

YUKON LEGISLATIVE ASSEMBLY

28TH LEGISLATURE

1993

SPECIAL COMMITTEE

ON

LAND CLAIMS AND SELF-GOVERNMENT

---

REPORT ON

BILL #2, AN ACT APPROVING YUKON LAND CLAIM FINAL AGREEMENTS,

AND

BILL #3, FIRST NATIONS (YUKON) SELF-GOVERNMENT ACT,

AND

AGREEMENTS REFERENCED IN EACH OF THOSE BILLS

HON. JOHN OSTASHEK, M.L.A.  
Porter Creek North  
Chair

MARGARET JOE, M.L.A.  
Whitehorse Centre  
Member

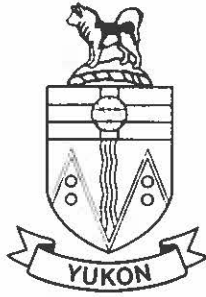
JACK CABLE, M.L.A.  
Riverside  
Member

HON. JOHN DEVRIES, M.L.A.  
Watson Lake  
Member

HON. MICKEY FISHER, M.L.A.  
Lake Laberge  
Member

DANNY JOE, M.L.A.  
Mayo-Tatchun  
Member

DAVID MILLAR, M.L.A.  
Klondike  
Member



*Yukon Legislative Assembly*

Box 2703, Whitehorse, Yukon Y1A 2C6

March, 1993

Honourable Alan Nordling  
Speaker of the Legislative Assembly  
Yukon Legislative Assembly

Dear Sir:

On behalf of the Special Committee on Land Claims and Self-Government, appointed by Order of the Assembly on December 16, 1992, I have the honour to present this Report.

A handwritten signature in cursive script, appearing to read 'John Ostashek', is written over the typed name.

Hon. John Ostashek, M.L.A.  
Chair

SPECIAL COMMITTEE ON LAND CLAIMS AND SELF-GOVERNMENT

TABLE OF CONTENTS

REPORT OF SPECIAL COMMITTEE .....	1
<u>APPENDIX 1</u>	
DATES AND LOCATIONS OF PUBLIC MEETINGS .....	7
<u>APPENDIX 2</u>	
NAMES OF PARTICIPANTS AT PUBLIC MEETINGS OF SPECIAL COMMITTEE .....	8

The Special Committee on Land Claims and Self-Government was created on December 16, 1992, by the following motion of the Legislative Assembly:

THAT a Special Committee on Land Claims and Self-Government be established;

THAT the Committee be comprised of seven members of the Legislative Assembly;

THAT Hon. John Ostashek be the Chair of the Committee;

THAT the remaining six members of the Committee are as follows: three members appointed by the Government Leader, two members appointed by the Leader of the Official Opposition and the honourable Member for Riverside;

THAT Bill #2, entitled An Act Approving Yukon Land Claim Final Agreements, and Bill #3, entitled First Nations (Yukon) Self-Government Act, be referred to the Committee;

THAT individual Yukon Land Claim Final Agreements and Yukon First Nation Self-Government Agreements be transmitted to the Committee, subsequent to First Nations ratification, by the Government Leader tabling such agreements in the Legislative Assembly or, if the Legislative Assembly is not then sitting, by the Government Leader delivering such agreements to the Speaker who shall forward copies to all members of the Legislative Assembly;

THAT the Committee report to the Legislative Assembly no later than the fifth day of the next regular sitting of the Legislative Assembly:

- (a) its recommendation as to whether the Agreement referenced in Bill #2 and considered by the Committee should be accepted or rejected,
- (b) its recommendation as to whether the Self-Government Agreement referenced in Bill #3, and considered by the Committee should be accepted or rejected,
- (c) its findings, if any, relating to the subject matter of Bill #2 and Bill #3, and
- (d) its recommendations, if any, for amendments to the clauses of Bill #2 and Bill #3;

