

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Monday, May 6, 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

### Withdrawal of motions

**Speaker:** To start, the Chair wishes to inform the House of some changes that have been made to the Order Paper. Motion No. 242, standing in the name of the Minister of Education, and Motion No. 270, standing in the name of the Member for Copperbelt South, have been removed from the Order Paper as they are similar to Bill No. 57, *Oil-Fired Appliance Safety Statutory Amendment Act*, which was passed by this House last Thursday.

We will proceed at this time with the Order Paper. Tributes.

## TRIBUTES

### In recognition of National Nursing Week

**Hon. Mr. Graham:** Mr. Speaker, I am very pleased to rise in the House today in honour of National Nursing Week.

It's easy to talk about the importance of nurses in our lives. They are here when we come into the world, and they stand with us right up until we leave it. More importantly, Mr. Speaker, they serve a broad and significant role within the health care team and the health care system here in the Yukon.

In our Yukon communities, nurses are our main contact with health care, and they have a broad scope of practice. They weigh our babies, X-ray our bones after an injury; they advise us about our chronic conditions. They warn us when an illness is sweeping through our community and help us connect with visiting specialists when we need to. They immunize us, teach us how to have healthy bodies and healthy communities, and they comfort us when we are distraught. They not only look after our physical health, Mr. Speaker, they assist in looking after our mental health as well.

They care for us in the street, in clinics and at the community health centres. They fill hospitals with their compassion and caring. They make being injured or sick bearable.

Nurses work in various capacities throughout this government — in community nursing, community health care, Alcohol and Drug Services, Yukon Communicable Disease Control and in Justice.

Nurses work for the Yukon Hospital Corporation and in private practice. They bring their experience and expertise to policy work and to running specific government programs, such as the chronic disease management and palliative care. As part of the Yukon Registered Nurses Association, they speak for their colleagues and partner with us in leading change in health care throughout the territory.

Last year at this time, I was pleased to talk about the work the Department of Health and Social Services was doing with its partners on the regulations to the *Registered Nurses Profession Act*. Among other things, amendments to the act and the accompanying regulations would result in the ability to register nurse practitioners in the Yukon. One year later, Yukon's first nurse practitioner has been hired and is now working with Continuing Care. She is leading the way, making sure everything is in order and the systems are working well. We are confident she will be the first of many to add another thread to the collaborative weave of health care in this territory.

Nurses deserve — no, let me correct that — nurses have earned our respect and our admiration. Theirs is a very, very difficult job and they work hard at it. I, for one, am grateful for their presence here in the territory.

I would also like to take the opportunity to introduce Sean Secord, who is the president of the Yukon Registered Nurses Association, recently re-elected for another term. Welcome, Sean.

*Applause*

**Ms. Stick:** I rise on behalf of the Official Opposition to pay tribute to National Nursing Week. We honour and recognize the dedicated professionals in Yukon who are registered nurses, nurse practitioners, certified nursing aides, licensed practical nurses and expanded scope nurses. These professionals work collaboratively with patients and their families, doctors and other members of health care teams.

This year's theme is, "Nursing: a leading force for change". The theme of change is timely for the territory. Last month, nurse practitioner Hazel Booth was the first licensed to work and practice to her capacity in the Yukon. Nursing has changed immensely since Florence Nightingale's day, and it is continuing to change.

The range of services that nurses provide, and the various professions involved in the field, continues to grow and evolve. Registered nurses in the Yukon work within teams to support patient-centred, patient-focused care and promote wellness. Some things never change: nursing is about care. We would like health care to be about health, but often it is about sickness. Nurses are who patients see the most when staying in hospital. Nursing is about accompanying people through the thick and thin of their lives.

The Yukon Registered Nurses Association is active in the education and promotion of nursing and wellness. It approves nurses for licensing and monitors standards of practice. Nursing associations have long promoted a seamless health care system. On the occasion of National Nursing Week, Joy Peacock, the executive director, states: "We know that health care is constantly changing. RNs are looking forward to the changes and helping to shape health care in the Yukon."

The Yukon NDP takes this opportunity to thank all the people working in the nursing field for their committed support of our health.

**Mr. Silver:** Today I rise on behalf of the Liberal caucus to pay tribute to National Nursing Week. National Nursing

Week runs from May 6 to 12, culminating in an anniversary of Florence Nightingale's birthday, as mentioned previously, and International Nurses Day.

Florence Nightingale is best known around the world as "the lady with the lamp" who nursed British soldiers during the Crimean War and is credited with turning nursing into a profession. National Nursing Week began in 1985 to recognize the commitment and achievements of the nursing profession. This year's theme, "Nursing: A Leading Force for Change", celebrates the role of nurses on the forefront of effective change in the quality of health care.

Nurses are the cornerstone of our health care system, and this week is a chance to acknowledge and recognize the important contributions nurses make to daily patient care in Canada. Given the current strain on our health care system, it is believed that by adding more nurse practitioners to work their scope of practice will lead to a greater number of health care options and improve access to the health care system. Nurse practitioners can deliver and coordinate high quality care, order tests, prescribe medications, and diagnose and manage chronic illness. Nurse practitioners have been an important part of Canada's health care system for decades, and there is no better time to harness their full capacities and the expertise of nurse practitioners.

National Nursing Week offers us an opportunity to honour our local nursing profession and to appreciate the significance of the service that they provide in our health and well-being on a daily basis. They work in our emergency rooms, in our hospitals, in our community health centres, public health clinics, medical health clinics, schools, seniors assisted-living centres, as flight nurses, home care nurses, and in correctional institutes. They also serve with the Canadian Forces and with the Canadian Red Cross.

Canada's health care system could not function without nurses. They interact with the patients more than doctors and care for the whole person, including their physical, intellectual and social needs. They serve with passion for the profession and work tirelessly on the front lines of the health care system. They work with individuals and communities on many different levels. We value their public service and their continued efforts to promote health and wellness, and their roles in primary health care.

We recognize and value all of our nursing professionals from all levels of health care. On behalf of all Yukoners, thank you for your unwavering professionalism, for your involvement in our health care system — not only for your involvement in our health care system but also for the health care of our families and our communities. We celebrate you and we celebrate your outstanding professional patient-centred care and dedication.

You make a difference in someone's life every single day. You deserve recognition and thanks, not only during Nursing Week, but every single day of the year. Thank you for being out there.

### **In recognition of Yukon Mining and Geology Week**

**Hon. Mr. Cathers:** As Minister of Energy, Mines and Resources, it's my pleasure today to rise to recognize Yukon

Mining and Geology Week. Mining is Yukon's largest industry; Mining and Geology Week is an opportunity to recognize and celebrate the importance of this industry to us all.

Local events are taking place on May 10 and 11 this year at Shipyards Park to showcase the importance of mining and geology to Yukoners of all ages. The mineral sector of the economy is strong and contributes significantly to Yukon's overall economy. Mining and mining exploration have been the main economic drivers in the private sector over the last several years. In the mining sector, this industry employed an estimated 2,600 workers directly last year and provides significant economic benefit through spinoff employment to other sectors of the economy.

This breaks down to 900 workers in our three operating mines and 1,700 workers in the exploration and service industry. Of this overall estimate, roughly 45 percent are estimated to be Yukoners.

Future demand for mining industry employment is expected to be two and a half times higher than the number of people currently employed in the industry and at our three operating mines. Yukon Zinc's Wolverine mine, which attained full production last year, Capstone's Minto mine, and Alexco's Keno Hill silver district, are celebrating several years of successful production. In the case of Alexco's operation, that was permitted early this year for expansion of their quartz mining licence to allow them to operate in two new districts. Victoria Gold's Eagle Gold project has moved past environmental assessment and into the final regulatory stage of permitting. Pending approval, mine construction is scheduled to proceed later this year. The project is expected to create about 400 jobs at full operation.

