

**Yukon Legislative Assembly
Whitehorse, Yukon
Thursday, May 2, 2013 — 1:00 p.m.**

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

Prayers

DAILY ROUTINE

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

Tributes.

TRIBUTES

In recognition of World Press Freedom Day

Mr. Elias: I rise on behalf of all members to pay tribute to the United Nations World Press Freedom Day, which will occur tomorrow, May 3. Speaking as a politician, I can honestly say that the freedom of the media can sometimes be a challenging concept. Despite my very best efforts, I can never seem to have my respected colleagues up there behind the pane of glass in the media gallery — whose journalistic integrity knows no bounds, I might add — to write or broadcast exactly what I want them to. I don't think any of us can. They just write and say whatever they want. I'll tell you, constraining the Yukon media is as hard as harnessing a hungry dog team at minus 40, Mr. Speaker, and that's frustrating, but seriously, it's as it should be because freedom of expression is a fundamental human right and that justly transfers to the press.

Tomorrow will be the 20th World Press Freedom Day. It was proclaimed in 1993 at the United Nations General Assembly. World Press Freedom Day serves as an occasion to inform citizens of violations of press freedom and a reminder that in dozens of countries around the world, publications are censored, fined, suspended and closed down while journalists, editors and publishers are harassed, attacked, detained and even murdered.

It is a date to encourage and develop initiatives in favour of press freedom and to assess the state of press freedom worldwide. It serves as a reminder to governments of the need to respect their commitment to press freedom, and it is also a day of reflection among media professionals about issues of press freedom and professional ethics.

It might surprise some people to learn that on a global scale the threat against journalists is increasing. On average, a journalist or media worker is killed every week for doing their job — to bring news to the public. Last year saw more journalists killed — 121 — than ever before. That's almost double the number of killings in 2010 and 2011 combined.

Most of the deaths occur in Asia and the Arab states, but even in Canada we are not immune to such atrocities. In 1995, sportscaster Brian Smith was gunned down by a man who said he bore a grudge against the media in general.

In 1998, Tara Singh Hayer, the publisher of *Indo-Canadian Times*, was shot dead in his home, but it's not just about the threat of violence, it's about access to information,

editorship, defamation, the protection of sources, search and seizure and emerging digital issues. On these issues there is a lot of room for improvement in our country. On the Reporters Without Borders' *2013 World Press Freedom Index*, Canada fell 10 positions from 10 to 20 behind countries like Estonia, Costa Rica and Namibia. This was due to obstruction of journalists during the so-called Maple Spring student movement and to the continuing threats to the confidentiality of journalists' sources and Internet users of personal data. Long ago in the Yukon, people got news via dog team or the river systems; now we get it anywhere, any time and almost as it happens, so ensuring that the press remains freely able to perform their work is more important than ever.

Thomas Jefferson once said, "Where the press is free, and every man able to read, all is safe." I'd agree with that. Where the press is free, we are all free, because each of us is equally able to express ourselves and subscribe to the information resources we deem most relevant to us and to our own interests. So tomorrow, when you turn on the radio or the TV or browse the Web or read a newspaper, just pause for a moment to reflect on your appreciation for the information that is being brought to you.

There is a tremendously large body of dedicated women and men working hard every day to ensure that the public stays informed and educated about events that are going on in our local communities, in countries and internationally. Many of them risk their lives to do so, Mr. Speaker.

We should think of them all as we pay tribute to World Press Freedom Day. Thank you, Mr. Speaker.

Speaker: Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Ms. Taylor: Mr. Speaker, I would ask all of my colleagues in the Legislature today to join with me in a warm welcome to John Gignac, co-chair of the Hawkins-Gignac Foundation for Carbon Monoxide Education. As well, to Pat Folliott, the volunteer media liaison for the Hawkins-Gignac Foundation for Carbon Monoxide Education and of course to Dennis Berry, Yukon's own fire marshal, for joining us here this afternoon for today's third reading debate in regard to Bill No. 57, *Oil-Fired Appliance Safety Statutory Amendment Act*, welcome.

Applause

Speaker: Are there any returns or documents for tabling?

Are there any reports of committees?
Are there any petitions to be presented?
Are there any introductions of bills?
Are there any notices of motion?

NOTICES OF MOTION

Ms. Hanson: I give notice of the following motion:

THAT this House urges the Government of Yukon to uphold the established practice that select committees of the Yukon Legislative Assembly, including the select committee

on the risks and benefits of hydraulic fracturing, shall conduct their business and make recommendations by consensus.

Ms. Stick: I give notice of the following motion:

THAT this government urge the Government of Canada department of Aboriginal Affairs and Northern Development Canada to work in collaboration with the Truth and Reconciliation Commission for the creation of a complete historical record of the Indian residential school system and its legacy, a key element of the mandate of the Truth and Reconciliation Commission.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to immediately consult with the public to determine whether section 50(1) of the *Employment Standards Act*, the so-called probationary period which allows workers to be terminated without cause or notice, should be amended from six to three months in the fall 2013 legislative sitting.

I give notice of the following motion:

THAT this House urges the Government of Yukon to:

- (1) amplify its cooperation with the Yukon Childcare Association to increase the availability of qualified early childhood educators across the Yukon Territory;
- (2) work collaboratively with the Yukon Childcare Association as a key stakeholder in all programming for preschool children;
- (3) recognize the Yukon Childcare Association as a local non-governmental organization;
- (4) recognize the 39-year history and good, volunteer-driven work that the Yukon Childcare Association has done; and
- (5) recognize and support the Yukon Childcare Association's goal to create the best possible circle of care around families and their young children.

Mr. Elias: I give notice of the following motion:

THAT this House urges the Minister of Economic Development to direct his department's new information communication and technology directorate to specifically evaluate the establishment of a high-speed pan-Yukon fibre Internet backbone, running from the upcoming global Arctic Fibre connection in the Beaufort Sea through as many small Yukon communities as possible and terminating in Whitehorse.

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

QUESTION PERIOD

Question re: Land use planning

Ms. Hanson: After staking a mining claim, which can happen virtually anywhere in the territory, a company or an individual can, without a permit, store up to 5,000 litres of fuel, clear land and vegetation, dig tunnels, move 500 tonnes of rock to the surface and use up to 1,000 kilograms of explosives. This can all happen on private land. It can happen on Crown land of

importance to the exercise of First Nation rights. It can all happen inside a Yukon community. This is the free-entry staking system.

We have seen conflict around mining within municipal boundaries in Dawson and in Whitehorse. The Lobo Del Norte corporation is suing the City of Whitehorse because its official community plan — its citizens' own vision for their community — may infringe on their rights to mine. Municipal government is the government closest to people. When does the government intend to respect municipal governments and their citizens by clearing up the existing conflict between free-entry and residential land use?

Hon. Mr. Cathers: Once again, the Leader of the NDP has her facts wrong. I would point out that a step taken by this government, which was not taken by previous NDP or Liberal governments, is acting within the City of Whitehorse, as we did last year, to protect roughly three-quarters of the municipality from new staking.

We did that following discussions with the City of Whitehorse. We did it in support of their official community plan. The areas that were left open are areas of high mineral potential, and the areas that were protected include all residential areas and the areas of primary recreation, including all the ski trails that do not currently have claims in good standing. It also includes areas that were identified as parks within the city's official community plan.

Again, 74 percent of the City of Whitehorse, by action of this government, is off-limits to new claim staking. In the situation of Dawson, there is an existing withdrawal within a portion of the municipality and, as I have indicated — and I believe the Minister of Community Services has as well — to the mayor and others in Dawson City, we are certainly open to talking with the municipality of Dawson City if they wish to see withdrawal orders put in place within that —

Speaker: Order please.

Ms. Hanson: Mr. Speaker, last year the government indeed did announce a five-year moratorium on new staking in parts of Whitehorse. This was a bit of progress, I agree, but the government is still allowing staking to occur in environmentally sensitive areas where the City of Whitehorse said there should be no staking, through the official community plan. The fact is that free-entry mineral staking continues in residential areas in other municipalities and unincorporated communities and heritage sites. On the ground, issues of quality of life and enjoyment of property tend to fall on municipal governments. Municipal governments representing citizens in our communities should have a say about where within their boundaries mining should be allowed. Under the Yukon Party, the *Quartz Mining Act* trumps the *Municipal Act*.

Will the government entertain a call for a territory-wide ban on free-entry mineral staking within municipalities and other residential areas and bring municipalities and local area councils into discussion where staking and mining should occur?

Hon. Mr. Cathers: Once again, the Leader of the NDP is quite simply wrong and has her facts wrong again. This government has taken a number of proactive steps in coopera-

tion with municipalities. In fact, I met, as did staff of Energy, Mines and Resources, with Whitehorse City Council. This was following work that had been done by staff of the Minerals branch in discussion with staff with the city about which areas we should make subject to a withdrawal order — i.e. prevent new staking within the City of Whitehorse. Whitehorse, in fact, in total area, as the member should know, is one of the largest municipalities in Canada. There are areas that are open with mineral potential.

We did support, contrary to what the member asserted, the protection of areas by withdrawal order that had been identified within the official community plan and subject to our discussion with the City of Whitehorse, including all of the areas they'd identified as prime green space, so the member once again is quite simply wrong.

We will, as I've indicated before, be willing to work with any municipality that believes additional withdrawal orders would be appropriate within their municipality. The member completely fails to recognize the processes that are set up, including the Yukon Service Rights Board, including the YE-SAA process, which does place restrictions on staking activities. It is simply another illustration of the NDP misstating the facts for their anti-mining agenda.

Ms. Hanson: You know it seems that only the Yukon Party is interested in preserving the primacy of free-entry staking. It is, after all, why the Premier is appealing the Ross River decision.

Even the Yukon Chamber of Mines was reported as saying that the type of work authorized without permit by a registered free-entry claim sometimes goes too far. The chamber said that legislation changes from time to time and that the *Quartz Mining Act* is no exception. Municipalities, First Nations, property owners and even the Chamber of Mines have said reforms are needed when it comes to free-entry rules. We know there are hard positions on the issues, but there seems to be widespread support for a discussion based on reform.

Will the government show leadership and conduct a public discussion about the free-entry system so that voices of municipal governments, local area councils, First Nations, the Chamber of Mines and the public can be heard?

Hon. Mr. Cathers: Mr. Speaker, we know the NDP's position on the free-entry system is to get rid of the free-entry system. We have also heard very clearly from not only the Chamber of Mines, but also from others within the Yukon and within Canada about the importance of that system.

We have taken a number of steps proactively to protect existing users from conflicts. There are a number of blanket prohibitions already within the *Quartz Mining Act* that protect people's houses and the surrounding area from mining activity. In addition to those blanket prohibitions, we have taken additional steps to put in place, as I noted, a withdrawal order within 74 percent of the City of Whitehorse, supporting what we heard from the City and supporting their official community plan.

As the member really ought to know, we issued a press release earlier this year indicating that there would be some changes made to acknowledge the obligation to, in some cases,

consult with First Nations regarding class 1 exploration. We will be making announcements later in the year, but in seeking leave to appeal the Ross River court decision, we did not appeal the requirement. In fact, we committed to implement that, and in some cases, we might be required to consult with First Nations about activities in their traditional territories.

So, once again, the member is simply quite wrong in her facts and is trying to paint a picture that doesn't reflect the facts because the NDP, as we know —

Speaker: Order please. Member for Takhini-Kopper King.

Question re: Off-road vehicle use, select committee recommendations

Ms. White: On October of 2011, the Yukon Party government promised Yukoners that it would implement the recommendations from the Select Committee on the Safe Operation and Use of Off-road Vehicles. These recommendations addressed not only safety issues, but they also addressed the negative impacts that off-road vehicles, when not used responsibly, can do to sensitive habitat. It has been 18 months since the government's promise and we still see no real, concrete action. The minister has spoken of an interdepartmental working group and that we might see some legislation in the future, but we are fast approaching another off-road vehicle season.

What concrete measures has this government undertaken to date to ensure Yukoners' safety when riding off-road vehicles and the protection of environmentally sensitive areas?

Hon. Mr. Dixon: Following the recommendations of the select committee on ORVs that provided a report to the Legislature in 2011, the Yukon government has taken a number of actions with regard to education and encouraging ATV and ORV users to respect the environment and behave in a responsible manner, both in terms of their own personal safety, the safety of those around them and, of course, the health and protection of the environment. The Department of Highways and Public Works, in conjunction with the Department of Environment, has provided a significant amount of material to encourage such use.

With regard to the specific case of legislation that is recommended to protect sensitive areas from additional ATV use, or to restrict usage to trails only, we've committed to bringing forward options for this kind of regulation. We suggested the possibility of the *Territorial Lands (Yukon) Act*, as being the possible legislative mechanism to do that, but we won't be tabling it this session. We passed the threshold for that; but we've committed to bringing forward such legislative changes, if necessary, expeditiously.

Ms. White: In February, the ministers of Environment and Energy, Mines and Resources wrote a letter to Trails Only Yukon Association. In this letter, the ministers promised action to protect environmentally sensitive areas from off-road vehicle use while allowing responsible access to the back country. What was again noticeably missing from the ministers' letter was any sense of timeline or even urgency.

This issue has been on the public's radar for years. Consultations have occurred; concrete solutions have been advanced

and the recommendations enjoy a 90-percent public support level. The only thing missing right now is political will, and off-road vehicle season is fast approaching.

Why is the government dragging its feet when it comes to ensuring Yukoners' safety when riding off-road vehicles and ensuring the protection of environmentally sensitive areas?

Hon. Mr. Dixon: I know the member opposite ignores the good work done by the departments already to educate Yukoners, to get out to the schools, to provide information to ORVers and Yukoners who enjoy this pastime and ignores the work that we've done to date. But I should note that significant commitments have been made by this government with regard to legislative and regulatory changes with regard to the safety recommendations of the select committee's report. As well, we've committed to looking at legislative and regulatory options for the environmental side of the report as well.

As I've suggested before, we agree completely that there are areas in the territory that are of such significant value and sensitivity that they deserve to be protected with a higher level of care and that restricting ORV use in certain areas is a very strong likelihood. With regard to the work that needs to go into this kind of process, I think the member opposite is underestimating the amount of policy work that is required and the amount of time and effort that needs to be put forward by departments to bring those changes forward.

We've committed to them. We're going to do them. We're going to continue to work with the Department of Highways and Public Works to encourage an education campaign to ensure that Yukoners recognize the impact of their activities and take measures and actions themselves to take responsibility for their own safety and for the protection of the environment.