THAT, in the event the Legislative Assembly is not sitting at the time that the Committee is prepared to

report, the Chair of the Committee forward copies of the report to all Members of the Legislative Assembly, thereafter make the report public, and subsequently present the report to the Legislative Assembly at the next sitting of the Legislative Assembly;

THAT, at such time as the Committee has reported to the Legislative Assembly, Bill #2, Bill #3, any agreements considered by the Committee and the report of the Committee stand automatically referred to the Committee of the Whole;

THAT, during its review of Bill #2 and Bill #3, the Committee be empowered:

- (a) to send for officials from the Land Claims Secretariat of the Government of the Yukon to appear as witnesses on technical matters,
- (b) to invite such other persons as it deems necessary to appear as witnesses on technical matters,
- (c) to hold public hearings,
- (d) to create a sub-committee or sub-committees which can question witnesses, receive oral submissions and conduct public hearings but which cannot make decisions on behalf of the Committee, and
- (e) to print such papers and evidence as may be ordered by it; and

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee.

Pursuant to the direction found in the motion, the Government Leader, Hon. John Ostashek, appointed Hon. John Devries, Member for Watson Lake, Hon. Mickey Fisher, Member for Lake Laberge, and David Millar, Member for Klondike, to the Committee. The Leader of the Official Opposition, Tony Penikett, appointed Margaret Joe, Member for Whitehorse Centre, and Danny Joe, Member for Mayo-Tatchun, to the Committee. Jack Cable, Member for Riverside, was named in the motion as a member of the Committee.

TECHNICAL BRIEFINGS

The Committee held technical briefings in the Legislative Assembly Chamber on January 20 and 22, 1993, for the purpose of familiarizing members with the provisions of Bill #2 and Bill #3 and of the agreements referenced in each of those bills.

Appearing on January 20 were the Chief Land Claims Negotiator, Tim McTiernan, and five other members of the land claims negotiating team. On January 22, Albert James, Vice-Chair, and Vic Mitander, chief negotiator, of the Council for Yukon Indians appeared before the Committee.

PUBLIC MEETINGS

Public meetings were held in all Yukon communities from January 24 to March 1 (see Appendix 1 for a complete schedule of public meetings). At least one official from the Land Claims Secretariat of the Government of Yukon attended each of these meetings for the purpose of answering questions respecting the provisions of the agreements referenced in Bill #2 and Bill #3. The Council for Yukon Indians had a representative attend all but four of the public meetings.

An information package entitled "Information Package - Summary Sheets - Yukon Land Claim/Umbrella Final Agreement (January, 1993)" prepared by the Land Claims Secretariat was distributed to all communities prior to the meetings. Notice of the public meetings was given by:

- (1) newspaper advertisements in the Yukon News, Whitehorse Star and in those community newspapers scheduled for publication prior to the meeting dates;
- (2) public service announcements on the CBC;
- (3) radio advertisements on CHON-FM;
- (4) rolling television advertisements in Dawson City and Watson Lake; and
- (5) notices posted in each of the communities.

A total of 305 people attended the public meetings (see Appendix 2 for the names of those who were in attendance).

Transcripts were prepared of the technical briefings and of all public meetings. Copies of the transcripts are appended to this report to provide the Assembly with a complete record of the views and opinions expressed by those Yukon citizens who participated in meetings of the Committee.

RECOMMENDATIONS

The Committee recommends that:

- (1) the Agreement referenced in Bill #2, An Act Approving Yukon Land Claim Final Agreements, be accepted; and
- (2) the Agreement referenced in Bill #3, First Nations (Yukon) Self-Government Act, be accepted.

The Committee does not recommend any amendments to the clauses of Bill #2 and Bill #3.