I'd also like to recognize and credit two people who are — one is here and one, I believe, is not — within the audience. Mr. Shawn Ryan is from Ryan Gold Explorations. His company, of course, played a significant role through some of their discoveries in increasing excitement within the overall economy about the opportunities in Yukon and a significant amount of Yukon's exploration success is the result of discoveries such as the White Gold district. As well, I'd like to acknowledge and thank Harlan Meade for the work that he has done on the Selwyn project, as well as his contribution to the Wolverine mine that is now operated by Yukon Zinc, and ongoing contributions to the Yukon Minerals Advisory Board.

As well, the placer mining industry continues to contribute significantly to Yukon's economy. Total value of Yukon placer gold produced in 2012 was approximately \$62 million. Despite the global downturn in mining exploration capital, Yukon has several advanced exploration projects that are continuing to move forward. The mining exploration industry has tremendous potential to provide jobs and benefits now and into the future.

Yukon's three mines are hiring Yukon citizens and some of these new hires have come directly from Yukon College's new mining operation program as well as through the contribution that has been made by the Yukon Mine Training Association, which has benefited Yukon citizens who have been employed by Yukon's mines.

In addition to receiving leading-edge instruction at the college, students in the Yukon College mine operating program have also gained practical experience in underground mining, surface planning, heavy equipment operation and safety awareness training in our mine sites.

In addition to jobs at our mines, several Yukon businesses are seeing success in the industry. Local people and companies that provide equipment, transportation, logistics, health services, engineering expertise and environmental monitoring are also part of the thriving mineral industry and have benefited significantly from it. It is very likely that someone on your street is working in the mineral industry or benefiting from it and you may not know it.

Mr. Speaker, one of the key goals of Mining and Geology Week is for Yukon citizens to learn more about the mineral industry and the science of geology. As I mentioned before, on May 10 and 11, there will be a mining exploration and discovery camp set up at Shipyards Park for the public and families to visit.

At this replica of a mining camp, there will be equipment displays, gold panning, kids activities, sponsored barbecues, helicopter rides and more. Also, more than 120 students from grades 2 to 12 will be participating in hands-on geosciences learning activities with geologists from our own Yukon Geological Survey. The students will also tour the other mining and exploration discovery camp tents and partake in activities such as gold panning, boom-truck operation and cracking open a geode.

Mr. Speaker, this promises to be a fun weekend and an educational one, too. I would like to thank the Yukon Chamber of Mines and everyone else who has done a fantastic job of organizing the upcoming events.

Mining Week is a great opportunity for industry and government to share with Yukon citizens what modern exploration and mining is all about, with the goal of creating a better understanding of what this vibrant industry contributes to the territory.

Later in today's proceedings, I will be tabling the report of the Yukon Minerals Advisory Board. I would like to acknowledge the presence of Sue Craig in the gallery and ask members to join me in welcoming her. I would like to recognize Sue Craig, chair of the Yukon Minerals Advisory Board.

I have a list of people who are here in the gallery today. My apologies if I miss anyone.

Other members, as I have mentioned, are as follows: Shawn Ryan has contributed as a member of the Yukon Minerals Advisory Board. I believe we have also in the gallery here today, John McConnell, who is both with Victoria Gold and chair of the Yukon Gold Mining Alliance; Anne Lewis from Yukon Women in Mining; Mike Kokiwi, executive director of the Yukon Chamber of Mines; Hugh Kitchen, a director on the board of the Yukon Chamber of Mines; Kevin Brewer with the Yukon Prospectors Association; Carl Schulze, director of the Yukon Chamber of Mines; Mike Wark — pardon me if I pronounce your last name incorrectly — of the Yukon Chamber of Mines. As well, we have Karen Barnes, president of Yukon College; Sheila Rowles, executive director of the Centre for

Northern Innovation in Mining; and a number of other representatives from the mining industry, including the following: Christie Grey from Capstone; Roger Hulstein; Darwin Wreggitt; Carolyn Relf from the Yukon Geological Survey and Lee Pigage and Maurice Colpron, also from Yukon Geological Survey; as well as Mark Stephens, who is in the process of transferring from Energy, Mines and Resources after a number of years to Economic Development, as well as his wife, Kim Solonick.

If I've missed anyone, my apologies. Thank you all for joining us here today.

*Applause*

**Mr. Tredger:** On behalf of the NDP Official Opposition, I rise to pay tribute to Yukon Mining and Geology Week. Mining has long been one of the mainstays of Yukon's economy. Yukon was built by people who desired to live in one of the most beautiful, pristine and challenging environments in the world. Yukon people did so by learning to live together.

Yukon is the land our First Nation people have called home since time immemorial — people who have hunted, fished and trapped on the land, people who gathered berries, herbs and medicine, people who told creation myths and built a world view based on this land, people who built communities with rich and vibrant cultures.

Yukon is also blessed with great mineral riches, and mining has played a significant role in our economy. The prospect of adventure and wealth brought many hardy, independent, industrious people away from the comforts they knew to a land they did not.

The gold rush and the stories around it have added much to Yukon's rich history. Yukon First Nations welcomed, and continue to work alongside, miners from a time many years prior to the gold rush through to today and into the future. Today I would like to salute the placer miners and their families: the men and women and their families who live and work and grow in our communities; who coach our hockey teams; who work on school councils; who are our Guide leaders; who are the mainstays of our town and our communities; Yukon people whose strength of character and ingenuity allowed them to create and earn a living and a home in the Yukon.

I would also like to acknowledge the geologists and the exploration crews: those who, each summer, risk much to explore and prospect new areas for development; the men and women who spend countless hours in helicopters, trudging through thick brush with heavy backpacks over mountain tops, through valleys and all points in between; those who spend hours looking at samples of rocks to learn the secrets they hold; those who become intimate with our land, its geology, its terrain; those who take the time to know the people of the Yukon in far-flung areas as they look for new opportunities.

I would also like to acknowledge the new face of producing mining in the territory. In my area — my riding of Mayo-Tatchun — we're blessed to have two operating mines, the Minto mine and the Alexco mine. Both of these have set examples in the way they have worked with community members and within their communities to enhance and strengthen the

communities. Hopefully we'll look forward to Victoria Gold opening soon. Again, they have set a wonderful example of how to work in and with a community for the betterment of all.

These companies believe that consultation is a valuable tool in developing community acceptance; these companies have taken the steps and the time to engage the Yukon public in their visions, to employ them and to look for ways to employ them so they too can benefit from the opportunities.

The ongoing challenge is to be sure that the vision of open, untouched spaces can live harmoniously with the vision of industrial development. The question we face now is how do we ensure these visions for the Yukon can come together as a reflection of who we are now and here in this day and age.

Mining activities can be balanced with other values. It does not need to be one or the other. Mining can and is often now being done in a very responsible, conscientious and environmentally sound manner by a new and more aware mining industry.

This brings me to our greatest natural resource, the people of the Yukon. Together we can and will build a viable, responsible industry that continues to nurture Yukon people for many generations. For that is a challenge the Yukon faces, the challenge the industry faces and the challenge that today's youth face as they become the geologists, the miners, the surveyors, the inspectors, the trappers, the guides, the tourism operators and the decision-makers of today and tomorrow. It is facing these challenges with lessons from the past and the hope of the future that we must proceed toward. It is with this hope and these lessons that we bring what sometimes seems like two solitudes together, that we approach the future of our territory together — a future that ensures economic and environmental prosperity for all Yukoners, a future that respects our environmental values, a future that acknowledges the necessity to mine and the value and benefits of mining in an economical and environmentally sound fashion, a future that welcomes mining with integrity, mining that respects the people here and respects and lives within our environment, an industry that will look back at the divisive debate on mining versus environment and see we took the path of responsible development and we chose that path together.

The Yukon NDP takes this opportunity to thank all those geologists and miners working in the industry today. We acknowledge the important role mining plays in our territory, and this is why I will be moving a motion in this House to urge the government to officially recognize Yukon Mining and Geology Week at a set time each and every year. We look forward to working with the industry to ensure a prosperous and environmentally sound future.

**Mr. Silver:** I rise today on behalf of the Liberal caucus to pay tribute to Yukon Mining and Geology Week. Mining has made a significant historical and economical contribution to the development of Canada and, in particular, the Yukon. It helped create a separate jurisdiction in Canada in 1898 and it remains an economic mainstay to this day, over 100 years later.