Ms. White: Three weeks ago, this House debated a motion calling on the government to immediately implement all the recommendations of the Select Committee on the Safe Operation and Use of Off-road Vehicles and to immediately develop and implement a plan, in conjunction with user groups, to protect environmentally sensitive areas from off-road vehicle use, while allowing responsible access to the backcountry. The government only supported the motion after they removed the word "immediately." Time is of the essence.

Is this government going to ensure that off-road vehicle rider safety and the protection of environment happens before more injury and damage occurs, and what is the timeline on the legislative changes the minister mentions?

Hon. Mr. Cathers: First of all, I would note a couple of things that the Member for Takhini-Kopper King has gotten wrong in some of her questions in the preamble. In fact, I point out that the members of the Select Committee on the Safe Operation and Use of Off-road Vehicles, including the NDP member at the time, the late Steve Cardiff, unanimously agreed to recommendations that included taking a targeted approach to address ATV use, rather than a blanket approach as proposed by some, including Trails Only. Contrary to the member's assertion that 90 percent of the public had a certain opinion with regard to this, I point out that in fact, in the over 2,500 responses from Yukon citizens received and reviewed by the committee, in fact, Yukoners were split on the issue of those

who wanted more regulations and those who wanted no regulations at all.

This all-party committee unanimously agreed that taking a targeted approach was the best way and we needed to ensure that legislation had the appropriate tools to target measures to where problems exist or are developing. I would point out that, in fact, the number of people who commented on that was one of the largest, if not the largest, outpourings of public comment that has been provided on any issue.

We will be moving forward with the legislative amendments necessary. That work is being done right now, but these things can't happen immediately; staff do need some time to do their work.

Question re: F.H. Collins Secondary School reconstruction

Mr. Silver: Mr. Speaker, I have some questions for the Minister of Highways and Public Works on some contracts related to F.H. Collins.

When the Premier announced he was pulling the plug on the old design of F.H. Collins, he said the approved construction budget, as detailed by two separate independent estimators, was \$38.6 million. On the second day of this sitting, back on March 25, I asked the Premier to release those estimates so that the public could see whether or not they did, in fact, match the construction budget. He refused to answer.

Almost six weeks later, the government is still refusing to release those independent estimates. It is my understanding that these contracts were led by Highways and Public Works. Will the minister release these estimates so that the public can see whether or not they did, in fact, match the construction budget?

Hon. Mr. Istchenko: I find this question a little bit disappointing because the member opposite also asked me this after he asked it to the Premier in the House. I asked the department and they told me that their legal opinion is that this information is proprietary to the project. We didn't cancel the project, so there are budget implications in there. There is commercial confidentiality.

The government is committed to replacing F.H. Collins Secondary School. We've said this a million times, but we're committed to doing it in a fiscally responsible way.

Mr. Silver: I'm sure that the minister's office can afford a Sharpie and block out those things that we don't need to know. The point is that the bids came in way overbudget on the F.H. Collins Secondary School tender and the government said it was surprised. The Premier said that he had two independent estimators that put the price of the construction at \$38.6 million. We'd like to have those estimates and so would the public. The government, on the other hand, is in no rush to release them. I've been asking for them for almost six weeks in this House and at a briefing with the department officials, and off the record with the minister. The public scepticism is mounting on the F.H. Collins Secondary School project and on the forecasted savings of \$10 million this government claims as a result of changing the plan this late in the game. The public deserves to see those reports themselves and to see if the estimates did in fact tell the government that the school could be built for \$38.6

million. Why is the government refusing to release these documents?

Hon. Mr. Istchenko: It's very disappointing that the member opposite fails to recognize the good work that has been done by this government and our government employees. I said to the member opposite I looked into it. I already mentioned this and I answered this question to the member twice now. I guess I'm going to do it three times.

Independent estimates, legal opinion — the information is proprietary. There are budget implications. We haven't cancelled the project. The good work of the government employees who provide advice to us pass this on. The Department of Highways and Public Works, the Department of Education, ministers, the Minister of Education and I are working on this file as we speak. We look forward to the next steps.

Unlike the member opposite who sees a silver lining in everything, I see a gold lining in this.

Mr. Silver: Once again, we're not looking for the proprietary information; we're just looking for the numbers. One of these estimates was produced by a company called BTY Quantity Surveyors BC Ltd. Yukon taxpayers paid the B.C. company \$120,000 to provide construction cost estimates for the F.H. Collins replacement.

The open and accountable thing to do would be to release this work so that the public can see what it got for this money. There is also a second report that the government is refusing to make public.

When will the minister release these estimates so that the public can see whether or not they actually in fact did match the construction budgets?

Hon. Mr. Kent: With respect to the F.H. Collins Secondary School replacement project, the approved construction budget was \$38.6 million. The lowest bid that we received in the tendering process — among three bidders — was \$47.78 million. That's 21-percent overbudget. In our efforts to be fiscally responsible, we decided not to proceed with that tendered design concept. We are going to use a concept that has already been constructed successfully and economically in other jurisdictions and will incorporate elements from the previous consultation process that was done with the building advisory committee.

Clearly, \$10 million, or 21-percent overbudget is not the fiscally responsible way to proceed with such a project before the first tradesperson even shows up on the site. I know the member opposite — 21 percent, \$10 million — he understands that, and he should understand that we are committed to fiscal responsibility and building a school there that the entire F.H. Collins Secondary School community can be proud of, but doing it in a manner that respects the budgeting process and the fact that we are not going to start something that's \$10 million over before the first tradesperson arrives on site.

Question re: Internet connectivity

Mr. Elias: From an infrastructure perspective, there are two key problems with the Yukon's access to the Internet. The first and largest problem is redundancy. Our region is at the tail end of one thin, fragile thread that connects us to the world. The second problem is community access. Outside of

the capital city, Yukoners receive a Third World quality of Internet service and this is painfully true in my home community of Old Crow. It's exciting that the minister is taking action to address the Yukon's Internet problems and we look forward to the progress made by his new ICT directorate, which can't be established fast enough. In the meantime, can the minister clarify whether the directorate will be tasked with addressing and seeking to resolve both of the Yukon's Internet infrastructure problems: redundancy and community access?

Hon. Mr. Dixon: I thank the member opposite for raising this important issue. Of course we acknowledge that services available to Yukoners throughout the territory often-times are of lesser quality than those available to Canadian citizens in southern Canada. That's something that we've acknowledged and have charted out a course for addressing. We've done so by working with industry and working with government to develop two projects: a telecommunications development project and an ICT sector strategy with the Yukon Information Technology and Industry Society. We're working to implement the recommendations of those two reports. Part of that is the development of a new Technology and Telecommunications Development Directorate — affectionately known as T2D2.

Of course, the Member for Vuntut Gwitchin notes that there are two issues from his perspective with regard to telecommunications in the territory — the lack of fibre redundancy and the limited services available to some communities. So yes, we will be addressing both of those issues and many more. We'll be working with industry to develop a feasibility study to look at the possibility of a redundant fibre optic link to the south through Juneau and Alaska. Of course, we'll be working with communities to address their service provision and programming needs as well.

Mr. Elias: If the minister's T2D2, then I'm Yoda. In addressing the problem of Internet redundancy in the Yukon, the minister has several times mentioned establishing a second connection through Juneau, Alaska. What about access to our smaller communities?

A company called Arctic Fibre will be running a massive 12.8 terabyte Internet connection between Asia and Europe through the Beaufort Sea just off the Yukon's coast. This link will also provide virtually unlimited Internet access to many small Nunavut communities. Imagine if the Yukon could also hook in and run a fibre connection down through our smaller communities to Whitehorse? It would be world-class Internet speeds in every Yukon community on top of redundant connectivity — two problems solved at once.

The minister has stated on several occasions that in terms of Yukon's Internet infrastructure, no options have been ruled out. Can the minister assure us that a Yukon connection to the Arctic Fibre link between Asia and Europe is still on the table?

Hon. Mr. Dixon: The member opposite is correct that I haven't taken any options off the table, but I would note that the possibility of the project he is suggesting is, in my humble opinion, very unlikely.

When we consider the cost of developing an infrastructure project like a fibre line to the south, we're looking at fairly sig-

nificant costs — and that's terrestrial and with some underwater through to Juneau. It doesn't take an engineer to imagine the complications and cost of splicing a cable into the Beaufort Sea and running it down over land through the Yukon to even the community of Old Crow. That would be a fairly substantial project and I'm quite sure very costly.

I should say we of course won't rule anything out, but I will ask the new Technology and Telecommunications Development Directorate to consider all options, but that particular project I have to say I'm not entirely optimistic about.

The member opposite should be aware of another project, which the Government of the Northwest Territories is championing. It's a fibre line up the Mackenzie River valley. Again, that's something they will be working on and if that goes forward that is something that may enhance the viability of the project he's suggesting as well. We'll take all of these things into consideration and we'll continue to work with industry as well as regulators like the CRTC to ensure that Yukoners have access to good services and good programming.

Mr. Elias: It's good to hear the minister is not ruling anything out because in terms of transportation routes alone in the Arctic, when they open up, we need to be there at the table so we can be a powerhouse in this federation, and the Internet capability is really important.

It could be argued that the Internet data is worth more than oil and gas. It's an infinitely renewable and growing resource that can be tapped endlessly, and while no one is absolutely certain about the prospects of oil and gas in the Yukon, you can guarantee that Internet data will always flow. Let's look at other ways that we can transform our Internet infrastructure from an ailing cost centre into a robust revenue generator. With a fibre connection running from the Beaufort Sea to Whitehorse, we could effectively become a major tributary on a massive river of Internet data. Data is money, Mr. Speaker, and we could bill on it.

Will the minister ensure that his directorate at least evaluates a pan-Yukon fibre connection running from the Beaufort Sea to Whitehorse as a global thoroughfare and perspective revenue generator rather than simply as an expense?

Hon. Mr. Dixon: In a general sense and with general remarks to the member opposite's comments, I would say that I do agree that enhancing telecommunications infrastructure creates tremendous opportunity for economic development. That's why we made the development of ICT a priority of this government.

As I said, we will not take any possibility off the table at this point. As I've said before, we're focused on looking at extending the fibre line south. At this point we think that's the most viable project. It's one that has been looked at previously by private companies and it's one that we think is the most possible. To the member opposite's specific project, I won't take anything off the table, but I would note my personal scepticism of that potential project.

Another important aspect of this and one I would be remiss if I didn't mention was the role of the CRTC. The CRTC has noted in its deliberations over the years that northerners and Yukoners specifically do receive comparatively poorer quality

services than our friends in the south and they noted, in 2011 at least, that by the end of 2015, the CRTC expects all Canadians to have access to broadband speeds of at least five megabits per second for downloads and one megabit per second for uploads. That's something we'll continue to work with the CRTC on, as well as private industry and our new development directorate.

Question re: YESAB recommendations

Mr. Tredger: In the last two years, two projects adjacent to Squanga Lake were put forward for a YESAA review. Because of the important habitat in the area, and the sensitive condition of the local caribou herd, the YESA Board recommended that neither project proceed. The government accepted one of YESAB's recommendations and rejected the others. One of the projects was for a mining operation and one was for a youth day camp. The minister overturned the mining recommendation and allowed that project to go ahead but continued to deny the children their day camp.

If YESAB said that both projects would have a negative effect on caribou, how does the minister justify denying children an educational day camp while allowing a mining project to proceed?

Hon. Mr. Cathers: Once again, it is very frustrating trying to respond to the inaccuracies we hear consistently coming from the NDP. Once again, as has become the practice too often, the Member for Mayo-Tatchun is quite simply wrong about his facts. In the particular case the member is referring to, as the member should know very well, the minister didn't issue a decision document on the YESAB recommendation. That was done by department staff. That is a delegated authority that specifies which head of which segment for which department is responsible for issuing decision documents on projects.

Mr. Speaker, the Member for Mayo-Tatchun should know — and his leader heckling off-microphone as usual, should certainly know — that those decisions are dealt with at the officials level, not the ministerial level.

Mr. Tredger: Mr. Speaker, the minister is responsible for the decision body, and the decision documents have his signature on them. YESAB's goal, and I quote: "is to ensure the assessment process under YESAA is the best possible arrangement for all interests. Our commitment is to be an impartial, effective, transparent and efficient organization that provides assistance to all involved in the assessment process."

Mr. Speaker, this government talks of balance, yet the minister says yes to a mining project in sensitive caribou habitat and says no to a youth day camp in the same area. It is these kinds of contradictory decisions by this government in favour of resource extraction over other projects and values that undermine the government's credibility when it protests that it is a balanced government.

I would like to give the minister a second opportunity to explain to Yukoners how a children's day camp has a greater negative environmental impact on caribou —

Speaker: Order please. The member's time has elapsed.

Hon. Mr. Cathers: Mr. Speaker, once again the Member for Mayo-Tatchun is not only wrong, but he is making assertions in this House that are simply absolutely inaccurate.

The Member for Mayo-Tatchun just stated what he claimed was a fact — that the minister's signature goes on decision documents. That is not correct.

The member should go to YESAB's website, take a look at the system and familiarize himself with it and realize that the decision body for YESAB reviews is delegated typically to the director level. I believe it's set out in a regulation and has been since, if memory serves, about 2003 when that was set up.

The member made another statement in this House that, quite simply, is factually wrong. The member really should be ashamed to bring forward such inaccuracies in front of this House —

Some Hon. Member: (Inaudible)

Unparliamentary language

Ms. White: I'm going to go with 19(g) — imputes false or unavowed motives — to accuse a member — “that the member should be ashamed” is unparliamentary.

Speaker: It's not an unavowed motive, but it does not help the decorum in this House. I'll remind members that statements like that will bring back strong statements. Retract the statement, please.

Withdrawal of remark

Hon. Mr. Cathers: Thank you, Mr. Speaker. I'll retract the statement, as per your direction.

Speaker: Are you finished with your —

Hon. Mr. Cathers: No, I'm waiting for you to —

Speaker: Minister of Energy, Mines and Resources.

Hon. Mr. Cathers: In conclusion and respecting your ruling, I would simply encourage the Member for Mayo-Tatchun to get his facts straight and to actually ensure that in the future he doesn't misstate the facts as he just did.

As far as the specific file, the day camp review that he is referring to, I'm not actually familiar with that file. I have not reviewed the decision document. I don't know what factors staff would have considered in issuing the decision document. I really can't speak to that specific matter, because I am not familiar with that file.

Speaker: The time for Question Period has elapsed. We will now proceed with Orders of the Day.

ORDERS OF THE DAY

GOVERNMENT BILLS

Bill No. 57: *Oil-Fired Appliance Safety Statutory Amendment Act* — Third Reading

Clerk: Third reading, Bill No. 57, standing in the name of the Hon. Ms. Taylor.

Hon. Ms. Taylor: I move that Bill No. 57, entitled *Oil-Fired Appliance Safety Statutory Amendment Act*, be now read a third time and do pass.