APPENDICES

APPENDIX 1

DATES AND LOCATIONS OF PUBLIC MEETINGS

January 24	Beaver Creek	Community Hall
January 25	Burwash Landing Destruction Bay	Community Hall Community Hall
January 26	Haines Junction	Arena Mezzanine
February 1	Dawson City	School
February 2	Mayo	Community Hall
February 3	Pelly Crossing Carmacks	Band Office Heritage Hall
February 4	Whitehorse	Hellaby Hall
February 11	Carcross	Community Hall
February 15	Ross River	Community Hall
February 16	Faro	Rec Centre
February 22	Watson Lake	Secondary School
February 23	Upper Liard Teslin	Two Mile Comm. Centre Rec Complex
March 1	Old Crow	Community Hall

APPENDIX 2

NAMES OF PARTICIPANTS AT PUBLIC MEETINGS

Beaver Creek (Community Hall)  
Sunday, January 24, 1993 7:30 p.m.

Albert, Ed	Nieman, Freda
Benjamintz, Patty	Nieman, Kim
Demit, Angela	Nieman, Margaret - Chief
Demit, Robert	Rodtko, Brent
Hajash, Jim	Schlaffke, Bev
Jabury, Robert	Stephen, Glenn
John, Doris	Stitt, Sally
John, Bessie	Weiwers, Rick
Ledergerber, Beat	

Burwash Landing (Community Hall)  
Monday, January 25, 1993 2:30 p.m.

Ireland, Liz	Johnson, Leana
Joe, Bonnie	Johnson, Little Grace
Joe, Jessy	Johnson, Liz
Johnson, Bernie	Johnson, Mary Jane
Johnson, Gloria	Jones, Shawn
Johnson, Joe - Chief	Kant, Timothy

Destruction Bay (Community Hall)  
Monday, January 25, 1993 7:30 p.m.

Flumerfelt, Jim	Jennings, Dawn
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Haines Junction (Arena Mezzanine)  
Tuesday, January 26, 1993 7:30 p.m.

Brewster, Bill - MLA	LaVallee, Alfred
Brewster, Mabel	Mazur, Rose
Crawshay, Michael	Moose, Dorothy
Eikland, Barb	Smith, Harry
Graham, Joan	Smith, Lilly
Hassard, Ray	Smith, Martha
Hume, Barb	Tomlin, Al
Hume, Chuck	Tomlin, Tish
Jim, Oliver	Tremblay, Marc
Kane, Ken	Williams, Deborah
Komaromi, Greg	Williams, Vera
Kushniruk, Rose	Wilson, Ron
Kushniruk, Sheila	

Dawson City (Robert Service School)  
Monday, February 1, 1993 7:30 p.m.

Everitt, Glen  
Gerberding, Tim  
Henry, Annie  
Jenkins, Peter - Mayor  
Joseph-Rear, Angie  
Kane, Ken  
Kobayashi, Norma  
Kormendy, Peggy  
Langtry, Cathie  
Matchett, Murray  
Morrison, Brent

Murray, Carol  
Nagano, Debbie  
Pennell, Shirley J.  
Peterson, Maureen  
Rear, Robert  
Ryan, Shawn  
Semple, George  
Sippola, Sandy  
Taylor, Steve - Chief

Mayo (Community Hall)  
Tuesday, February 2, 1993 7:30 p.m.

Buyck, Don  
Buyck, Helen  
Chaplin, Ed  
Cove, Tom  
Drapeau, Albert  
Fairclough, Eric  
Germaine, Bill  
Hager, Robert - Chief  
Hager, Roberta  
Hammond, Lena  
Hassen, Minnie

Heasley, Dennis  
Hind, Gord  
Jimmy, Charlie  
Kane, Ken  
McGinnis, Michael - Mayor  
Menelon, Bernerd  
Menelon, Sylvie  
Moses, Richard  
Sinnots, Nancy  
Skookum, Hazel

Pelly Crossing (Band Hall)  
Wednesday, February 3, 1993 2:30 p.m.

