased about, but it would be something that would have to deal with. We continue to talk with the State of Alaska about this. We are hopeful and we will continue to be hopeful. We still have some money left in this current fiscal year for work on that project, and we will do our due diligence and hopefully the stars will line up and we will see a transportation bill pass this year through Congress that will include the Shakwak project.

**Mr. Silver:** I do have one follow-up question on Shakwak, but I want to go back to the select committee. The Premier and other ministers across the aisle have made comments quite a few times about the work of the select committee and the government of course going forward and making sure that they are going to agree on all of the recommendations. What they conveniently forget before we even get into the recommendations — and I am going to read from the document here — from the select committee's final report: "The Committee could not reach consensus to make recommendations on the following matters: whether or not hydraulic fracturing can be done safely, whether or not hydraulic fracturing should be allowed in Yukon, whether or not social licence from the Yukon public is necessary before considering hydraulic fracturing in Yukon, and whether or not to proceed with specific regulatory development of hydraulic fracturing."

Again, I am not going to speak for any other party, or any other individual, who was on that committee, but all of those — every one of those things — I totally believe in. We don't know whether or not hydraulic fracturing can be done safely. We do not know whether or not hydraulic fracturing should be allowed to be done in the Yukon. I believe we don't have the social licence and also, I don't think that we, at this time, should specifically be moving forward.

When the Yukon Party goes on about thanking the all-party committee, they keep on forgetting about that one part, before the recommendations even start, where there was not consent as to whether or not this should be done.

The recommendations should be read as: If you're going to go forward, you have to do these things. Again, for the record, there was not consent as to whether or not fracking should be moving forward. I think that's one thing this government forgets when they keep on thanking the opposition members for their participation in the select committee.

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

**Mr. Silver:** If the Minister of Health and Social Services would like to comment, he can wait his turn.

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

**Chair:** Order please.

**Mr. Silver:** I can wait, Madam Chair.

**Chair:** Mr. Silver, please continue.

**Mr. Silver:** Thank you very much.

The last follow-up on Shakwak — the minister says there are some variables that are out of our control, yet we did spend money on some lobbying on this file — \$181,000, according to the contract registry. How do we go about with our lobbying process? That's a lot of money. Do we sole

source a contract there, or is there a process to decide who is going to be doing the lobbying for us as a territorial government down in Washington, DC?

**Hon. Mr. Pasloski:** Just to touch on the select committees for a minute, here are a couple of the select committees that this government has put forward in the last few years: anti-smoking, human rights, off-road vehicles, *Landlord and Tenant Act*, whistle-blower, and hydraulic fracturing.

This is a party that continues to reach out to involve the opposition when it comes to major issues or major pieces of legislation. For example, the NDP and the Liberals promised an all-party committee on appointments to major boards and committee. They didn't deliver; the Yukon Party did, Madam Chair.

When it comes to the results of that committee, I would say that this government has acted and accepted the recommendations — all 21 recommendations — and are in fact acting upon them. That is for the record.

If the member opposite is looking for an answer as to how do we derive who we choose to provide support in Washington, DC, it would certainly not be a competitive-bid process. This is about an opportunity to use firms that hopefully have the right access to both sides of the house — both the Democrats and Republicans. The firm we chose was one that has outstanding representation on both sides of the house, including Mr. David Wilkins, who was the U.S. Ambassador to Canada for a few years. They have a strong team and, through that team, they had the opportunity to ensure that members of the respective committees in both houses were able to hear and understand what the issues are — how much money Canada and Yukon have invested into that highway to this point and how much money the U.S. government has put in to that point — stressing the point that this is an agreement between two sovereign nations and the obligations have not been fulfilled to this point, stressing how important that only artery to mainland Alaska is for Alaskans and for Americans on many applications, not just economic but also military application as well.

We have pulled out all the stops that we have available to us. We have, as I've stated, strong support from both sides of the House, strong support in the committees in both Houses, strong support from labour, such as the Teamsters, strong support from business as well, transportation associations — strong support wherever we've turned.

This is more about U.S. politics and federal politics as we are moving toward the next presidential election. We still remain hopeful that there's an opportunity to see a transportation bill move forward and passed this year. If that does happen, we're hopeful that we will see Shakwak language added and included in that bill. However, we also understand the dynamics and the polarization that exists once we head into the presidential election season, and if we don't see that happen this year, sadly, in my opinion, I don't see that transportation bill occurring next year and not until we have our U.S. presidential election and we have a new president sworn in in January of 2017.

**Mr. Silver:** If the minister can elaborate a bit here. If we don't have a specific process for registered lobby groups as they bid for hundreds of thousands of dollars of our money, then can I ask the question: Has this government used this particular lobbying firm previously? Can the minister expand upon when and where?

**Hon. Mr. Pasloski:** I don't believe that this firm has been used in the past. What I can say is that certainly one of the advantages of meeting with our peers on an annual basis formally, or actually perhaps up to twice a year — also an ability to discuss things on an informal basis as well as access to leadership and premiers from other jurisdictions who have many issues that are important to their jurisdictions where they have actively looked for support within Washington to help, whether it's agricultural, resources or pipelines. In fact, some of the provinces have or had offices in Washington, D.C.

I think that there is always an opportunity to learn and get feedback from premiers from other jurisdictions who have had success and are willing to talk about some of the names of some of the firms that have been successful. That certainly is one of the ways. As I mentioned, it's not something that you would just go out and put in the paper and advertise that we are looking for somebody to do this work for us. Nor could you really go to a competitive bid process because what you are looking for are results.

If we're successful, certainly this investment will be minuscule compared to the money that would flow to see these construction dollars reinvested and the huge impact it would have, not just on the economy, but also on opportunities for training for Yukoners as well.

There is no guarantee. We understand that, but we feel that it is worth the financial investment to attempt to try to have this Shakwak project reinstated into the transportation bill. I do believe that using outstanding firms that have great access and a strong record of success is important, in that investing this amount of money would pale in comparison to the amount of money that we could potentially see coming forward if we can add that back to the transportation bill.

Madam Chair, seeing the time, I move that you report progress.

**Chair:** It has been moved by Mr. Pasloski that the Chair report progress.

*Motion agreed to*

**Mr. Elias:** Madam Chair, I move that the Speaker do now resume the Chair.

**Chair:** It has been moved by Mr. Elias 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 the Committee of the Whole?

## Chair's report

**Ms. McLeod:** Mr. Speaker, Committee of the Whole has considered Bill No. 18, entitled *First Appropriation Act, 2015-16*, 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.

**Mr. Elias:** 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 5:26 p.m.*