In the 1890s, our country was mired in a depression. With the discovery of gold on the banks of Bonanza Creek by Skoo-

kum Jim, George Carmack and Tagish Charlie, the mining rush was on. It was the Klondike Gold Rush of 1898 that helped put our country back on track. The gold rush changed the face of our nation. People from all over the world ventured north to stake their claims in the goldfields of the Klondike. By the spring of 1898, Dawson City had more inhabitants than any place north of San Francisco and west of Winnipeg.

The placer mining industry in the Yukon has a special significance to the territory. The territory's placer mining industry is founded on family-operated businesses — a way of life that continues today for many of our operators. A working placer mine involves everyone from children to grandparents, and they are the family farms of the north, with some operations spanning back three generations, and some even back to the Klondike Gold Rush itself.

In 2013 is the 27<sup>th</sup> Annual Dawson City Gold Show, which is going to be held on May 17 and 18. This is North America's largest industry and consumer trade show focused on the placer mining industry. The gold show is an industry and consumer trade show encompassing the diverse and interconnected sectors of our regional economy with mining as its hub. Celebrating the gold show has become a springtime tradition — a great place to chat, network, and to share ideas with fellow miners and prospectors.

Mining has historically played a huge role in the development of the Yukon Territory. Properly managed resource extraction can produce thousands of well-paid jobs for Yukoners well into the future.

We acknowledge the important role that prospectors, geologists and miners have played over the years and look forward to the continued partnerships that this important industry will have in the future.

We in the Liberal Party recognize the importance of mineral exploration and mining in the Yukon's economy and the fundamental role that mining, minerals and metals play in our lives. We know that there can be a balance between mining and mineral exploration and protecting the environment. Twenty-first century mining practices can allow us to develop our resources while looking after our environment. Congratulations to all the responsible miners and exploring companies who practice safe, responsible mining in our territory, ensuring proper environmental stewardship of the land for future generations.

With that, Mr. Speaker, I wanted to also take this opportunity to put a shout out there to thank Ken Foy and his crew, Big Al and his crew, and Karl Knutson and the boys — all local stars of the History Channel's *Yukon Gold*.

I worked for a bit as an operator in the goldfields of Indian River up in Dawson, and I can attest to the fact that it's absolutely a hard way of making a living, and it's good to get an audience watching the trials and the tribulations of men and women working in the heart of the Yukon in our cottage industry. The producers did a great job of focusing on the families that surround the miners.

The level of respect that I — and, well, anybody I know, for that matter — have for Marty Knutson and for his family is immeasurable. As a teacher, I had an opportunity to watch Karl

Knutson and Kyle Isaac and Andrew Nagano grow up, and I couldn't be prouder of them. I just wanted to say that I believe that they're excellent ambassadors of not only the industry but also our community. So with that, thank you, Mr. Speaker.

### In remembrance of Robert William Stroshein

**Hon. Mr. Cathers:** During Yukon Mining and Geology Week, I also wanted to pay tribute to Robert William Stroshein, a well-respected Yukon geological engineer and a true friend of prospectors across the territory, who passed away last year. First, I should note that actually the mining tribute was on behalf of the government members and the Independent member. I believe I missed saying that.

This week is an appropriate time to pay tribute to Mr. Stroshein for his contributions to the Yukon. Robert William Stroshein was raised in Wadena, Saskatchewan. In 1973 he graduated from the University of Saskatchewan with a degree in geological engineering, and the following year he came to the Yukon with Hudson Bay Exploration and Development, commonly known as "Hud Bay", and stayed with the company until 1986. As a project geologist for the last Hud Bay prospecting program in the Yukon using pack horses, Robert witnessed the passing of an era.

His broad experience included exploration, mining, feasibility studies and mine development and among his many achievements perhaps his most significant contributions to the Yukon mineral industry are made in the Whitehorse Copperbelt, in the Mount Nansen and Macmillan Pass districts and in Grew Creek, Ketz River and Yukon Tanana terrain. He worked for a number of companies in various capacities, including the Government of Yukon, and since 2003 was a successful and independent consultant and contractor. Mr. Stroshein served as director and vice-president of the Yukon Chamber of Mines and also served on a number of boards of junior mining companies.

He will be remembered by his family, friends and colleagues as a very kind man, whose quiet self-confidence, skill, humour, easygoing nature and love of life touched all those fortunate enough to know him. I believe Mr. Stroshein's wife, Susan Rousseau, is in the gallery here today. I would ask members to make her welcome.

*Applause*

### In recognition of Emergency Preparedness Week

**Hon. Ms. Taylor:** I rise today to recognize Emergency Preparedness Week on behalf of the Yukon Legislative Assembly. Emergency Preparedness Week is an opportunity to remind all of us of the importance of being prepared for a range of emergencies that can affect the territory at any given time, whether it's wildland fires, flooding, power failures, extreme weather, avalanches, mudslides, earthquakes or other emergency events.

Three simple steps that each of us can take to better prepare ourselves and our families: knowing the risks specific to our communities; making a plan and practising the use of that plan; and assembling an emergency kit.

Mr. Speaker, on the Community Services website are a number of checklists for what ought to go into a basic kit, how to write an emergency plan and other details.

Yukoners can also obtain information on emergency events and risks on Twitter feeds and Facebook, among other communication venues.

Beyond individual responsibility, government also shares a large responsibility when it comes to keeping Yukoners safe. Our Protective Services team includes the Emergency Measures Organization, Emergency Medical Services, Wildland Fire Management and the Fire Marshal's Office. Search and Rescue, emergency medical responders and volunteer firefighters help each of us keep Yukoners safe. In fact, the motto of Protective Services is "Always Prepared", because that is what it takes.

Our career and volunteer emergency responders know this, and that is why they willingly take on the responsibility for safeguarding us and our communities and, in doing so, help us to make Yukon a good place to live.

I wish to recognize our emergency responders for their commitment to public safety and to thank each of them for their dedicated service on behalf of all citizens.

The Yukon Emergency Measures Organization leads in the coordination of people and resources to manage risks and emergency events. It also helps ensure that officials receive ongoing emergency management training and share information with neighbouring jurisdictions. Yukon government and each of its departments have emergency plans that are reviewed following any major event to ensure they remain relevant and reliable guides to coordinating and managing emergency events if and when they occur.

Emergency preparedness is a shared responsibility and experience has shown that individual preparedness goes a long way toward communities becoming able to cope better, whether before, during or after an emergency event. I ask all members of the Assembly and encourage every Yukoner to consider that emergencies can happen any time and anywhere, and to take action to become prepared.

### INTRODUCTION OF VISITORS

**Hon. Mr. Kent:** I'm pleased to rise to welcome Mr. Jud Deuling's grade 11 social studies class from Vanier Catholic Secondary School here in Whitehorse.

Included among Mr. Deuling's students is Mr. Kyle Nixon, whose proud father currently serves as the Minister of Justice.

*Applause*

**Hon. Mr. Dixon:** I'd like to ask members to join me welcoming a number of people, but first I'll start with the two. They are probably two of my closest advisors on all matters, but more specifically, of course, mining policy. One is a young lady involved with the Yukon Chamber of Mines as well as Yukon Women in Mining, my sister Bonnie Dixon; and a long-time member of the placer mining community here in the Yukon as well as in northern British Columbia, my father Don Dixon.

*Applause*

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

### TABLING RETURNS AND DOCUMENTS

**Hon. Mr. Cathers:** I have for tabling the 2012 annual report of the Yukon Minerals Advisory Board.

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

Are there any reports of committees?

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motion?

### NOTICES OF MOTION

**Mr. Hassard:** I give notice of the following motion:

THAT this House urges the Government of Yukon to continue to recognize the importance of attracting investment capital from outside our borders to the mining industry, and to work with industry organizations to promote Yukon in the major financial markets of North America, Europe and Asia.