Speaker: It has been moved by the Minister of Community Services that Bill No. 57, entitled *Oil-Fired Appliance Safety Statutory Amendment Act*, be now read a third time and do pass.

Hon. Ms. Taylor: It is indeed my honour to speak to third reading of Bill No. 57, *Oil-Fired Appliance Safety Statutory Amendment Act*.

As I said earlier today, it comes with a number of mixed emotions for me and certainly for all of us in this Legislative Assembly. It has been a year and some since the tragic deaths in Porter Creek. As I articulated earlier, to this day sadness continues to prevail within our community. This event, as tragic as it was, however, has very much served as a reminder of how we must all work to ensure that an event such as this never happens again.

For the past year the Yukon government has been working to advance a number of initiatives to improve fire, carbon monoxide and heating system safety across the territory. One of those initiatives is that of Bill No. 57 before the Assembly today. The legislative changes require that only qualified oil burner mechanics may apply for and hold a permit to install or modify an oil-fired appliance. The changes refer to trade qualifications and create a public register of qualified oil burner mechanics and also adopts the National Fire Code of Canada.

With passage of these legislative changes and the associated regulations, Yukon will also become the first jurisdiction in Canada to mandate the use of carbon monoxide detectors in all households. With this legislation, all Yukon homes will be required to have smoke alarms and all residences with fuel-burning appliances and/or attached garages will be required to have carbon monoxide alarms, without regard to when they in fact were built. Yukon, I'm pleased to say, is indeed the first jurisdiction in Canada to take this step. Other provisions in the bill include the ability to deny permits when installations of appliances do not meet safety requirements and are not corrected. The amendments will go a long way toward protecting the health and safety of all Yukon citizens and will indeed save lives.

I would like to thank each and every person who assisted in the creation of these changes that we are discussing here today, including the Oil-Fired Appliance Working Group and the many citizens who took part in our territory-wide meetings, as well as community and industry representatives the minister responsible for the Yukon Housing Corporation and Education and I met with last fall.

As I have stated on the floor of the Legislative Assembly, my colleague and I, accompanied by our rural MLAs, learned a lot during those community meetings. We were readily reminded of the unique realities of living in rural Yukon and that we, as a government, have a lot of work to do as it relates to increasing much-needed capacity in our communities that, for the most part, does not currently exist outside of the City of Whitehorse.

One of the key recommendations of the working group was to ensure that applicable regulations and changes have to provide persons or companies presently working in the affected indus-

try with sufficient time to become qualified. To ensure that individuals, particularly in rural communities, can continue to perform routine maintenance on home heating systems in a safe and effective manner, the Yukon government is taking steps to make appropriate training opportunities available. The Government of Yukon is working on a new training program to be made available to all heating systems mechanics, as well as those who may be interesting in entering the trade for the first time.

While certification is indeed the ultimate goal for all aspects of oil-fired appliance use, getting there will take some time. It will require creative solutions, as we talked about just a day ago. It will require the shared commitment of all levels of government, industry and homeowners to do our part to make our homes as safe as possible.

Earlier this morning, I was honoured to join a number of my colleagues in recognition of these and other steps being undertaken to advance home safety. Yukon's Fire Marshal Dennis Berry, Whitehorse Mayor Dan Curtis, John Gignac, chair of the Hawkins-Gignac Foundation for Carbon Monoxide Education, and the chief of the Whitehorse Fire Department, Clive Sparks, and of course, my colleague, the minister responsible for Yukon Housing Corporation and Education joined me this morning.

I would just like to take a couple of moments to reflect on some of the comments that were relayed in today's earlier ceremony. Above all, the message that was heard loudly and clearly is about the collective will and the collective desire to work together — to work collaboratively to ensure that the tragedy that occurred in Porter Creek some time ago never happens again.

Yukon's fire marshal spoke very eloquently to the events that happened on that day and how the Fire Marshal's Office and the City of Whitehorse's fire department came together to work to respond to what had just occurred and also articulated the need for awareness and the need to take action. Today is a day for reflection, but also a day of celebration.

The City of Whitehorse Fire Chief Clive Sparks spoke of that incident as well. He reflected upon the day's events and spoke of incidents that give cause for celebration.

He spoke of a recent incident that occurred in the City of Whitehorse, where a family was saved as a result of a carbon monoxide detector sounding the bells and how, as a result of that early-warning device, the lives of that particular family were saved — a situation that could happen to each and any one of us in this room.

He spoke of the need to work together and he gave credit to all the partners coming together in putting forth this legislation, and certainly becoming the first jurisdiction in the country to make these early-warning devices mandatory in all our homes is a step forward in addressing that.

The Mayor of the City of Whitehorse also recognized the training and the efforts that have been undertaken, not just in the past year, but in years past as well. He recognizes full well that there are challenges in each of our communities, and he brought his insight and his expertise from having been associated with Skills Canada in years past. I refer to the unique reali-

ties of rural Yukon and how we need to do a good job of attracting and retaining skilled tradespeople to our respective communities. He spoke of the significant progress that has been made and the fact that we currently have 15 apprentices enrolled in the oil burner mechanic trade.

A certification program is indeed cause for celebration, and how there are some five times the number of mechanics enrolled just a few short years ago.

My colleague from the Yukon Housing Corporation and the Minister of Education also spoke to the efforts that are being undertaken between Yukon College and other Outside institutions, such as University of Guelph and so forth, in terms of being able to bridge the gap of how we can enhance the certification process for those who have been involved in, and continue to be involved in, the industry and how we can actually raise the bar in terms of delivering safety standards for oil-fired appliances.

I also want to reflect upon comments that were made this morning by John Gignac of the Hawkins-Gignac Foundation for CO Education.

I want to thank John for graciously donating carbon monoxide alarms for distribution to those in need through the food bank, through community health centres, Social Services offices and, of course, our rural volunteer fire departments. I want to thank him for taking the time to be here with us today in the Assembly and for taking time out of his busy schedule and for sharing his personal journey with all of us. I can say that I've had the opportunity to discuss this very important matter with John over the course of the last while and I, like many others across the country, continue to be very deeply touched by his unwavering commitment to make early-warning devices the mandatory carbon monoxide detectors in our homes. I am very proud that with the passage of this bill before our Assembly today that Yukon will become the first jurisdiction in the country to make this a reality. The initiative builds on the work that is being undertaken by the Yukon Housing Corporation and our Fire Marshal's Office regarding the importance of having carbon monoxide detectors in our homes and other early warning devices such as smoke alarms. Ensuring the safety of our homes requires the diligence of all Yukoners, and that includes being informed about our homes, ensuring our homes are equipped with these important early life-saving devices, getting routine maintenance of our home heating appliances, and ensuring proper permits are obtained when installing or modifying oil-burning equipment. These are all responsibilities that we all share.

By strengthening the legislation we have before us today, by expanding public awareness campaigns, providing opportunities for certification, increasing training initiatives for inspectors, and making resources available for homeowners in need of improvements to their home heating systems who can't afford to make those changes, we can and indeed will improve public safety for each and every Yukoner.

In closing, I would just like to take a moment to thank all of the Members of the Legislative Assembly for their support of this bill going forward today, and I would also like to extend gratitude to all of our emergency responders for the work they

do on behalf of our communities and commend them for their dedication and their commitment to service above self. I certainly look forward to receiving the consent of all members and moving this bill forward.

Ms. Moorcroft: The third reading of Bill No. 57 is a solemn occasion for us all. We cannot forget that this bill is a response to the tragic deaths of the family of Valerie, Bradley, Gabriel and Rebekah Rusk and Donald McNamee from carbon monoxide poisoning in their rented home on Centennial Street in Whitehorse in January 2012.

I speak for the Official Opposition in support of this bill.

As we know from a series of five reports written by Rod Corea, an expert on oil-fired appliances, for the Yukon Housing Corporation between 2007 and 2010, and from the findings of two Oil-Fired Appliance Working Groups that were struck by this government in 2008 and in 2012, the government needed to amend legislation and develop regulations to improve safety for people living in homes heated by oil-fired appliances.

In fact, the Oil-Fired Appliance Working Group and Mr. Corea recommended that Yukon develop a stand-alone act specific to oil-fired appliances, modelled on the Yukon's *Gas Burning Devices Act*. The Opposition would still like to see that work be done in the future.

Members of the Opposition attended every day at the Rusk/McNamee inquest held in February of this year. We spoke with the families as they heard about and processed the information that there were several critical junctures where effective intervention may have prevented the deaths of their loved ones. The sad fact is that this tragedy could have been prevented.

What Bill No. 57 does is amend the *Building Standards Act*, the *Electrical Protection Act* and the *Fire Prevention Act* to allow government to develop regulations. Building standards regulations will provide for the Yukon to adopt any updated National Building Code and National Fire Code safety standards. New *Building Standards Act* regulations will also address inspections of oil-fired appliances and the critical matter of the qualifications required so that permits to install or modify oil-fired appliances are only issued to licensed oil burner mechanics. Both the *Electrical Protection Act* and the *Fire Prevention Act* amendments address the issue of regulations to require fire, smoke and carbon monoxide detectors when new permits are issued.

I would like to acknowledge John Gignac from the Hawkins-Gignac Foundation, as well as our fire marshal, Dennis Berry, present here today, and that the Hawkins-Gignac Foundation donated many carbon monoxide detectors for Yukon residents. It is a good step to require that detectors are installed in Yukon homes.

We do not know how long it will be before the government completes these regulations, but we are encouraged by the minister's commitment to have her departments working on this quickly, and we hope to see action within the next six months to a year.

The Opposition proposed a modest amendment to this bill to improve safety standards, which the government rejected. We proposed that Yukon require licensing, certification and training for those who service and maintain oil-fired appliances, which could be phased in within the regulations. We would like to know that every oil-fired appliance in Yukon meets the same high standard of safety.

We support the recommendation from the Rusk/McNamee inquest and from the working group that certified oil burner mechanics install, modify and service oil-fired appliances. This bill ensures only licensed oil burner mechanics can get a permit to install or modify an oil-fired appliance, but it does not apply to servicing those appliances. I do want to thank the minister for her commitment during the debate in Committee that the government will work toward meeting that goal over time.

With Yukon government support of training and licensing for oil burner mechanics, hopefully we will soon have enough certified mechanics to bring in a standard that improves safety of those using oil furnaces and space heaters in every Yukon community, and we're pleased to know that there are presently 15 apprentices in the trade.

Keeping warm is an important activity for people who live in a climate with seven months of winter. We need to increase public safety and ensure people don't suffer from the dangerous conditions in the oil industry that have been reported for too long. As this bill will improve on safety for heating with oil-fired appliances, we support it at third reading.

Mr. Silver: I don't want to say much more than what has already been debated in this House in the previous sessions. I just wanted to make a general statement that there remain, as per discussions in previous days of this session, issues surrounding who will do installs and who will do modifications. Both the Member for Pelly-Nisutlin and the Member for Kluane had mentioned gentlemen they had known in their communities who had years of experience, well surpassing a weekend certification or even a couple years of schooling in the Maritimes for this type of thing, but I just wanted to comment — I come from a family very similar.

My father is very similar to this. He's not just a Jack of all trades, he's a master of all trades and he has a grade 10 education, I believe, yet he is one of the smartest people we know. His name is Eugene; they call him Eugenious for a reason. We can discuss whether or not a red seal would be the be-all and end-all in terms of who's best qualified to do these installs, and that's debatable, but I am glad that we are having those discussions here in this House. We may disagree at times in this Legislative Assembly, but through our arguments comes a better understanding of the issues, and through a better understanding, hopefully, come solutions.

I was discussing this earlier today with a constituent, and it was asked, "Why can't we shadow these gentlemen whose skills in the trades run decades deep, and we could use this experience to offer the necessary certifications?" If and when the competence comes through — through this hands-on approach to assessment — I have no doubt that the academics in charge of said assessment would learn quite a bit as well. I think that

that's a very powerful lesson for us as legislators. If they are anything like my father, they'll probably get an earful in the process about what's wrong with government. The point being, we have a lot to learn from tradespeople, and I would hope that this legislation would move forward in this endeavour, for practical knowledge is a very powerful tool. It's a powerful knowledge that academics need to respect and that legislators like ourselves need to heed as well.

That being said, I want to thank the minister responsible for Community Services for her words today, and I would like to put my support 100 percent behind this amendment. Thank you.

Speaker: Does any other member wish to be heard?

Hon. Ms. Taylor: Mr. Speaker, I would just be very brief. I again would like to thank all of the members for their participation in the debate, and I am very thrilled that this bill is going forward for assent. Thank you.

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.

Hon. Mr. Cathers: Agree.

Hon. Ms. Taylor: Agree.

Hon. Mr. Graham: Agree.

Hon. Mr. Kent: Agree.

Hon. Mr. Nixon: Agree.

Ms. McLeod: Agree.

Hon. Mr. Istchenko: Agree.

Hon. Mr. Dixon: Agree.

Mr. Hassard: Agree.

Ms. Hanson: Agree.

Ms. Stick: Agree.

Ms. Moorcroft: Agree.

Ms. White: Agree.

Mr. Tredger: Agree.

Mr. Silver: Agree.

Mr. Elias: Agree.

Clerk: Mr. Speaker, the results are 17 yeas, nil nays.

Speaker: The yeas have it. I declare the motion carried.

Motion for third reading of Bill No. 57 agreed to

Speaker: I declare that Bill No. 57 has passed this House.

We are now prepared to receive the Commissioner, in his capacity as Lieutenant Governor, to grant assent to the bill which has passed this House.

Commissioner Phillips enters the Chamber, announced by the Deputy Sergeant-at-Arms

ASSENT TO BILLS

Commissioner: Please be seated.

Speaker: Mr. Commissioner, the Assembly has, at its present session, passed a certain bill to which, in the name and on behalf of the Assembly, I respectfully request your assent.

Clerk: *Oil-Fired Appliance Safety Statutory Amendment Act.*

Commissioner: I hereby assent to the bill as enumerated by the Clerk.

Before I leave today, I want to take this opportunity to introduce to the Members of the Legislative Assembly my new RCMP aide-de-camp. Inspector Al Lucier is a 22-year member of the Royal Canadian Mounted Police.

This June, we're going to my Commissioner's Ball and Tea in Dawson City and Inspector Lucier will be returning to Dawson City — his first posting as an RCMP member — for the tea and ball, so I'm looking forward to that. He spent a few years in British Columbia and in Ottawa, and 12 years in Yukon, and he has returned home to the Yukon to hopefully spend the rest of his career. So I would like you all to make Mr. Lucier welcome in this House.

Applause

Commissioner: Now I have to leave you because I think I can hear spring approaching.