Alfred, Emma  
Alfred, Jerry  
Curry, Wayne  
Debastien, Leonard  
Horn, Doug  
Isaac, Darin

Jonathan, Stanley  
Jones, Carl  
Kane, Ken  
Morrison, Alex  
Turner, Frank  
Van Bibber, Dan

**Carmacks (Heritage Hall)**  
**Wednesday, February 3, 1993 7:30 p.m.**

Allen, John	Ranigler, Anne
Barker, Char	Sam, Norman
Blackjack, Clyde	Taylor, Paul
Blackjack, Rowena	Taylor, Randy
Butterworth-Carr, Brenda	Tom, David
Fairclough, Eric - Chief	Tom, Rosie
Fields, Earl J.	Tracey, Howard
Lacasse, Luke	Washpan, Agnes
Kane, Ken	Washpan, Dulaney
O'Brien, Joseph	Wheelton, Phil
Phillips, Bob	Wood, Bev

**Whitehorse (Hellaby Hall)**  
**Thursday, February 4, 1993 7:30 p.m.**

Alwarid, Shakir	Kishchuk, Paul
Armstrong, Irwin R.	Komaromi, Greg
Asp, Don	Koprowsky, Allan
Boss, Patrick	Kosuta, Kathy
Brown, Keith	Koz, Pieter
Carey, Cheryl	Kuni, Ken
Couture, Rudy	MacGillivray, Janeane
Dawson, Malcolm	MacPherson, Neil
Donnesay, Midge	MacPherson, Trish
Dougherty, Michael	McDiarmid, Alan
Falle, Al	McNevin, Deborah
Falle, Irma	Mason, G.W.
Fisher, Margie	Penikett, Tony - MLA
Furlon, S.	Reed, Gord
Gerein, Gerry	Smith, Dianne
Gillen, Brian	Smith, Johnnie
Gingell, Judy - Chair (CYI)	Stehelin, Mel
Holmes, Derek	Sumanik, Ron
Hurlock, Bonnie	Taylor, Ken
Huston, Nancy	Watson, Kathy
Hutchinson, Ken	Webber, Albert - Acting Chief
Kane, Ken	Weigand, Bill- Mayor

**Carcross (Community Hall)**  
**Thursday, February 11, 1993 7:30 p.m.**

Atlin, Karyn  
Barrett, Larry  
Barrett, Mamie  
Breaugh, Jan  
Carvill, Howard  
Fisher, Margie  
Halladay, Rick  
James, Patrick  
James, Stanley

Jim, Bessie  
Kane, Ken  
Martin, Willie  
Matthies, Ken  
Rushant, Geoff  
Smith, Teresa  
Thompson, Joan  
Twigge, Pearl  
Wally, Anne

**Ross River (Community Centre)**  
**Monday, February 15, 1993 7:30 p.m.**

Atkinson, William  
Hemsley, Brian  
Kane, Ken  
Rawlings, Mike

Sennett, David  
Sutherland, Gloria  
Taylor, John

**Faro (Recreation Centre - Sportsman's Lounge)**  
**Tuesday, February 16, 1993 7:30 p.m.**

Gault, Bob - Mayor  
Girouard-Fickes, Dorine  
Hampton, Murray

Kane, Ken  
McLachlan, Jim

**Watson Lake (Watson Lake Secondary School)**  
**Monday, February 22, 1993 7:30 p.m.**

Ersfeld, Fritz  
Fentie, Dennis  
Forsythe, Bill  
Hauser, Rick  
Holt, Jean  
Holt, Ruth  
James, Albert  
Kane, Ken

Komish, Barry  
Magun, Don  
Oostindie, Ian  
Reams, Roger  
Reams, Willa  
Suffesick, Joe  
Thompson, Doug  
Wilkinson, Terry

**Upper Liard (Two Mile Community Centre)**  
**Tuesday, February 23, 1993 1:00 p.m.**

Chief, Alfred  
Gill, Frank (Baptise)  
James, Albert

Jules, Leda  
Kane, Ken  
McGeorge, Jean