I give notice of the following motion:

THAT this House urges the government to continue to implement the following five strategies to support Yukon's economic growth over the next five years:

- (1) comprehensive skills and trades training strategy;
- (2) employee retention strategy;
- (3) immigration strategy;
- (4) labour market information strategy; and
- (5) recruitment strategy.

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

THAT this House urges the Government of Yukon to identify a lead department to work with the Alaska Highway Corridor Society to achieve the designation of the Alaska Highway corridor as a national historic site of Canada, focused on commemoration of the highway as a physical space — the cultural landscape; and

THAT this House urges the Government of Yukon to partner with the Alaska Highway Corridor Society, Yukon First Nation governments along the Alaska Highway corridor and the Association of Yukon Communities to urge the Government of Canada to designate the Alaska Highway corridor as a natural historic site by 2017, the 75<sup>th</sup> anniversary of the Alaska Highway and the 150<sup>th</sup> anniversary of Canada's Confederation.

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

THAT this House urges the Government of Yukon to honour the contributions and sacrifices of impoverished veterans by not considering veterans' disability pensions to be income for the purposes of:

(1) determining eligibility for programs and services of the Government of Yukon or its corporations; and

(2) calculating income-based fees charged for programs and services of the Government of Yukon or its corporations.

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

THAT this House urges the Government of Yukon to work in partnership with the extractive sector industries to reduce reliance on diesel fuel and generators running 24 hours a day in remote camps by:

(1) jointly considering ways to incentivize the use of rechargeable batteries and/or electric thermal storage units; and

(2) tracking demand-side management in energy audits in order to find more ways to reduce dependency on the transport and burning of diesel.

I also give notice of the additional motion:

THAT this House urges the Government of Yukon to officially designate the week commencing on the second Monday of May every year as "Yukon Mining and Geology Week".

**Mr. Elias:** Mr. Speaker, I rise to give notice of the following motion:

THAT this House urges the Minister of Education to adopt the multiple award-winning book, *People of the Lakes: Stories of Our Van Van Tat Gwich'in Elders/Googwandak Nakhwach'anjòo Van Tat Gwich'in*, written by the Vuntut Gwitchin First Nation and Shirleen Smith, and published by the University of Alberta Press, as part of Yukon's education curriculum.

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

### QUESTION PERIOD

#### Question re: Hydraulic fracturing, select committee on

**Ms. Hanson:** Mr. Speaker, the NDP Official Opposition was pleased when the Government of Yukon proposed a select committee of the Legislature to consider the risks and benefits of hydraulic fracturing in Yukon. Over the last 10 years, five select committees were established to address important issues: anti-smoking legislation; *Landlord Tenant Act*; safe operation and use of off-road vehicles; whistle-blower protection and human rights.

Some of these issues were contentious and evoked strong opinions; however, Yukoners came together, spoke clearly, listened to the evidence, and common ground was found. It is interesting to note that these select committees operated on the basis of consensus decision-making.

My question is this: Does the House agree that the select committee on fracking should use consensus as the basis for decisions and recommendations it makes?

**Hon. Mr. Cathers:** First of all, I note that the Leader of the NDP did write a letter to the editor that had the facts wrong on this matter. I would like to inform her what they are.

The member stated that these committees have all operated on the basis of consensus, when in fact only two of these committees had the structure that required unanimous agreement of all members of the committee. The others were set up on the model that — as with most committees in the House — oper-

ates on a majority vote of its members, but those committees did and we're confident that this select committee would make best efforts to work together and agree on as many items as possible.

We have proposed that the select committee on the risks and benefits of hydraulic fracturing have equal representation of members of the government and opposition members, which means that, unlike the typical committee structure where the government has a majority, the government will not have a majority on this committee, but neither are we going to agree to give any member of the committee a veto over the work of the other five members.

**Ms. Hanson:** The decision-making works to the majority's advantage, and we are disappointed that the Yukon Party government wants to use a majority vote system for the select committee on fracking, instead of the consensus way our Yukon select committees normally operate.

The work of the select committee on fracking will, by the nature of the subject matter to be discussed, be subject to intense public scrutiny and interest. It is important that the outcome of this committee's work be credible. Fracking is a potentially divisive subject. There will be strong opinions; there will be expert testimony and reports. It is important to strive for a common position, and the Official Opposition believes this can only be achieved through the model of consensus driven decision making.

Why does the Yukon Party dismiss consensus decision-making and favour a process that would give it control over the committee?

**Hon. Mr. Cathers:** Again, Mr. Speaker, the member has her facts wrong. The Leader of the NDP has made a misstatement publicly again in this House. In fact, previous committees of the Legislative Assembly — first of all, I need to point out that prior to the Yukon Party, only one select committee was done by NDP or Liberal governments. Select committees are largely our creation, where we have given unprecedented involvement of members of the Opposition — something they never did when in power — to participate in major policy matters.

Contrary to the Leader of the NDP's statements, the previous select committees did not all operate and require a consensus among members. Two of them were set up where they required unanimous agreement of members, and the other committees were set up on the standard model, whereby decisions are made by a majority. Those committees endeavoured to reach a consensus, wherever possible to do so. We envision that this committee would do the same thing and would hope the committee would be able to agree to as many matters as possible unanimously; however we are not going to give any member of the committee a veto, let alone the NDP member.

The structure we proposed is one where the government does not have a majority on the committee, contrary to the statement the Leader of the NDP just made. There would be three members from the government and three members from the Opposition.

**Ms. Hanson:** What the member opposite fails to say is the Yukon Party chair has the deliberative vote. As legislators,

it is our job to ensure the process followed by the select committee is completely open, transparent and ultimately accountable to the Yukon public. Consensus building, as with decision-making, has a long tradition in Yukon.

Yukon First Nations have used consensus decision-making for eons. It is a good tradition that is worth maintaining and working at. The credibility of a process that guides the work of this select committee is important to the credibility of the outcome. This is an opportunity for evidence based decision-making supported by a truly democratic process.

The Official Opposition will be moving an amendment to the government's proposed select committee structure. We urge the Yukon Party to agree. Will the government support such an amendment, or is it determined to have control over the committee and any recommendations?

**Hon. Mr. Cathers:** Once again we see this consistent pattern of the NDP, making representations in this House and to the public that are absolutely, unequivocally wrong. The member just said repeatedly that the government would have a majority on this committee. In fact, there will be three members from the government, including the chair, and three members from the opposition. I know the NDP sometimes has trouble with math, but that's equal. That is not a majority. I would point out that, in fact, again the member consistently misstated the fact that previous select committees have in most cases operated on the basis of majority decision-making but have made efforts to reach agreement where it is possible to do so. We followed, in fact, unprecedented cooperation in the drafting of this select committee motion whereby, rather than simply tabling a motion, I shared a copy of it with House leaders.

We sought their input, we made a number of suggestions — we incorporated a number of their suggestions including a number specifically made by the NDP. As I indicated to the members in responding in writing to suggestions such as the proposed veto for the NDP member on the committee, we are not going to give a veto to any member of that committee. All that the Member for Mayo-Tatchun, the NDP member, needs to do is convince three other members of the committee to agree with him. He can't just get his way by exercising a veto. Equal representation from government and opposition is not a government majority; it is an equal and balanced committee.

#### **Question re: Airport runway safety**

**Ms. Moorcroft:** We have seven months of winter in the Yukon. It is imperative for safe landings and takeoffs that the runway of the Erik Nielsen Whitehorse International Airport is as close to bare and dry as possible year-round. The condition of the runway is determined through a Canadian Runway Friction Index, also known as RFI. This calculation tells the pilot the recommended landing distance and how quickly they can stop the plane in current runway conditions. The lowest bare and dry conditions have an RFI of 0.5. The lower the number, the worse the conditions are on the runway. The RFI at our airport is routinely below 0.4 during our long winters.

In fact, according to airport records, flights were landing and taking off on April 25 when the RFI was 0.27. This poses a substantial risk. Can the Minister of Highways and Public

Works tell this House what he knows about these runway safety concerns?