Commissioner leaves the Chamber

Speaker: I will now call the House to order.

Unanimous consent re members taking a recess

Hon. Mr. Cathers: Before we proceed with the third reading of Bill No. 52, *Act to Amend the Housing Corporation Act*, I would like to request the unanimous consent of the Assembly to allow a break of five or 10 minutes so that the minister responsible for Yukon Housing Corporation, along with others who may wish to do so, can speak to and thank Mr. Gignac before we resume business.

Speaker: Unanimous consent has been requested by the Government House Leader for a five-minute recess. Is there unanimous consent?

All Hon. Members: Agreed.

Speaker: Unanimous consent has been granted. This House will recess for five minutes.

Recess

GOVERNMENT BILLS

Bill No. 52: *Act to Amend the Housing Corporation Act* — Third Reading

Clerk: Third reading, Bill No. 52, standing in the name of the Hon. Mr. Kent.

Hon. Mr. Kent: I move that Bill No. 52, entitled *Act to Amend the Housing Corporation Act*, be now read a third time and do pass.

Speaker: It has been moved by the minister responsible for the Yukon Housing Corporation that Bill No. 52, enti-

tled *Act to Amend the Housing Corporation Act*, be now read a third time and do pass.

Hon. Mr. Kent: I'd like to thank members for their support of this bill at second reading and through Committee, although it was a challenge to get it through Committee a little bit with some of the questions and probably some of the answers I was providing as well. The bill has two purposes: to align Yukon Housing Corporation's governing legislation with its financial reporting practices, and the second is in response to a recommendation made by the Office of the Auditor General of Canada after the 2011-12 audit regarding funding transfers from the Yukon government to the Yukon Housing Corporation.

Section 20 of the *Housing Corporation Act* outlines the conditions for advances in grants. However, if the Yukon Housing Corporation were to follow section 20 as it is written, the corporation would be required to amortize all assets and pay for all capital projects up front.

Such financial practices would create cash-flow issues that would constrict the Housing Corporation from delivering its programs and services. The proposed amendments that have passed will change section 20 with a consequential change to section 13 to align the Housing Corporation's governing legislation with current practical and necessary financial reporting practices that have been in place since 2001 through a funding agreement with the Yukon government. This amendment to the *Housing Corporation Act* supports the Yukon government's commitment to practise good governance by aligning legislation and practice.

Again, I would take the time to thank all members. I am very pleased to present at third reading the *Act to Amend the Housing Corporation Act* for consideration of the House.

Speaker: If the member now speaks, he will close debate. Does any other member wish to be heard?

Hon. Mr. Kent: Again, thank you very much, Mr. Speaker. I'm pleased this will go through third reading here today and look forward to assent of the bill in the near future. I thank members for their dialogue and their dialogue and their contributions to the debate at first and second reading in Committee and third reading.

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.

Hon. Mr. Cathers: Agree.

Hon. Ms. Taylor: Agree.

Hon. Mr. Graham: Agree.

Hon. Mr. Kent: Agree.

Hon. Mr. Nixon: Agree.

Ms. McLeod: Agree.

Hon. Mr. Istchenko: Agree.

Hon. Mr. Dixon: Agree.

Mr. Hassard: Agree.

Ms. Hanson: Agree.

Ms. Stick: Agree.

Ms. Moorcroft: Agree.

Ms. White: Agree.

Mr. Tredger: Agree.

Mr. Silver: Agree.

Mr. Elias: Agree.

Clerk: Mr. Speaker, the results are 17 yeas, nil nays.

Speaker: The yeas have it. I declare the motion carried.

Motion for third reading of Bill No. 52 agreed to

Speaker: I declare that Bill No. 52 has passed this House.

Bill No. 54: Act to Amend the Employment Standards Act — Third Reading

Clerk: Third reading, Bill No. 54, standing in the name of the Hon. Ms. Taylor.

Hon. Ms. Taylor: I move that Bill No. 54, entitled *Act to Amend the Employment Standards Act*, be now read a third time and do pass.

Speaker: It has been moved by the Minister of Community Services that Bill No. 54, entitled *Act to Amend the Employment Standards Act*, be now read a third time and do pass.

Hon. Ms. Taylor: I am pleased to rise to speak to Bill No. 54, *Act to Amend the Employment Standards Act*, as we reach third reading.

The bill has received considerable debate on the floor of the Assembly. It is part of the Yukon government's ongoing support of families, particularly families facing difficult challenges. As we have in previous years, the Government of Yukon is pleased to move ahead in collaboration with the Government of Canada under Canada's *Helping Families in Need Act*, creating a number of new benefits under federal legislation for parents facing the loss of a child who is missing or murdered or those parents looking after a critically ill child.

This bill ensures job protection in these very difficult circumstances. Under the bill, parents of missing or murdered children will receive up to 35 weeks unpaid leave and parents who require leave to care for a critically ill child will receive up to 37 weeks of unpaid leave. They will also be eligible to receive weekly employment insurance payments from the federal government.

This bill also speaks to proceeding with regulations, which means that we can respond in a more efficient, proficient manner as they occur — as federal initiatives evolve over time. We recognize our commitment to proceed with subsequent, further consultation as was put forward by the members of the Official Opposition as they pertain to leave provisions, and we remain committed to doing just that following the assent of this particular bill.

Ms. Stick: I am speaking to this bill on behalf of the NDP. We will be supporting these amendments to the act, even though we were clear in earlier debate that we felt that these amendments were not the best they could be.

Our concerns were based on the amount of time that individuals could take from their places of employment — and let me be clear: leave without pay. We still feel strongly that these should, at a minimum, match what has been passed by the Government of Canada. We recognize that the department did go out to consultation on part of these proposed amendments that refer to the *Department of Social Development Act* and the federal *Employment Insurance Act*. This government has made it clear, and I thank the minister, that they will go out for further consultation on this and future changes and will proceed accordingly.

It is our hope that these other conditions in the legislation are carefully compared to those in the federal legislation and in legislation that has been passed or is in the process of being passed, in other provinces and territories. We feel good when we see the Yukon leading the way in legislation. So we will be supporting this bill, but we can only hope that it is one of those bills that never has to be relied on.

Thank you, Mr. Speaker.

Speaker: If the member now speaks, she will close debate. Does any other member wish to be heard?

Hon. Ms. Taylor: Again, I would like to thank all Members of the Legislative Assembly for their support for this important bill going forward. I would like to thank all members very much for their comments over the past week in debate on this particular bill. I appreciate the comments and the suggestions that have come forward.

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.

Hon. Mr. Cathers: Agree.

Hon. Ms. Taylor: Agree.

Hon. Mr. Graham: Agree.

Hon. Mr. Kent: Agree.

Hon. Mr. Nixon: Agree.

Ms. McLeod: Agree.

Hon. Mr. Istchenko: Agree.

Hon. Mr. Dixon: Agree.

Mr. Hassard: Agree.

Ms. Hanson: Agree.

Ms. Stick: Agree.

Ms. Moorcroft: Agree.

Ms. White: Agree.

Mr. Tredger: Agree.

Mr. Silver: Agree.

Mr. Elias: Agree.

Clerk: Mr. Speaker, the results are 17 yeas, nil nays.

Speaker: The yeas have it. I declare the motion carried.

Motion for third reading of Bill No. 54 agreed to

Speaker: I declare that Bill No. 54 has passed this House.

Hon. Mr. Cathers: I move that the Speaker do now leave the Chair and 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 the House resolve into Committee of the Whole.

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Ms. McLeod): Order. Committee of the Whole will now come to order. The matter before the Committee is Vote 2, Executive Council Office, in Bill No. 10, *First Appropriation Act, 2013-14*. Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 10: *First Appropriation Act, 2013-14* — continued

Chair: The matter before the Committee is Vote 2, Executive Council Office, in Bill No. 10, *First Appropriation Act, 2013-14*.

Executive Council Office

Hon. Mr. Pasloski: Thank you, Madam Chair, and I'm pleased to introduce the Executive Council Office budget for 2013-14. I'd like to acknowledge and thank the deputy minister, Joe MacGillivray, who is here from the department to assist me today, and I also thank the whole department for the work they have done in putting this together.

The budget put forward this year will support the department's long-term goals to provide and promote government-wide strategic leadership, foster effective relationships with our clients and other governments and enhance the Yukon government's role and profile, both nationally and internationally.

As an essential government department, the Executive Council Office has both unique opportunities and responsibilities to help achieve 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.

Primarily through the Intergovernmental Relations, Land Claims and Implementation Secretariat, Development Assess-

ment, and Governance Liaison and Capacity Development branches, the Executive Council Office supports work to develop and maintain effective relationships with other governments.

Executive Council Office provides non-partisan advice to the Premier and Cabinet in order to facilitate Cabinet decision-making in the best interests of Yukon. The deputy minister, as secretary to Cabinet, manages the Cabinet process and ensures that the Premier and ministers receive quality, comprehensive and accurate advice.

Executive Council Office's deputy minister provides executive leadership for the government and coordination function between government departments, agencies, Crown corporations and Cabinet. Executive Council Office's new deputy minister has also assumed responsibility for overseeing deputy ministers' progress on achieving government priorities. This work is done in partnership with me and the responsible minister. In this role, the deputy minister will guide major policy initiatives and coordinate the appointments of department heads.

The 2013-14 Executive Council Office budget forecasts overall operation and maintenance spending of \$24.3 million and capital spending of \$203,000.

The personnel complement of Executive Council Office operations remains unchanged. Variations in personnel costing estimates primarily relate to the cost of benefit entitlements for all positions and the changes in salary costs resulting from staffing of vacant positions, which does occur each year.

Another driver for variations in projected spending in this fiscal year is the funding associated with the major corporate funding areas, such as land claims implementation, YESAA implementation and northern strategy project funding.

The proposed budget will allow the Executive Council Office to achieve several key initiatives: develop and implement, in cooperation with First Nations, strategies and projects to support First Nation capacity building priorities; collaborate with First Nations to invest in northern strategy trust projects that enhance Yukon's long-term interests; work with First Nations and the federal government to continue to support the successful establishment of the *Yukon Environmental and Socio-economic Assessment Act* forum to achieve ongoing YESAA issues; support non-governmental youth-serving organizations in their delivery of programs in every community across the territory; collect and provide national, provincial and territorial statistical information; enhance the government's ability to assess, apply and develop scientific knowledge and science-based solutions; provide an internal audit function to support accountability and improve program operations across government; implement, with other parties to the agreements, a self-government awareness campaign, "Mapping the Way", to increase Yukoners' understanding of the final and self-government agreements; carry out initiatives to advance Yukon's interests and profile nationally and internationally, such as hosting the annual meeting of the northern premiers in May and managing the government-wide intergovernmental strategy; continue to lobby the United States for funding for the Shakwak project; and advance Yukon's objectives and priori-

ties during Canada's chairmanship of the Arctic Council. This list highlights only a portion of the many activities and responsibilities the Executive Council Office has been tasked with for the coming year.

As members are aware, a large part of the Executive Council Office's budget is corporate funding allocated to other departments, governments and organizations through transfer payments. The total amount of money provided through this type of transfer totals \$8.3 million, or 34.2 percent of the department's O&M budget.

For example, the Executive Council Office is responsible for the allocation of the Yukon government's land claims implementation funding and YESA funding. In addition, the Executive Council Office is responsible for funding provided under the northern strategy trust to First Nations, where they are the lead on projects approved by the Yukon Forum. In 2013-14, the forecast expenditures for the remaining four active projects total \$1.6 million. Supported projects include developing the following: a Southern Tutchone Tribal Council mandate — that's with Champagne and Aishihik First Nations; cultural and ecosystem assessments — that's Ta'an Kwäch'än Council; revitalizing Yukon First Nation languages — that is Kluane First Nation in cooperation with Council of Yukon First Nations' Self-Government Secretariat; and the Yukon First Nations Statistics Agency — and that's Carcross-Tagish First Nation in cooperation with Council of Yukon First Nation's Yukon First Nation Self-Government Secretariat.

Another almost \$3.5 million has been requested to support the Office of the Commissioner, the Cabinet offices, and the operations of the Yukon Water Board. This represents \$14.3 percent of the O&M requests for the department.

I would like to now provide a brief overview of Executive Council Office's branches and their activities for this year. The Corporate Services branch includes the office of the deputy minister, Bureau of Statistics, the senior science advisor, as well as policy, finance and administration, human resources and communications. One of its key objectives is to promote organization-wide approaches to key government initiatives that departments will implement, such as advancing corporate strategic planning as an effective tool for realizing government's objectives and coordinating the development of a government-wide evaluation framework.

Members may have noticed an additional program objective under Corporate Services this year, which relates specifically to the work of the senior science advisor. A more focused, strategic approach to this office was commenced in the fall of 2010 and it was important to reflect the heightened profile of this work through a specific program objective this year.

The work undertaken by this office supports Executive Council Office's objective to demonstrate expertise and encourage innovative practices that improve decision-making across government. This year, the senior science advisor will build on work undertaken in the year just finished to develop a government-wide research agenda to stimulate and support research activities.

The senior science advisor, working with departments, will also recommend a government-wide science strategy to guide

and support the incorporation of scientific knowledge and science-based solutions into government decision-making and promote building scientific capacity and literacy within Yukon government and territory. The Science Forum held in February was an important venue for advancing government-wide review and discussion of both these initiatives. A strategic objective of the Land Claims and Implementation Secretariat is to increase the understanding and the knowledge of the Government of Yukon's role and obligations as a party to the land claim and self-government agreements.

The branch will continue to provide support and advice to help departments understand, interpret and implement final and self-government agreements and foster relationships and interactions with Yukon First Nations, lead the implementation and promote an understanding of Yukon First Nation final and self-government agreements in a manner consistent with the Yukon government's obligations and interests and provide the leadership to build cooperative, respectful, working relationships with the non-settled First Nation governments to improve economic and social conditions.

The budget for the Land Claims and Implementation Secretariat is \$8.4 million, which represents approximately 34.5 percent of the total O&M budget for the Executive Council Office. Of this amount, a total of \$6.4 million has been budgeted for implementation funding, which will be provided to the program areas across the government in support of those obligations.

The planned expenditures confirm this government's commitment to work closely with First Nations by funding key personnel and activities within the Yukon government to support implementation of the final land claim and self-government agreements.

Implementation funding for department activities will total \$3.4 million. An additional \$3 million will be provided to Yukon First Nation boards, councils and planning commissions to support their important work as outlined in the agreements.

Intergovernmental Relations 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 First Ministers meetings and meetings of the Council of the Federation, Western Premiers and other forums. As mentioned earlier, Yukon will host the Northern Premiers Forum in Whitehorse on May 9 and 10.