**Hon. Mr. Istchenko:** Highways and Public Works builds the foundations that enable Yukoners to travel where they need and to connect with the people who matter to them. We safeguard and protect those who live, visit and work in the territory, and we take the responsibility very seriously. Our staff at the Erik Nielsen Whitehorse International Airport work hard to meet the high safety standards set by Transport Canada, and this government invests in improving airport facilities for everyone. We take pride in providing a safe environment for aircrafts, pilots and passengers alike. We work in partnership with local, national and international airlines, Nav Canada and every other pilot who uses our facilities to maintain our excellent safety record and offer the best service we can.

**Ms. Moorcroft:** When the airport's main runway was extended, the glide path indicator was not moved. This indicator guides planes on the path of descent down to a specific landing spot. The glide path indicator has not been relocated since the runway extension. It is still located at the old spot for a shorter runway, so the additional 2,400-foot length of the runway, added for safety because commercial airlines fly bigger and more powerful planes, is not used because the aircraft land in the old spot, as directed to by the glide path indicator.

This means that commercial airliners landing at the Whitehorse airport are not using the full runway to land, which was lengthened to improve safety by allowing more braking distance.

Can the minister tell this House if he is aware of this safety concern and if he has directed his officials to move the glide path indicator to meet Transport Canada's standards and when this will be done?

**Hon. Mr. Istchenko:** The Whitehorse airport has an excellent safety and security record. We continue to work in partnership to reduce the likelihood of incidents in the future. There has been a 94-percent increase in passengers arriving and departing the airport since the Yukon government assumed operation of the airport. I'll say this again in this House: Our staff work hard to meet the high safety standards set by Transport Canada. This government invests to improve airport facilities for everyone. The second passenger bridge is now just in the process of working.

We take pride in providing a safe environment for aircraft, our pilots and our passengers alike. Unlike the members opposite, I'm proud of the work we do in Highways and Public Works, and I'm very proud of the staff at the Whitehorse International Airport, who provide a very secure and safe environment for passengers.

**Ms. Moorcroft:** So here we have a problem and the minister is ignoring the questions and not providing answers.

The Whitehorse airport runway, as determined by the Canadian Runway Friction Index, is routinely too slippery in the winter to guarantee that planes can adequately stick to the tarmac when they land. The runway, despite being lengthened, does not provide a recommended braking distance for aircraft because the Yukon government has not moved the glide path indicator as required by Transport Canada. There are dozens of

runway overruns in Canada each year. The Transportation Safety Board of Canada has reported that, quote: "Runway overruns continue to pose one of the greatest risks to travelling Canadians." These accidents are often linked to poor runway friction index and inadequate runway length. These are serious safety problems that need addressing now. Is ensuring that the Whitehorse airport meets national transportation safety standards a priority for this government?

**Hon. Mr. Pasloski:** I'm not quite sure where the member opposite is going with this. Is she really implying that in fact the staff there are breaking the law or just being negligent in their responsibilities for what they do every day? I wonder about the airlines, as well — if in fact there was a danger, whether or not the airlines themselves would be concerned about this issue. I'm not sure if the member opposite wants the members of the government to be sitting up in the tower there and deciding what, in fact, happens, because we're politicians; we're not the technicians.

We rely on the advice of the professionals who are there who give us the advice and ensure that things are done in a proper manner. Of course we know that Nav Canada and Transport Canada are involved in such decisions as well and they work with the good staff that are responsible for airports through the Department of Highways and Public Works.

I want to also take the opportunity to thank those people who work at the airports on our behalf, the public servants who are there every day, ensuring the safety of all Yukoners and all people who come in and out of those airports.

#### **Question re: Energy supply and demand**

**Mr. Silver:** Mr. Speaker, we have had many discussions this spring about the government's failure to plan for an energy cliff that Yukon is about to go over. Demand is rising when our supply can't keep up. This lack of planning has left the government scrambling to keep up and has resulted in Yukoners paying higher electricity bills. The government is now moving ahead with plans to burn natural gas to try and address this problem. It's better than diesel, but it's certainly not a green fuel. A lack of planning has left us with no other options. The minister told this House a short time ago, "We do have a commitment to continue to pursue the development of hydro projects." This is something we can support, Mr. Speaker.

Other than the project in Skagway that we've already discussed and is years away, what hydro project is the government pursuing and when might it be ready?

**Hon. Mr. Cathers:** Again we see, unfortunately, the Member for Klondike simply has not got his facts straight in this. I point out that the increase that was applied for by Yukon Energy Corporation and approved by the Yukon Utilities Board is something that, in fact, when you compare the average costs per 1,000 kilowatt hours per month — and I would compare other jurisdictions like Toronto, Regina, Edmonton, Iqaluit and Yellowknife. Yukoners in fact pay less for 1,000 kilowatt hours than those other jurisdictions do. For comparative numbers, the bill in Whitehorse would be \$117.54; in Toronto it would be \$135.05; in Regina it would be \$144.19; in Edmonton it would be \$185.64; in Iqaluit it would be \$275.05; and in Yellowknife it would be \$287.87. So, in fact, Yukoners' power rates, com-



pared to the rest of the country, including those jurisdictions I noted, compare quite well. But, as we near the end of the room of our legacy hydro, we do, of course, have to look to spending money on additional capacity. That will, at some point, have to be done and there will be a cost to it. But, in fact, contrary to the member's assertion, Yukon's power bills compare very well to the rest of the country.

**Mr. Silver:** The minister did a good job of ducking the question, and I guess he's in full support of the subsidy that's being provided currently. I will remind the minister that the Yukon Party has had a decade to address this specific problem and has added very little new hydro generation in that time. We do know that the Yukon Party spent at least two years trying to sell the Energy Corporation to a company in Alberta. If those two years hadn't been lost, then we would have been much further ahead. We are pleased that the government is looking at expanding our hydro capacity. It is probably one of the best-known options for our energy future. We know that the government spent millions of dollars pursuing a project in Atlin that ended up turning into a park. That project will never proceed.

What hydro project is the top priority for the government, and when might it be ready?

**Hon. Mr. Cathers:** You know, the Liberal Leader does a grave disservice to this topic by simplifying it and painting inaccurate assertions about this. I would, first of all, remind the member that this current Yukon Party caucus is almost a completely new caucus that was elected in the 2011 election. Secondly, in fact, as far as the work that has been done on various energy options, in fact the Yukon Energy Corporation has spent millions of dollars researching various energy options and staff of the Yukon Energy Corporation, as well as their parent company, Yukon Development Corporation, will be here later this month, on May 14, to answer questions from members and to explain some of the work they have done on studies, including options to increase hydro supply.

The member is either completely unaware of or completely failing to recognize the significant investments in Mayo B and the Aishihik third turbine that total over \$76 million in federal money, as well as Yukon money that was spent on the Mayo B hydro project. Mayo B, of course, is the largest single federal investment under the green energy program. I'm not sure if the Leader of the Liberal Party doesn't understand it, isn't aware of it or chooses not to reflect it in this House because it doesn't fit in with his cute little narrative.

**Mr. Silver:** I think the minister does a grave misconduct to the industry by refusing to answer this question. The lead must come from his office and, after a decade of the Yukon Party being in office, we are not ready to move ahead on any additional hydro projects. We are facing an energy crunch because the Yukon Party has failed to plan for our energy future. Yukoners are looking at higher bills this year because the government failed to ensure that power supply meets power demand. Many of the hydro options being considered would involve working with First Nation governments. Let's change the topic here and maybe we'll get an answer.

What discussions are ongoing with First Nation governments about expanding our hydro capacity and what projects are being discussed and focused upon?

**Hon. Mr. Cathers:** I have to again remind the member that significant work has gone on: tens of millions of dollars invested by the Yukon Energy Corporation in researching various renewable energy options, including hydro options; the significant investment in Mayo B — the largest single federal investment under their green energy program; the connection of the two grids; meeting a specific platform commitment made in 2006; \$5 million from the federal government plus money from Yukon in the Aishihik third turbine project — a total investment of roughly \$13 million. Those are investments in hydro that the member simply fails to recognize.

Again, as I pointed out to the Liberal member, the staff of Yukon Development Corporation and Yukon Energy Corporation and the chairs of both boards will be here later this month. They can provide details. I reminded him that people in the Yukon pay significantly lower power bills than other Canadian capital cities. For 1,000 kilowatt hours, a Whitehorse power bill would be \$117.54; Toronto would be \$135.05; Regina would be \$144.19; Edmonton, \$185.64; Iqaluit, \$275.05; Yellowknife a whopping \$287.87 — compared to our power bills of roughly \$170 less per month.

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

**Speaker:** Order please.

#### **Question re: Liquefied natural gas**

**Ms. White:** Yukon Energy Corporation has been referring to liquefied natural gas as a transition fuel. A few weeks ago, the minister responsible for energy let Yukoners know that he considered LNG not to be a transition fuel but a replacement fuel for diesel. Last week, the minister said, "No decision has been made yet to actually put in liquefied natural gas generation equipment."

The Yukon NDP position has been consistent: Let's make evidence-based decisions of Yukon's energy future. We've been asking to see the comparative analysis between retrofitting diesel-burning infrastructure so it can burn another fossil fuel, LNG, and other diverse and renewal options like solar, biomass, hydro and wind energy. Will the minister commit to making available to the public the comparative cost analysis of the various energy options he is considering?

**Hon. Mr. Cathers:** Again, we know that the member has a fixation on wind. We do get a lot of wind coming from the NDP. But I do have to point out to the member that, in fact, we have two corporations — Yukon Development Corporation and Yukon Energy Corporation. Both have very capable boards and very capable staff.

The Yukon Energy Corporation has spent a significant amount of time and money researching various energy options.

The chair of the Yukon Energy board, the CEO of Yukon Energy as well as the chair of the board of Yukon Development will be here later this month to answer questions for the members. I am sure they would be happy to explain to the member how they have reached the determination about their belief that it appears there should be some liquefied natural gas part of our energy solution.

As I've indicated to the member, I think that a better characterization for the role of liquefied natural gas generation — to clarify it for people — is replacing the role diesel has played both in meeting baseload at some times and providing some additional storage capacity and, as the member will hear from the chairs and the CEO, it will also provide some additional capacity to the system. So, I encourage the member to direct their questions to them when they appear later this month.

**Ms. White:** I will look forward to answers to those questions.

The minister prefers accusations to answers, and this is a disservice to Yukoners. The Yukon Energy Corporation produced graphs that compare estimations of costs per kilowatt hour of various power sources. They are published in a document called *Planning in Public: The Story of the 2012 Yukon Energy 20-Year Resource Plan*. It is now clear that Yukon Energy Corporation was planning in public at the same time as it was also withholding information from the final report of its own 2009 wind assessment feasibility study. This means the comparative analysis of various energy supply options was incomplete and needs to be updated.

Will the minister direct the Yukon Energy Corporation to recalculate its comparison of the relative liability, affordability, flexibility, and environmental responsibility of the short-term energy supply options — only this time, the most up-to-date information about solar and wind options?

**Hon. Mr. Cathers:** We do hear the NDP sometimes, depending who is in the gallery and who is in the House, changing their lines. We saw the NDP professing their support for the mining industry as the gallery was full today. I'd be interested to see if the Member for Takhini-Kopper King faces the chair of the board and CEO of Yukon Energy Corporation and will accuse them to their faces of withholding information, as she did here in this House. I think that's an offensive implication to them, and I believe, in fact, that they have shared information and are providing the best information they have, both to the public and to the government right now, including about their understanding of the cost of wind and solar and their estimate of the costs of liquefied natural gas.

So I would encourage the member to be more respectful of staff of Yukon Energy Corporation and members of both boards and the work that they do. When they indicate that they have done the work and explain the numbers that they have, unlike the member opposite, I take them at their word and expect them to be honestly and frankly answering those questions. It's unfortunate that the member doesn't seem to have the same view.

**Ms. White:** I remind the minister that the redacted wind feasibility study was only made available through an ATIPP request. The minister has lectured this House about how complicated it is to calculate the cost of energy. When it comes to making evidence-based decisions, full disclosure of available information is essential. For fair comparison, all fuel should be measured in as similar way as possible. There is the cost of the infrastructure, cost related to maintenance and cost related to the fuel. In rationalizing the use of the fossil fuel liquefied natural gas, many proponents say it burns cleaner than diesel,

but that is not the full story. A full accounting should include life cycle costs, the environmental impacts of procuring, transporting and burning LNG.

Will the minister assure Yukoners that in providing a comparison of various energy options, he will direct the inclusion of fuels' full life cycle in his evaluation?

**Hon. Mr. Cathers:** First of all, I would begin by reminding the NDP member that under the NDP and the Liberals, Yukon Energy Corporation was not subject to access to information and it was not possible to file an access to information request. We, in fact, expanded it to increase accountability and to allow filing of access to information requests for matters pertaining to Yukon Energy Corporation.

I would also point out to the member that the NDP seems to have this pattern because of their fixation on wind and certain energy sources and their absolute gut objection to anything related to the fossil fuel development and use in Yukon.

They seem to expect that Yukon should duplicate work that is done in other Canadian jurisdictions and by the Environmental Protection Agency in the United States. I would refer the member to some of the work the EPA has done recently regarding assertions by some that liquefied natural gas is dirtier than diesel, as the member seems to be suggesting. That's not what the EPA says and that's not the information we get from other Canadian jurisdictions. But it would be ridiculous for the Yukon to reinvent the wheel and spend millions of dollars duplicating work that we can access from other competent North American jurisdictions about the scientific work they have done. We have found that both Canadian and American jurisdictions have been very open in sharing information with us about their work in these areas, and we thank them for that.

#### **Question re: Arrest processing unit**

**Ms. Moorcroft:** In the spring of 2012, the Minister of Justice told the House that the concrete foundation for the arrest processing unit was built directly adjacent to the admitting area of the new Whitehorse Correctional Centre, that tenders would be going out soon, and that hopefully the arrest processing unit would be ready and open by fall 2012. Then again this spring, in 2013, the minister said the tenders should be going out soon. Then we discovered the reason for the delay was a redesign. This is after the Yukon government has spent nearly \$1.3 million on the arrest processing unit so far.

Now we hear that the redesign will mean an expensive renovation of the heated concrete pad to fit the new design. Will the minister tell this House what concrete solutions he has — no pun intended, Mr. Speaker — to fix the problem of an overbuilt foundation and how much this mistake will cost the public?

**Hon. Mr. Nixon:** As all the members in this Assembly are well aware, over the last year, the Department of Justice and the Department of Highways and Public Works have conducted a review of the scope and the design parameters of the arrest processing unit project. That review was conducted to determine whether a modified design could be developed which reduces cost, yet still meets the high program standards of the facility. The review has indeed led to a modification in design for the proposed arrest processing unit that will continue

to meet the high standards for safe and secure custody at the Whitehorse Correctional Centre. We expect to be able to go to a tender in the near future on that specific project.

**Ms. Moorcroft:** I didn't hear the minister answer the question about how much it would cost to fix the mistake. The government has a pattern of large capital projects being delayed, often many years behind schedule, and of going over-budget, designing schools, jails, and hospitals on the fly, with the result that the taxpayers have to shoulder the financial burden of government mistakes and shifting priorities. The minister can try to hide another Yukon Party project mismanagement under the guise of review and redesign, but Yukoners won't be fooled. We want to know how much this mistake is costing the public purse.

Given this government's terrible record of capital project mismanagement, can the minister tell us exactly how much it is going to cost to fix this mistake and go on to finish building the redesigned arrest processing unit? How much will it cost?

**Hon. Mr. Istchenko:** It is disappointing that the member opposite failed to recognize the good work done by this government and by our employees in improving project management contracting and procurement. We've heard the Premier and many of us speak to fiscal responsibility. I am going to say this again: In December 2011, the Member for Copperbelt South criticized this government for being over-budget on a project. Now today, again, she is criticizing the government for bad project management, retendering the project when we spoke with F.H. Collins, and now here she is again on another project. What would the member opposite like us to do? Do you want us to go overbudget on everything? Or do you want us to be fiscally responsible? This government will be fiscally responsible.