The positions in the Intergovernmental Relations office in Ottawa have been transferred to the Whitehorse office and will be filled early in this fiscal year. Retirements of personnel in the Ottawa office provided the opportunity to assess the services provided by this branch, and the benefits of more support in the Whitehorse office were evident.

Also within the Intergovernmental Relations team, the office of protocol organizes and coordinates state ceremonies, diplomatic visits and other official ceremonies related to intergovernmental affairs. \$1.2 million is requested in this budget to support the work of Intergovernmental Relations. The branch

also has two contribution agreements with parties outside of the government and these include ongoing support of the Vuntut Gwitchin First Nation for their efforts to protect the Porcupine caribou herd and a small contribution of \$5,000 to the Fathers of Confederation Building Trust in Prince Edward Island to support the Confederation Centre of the Arts.

The Governance Liaison and Capacity Development budget of \$956,000 supports the development and implementation of capacity development strategies and other capacity-related initiatives in cooperation with Yukon First Nations and the Yukon government. The budget includes funding required to advance, in partnership with Yukon First Nations, three national strategy projects for which the branch is the lead: a First Nation governance and public administration certificate program with the Champagne and Aishihik First Nations and other First Nations; a First Nation land and natural resources management initiative with the Kwanlin Dun, Carcross-Tagish and Vuntut Gwitchin First Nations; and an organizational capacity development initiative with the First Nation of Na Cho Nyäk Dun. In addition, \$100,000 has been budgeted for the Yukon government's annual contribution to CYFN to facilitate the participation of Yukon First Nations in the Yukon Forum.

The Development Assessment branch is the lead agency within Yukon government for administering the *Yukon Environmental and Socio-economic Assessment Act*. In this role, the branch provides corporate leadership and assistance to departments with respect to the assessment of environmental and socio-economic effects, assists government departments with fulfilling their roles under YESAA, represents the Yukon government as the decision body on major projects, provides policy guidance for YESAA implementation issues, and acts as the government's principal contact for assessors from the Yukon Environmental and Socio-economic Assessment Board — YESAB — interested parties and other governments. The budget of \$1.2 million includes \$331,000 for supporting departments in their implementation responsibilities under YESAA.

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 of the secretariat helps applicants and interveners to participate in the board's public processes, provides licensing recommendations and professional expertise on policy, procedures and technical issues to the board, and translates the board's decisions into enforceable licences. Staff also maintains a public register of water licence applications and related information on a new website launched last year. The budget for the Water Board Secretariat is \$1.3 million for 2013-14.

The Youth Directorate provides support for youth leadership initiatives through a number of funding programs.

In 2013-14, the Youth Directorate will be providing over \$1.1 million in funding for programs directed at youth leadership and support around Yukon. This represents almost five percent of the total O&M request.

The budget includes \$660,000 in direct funding to youth-serving organizations, such as Bringing Youth Towards Equality, the Boys and Girls Club of Whitehorse and the Youth of Today Society. \$102,000 has been allocated to the youth in-

vestment fund and the francophone youth association, Comité Espoir Jeunesse of the Association franco-yukonnaise, will again receive a contribution of \$25,000 to support their activities, focusing on youth in our active francophone community. 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 youth leadership activities programs.

Those are highlights on a branch-by-branch basis for the upcoming year. There are no changes in the sources of revenues associated with the program activities of the Executive Council Office. Again, as in previous years, recoveries from Canada relate primarily to the expenditures associated with the implementation of land claim agreements, which fluctuate annually based on the priorities established by the departments.

As noted previously, the capital budget request to support all programs under the Executive Council Office vote is \$203,000. The funds in this request are allocated for office furniture and equipment, building maintenance and renovations and to support the acquisition of a computer infrastructure to replace the one that has reached the end of its lifecycle. There is also an allocation for moving expenses and office furniture and equipment associated with phase 1 of the space planning associated with the library space in the main administration building. As members are aware, these plans are currently being reviewed. Part of this funding will therefore be used for costs arising from adding new personnel to the current main administration building offices after the closure of the department's Ottawa office, and to address needs identified with small changes to Executive Council Office's organizational structure, which are being undertaken this year.

With these brief comments, I look forward to answering any questions that the members may have. I would also again just take a moment to thank all the great staff in the Department of Executive Council Office for the work that they do every day.

Ms. Hanson: I thank the Premier for his overview and opening remarks. I would also like to thank the officials for their briefing that they provided with respect to the Executive Council Office. It was very helpful. It is my intent to, if we can, move rather quickly through this budget area so that those of us who have to travel long distances tonight to get to either Watson Lake or Haines Junction can do so. With that in mind, I would like to pick up where the minister left off. I do have a number of questions on each of the branches — I guess you could call them — of the Executive Council Office.

In the last comment, the minister spoke to something that speaks to me both as a Member of the Legislative Assembly for Whitehorse Centre and as the Official Opposition leader with respect to the location and potential utilization of the Whitehorse Public Library. In the briefing, I was told that renovations for the relocation of Executive Council Office to the Whitehorse Public Library space were not going to happen this year and the project had not yet been approved. I am wondering if the minister could speak to that. I would also like to have the minister outline the rationale for the closure of the Ottawa office for Yukon government's presence in Ottawa.

I've been aware of and worked with that office over many years. I'm wondering if there has been an assessment made of the effectiveness or lack thereof of that office, in terms of having Yukon eyes and ears on the ground in the nation's capital.

I'm curious as to the rationale for that. What savings were achieved by closing the Ottawa office? It was in the old Delta; I don't know where it was when it was closed, but that's where it was. What savings were achieved, and how — or will — that function be carried on based in Whitehorse?

Hon. Mr. Pasloski: In terms of the first part, we have further review ongoing in terms of the old library space. I think the Minister for Highways and Public Works did actually mention that. We are looking at possible options and are interested in hearing from others within the community, as well, before moving forward making a final decision on what the best way to utilize the space that exists right now.

Some of that capital money will be used to help facilitate the transition of those positions that were in the Ottawa office to the Whitehorse office. An internal assessment of the Ottawa office was done, and I think the primary decision around bringing those assets back to Whitehorse was that that office did provide a very important role for the Yukon government, especially during the talks around devolution and the Yukon's responsibility for the management of land, water and resources. Since that time and with the growing maturity of our government and the responsibilities that now exist with each of the departments and with the staff in Intergovernmental Relations, we found that the need to centre around that office in Ottawa isn't there now.

There is now a different relationship with Ottawa and all our discussions do not primarily go through the Department of Aboriginal Affairs and Northern Development Canada, which was the case pre-devolution: they were the gatekeepers and so it made a lot of sense to have those offices open at that time.

Now, post-devolution, we find that office doesn't bring the same value that it did at that time and that those assets would be better utilized from this office. In fact many jurisdictions within Canada no longer have office representation in Ottawa. Some do, but certainly there are a number that don't. We feel at this time that we are building that relationship on a department-by-department basis through the maturity that we've had over the last 10 years and the working relationship that each of the ministers have at a political level with their counterparts at the federal level and that we could utilize that investment in people better from this position. So the decision was made to close the office that was in the Delta.

Ms. Hanson: Thank you for the response — my question was also regarding the net savings as a result of closing that office.

Hon. Mr. Pasloski: With the member opposite's indulgence, I'll ask her to repeat the question.

Ms. Hanson: I had asked for the figure — the net savings achieved by closing the office.

Hon. Mr. Pasloski: I believe that the lease was covered off through the Department of Highways and Public Works and that's where the savings will be — in the lease space. At this point, the decision has been made to utilize the

two full-time equivalents and transfer them to Whitehorse so there won't be a savings on the HR side; the savings will be in the fact that we aren't going to be leasing that space. I'll have to defer the actual dollar figure to the Minister of Highways and Public Works.

The other comment I would like to make on this decision that I didn't bring forth in the last answer was that the other thing that has changed a lot in the last 10 years is technology and the ability for governments to be able to communicate. The use of technology is also another contributing factor as to why the decision was made to close that office and move those two positions back to Yukon to the Whitehorse office.

Ms. Hanson: I was pleased that the minister was speaking with respect to the office of the science advisor. I must say that it was a bit confusing, because when I first asked this question in the briefing — initially, I was a little taken aback because the way the budget is laid out doesn't correspond either to previous layouts or to the website. So the website is quite good, because it does speak of the office of the science advisor as a distinct branch, but you have to sort of guess when you look at the Corporate Services listing of priorities and providing strategic direction and advice on scientific matters — in fact, that is the office of the science advisor. So I am pleased to see that. I would only recommend that it might be nice to actually give it the profile it deserves. As the minister spoke about in his comments, this is in fact an integral linking piece for this government if we are going to take a science-based approach to how decisions are made.

I note when I go through and look at the activities and, as the minister spoke about the coordinating and identifying opportunities for accessing, planning and developing scientific knowledge, there are references made to Yukon's 12 research facilities.

I'd simply ask if there is a summation in this budget somewhere where we could see — Yukoners could see — the total contribution from Yukon to those 12 research facilities.

Hon. Mr. Pasloski: I don't believe that there is. I will double-check to confirm if in fact there is, but I also appreciate the initial comments about the visibility and the access to be able to easily see some of the work that is being done. I think that the department will also take that into consideration, because I too, certainly — professionally, as a science-based person, I do feel strongly about the role that the senior advisor plays and the growing role that science-based information plays in policy and governance decision-making within the government.

Ms. Hanson: Now I would like to move to the Land Claims and Implementation Secretariat. The minister spoke about approximately \$3.4 million that would be going to departments for implementation activities related to the implementation of land claim and self-government agreements negotiated with Canada — the implementation dollars.

I think one of the questions I have would probably relate to providing strategic leadership to departments with the aim of developing the cooperative relationships among public and First Nation governments.

Yesterday, there was an exchange in the Legislative Assembly and a press release — an acknowledgement by the Minister of Environment to the Member for Vuntut Gwitchin — that the language that governs the Porcupine Caribou Management Board was dated, going back to 1985. The Minister of Environment was clear that that expressed the language of pre-land claims and pre-self-government.

I have raised this before, but I'm hopeful that now we are actually talking about this — and we heard this good recognition about the need to update and bring it into the context of a post land claims environment — that that piece of work would be done. Does that \$3.4 million have within it a review — the strategic piece — of existing Yukon legislation to determine what consequential amendments are required to Yukon legislation to ensure that when we speak about land or governance, we are doing it in the context of self-government and land claim agreements?

So we're no longer talking about bands or band lands, reserves or *Indian Act* bands, but we're talking about First Nations governments, settlement land and related.

So the last of the agreements are closing in on 10 years since they came into effect. I can understand that we might not have been able to do this prior to when we knew the last of the last were going to be completed. We knew as of 2003 which agreements were in the bin — were done. First Nations have made it clear — the 11 that were completed. So we've known for 10 years which agreements were finalized, and we've known for 10 years which ones will probably not be finalized in the lifetime of this government, for sure — quite likely in this next generation.

So it seems to me that it's timely to be doing this review and it is a fundamental sign of the respect and the cooperative relationship that we would like to see between Yukon government and First Nation governments — that our legislation reflects the current reality.

Hon. Mr. Pasloski: I think we had a bit of this discussion in a previous session, when amendments were being made around a small piece of land adjacent to the municipality of Mayo and where there was a request from the community and a request from the First Nation to make a targeted amendment to the legislation to be able to deal with a very important issue that had arisen or had continued to occur within that piece of land, one of which was the public consumption of alcohol in an area that was adjacent to the municipality, but not within the jurisdiction of the municipality. It was with that encouragement from the Na Cho Nyäk Dun and the Village of Mayo that that work went forward and those target amendments were made at that time. Certainly, when we made those — because it was time sensitive — we were getting into — I think it must have been the last spring session — so that it was in time for the summer.

The issues around dated language were discussed with the First Nation, and they had no problem — they had an understanding of what we were going to do and the time sensitivity of it. Having said that, any time that we look at a piece of legislation, we do go forward to make those adjustments that are necessary to rephrase the terminology — to use the terminol-

ogy of today and to get away from the terminology from previous times.

Are we actually providing funding in this budget to do a review of all of the pieces of legislation that have dated nomenclature in them? Right now, the answer is no. We have a very large legislative agenda. It is not possible to simply open up a piece of legislation just to make nomenclature changes. That would be very difficult. I would think that if such an occurrence happened, we would have the people on the other side crying foul that there was so much more that needs to be done because we have opened up that legislation. So there is a legislative agenda that is brought forward.

Some of these things are driven through the government departments because of necessity; some of it is driven because of the platform; and some of it is driven as a result of things that happen. It brings to mind the occurrence that happened in your riding last year, Madam Chair, with the death of a young child as a result of a soccer field/hockey net. So there are many different reasons why each piece of legislation that comes forward does come forward and, as these pieces of legislation do come forward, we then use that opportunity to correct nomenclature, but we aren't actually using the time that we have to just be targeting and going out and addressing these dated words that do exist. I think that most Yukoners will agree that as we move forward we will get this done.

Of course we are always in communication with the First Nations and I think also that there is an understanding that there is a lot of work to be done as each of these pieces of legislation come forward, and we will make those changes at that time.

Ms. Hanson: I've served on a board with somebody whose motto was "Get over it, get on with it". Quite frankly, I don't dwell on things. I'm simply saying, when we have an opportunity to make consequential amendments that we do so. I was certainly not intending to suggest that we spend huge amounts. As the minister outlined, there are series of legislative initiatives — no doubt. We expect governments to be bringing forward legislation. We're simply looking for an undertaking where there is legislation that requires consequential amendments that it would not be tabled in this Legislature until and unless the necessary consequential amendments are there that will respect these agreements.

Under Land Claims and Implementation Secretariat, one of the tasks of that area or identified functions has to do with boards and committees, described somewhat by the minister in more detail. On the website, it talks about how a key feature of Yukon land claims agreements is the participation of Yukon First Nation people and others on boards, councils and committees that play a major role in the fish, wildlife and land matters in the Yukon. On that website, when you peruse it — we've had an awful lot of time to be able to do this as we were waiting for this particular department to come up, because it seems to come up several times.

It didn't quite get there, so each time I look at something else, and I happened to notice on the website a mention under the — sorry, going through them all, I got to the Yukon Land Use Planning Council, which recently sent a letter urging the

Premier and the Yukon government to develop a policy on how Yukon First Nations without final agreements can participate in regional land use planning in the Yukon. The Land Use Planning Council says this is important because three of the remaining four planning regions include the traditional territories of the First Nations without land claims, so that those First Nations — Kluane is affected by White River, Teslin by Liard, and the Northern Tutchone are also affected by White River in, I believe, Ross River. They think such a policy would facilitate regional land use planning in the Yukon and in that letter — I was curious, so I went and looked for the letter, and I'll table this letter. It is quite interesting, and I think members may want to look at it because it does touch on some important issues. The Land Use Planning Council said that — and I'll read portions of it too, because I will be tabling it and I've been advised prior that if you're going to read it extensively, you must do so.