My colleagues and I appreciate the good work of our government employees and what they have done in this area, and we're confident in the work they're doing.

**Ms. Moorcroft:** The minister's absolutely right — I'm criticizing this government. I'm calling on the government to do the job right. It is not fiscally responsible to build a footing for a building and then come in and say, "Oh, we can't afford that" or "It's too big" or "It's not right" and now we're going to start all over again.

I want this minister to stand on his feet and to tell the public how much it will cost to fix the mistake of putting in a footing for a building they've decided now is one they can't afford or is too big, and then how much it's going to cost to build the new arrest processing unit. We already have \$1.3 million that has been spent. We don't know where it stands and what they're doing next. Please answer the question.

**Hon. Mr. Nixon:** The project with the arrest processing unit will also involve a relationship with the RMCP, who will also cost-share the operation and maintenance of the arrest processing unit. The details of this arrangement are contained within the memorandum of understanding between the Department of Justice and the RCMP. So some stats that are fairly interesting and significant to this project — from April 2012 to February of 2013, we've seen 1,379 males go through the arrest processing unit.

We've seen 415 adult females go through the APU and 110 young offenders. The APU will provide 24-hour, on-site medical care and supervision by specially trained corrections officers for the RCMP prisoners. We are excited for this project to move forward. The Department of Justice will continue to work with the minister and the ministry of Highways and Public Works on this project. We are looking forward to a conclusion date and to continue the good work that the APU has been doing over the last year.

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

## ORDERS OF THE DAY

### GOVERNMENT MOTIONS

#### Motion No. 433

**Clerk:** Motion No. 433, standing in the name of the Hon. Mr. Cathers.

**Speaker:** It is moved by the Government House Leader

THAT a select committee regarding the risks and benefits of hydraulic fracturing be established;

THAT Patty McLeod be chair of the committee;

THAT the chair of the committee have a deliberative vote on all matters before the committee;

THAT the honourable members Hon. Currie Dixon, Stacey Hassard, Jim Tredger, Sandy Silver and Darius Elias be appointed to the committee;

THAT the committee be mandated to:

(1) gain a science-based understanding of the technical, environmental, economic and regulatory aspects of hydraulic fracturing;

(2) gain an understanding of Yukon's current legislation and regulations relevant to the oil and gas industry;

(3) consider the potential risks and benefits of hydraulic fracturing if it were used in the Yukon;

(4) facilitate an informed public dialogue for the purpose of sharing information on the potential risks and benefits of hydraulic fracturing as well as gathering input from the Yukon public, First Nations, stakeholders and stakeholder groups, including non-governmental organizations;

(5) hold public hearings in the two communities most likely to be affected by oil and gas development, Watson Lake and Old Crow, and in other Yukon communities as deemed appropriate by the committee;

(6) consider whether hydraulic fracturing can be done safely if properly regulated;

THAT the committee have the power to call for persons, papers and records and to sit during intersessional periods;

THAT in exercising its power to call for persons, papers and records, the committee may invite:

(1) officials from the Government of Yukon to appear as witnesses on technical matters;

(2) officials from other North American jurisdictions with experience in the regulation of hydraulic fracturing to appear as witnesses on technical matters;

(3) experts in matters related to hydraulic fracturing to appear as witnesses;

(4) representatives of Yukon First Nation governments and Yukon municipalities to appear as witnesses; and

(5) stakeholders and interested parties, including non-governmental organizations and members of the public, to appear as witnesses or provide input through other methods to be determined by the committee;

THAT the committee report to the Legislative Assembly its recommendations regarding a policy approach to hydraulic fracturing in the Yukon that is in the public interest, including:

(1) its findings, if any, regarding the potential risks and benefits of hydraulic fracturing and whether allowing the use of this technique is in the public interest; and

(2) its recommendations, if any, regarding any steps that should be taken to responsibly regulate hydraulic fracturing should its use in Yukon be allowed;

THAT the committee report to the House its finding and recommendations no later than the 2014 spring sitting of the Legislative Assembly;

THAT if the House is not sitting at such time as the committee is prepared to present its report, the committee chair shall transmit the committee's report to the Speaker, who shall transmit the report to all Members of the Legislative Assembly and then, not more than one day later, release the report to the public; and

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

**Hon. Mr. Cathers:** It gives me pleasure today to rise to speak to this motion. To begin with, I'd like to recap the fact that the use of all-party select committees is something that is an initiative that we are very proud of. It is one established by ourselves during our time in government. Prior to the recent number of select committees that began in the Yukon Party's last mandate, there had only been one previous select committee of the Legislative Assembly tasked to tour the territory and hear from Yukoners.

I had the honour of tabling the motion and chairing the first of those select committees, the Select Committee on Anti-smoking Legislation. That committee was followed by the all-party Select Committee on Human Rights, the Select Committee on the *Landlord and Tenant Act*, Select Committee on the Safe Operation and Use of Off-road Vehicles, as well as the Select Committee on Whistle-blower Protection from the 32<sup>nd</sup> Legislative Assembly, which passed on its work to the Select Committee of the 33<sup>rd</sup> Legislative Assembly, which reported last year and has now wrapped up and concluded its work.

I would point out — again, as I noted in Question Period — I do have to correct the statements the Leader of the NDP had made regarding this and a letter to the editor she had written, which claimed that the structure of these committees had previously been consensus-based and had a different structure than what was being proposed here. In fact, that is not accurate. Only two of these committees — the Select Committee on Anti-smoking Legislation and the Select Committee on Human

Rights — required unanimous agreement of the membership. The others were set up upon the typical structure of committees, whereby the majority of the members of the committee can make a decision on what goes in the report, as well as what activities are conducted by the committee.

In establishing this committee, as I indicated right from the start, I would, first of all, note that previous select committees, both those proposed by government and suggested by Opposition members, did not include a collaborative process, such as we did this time, wherein this time we followed an unprecedented collaborative approach. I shared our proposed draft motion with the NDP, the Liberal Party and the Independent member prior to tabling it. In fact, significantly prior to tabling it, I first shared with them the draft motion to establish the select committee in a letter dated March 27, 2013. We provided them a significant amount of time to understand what we were proposing.

I received correspondence back from members and verbal input. The NDP Official Opposition provided the largest number of proposed changes. We did incorporate a number of those changes within our motion, in the interest of trying to be as collaborative as possible in establishing this committee.

I also responded and indicated in a letter dated April 22 to the House leaders — the NDP House leader, the Liberal House leader and the Independent member. I shared not only the updated draft, which is what is currently before this House, of the motion to establish the select committee, but I provided an explanation for why we have not incorporated some of the proposed amendments.

I will not take a long time in introducing this motion in the interest of expediting business of this House, but I will quote excerpts from my March 27 letter to House leaders and from my March 22 letter to House leaders.

From my March 27, 2013 letter, I stated, “To that end, the government will be tabling a motion to establish a Select Committee Regarding the Risks and Benefits of Hydraulic Fracturing. The Select Committee's mandate will enable it to undertake activities including facilitating education, information sharing, and conducting stakeholder and public consultations to better understand any questions and concerns which should be addressed in determining a policy approach to hydraulic fracturing that is in the public interest.

“We believe that this committee should be composed of equal representation from the Government Caucus and the Opposition, and should include the two MLAs for the areas in which oil and gas activities are currently taking place and most likely to occur in the near future — namely, the MLA for Watson Lake and the MLA for Vuntut Gwitch'in. Decisions of the committee will be made by majority, with the Chair as a voting member.

“Our motion will identify...” — and I apologize. I need to not quote literally from the letter as it names members by name, which of course I cannot do in the House.

Our motion will identify the MLA for Watson Lake as chair of the committee and government's additional members will be the MLA for Pelly-Nisutlin and the Minister of Environment. “The non-governmental members of the committee

would be the Independent Member, the Leader of the Third Party and a member of the Official Opposition.

“We believe this is a balanced approach that will achieve the best outcomes for all Yukoners, and we look forward to your participation.”