"The Land Use Planning Council is pleased to see the Yukon Government recognizes the need to establish a clear policy on the involvement of Yukon First Nations without final agreements in regional planning. This is a matter of concern to all Yukon First Nations. The Council has no authority to address this issue." Their responsibilities — "Our responsibilities," they say, "relate to the implementation the land claim agreements of *settled* First Nations and the role of First Nations without final agreements is not addressed in these land claim agreements."

The council then goes on to say, "We currently have written correspondence from the chiefs of the White River and Liard First Nations indicating the need for clarity regarding their role in regional planning where they have overlapping interests with settled First Nations which want to get on with preparing regional land use plans..." and Madam Chair, we have had much discussion in this Legislature and outside of this Legislature about the importance of land use planning in this territory to the economic well-being of this territory.

The letter goes on to say, "Discussions with the Executive Council Office-Land Claim Implementation Secretariat over the past year suggest two separate agreements may be needed prior to the establishment of a regional commission in such circumstances: an agreement between the Yukon Government and the affected First Nations with settled land claims on a Terms of Reference for the new regional planning commission; an agreement between the Yukon Government and the affected First Nations without a Final Agreement regarding their involvement in the regional planning process.

"Analysis of the process by which plans are created indicates several opportunities for a First Nation without a Final Agreement to be engaged in the regional land use planning process. These include: addressing the new Commission at its Training and Orientation session; providing the Commission with an 'Issues and Interests' statement;..."

These are all parts of the process of the Land Use Planning Council, as an aside.

"... holding meetings and consultation events in affected communities; ..."

And they want some more aspects in more detail.

The letter goes on to say, “We encourage you to consult all Yukon First Nations on this matter and develop a policy that is workable for all.

“There are locations in three of the remaining four planning regions which have traditional territories of First Nations without land claims settlements...” I enumerated them before: Kluane, Teslin and Northern Tutchone regions. “...All are interested in moving forward with regional planning and the absence of such a policy is a roadblock to effective program implementation in a timely manner.

“It is YLUPC’s position that the preparation and implementation of regional land use plans is in the public interest of all Yukoners.”

That was basically what was in the land use claims too.

“We support the Executive Council Office and specifically the Land Claims Secretariat in taking responsibility to find a creative policy solution that is respectful and beneficial to both settled and unsettled First Nations.”

The council said, “We look forward to your reply.”

My question is this: What consultation has occurred on developing a policy with respect to ensuring that the First Nations with settled claims, whose traditional territories overlap with non-settled First Nations — what kind of arrangements — what consultation is going on to achieve the objectives and the issues identified by the land use planning councils and those settled First Nations and those non-settled First Nations so that we can begin to develop the certainty that is required and achieved through the completion of land use planning? Has there been a response to this letter from the Land Use Planning Council?

Hon. Mr. Pasloski: I do believe that the letter the member opposite was referring to was a letter that was addressed to the Minister of Energy, Mines and Resources who has spoken about the letter during Question Period. The letter actually was written by the now former chair of the Yukon Land Use Planning Council. I believe that the federal government appointment was not renewed.

I certainly do appreciate the comments that were made by the member, basically reiterating portions of the letter. There certainly are some parts of that letter that we found very concerning. In that letter, the author really stated that whether the government follows the UFA or not is irrelevant. We just wholeheartedly, absolutely, disagree with statements like that. Following what’s outlined in the UFA we don’t believe is irrelevant. In fact, this government does follow the UFA — it does now, it has before and it will continue to follow the UFA. I think that’s a very important point in terms of the context of the letter of itself.

I can say that certainly we will take into consideration the comments that were made by the former chair.

We’ll use that going forward because we are always looking for ways to improve what we do and we can use that letter and take that into council in terms of his input. I would like to say that all the land out there in this territory is protected and it is done so through the *Yukon Environmental and Socio-economic Assessment Act*, so sometimes it’s implied that perhaps there are areas that are not protected because there hasn’t been a land use plan, and Madam Chair, that’s just simply not

the case. All areas of the Yukon are protected under this piece of federal legislation and our own laws as well.

We also ensure that we are providing support over and above any obligation that we have to the non-settled First Nations to help them as well. Building capacity within the First Nation or, for example, helping them establish a process to be able to negotiate with companies that come into their traditional territory, so that they are better equipped to be able to negotiate with them and look for opportunities to negotiate an impact benefit agreement or an economic agreement with those companies that come into their territory.

There is a tremendous amount of work that we do with them — for example, funding for the Ross River Dena Council for resource planning and negotiation of agreements with industry; Liard First Nation — supporting career employment training, a training centre and system development. I believe that just within the Department of Energy, Mines and Resources alone, approximately 20 agreements with First Nations are in place.

All areas of the Yukon are protected from any development. We work with those First Nations to help them move forward. I would again say that, when those opportunities arise that I have to meet with, for example, the federal Minister of Aboriginal Affairs and Northern Development, I continue to remind the minister of the responsibilities that the Government of Canada has for the three *Indian Act* bands that do exist in the Yukon.

You know, it is wonderful that we have 11 First Nations with final self-governing agreements. However, three of them do not and still fall under the jurisdiction of the federal government — under the *Indian Act* — and there is the importance of continuing to foster that ability for them to do what it takes to move forward. We certainly have worked with those First Nations, as well, helping them move forward with capacity. We also look at ways of creating economic agreements with those First Nations as industries come forward, looking at the opportunity of doing work within their traditional territory.

So there is a lot of good work that has been done. All of the land that is out there is really protected by YESAA, because YESAA is a playing field that is for the territorial government, for the First Nations governments and also for the federal government. We will certainly take the letter that was written by the former chair into consideration as we move forward.

Ms. Hanson: It is unfortunate that the Premier took the opportunity to make negative remarks about an individual without listening to what I had said. He’s making reference to a letter — a different letter entirely from what I just read.

The letter I just read was addressed to the Premier; it was dated April 5. It is talking about — it’s nothing about the *Umbrella Final Agreement*; nothing about the Peel; it is all about those First Nations without signed agreements. So if he should choose to make negative remarks about somebody, that’s unfortunate. I was really raising the issue with respect to a respectful request made on behalf of the Land Use Planning Council to get feedback, to get a response, from this government. The letter is very respectful to the Premier, talking about the good relationship the Land Use Planning Council has with

the Land Claims and Implementation Secretariat, where they have mutually identified a problem. They have mutually identified that there are some policy options. He chooses to stand up in the Legislative Assembly and go on at great length to make negative remarks. That's not constructive. I would hope that he'll read that letter.

I'd like to move on in the interest of time, because I don't want to hear another long — whatever — about something that is totally off-topic. I asked a question; he chose to go off on another tirade. That's unfortunate.

The question is —

Some Hon. Member: (Inaudible)

Point of order

Chair: Mr. Cathers, on a point of order.

Hon. Mr. Cathers: I believe that the Leader of the NDP has actually made two contraventions of the Standing Orders and past rulings. One is accusing another member of being on a tirade, which I believe has been ruled out of order on several occasions, and also the reference she made to suggest the Premier was making negative remarks directed at an individual seems to be in contravention — or dangerously close — imputing false or unavowed motives to a member. The Premier was expressing his viewpoint of disagreement with specific words that someone said, not targeting the individual themselves, and I think the member has contravened the Standing Orders in two parts.

Chair: Ms. Stick, on the point of order.

Ms. Stick: On the point of order, the member opposite referred to it as “an opinion”. I would respectfully submit that it was also my colleague's opinion of what she heard in the answer to this and that it is a dispute between members.

Chair's ruling

Chair: This point of order comes down to two parts. One is the use of the word “tirade”. In that case, there is a point of order. That is not parliamentary language, and I would ask members not to use that term.

The other aspect is the statement about negative comments. That is merely a dispute between members and not a point of order.

Ms. Hanson: Could we move on to Intergovernmental Relations please? When I look at that area, it's to lead and coordinate the Government of Yukon's intergovernmental relations activities with other governments. When I look at the website, we have lots of intergovernmental news. We have renewal of the Alaska-Yukon accord. When I go to the Council of the Federation Mission to China — and I'm told that we have an agreement called the Shaanxi agreement signed on September 18 — it was nowhere to be found. I was hopeful that the minister would table that agreement, post that agreement or announce when it will be posted on the website. There are several press releases. None of those press releases do lead to that agreement.

Hon. Mr. Pasloski: I do believe that the actual formal document is in the possession of the Department of Economic

Development and I anticipate that the minister will be able to table that document shortly.

Ms. Hanson: Madam Chair, this is rather frustrating. This has been asked of the Minister of Economic Development numerous times; it's not on his website either. It seems that this government must be ashamed of the agreement if they're not prepared to table it in the Legislature. I don't know why they wouldn't table it; it seems to be something that we tout a lot. We would like to see what the terms of the agreement are. One would hope that this is a positive arrangement. One would hope that we would be proud of something that we have signed as an intergovernmental accord with another government. Why won't this government just make it available to the public of the Yukon? It was signed on September 18. It's simple. I don't understand that, Madam Chair.

The other area that would seem to be, I would think, of significant interest to Yukoners and all northerners, given the fact that Canada is chairing the Arctic Council, so I'm interested in what role the Yukon government has and what role we're promoting with our First Nation governments' partners on the Arctic Council.

Has Canada recognized the northern territories, in particular Yukon, as being a significant party or player to the two-year term? I know that in previous times it has been waxing and waning whether or not Canada actually involved the northern part of Canada in the activities of the Arctic Council. Has this government been successful in achieving a voice for Yukon in the upcoming, many, many events with respect to the Canadian chairing of the Arctic Council? What key issues is the Yukon putting forward in terms of wanting to ensure as priority areas for discussion, so that our interests as Yukoners are being reflected in Canada's chairing of the Arctic Council?

Hon. Mr. Pasloski: Canada will assume chairmanship of Arctic Council this month, on May 15, in Kiruna, Sweden. I have been invited to attend, as have all the territorial premiers. I will not be attending this actual meeting, as we will still be in session, and the first responsibility I have is to the people of Yukon and the budget we're debating.

However, the three territories are certainly supportive of the primary theme that Canada has moving forward with the chairmanship, and that is the development for the people of the north — is the major theme. Under that theme, there are three sub-themes. They are responsible Arctic resource development, safe Arctic shipping, and sustainable circumpolar communities — they are the sub-themes, under which Canada will see more work done.

We are working with Canada to clearly articulate the roles that will be played, and I anticipate that Yukon, as a leader among the territories, will play a considerable role, in terms of the opportunity to chair or co-chair some of the projects that will move forward. We are in the last stages of those talks with Canada now, but certainly we have been very actively engaged with Canada for a long time.

I think one of the very important results of this is the opportunity to showcase the north by chairing the Arctic Council here in Canada. Many of the meetings are going to be held in the north. In fact, I am pleased to say that the first senior offi-

cials meeting under Canada's chairmanship will occur here in Whitehorse in October. There will be a number of officials, not only from the participating countries and permanent participants, as well, but also those countries that have observer status. As well as the good work that will be discussed, it is also an opportunity to showcase Yukon, and there will be a very positive economic benefit, as well, to this community and to the territory as a result of those meetings that will be held here. They will be here in Whitehorse from October 22 to 25.

We will also continue to work with informing Alaska, moving forward through this chairmanship, because of the fact that the United States and the State of Alaska will assume the role as chair after the completion of Canada's two years. They certainly are interested in continuing to work with us, as they do on many different fronts with the agreement that Yukon has with Alaska.

We will be finishing up very soon some of the work in finalizing the role that Yukon and the other two territories will play. There will be a number of opportunities to chair or co-chair some of the work that will be done under the main theme of the development for the people of the north, and we look forward to that.

Ms. Hanson: With respect to government audit services, could the minister tell us how many audits were completed last fiscal year? What is the subject matter? How many are forecast for this fiscal year and which departments? Are there any audits that are normal with an auditing function where there have been follow-up audits?

Hon. Mr. Pasloski: There were two major projects included in the 2012-13 plan. The first one was an audit of staffing, and that report had been tabled. As soon as it is actually reviewed by Management Board, then it will be posted.

The other is an audit of the efficiency and fairness of the government in meeting its responsibilities under the *Environment Act*. The audit commenced in January of 2013 and the final report is expected to be released in June of this year.

Highlighted in the 2013-14 plan is an audit of the Whitehorse Correctional Centre. The start date for this project is forecasted to be in August of 2013, with the conclusion scheduled for the end of the fiscal year. Project planning will include a review of the key legislation, regulations, policies, delegated authorities, studies and reports on the provision of correctional services.

Other elements in the 2013-14 plan include completion of the *Environment Act* that I just spoke about, and as I have mentioned in the past, the internal audit work is done sort of in coordination with the Auditor General, who has a responsibility and does produce our public accounts every year to make sure that we are not wasting money by creating duplication. The audit committee is comprised of six deputy ministers. Two of them are permanent members of the audit committee. The chair is the Deputy Minister of the Executive Council Office beside me and the vice-chair is the Deputy Minister of Finance. There are four members at large who rotate through, currently represented by the Public Service Commission, Education, Community Services and Energy, Mines and Resources.

There are a number of factors that go into how quickly the results of the work have gone out. I know that there have been questions in the past. I have done a review of the work in the previous decade to see that, based on some factors, we can have anywhere from one or even no reports actually released in a year to having, in other years, three or four reports that come out at the same time. There are a lot of factors that go into that.

I am looking forward to seeing the staffing report posted upon completion of its approval by Management Board and, as I said, moving forward with the audit of the Whitehorse Correctional Centre in this current year.

Ms. Hanson: Under Governance Liaison and Capacity Development, the minister indicated that \$100,000 is budgeted for the Yukon Forum. My question is simple: When is the next Yukon Forum scheduled?

Hon. Mr. Pasloski: I'm pretty certain that the member opposite is aware of the announcement that just came out this week with regard to the leadership of Yukon First Nations, this government and I working together to create some dialogue — talk about the hopes and aspirations for the future through mutual respect and a willingness to be involved to work constructively together.

What we are creating is an opportunity for everybody to get together at a leadership level to look at opportunities so that we can continue to do that work that is addressed. I think some of the stuff that will come out of this work will also engage Canada, because a number of issues are of an interest to — or impact — not only the First Nations, but Yukon as well. I think that's the basis of creating an intergovernmental forum.

I look forward to the next meeting with leadership. Depending on the topics that will be agreed upon for that meeting, I will be bringing one or two ministers along with me for those meetings.

I think as a result of that, collectively we'll come out with a date for the next Yukon Forum. There is a possibility that this might in fact occur around the opening of the Dä Ku Cultural Centre in Haines Junction. There is talk that the Minister of Aboriginal Affairs and Northern Development Canada may be coming to Yukon for the opening. If that's the case, we would try to see if there would be an opportunity for an intergovernmental forum.

To answer the member opposite, we don't have a set date, but we have created an engagement that is over and above the Yukon Forum to ensure that we have another venue in which to talk about opportunities and issues that are of importance across the territory. When it comes to issues that are of a bilateral nature, then those discussions will happen on a bilateral basis between the government and the individual First Nation. There are a number of things that do impact us all, and this will be a great opportunity to sit down and have good discussions among leaders and ensure that there is a better understanding of where all of us are on any given issue. I think that's a good thing.

Ms. Hanson: With respect to the northern strategy, as I recall the strategy was set up and funded with \$120 million across the three territories — \$40 million for this territory about 10 years ago. That money is essentially depleted.

My question for the minister is this: Are there discussions with respect to renewal of a northern strategy or equivalent? Has there been or will there be a review and evaluation of the northern strategy projects? There are three streams of projects here, as I recall from being involved. There are First Nations and the Yukon government; there is the First Nations' stream, and there is a Yukon government stream that accessed this \$40 million.

Is there discussion underway between the Yukon Premier's office and the federal government with respect to a renewal or northern strategy 2? Has there been or is there planned a review and evaluation of the projects and the outcomes of this \$40 million of expenditure of federal money in the territory over the last 10 years to achieve whatever the established objective of whatever projects were funded by this \$40 million of expenditures in Yukon?

Hon. Mr. Pasloski: We are engaging the First Nations in evaluating the program in terms of its accomplishments and what we were actually able to gain as a result of that very large investment by the federal government, which has seen some very good work come forward in some great capacity building as a result of this investment in northern strategy.

There is a steering committee that will oversee the evaluation. As I mentioned, it will engage the First Nations and, as a result of that evaluation, we will be in a better position to determine how we will engage Canada about next steps moving forward to see whether there's an interest and appetite to continue on with the northern strategy. I don't believe there has been any work done on a pan-territorial perspective regarding this at this point, but a lot of times, on things that are important to Yukon, we'll move forward on those initiatives.

We are reviewing the program. Once that is done, we will be able to determine what the next steps are in terms of conversations with the federal government.

Chair: Is there any further general debate on the Executive Council Office?

We will move on to line-by-line debate.

Hon. Mr. Cathers: Madam Chair, before we move on to line-by-line discussion, I am sure that the Leader of the Third Party would like to participate in general debate. At least I assume he would. I am sure that he is just assembling his notes.

Chair: Is the minister requesting a break?

Hon. Mr. Cathers: I am just going to speak for a moment to give the Leader of the Third Party a moment to collect his notes and ask questions, rather than seeing the House go into line-by-line discussion of the Executive Council Office at this point in time.

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

Recess

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

Ms. Hanson: Madam Chair, pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the

Whole to deem all lines in Vote 2, Executive Council Office, cleared or carried as required.

Unanimous consent re deeming all lines in Vote 2, Executive Council Office, cleared or carried

Chair: Ms. Hanson has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all lines in Vote 2, Executive Council Office, cleared or carried, as required. Are you agreed?

All Hon. Members: Agree.

Chair: Unanimous consent has been granted.

On Operation and Maintenance Expenditures

Total Operation and Maintenance Expenditures in the amount of \$24,281,000 agreed to

On Capital Expenditures

Total Capital Expenditures in the amount of \$203,000 agreed to

Total Expenditures in the amount of \$24,484,000 agreed to

Executive Council Office agreed to

Chair: Committee of the Whole will proceed with Vote 54, Department of Tourism and Culture. Committee of the Whole will recess for 15 minutes while we wait for officials.

Recess

Chair: Order. Committee of the Whole will now come to order. We are resuming general debate on Vote 54, Department of Tourism and Culture.

Department of Tourism and Culture — continued

Hon. Mr. Nixon: I'd like to begin this afternoon by updating members on a very exciting event that is happening right now in Ottawa — that's Northern Scene. Northern Scene is a 10-day festival running from April 25 to May 4 in Ottawa. It is the sixth in a series of festivals produced by the National Arts Centre to celebrate artistic excellence in each of Canada's regions. It features 250 emerging and established artists from the north, including approximately 80 from Yukon. There are visual art exhibitions, musical performances, theatre and film productions, as well as a fashion show and events featuring northern cuisine.

Many Yukon participants are working with other artists from Yukon and the north in collaborations that tap into the immense creativity of the region. The Yukon government is proud to join Northwest Territories and Nunavut in contributing \$200,000 from each territory to support this once-in-a-lifetime celebration of northern artists.

I was honoured to join a contingent of Yukon artists as they showcase their work to a national audience. The Yukon contingent features First Nations performing visual arts, the *Sewing Our Traditions* exhibition of northern dolls, *The Grub-Stake Revisited* multidisciplinary production, the drama *Justice*, and selections of music, storytelling and visual and culinary arts.

Northern Scene is an unprecedented opportunity for us to increase awareness of the north's diverse culture and inspire audiences to discover more of the unique region of Canada. Northern Scene is a part of the Government of Yukon's commitment to support artists in showcasing their work outside of the territory and exploring touring opportunities beyond the festival. The Yukon government also recognizes the importance of providing opportunities for Yukon artists to present their work as part of the national and international contemporary arts scene.

Northern Scene follows a number of other large cultural initiatives we have undertaken in the past, such as Yukon culture at Vancouver's 2010 Olympic and Paralympic Winter Games. These large events complement the ongoing programs we have to assist artists in touring outside the territory, in particular the touring artist fund, which provides \$100,000 annually to individuals and groups to build audiences beyond our borders.

On April 18, the Department of Tourism and Culture partnered with the Yukon Arts Centre and CBC North to present a live broadcast of the *Midday Café* show. Yukoners who were part of the broadcast audience heard interviews and enjoyed performances from some of the artists participating in Northern Scene. I'd like to thank the Yukon Arts Centre and CBC North for partnering with us on the broadcast and thank the many Yukoners who joined us at the Old Fire Hall to celebrate the accomplishments of our great Yukon artists.

Congratulations to all of those who have been involved in the works featured at Northern Scene, whether they are artists themselves or people working behind the scenes to support them. Our northern partners include Yukon Arts Centre, Northwestel, *Yukon News* and the Dä Ku Cultural Centre.

Another key update I'd like to provide members is some information about the Yukon government's visitor tracking survey.

Data captured in the Yukon visitor tracking program carried out last summer has confirmed the importance and the growth potential of the Yukon's tourism industry to Yukon's economy. The Yukon is attracting growing numbers of visitors from around the world, and the industry is very strong.

The survey data provides industry and government with valuable information about our visitors and insights into the industry growth that is occurring. Key findings from the 2012 visitor tracking program will be released during a session tomorrow at the Tourism Industry Association of Yukon's annual AGM and spring conference tomorrow in Haines, Alaska. The survey results will help tourism operators and businesses to make informed business decisions related to their client base, the type of visitor experience their clients are seeking and maximize tourism revenue. Results show that visitation to Yukon increased by 25 percent since 2004, a three-percent growth rate per year, with visitor spending up by 29 percent.

Annual revenue for Yukon's tourism industry is over \$200 million per year. Increases were also experienced in length of stay and visitor arrivals by air.

Visitation from other Canadian jurisdictions was up significantly while overseas markets showed strong growth.

The key findings also provided information on pre-trip planning and booking, trip profiles that included length of stay and demographics. For the Department of Tourism and Culture, this is a very exciting time of year. In addition to the summer arts events and festivals fast approaching, we are now entering Yukon's busy tourism season. Across Yukon, visitor information centres are opening their doors and preparing to greet the travelling public. I'd like to make a special mention of the nearly 50 visitor information seasonal staff who have rejoined Yukon government this year. Visitor information doors are open today.

There are many long-serving Yukon government employees at our visitor information centres. Madam Chair, these hard-working staff provides a friendly and informative welcome to visitors from all over the world. This year, we're also very excited to be opening a new Carcross Visitor Information Centre. This new visitor information centre is close to many of the community's main attractions and is part of a tourism focus development led by the Carcross/Tagish Management Corporation.

It is truly an exciting time for tourism in Yukon. I'm looking forward to attending the Tourism Industry Association of Yukon's AGM this weekend. It will be a pleasure to join members of Yukon's vibrant tourism industry as we celebrate the successes of the last year and look ahead to another exciting year for this important economic sector.

Ms. White: I am very happy to be here talking about tourism and culture. I'm going to focus pretty succinctly on Archives, actually. In the document, *For the Record: Yukon Archives 1972-2012*, on page 48, there is a reference to the records centre. I was wondering if you could tell me about the records centre — what it does, where it's located and what relationship it has with Archives.

Hon. Mr. Nixon: We are committed to ensuring that the Yukon Archives is able to continue its very important role in preserving Yukon's documentary history.

Yukon Archives' record storage is nearing capacity but it's not full. The Archives continues to provide safe, secure and environmentally sound storage for Yukon's irreplaceable documentary heritage.

Madam Chair, Tourism and Culture is working with the Department of Highways and Public Works to ensure that additional space for Yukon Archives is planned in a cost-efficient and effective way. As this project proceeds, all opportunities to manage costs and increase efficiencies are being explored. A functional space analysis includes examining possibilities for Yukon Archives to share specialized storage and space with other cultural program areas within the Department of Tourism and Culture.

The functional space analysis provides the opportunity for Yukon Archives and other cultural program areas within the Department of Tourism and Culture to truly maximize their efforts. There may be significant cost savings and operational efficiencies if facilities can be combined or shared. Thank you, Madam Chair.

Ms. White: I was under the impression that the records centre was actually under the auspices of Highways and

Public Works, and that's kind of where all the documents go to be held until they can either be destroyed or transferred to Archives.

In an article on April 15, with discussion up at Archives, it talked about how at Archives they expect they have room for about 4,200 additional bankers boxes. It's expected that in the next three years they'll receive about 1,500 bankers boxes of material.

So my question is about those 1,500 boxes. It has been said those 1,500 boxes will be acquired in the next three years. Could the minister give me an idea of what those records might be and where they'll be coming from?

Hon. Mr. Nixon: I thank the member opposite for her question. With particular reference to the boxes she is asking about, I would have to defer that to the appropriate department, which is Highways and Public Works. I can stand and speak more about the Archives and the work we've done within the Department of Tourism and Culture.

As we all know now, studies have been done in the past to address space issues, and current studies were also being done to address the ongoing growing needs for space. Space studies are done routinely across Yukon government. This study will reflect space needs required within the Cultural Services branch, looking at the larger picture. While there was an announcement last fall that a plan has been designed, further discussions are underway to address space needs that pertain to more than just Archives. So there will be a study on efficiency needs for the branch, of which archival needs will be a part of that overall study. Thank you.

Ms. White: I was on the government department website, and I was Googling and learning a little bit more. I found out that between the records centre and Archives, there is an average of two transfers a year and that recently approximately 300 boxes were transferred. The reason I am focusing on 1,500 is because that was the expected approximate amount for the next three years.

If that number only represents the records that are currently being held at the records centre, and are due to be transferred to Archives, I want to know if that number includes records that are part of the tobacco litigation hold and if the minister has an idea of the approximate number of boxes that are currently being held in relation to that tobacco litigation.

Hon. Mr. Nixon: Space requirements come from functional requirements so, for example, the Yukon Archives is now in its 41st year. When it started in 1972, it was located downtown, but it outgrew the space and was moved to the present location in 1990.

Records are always changing. Archives deals with the materials it receives, it does not turn any materials away, and that material is always culled with the donor present. If some materials are not required for archival storage, then the donor will decide what to do with that material. Now, records of permanent value are transferred from the records centre to the Yukon Archives. They are transferred under the government's records management program. Yukon Archives acquires about seven percent of the Yukon government records.

Ms. White: The reason why I'm fixating on these numbers is that given the room — there is approximately room for 4,200 additional bankers boxes — and knowing that a minimum of 1,500 is going to be transferred from the records centre in the next three years, that leaves us kind of a space of 2,700 bankers boxes. Understanding that municipalities can make transfers at any point in time; that private donors can make donations at any point in time, both from individuals or corporations; understanding that at any point in time a large number of boxes can be transferred, including from the tobacco litigation hold, including from departments — I think it's worthy to point out that at any point in time, any department within the Government of Yukon can tell Archives that they have documents to be transferred to Archives.

So my concern is about the amount of space they have and how quickly that could really fill up. So understanding that Archives is more than gold rush paraphernalia, maps and pictures and that it is really important government documents, one of the jobs they do is maintain, manage and preserve the collection. Some of my questions are around that.

The minister mentioned that there was a possibility that within other departments, such as Tourism and Culture, that other spaces could be used by Archives. If that were the case and documents weren't being stored on-site, how does the minister propose those documents be maintained, managed and preserved, and if someone did an access to information request can that information be readily accessed by archivists and then passed on to the public?

Hon. Mr. Nixon: Records that are under the tobacco litigation hold the member opposite spoke about continue to be stored in the records centre and will not be transferred to Yukon Archives. Currently the Archives is approximately 83 percent full, which means there is space for up to 4,200 bankers boxes yet for incoming and new materials. If space is needed, there is a process in place where materials would be processed, freeing up vault space for that incoming material.

Ms. White: Just to go back to the tobacco litigation, understanding there is a hold on it now and it won't be transferred, what happens if the hold is removed and that information gets transferred? Do we have an idea of how many boxes that might be?

Hon. Mr. Nixon: There's a simple answer to that, and the member opposite is going to have to bring that question up with the Minister of Highways and Public Works.

Ms. White: Excellent, I look forward to that.

We know there was just a process of the vault expansion that has since been put on hold, so I guess my next question is this: If the vault doesn't get expanded in the near future — like in the next three years — what plans does the minister have to deal with the shortage of storage? Understanding that we are talking about artifacts and records, we need humidity control, fire suppression, fire protection and safe storage, how does he plan to mitigate that?

Hon. Mr. Nixon: It appears to me as though the member opposite feels that there is a bit of a crisis here, and I don't share those sentiments. Both the Premier and I have stood on the floor of this Legislature and committed to seeing this

project come to fruition. We're just taking steps right now to make sure that we're doing it in a fiscally responsible manner. I think that answers the question of the member opposite.

Ms. White: Can I have a timeline on the fiscally responsible approach that the minister plans on taking for important document storage?

Hon. Mr. Nixon: Madam Chair, Yukon Archives has a legislative responsibility to acquire, preserve and make accessible documentary sources in all formats related to Yukon history, cultures and development. In addition to Yukon government and public records, the Archives collects primary sources from individuals, families and corporate entities and also has a library that holds a large collection of published materials such as books, newspapers, serials and pamphlets pertaining to Yukon and surrounding regions. These materials cover a wealth of subjects including Yukon and northern history, environment, science and nature, exploration and others.

Researchers in Yukon and worldwide are enabled access to descriptions of the holdings of Yukon Archives as well as digital renditions of records. This is achieved by making digital content available via the Internet through circulation of copies of the original records by creating and promoting displays featuring archival records and through film screenings and other events.

Madam Chair, under chapter 13 of the *Umbrella Final Agreement*, Archives consults and cooperates with First Nations on the management of their documentary heritage resources. Yukon Archives works in partnership with the Yukon Council of Archives and Friends of the Yukon Archives Society to support the Yukon archival community by providing outreach services and training to museums and First Nations through the archival advisory program and improving access to collections by participation in the national, provincial and territorial databases on the Internet.

Yukon Archives is not divided into program areas, rather employees who are specialized in different areas of expertise work together to meet shared objectives.

Broadly speaking, the functions and activities that the Archives fulfills in order to meet its mandate are as follows: acquisition and accessioning of public and private records in all formats; acquisition of library materials; appraisal and selection of public and private records in all original formats; arrangement and description of archival holdings, including the creation of finding aids, caption lists, file lists, spreadsheets, databases, authority records and other tools that provide intellectual control over holdings; description and subject analysis of library materials, processes and operations involved in preservation of all holdings; ensuring the technical and intellectual survival of authentic records and library materials of all formats through time, as well as reference and reproduction service activities; outreach activities such as promotion of holdings of Yukon Archives to the public through publications, tours, special events, community visits, travelling exhibits, digital exhibits, bibliographies and liaison with other heritage and cultural institutions in the Yukon; and finally, advice and guidance to Government of Yukon corporate records manage-

ment/initiatives and to the statutory authority requirements to schedule, acquire and preserve these types of records.

Functional space analysis is expected to be complete this summer. We're looking at an RFP for a functional space analysis to be out in the next month or two.

Ms. White: I thank the minister for his very thorough explanation of Archives and some of the things that they do. Understanding that the RFP is going to go out this summer, I guess that is the short term. What are the medium- and long-term visions for archival storage? We're talking about things, either like a vault replacement or expansion and, again, they require safe storage. They require fire protection, humidity control and more. I think it's important to point out that this needs to be purpose-built, and it's a very special kind of structure. So we talked about possibly partnering with other offices or branches within the department and maybe if the minister could elaborate on the timeline — so near-, mid- and long-term vision for archival storage.

Hon. Mr. Nixon: The short and simple answer to the member opposite's question is at our Archives and within the Department of Tourism and Culture focused on Archives is that it is business as usual. We will move forward. We have a good outlook as far as Archives goes into the future and, as I said, it's business as usual.

Ms. White: Just to be clear and to get it on the record, there have been some concerns raised by people within the community. Their concern is that Archives is much closer to being full.

So, within Archives, there are things that are not actually logged in. So there are documents that are in care. There are things from CYFN, CBC, and other organizations, and it is quite a lot of information. They don't belong to Archives, but they are stored at Archives. Knowing that there are concerns — and I think valid concerns within the community — how would the minister address those concerns?

Hon. Mr. Nixon: As I mentioned in my previous answer, it is business as usual. We're not at a crisis situation at Archives — our hair is not on fire. We will proceed into the coming years and will move forward on plans to expand the Archives in one fashion or another, but we will go ahead with the assessment that is underway right now and put it out to an RFP in the coming month.

Ms. White: This will probably be it for me.

So, just to be clear, if we put out the RFP this summer, then we figure out what the next step is, and then it goes out to a call to tender or design. Let's say that process takes the next six months to get it to the point where it is going out to tender; then it goes out for tender or design and that takes another year. So by year 3 from now we might be undergoing some kind of construction, and then we would be reaching a much more critical point. I just want to be clear on what the minister's plans are for the interim.

Hon. Mr. Nixon: As far as the construction of the new vault for Archives and whatever direction we go, I am sure that the Minister of Highways and Public Works will have an exceptional answer once he is on the floor of this House. He can answer the building questions.

Chair: Is there any further general debate?

Order please. We will proceed through Corporate Services, in Vote 54, line by line.

On Corporate Services

Ms. White: Pursuant to Standing Order 14.3, I would request the unanimous consent of Committee of the Whole to deem all lines in the program Corporate Services, in Vote 54, Department of Tourism and Culture, cleared or carried, as required.

Unanimous consent re deeming all lines in Corporate Services program, Vote 54, Department of Tourism and Culture, cleared or carried

Chair: Ms. White has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all lines in the program, Corporate Services, in Vote 54, Department of Tourism and Culture, cleared or carried, as required. Are you agreed?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

On Operation and Maintenance Expenditures

Operation and Maintenance Expenditures in the amount of \$2,271,000 agreed to

On Capital Expenditures

Capital Expenditures in the amount of \$213,000 agreed to

Corporate Services Total Expenditures in the amount of \$2,484,000 agreed to

On Cultural Services

Chair: We're going to move on to Cultural Services in Vote 54, Department of Tourism and Culture. Is there any debate on Cultural Services?

Ms. White: I'd like the minister to tell me a little bit more about what happens within the branch of Cultural Services under Tourism and Culture.

Hon. Mr. Nixon: Cultural Services directs and oversees the services and support to the territory's heritage resources, museums, development of the arts and management of the Yukon Archives.

At this point in time, I would like to extend a warm welcome to Tourism and Culture finance director, Lucy Coulthard. Lucy is retiring this summer after a 25-year career.

Applause

Hon. Mr. Nixon: After 25 years, this is Lucy's first time in the Legislature.

Chair: I see no further general debate on Cultural Services. We're going to proceed to line-by-line discussion.

On Operation and Maintenance Expenditures

On Directorate

Ms. White: Can I please get a breakdown of that line item?

Hon. Mr. Nixon: The Cultural Services directorate directs and oversees the services and support to the territory's heritage resources, museums, development of the arts and management of the Yukon Archives. The Cultural Services directorate has an estimated budget of \$483,000 and is comprised of \$248,000 in personnel, including two FTEs; \$155,000 — other

expenditures, which include \$14,000 travel in and out of the territory; \$50,000 — contract services for professional services; \$60,000 — communications for the Cultural Services branch; \$24,000 — printing and brochures; \$7,000 — memberships, program material, training and entertainment.

There is also \$80,000 in government transfers, support to municipalities and NGOs for activities promoting the extension of visitors' stay in the Yukon — Stay Another Day.

Directorate in the amount of \$483,000 agreed to

On Heritage Resources

Ms. White: Can I please get an explanation for the increase of the nearly \$200,000 on that line item?

Hon. Mr. Nixon: Heritage Resources coordinates and manages all aspects of land-based heritage resources, including archaeology, paleontology, geographical names and licensing of scientific research.

The increase the member opposite is asking about of \$170,000 from the 2012-13 estimate to the 2013-14 estimate is as a result of \$33,000 benefit adjustments; \$34,000 for expenses related to increased field exploration; \$253,000 for archaeological site potential for that Klondike region, and it's offset by \$150,000 with the removal of one-time funding.

Heritage Resources in the amount of \$1,316,000 agreed to

On Historic Sites

Historic Sites in the amount of \$1,195,000 agreed to

On Museums

Ms. White: Can the minister please explain why that number is less than last year?

Hon. Mr. Nixon: I thank the member opposite for her question. There was an overall decrease of \$158,000 from the 2012-13 estimate to the 2013-14 estimate. This is a result of \$5,000 for benefit and pay adjustments, offset with decreased funding for the northern strategy project with Yukon College, which is the second year of a three-year program. That project ends in March 31, 2014. Year 3 funding included in the budget is \$117,000.

Museums in the amount of \$2,155,000 agreed to

On Yukon Beringia Interpretive Centre

Yukon Beringia Interpretive Centre in the amount of \$393,000 agreed to

On Arts

Ms. White: Can I please just get a breakdown of what that line item is?

Hon. Mr. Nixon: The arts unit acts as the principal liaison and support of the arts sector and overseas coordination, consultation and funding activities for artists and organizations in the performing, visual and literary arts. The arts unit budget is \$3,776,000 and is comprised of the following: \$401,000 for personnel; \$97,000 in other expenditures such as travel in and out of the Yukon, including arts boards meetings, which is \$25,000. Of that, there is \$18,000 contracting for arts collection and maintenance workshops; \$5,000 honoraria for Yukon Arts Advisory Council boards and committees and arts funding juries, as well as \$49,000 for advertising, printing, rentals, postage, memberships and supplies to address arts unit programs and services and communicate them to the public and the arts sector.

Madam Chair, there is \$3,278,000 in government transfers. Of that, \$668,000 — Yukon arts funding program, operating funding for Yukon arts organizations with annual and ongoing programs and services; and partially recoverable from Yukon Lotteries Commission of \$240,000. There is also \$80,000 — Advanced Artist Award; \$100,000 — Artist in the School; \$100,000 — touring artist fund; \$500,000 — arts fund; \$778,000 — Yukon Arts Centre Corporation; \$400,000 — Dawson City Arts Society; \$150,000 — Old Fire Hall arts programming; \$345,000 — Northern Cultural Expressions Society; \$157,000 — Culture Quest, Yukon Arts Centre.

Arts in the amount of \$3,776,000 agreed to

On Archives

Archives in the amount of \$1,437,000 agreed to

Cultural Services Operation and Maintenance Expenditures in the amount of \$10,755,000 agreed to

On Capital Expenditures

On Heritage Resources — Prior Years' Projects

Heritage Resources — Prior Years' Projects in the amount of nil cleared

On Historic Sites — Historic Sites Maintenance

Historic Sites — Historic Sites Maintenance in the amount of \$100,000 agreed to

On Historic Sites — Fort Selkirk

Historic Sites — Fort Selkirk in the amount of \$160,000 agreed to

On Historic Sites — Historic Sites Planning

Historic Sites — Historic Sites Planning in the amount of \$25,000 agreed to

On Historic Sites — Interpretation and Signage

Ms. White: Just a question — are the signs both in French and English at all the historic sites?

Hon. Mr. Nixon: I'm going to have to

go get back to the member opposite on that question. I'm going to have to look at every sign now in the territory to make sure that I know the answer to that question.

Historic Sites — Interpretation and Signage in the amount of \$70,000 agreed to

On Historic Sites — Rampart House

Historic Sites — Rampart House in the amount of \$60,000 agreed to

On Historic Sites — Forty Mile

Historic Sites — Forty Mile in the amount of \$110,000 agreed to

On Historic Sites — Yukon Sawmill

Historic Sites — Yukon Sawmill in the amount of \$30,000 agreed to

On Historic Sites — Heritage Trails

Ms. White: Can I please get a breakdown of what those trails may be?

Hon. Mr. Nixon: This project provides funding for research, planning, improvement and development of heritage trails. As far as specific trails, I would have to get back to the member opposite.

Historic Sites — Heritage Trails in the amount of \$40,000 agreed to

On Museums — Military and Industrial Artifact Assessment

Museums — Military and Industrial Artifact Assessment in the amount of \$50,000 agreed to

On Museums — Yukon Beringia Interpretive Centre

Museums — Yukon Beringia Interpretive Centre in the amount of \$124,000 agreed to

On Museums — Beringia Exhibit Maintenance

Ms. White: Can the minister please break down that line item?

Hon. Mr. Nixon: The line item is for roof repairs at the Transportation Museum.

Ms. White: It's for roof repairs at the Transportation Museum underneath the Beringia Exhibit Maintenance?

Hon. Mr. Nixon: My error. I apologize for that. This funding is to develop and upgrade various displays at the centre itself.

Museums — Beringia Exhibit Maintenance in the amount of \$60,000 agreed to

On Museums — Museums — Capital Maintenance

Ms. White: Can I please get an explanation for this line item?

Hon. Mr. Nixon: This project is for roof repairs at the Transportation Museum.

Museums — Museums — Capital Maintenance in the amount of \$338,000 agreed to

On Visual Arts — Visual Arts Acquisition

Visual Arts — Visual Arts Acquisition in the amount of \$25,000 agreed to

On Arts and Cultural Development — Art Collection Storage

Ms. White: Can I please get an explanation for that line item?

Hon. Mr. Nixon: The answer to the member opposite's question is that this funding is to design and purchase shelving to increase storage for the permanent art collection.

Arts and Cultural Development — Art Collection Storage in the amount of \$40,000 agreed to

On Arts and Cultural Development — Prior Years' Projects

Arts and Cultural Development — Prior Years' Projects in the amount of nil cleared

On Archives — Archives Preservation Projects

Archives — Archives Preservation Projects in the amount of \$25,000 agreed to

On Archives — Prior Years' Projects

Archives — Prior Years' Projects in the amount of nil cleared

Cultural Services Capital Expenditures in the amount of \$1,257,000 agreed to

Cultural Services Total Expenditures in the amount of \$12,012,000 agreed to

Ms. White: Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all lines remaining in Vote 54 under Department of Tourism and Culture to be cleared or carried, as required.

Unanimous consent re deeming all remaining lines in Vote 54, Department of Tourism and Culture, cleared or carried

Chair: Ms. White has, pursuant to Standing Order 14.3, requested unanimous consent of Committee of the Whole to deem all remaining lines in Vote 54, Department of Tourism and Culture, to be cleared or carried, as required. Are you agreed?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

On Operation and Maintenance Expenditures

Total Operation and Maintenance Expenditures in the amount of \$22,758,000 agreed to

On Capital Expenditures

Total Capital Expenditures in the amount of \$1,690,000 agreed to

Total Expenditures in the amount of \$24,448,000 agreed to

Department of Tourism and Culture agreed to

Hon. Mr. Cathers: Seeing the time, I move that we report progress.

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

Motion agreed to

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

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

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

May the House have a report from the Chair of Committee of the Whole?

Chair's report

Ms. McLeod: Mr. Speaker, Committee of the Whole has considered Bill No. 10, entitled *First Appropriation Act, 2013-14*, and directed me to report progress.

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

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Speaker's statement

Speaker: Before I entertain the motion from the Government House Leader, we might like to remind everybody that we have the Yukoners Cancer Care Fund fundraiser upstairs. I hope to see all of you who can make it there. I know some of you have to head out right away, but those who can make it, make sure you bring your VISA card.

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

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

Motion agreed to

Speaker: This House stands adjourned until 1:00 p.m. Monday.

The House adjourned at 5:22 p.m.