That ends my quote from that letter, but, again, as I noted earlier in Question Period and as we indicated in proposing this structure — and as I indicated in Question Period — we believe that establishing a committee without the standard government majority on the committee, which, as you know, is the typical structure for all committees of this Legislative Assembly — that in establishing a committee that did not have a government majority but, in fact, has three members of the government and three non-government members, this creates a structure that is balanced.

As I indicated, and I will move on to quoting from my letter to House leaders dated April 22, we are hopeful that the committee will be able to reach a consensus agreement, but believe that the model we proposed in the March 27 letter is a fair and balanced model, and it would not be appropriate to give any member of the committee a veto over the work done by the other five members of the committee.

According to my April 22, 2013, letter: “Dear House Leaders, Re motion to establish select committee regarding risks and benefits of hydraulic fracturing.

“Thank you for your input on the draft motion we shared with you. In the interest of cooperation, I am pleased to share an updated draft of the Government Motion to establish a Select Committee Regarding the Risks and Benefits of Hydraulic Fracturing.

“Motion No. 309, passed by the Legislative Assembly on November 27, 2012, committed us to facilitating an informed public dialogue about the risks and benefits of hydraulic fracturing, also known as ‘fracking,’ before any regulatory approvals or permitting allows the use of this activity in Yukon. We stand by this commitment, and will not issue any regulatory approvals or permitting that would allow the use of hydraulic fracturing in Yukon prior to the Select Committee submitting its Final Report and Recommendations in the 2014 Spring Sitting of the Yukon Legislative Assembly.

“We note that the Official Opposition provided a number of additional proposed changes to the draft motion, and we are pleased to have incorporated many of these suggestions.

“While it is our hope that the Select Committee will be able to reach an agreement on a Final Report by consensus, we continue to view the model proposed in the March 27, 2013 letter as fair and balanced. Please refer to the fourth paragraph of that letter, which stated: ‘We believe that this committee should be composed of equal representation from the Government Caucus and the Opposition, and should include the two MLAs for the areas in which oil and gas activities are currently taking place, and most likely to occur in the near future — namely, the MLA for Watson Lake and the MLA for Vuntut Gwitch’in. Decisions of the committee will be made by majority with the Chair as a voting member.’

“Where other suggestions made by the Official Opposition are not incorporated, it is because we are of the opinion that the

proposed wording was unduly prescriptive or came to conclusions that we view as being best left to the Committee to decide during the course of its work. For example, we believe a decision by the Committee to ask for an independent health assessment to be conducted is one of many potential outcomes to this process, but that it would be premature at this stage to determine whether independent assessments are needed to assess potential health, environmental, economic, or societal effects related to potential use of hydraulic fracturing in Yukon.

“Similarly, we view the Official Opposition’s proposed wording about specific types of risks and benefits, specific areas where they believe gaps may exist in regulatory regimes, and the reference to reviewing literature to gain a science-based understanding as being unnecessarily prescriptive and constraining the Committee’s ability to consider all information and input it decides is relevant to its work. We believe the Select Committee needs to determine its own work plan and areas of focus, and that overly prescriptive wording in the motion would hamper the Committee’s ability to function effectively.

“We remain optimistic that this Select Committee will be able to work together as collaboratively and successfully as recent Select Committees. We want to ensure that you are aware of which of your proposed changes have been added to the motion, as well as our rationale for not including other suggestions, prior to the motion being tabled by Government. Should you wish to discuss this further, please be sure to let me know.”

That ends my quote from my letter to House Leaders dated April 22, 2013.

So, Mr. Speaker, in the interest of expediting debate on this and hopefully getting the motion passed this afternoon, I would note to members that this was discussed a few times by House Leaders. I understand that, particularly in the case of the one specific change proposed by the NDP, they would prefer to see a so-called consensus model that would give the NDP member a veto. As I indicated in Question Period and in the letters I read excerpts from, we do not believe that is an appropriate model. Government is not going to agree to a model for the motion that gives any one of the members of a committee a veto. However, we have proposed a structure that does not give the government a majority on the committee. It has government and Opposition with equal representation — three members and three members — on the committee.

For any member to get agreement of the committee, it requires them to convince at least three other members of the committee to agree with their viewpoint. That includes determining not only the community’s workplan, information that it needs to receive, public meetings or methods for public consultation — all matters related to the committee are within those covered by the requirement to have the majority of the members of the committee in favour of taking that action.

Again, I emphasize, as I did in the letter, that it is our hope that the select committee will be able to work together collaboratively and as successfully as recent select committees. We hope that the committee will be able to reach consensus on as many matters as possible, preferably on all matters that it does. The NDP members can propose an amendment if they wish to

provide the NDP member with a veto on the committee. We are not going to accept that amendment. In the interest of expediting debate and getting the committee off on the right foot, I would suggest that members may wish to reconsider their previous statement about proposing that amendment.

I would also note specifically with reference to a concern that had been mentioned by the Member for Klondike about the fact that the wording of the motion to establish the committee speaks specifically to the two communities most likely to be affected by oil and gas development — Watson Lake and Old Crow — and other communities as deemed appropriate by the committee.

Again, we believe it's important to emphasize those two communities because they are the ones that would be most affected, and we think that, rather than getting into discussions about which other communities to list in the motion, it would be appropriate to pass the motion as worded.

Certainly, with regard to the Member for Klondike's specific suggestion, he thought that members in his riding would want an opportunity to be involved — certain that the committee would be favourable toward including Dawson within the list of communities to be consulted, and presumably Whitehorse would be one that would have opportunity for public input. Rather than the House getting into specifying additional communities to be included or excluded, we think that's best left to the committee.

I would point out that this is the first motion establishing a select committee that has referenced two specific communities, and we have only done so because we believe it's important to acknowledge and specifically direct the committee to hold public meetings in Watson Lake and in Old Crow because those two communities would be the ones most directly affected. In the case of Old Crow, of course, some of the oil and gas activity within the Eagle Plains area is within the traditional territory of the Vuntut Gwitchin First Nation. Of course, home of many members of the Vuntut Gwitchin First Nation — their home territory is out of the Old Crow area. In the case of Watson Lake, it's within the area of not only the Watson Lake community but the Liard First Nation.

With that I would hope that we can deal with this matter expeditiously and get back into debating the remaining parts of the budget that have not received debate in this House in the spring sitting.

**Ms. Hanson:** I am pleased to rise to speak to the select committee regarding the risks and benefits of hydraulic fracturing. The Official Opposition has been clear that we support the establishment of this select committee regarding the risks and benefits of hydraulic fracturing. I do thank the House leader and members of the government for their incorporation of some of the suggestions that the Official Opposition put forward in terms of wanting to make sure that as we move forward with this committee, that we do it in the most effective manner possible.

I do want to clarify a number of statements made by the Minister of Energy, Mines and Resources. I think there is a bit of — I'm not quite sure why — but the representation of how

the structure of some committees has been structured in the past is not entirely accurate in my view and my understanding of the history. It's my understanding that the human rights and anti-smoking select committees, in fact, had unanimous consent built into the motion or mandate of those committees. So I think it's important to note that we actually had, as a Legislative Assembly, that prior experience.

The other three committees the member opposite has mentioned already — I don't need to go again into enumerating them — exercised and operated by consensus by the agreement of the members, and we're simply looking to combine both the best of the operations of the unanimous consent motions that created the human rights and anti-smoking one and the effective practice of the other select committees established in the past.

We do so because we recognize that the subject areas to be discussed by these committees have in the past — and this one, I'm sure — been contentious and, in the very least, engendered strong opinions. I don't think we have to go very far back to recall some of the pretty vehement discussions that occurred around smoking or not smoking in public places. That wasn't easy, but the mandate of the committee was to work as a consensus group and to listen to voices throughout this territory. These select committees allowed Yukoners to come together to discuss complex and hard issues in an open, transparent and accountable manner. Equally so, hydraulic fracturing, or fracking, elicits strong reactions, and it's our challenge as elected representatives to find that balance. As I said, the pattern of select committees in Yukon has been largely built around the employment of consensus decision-making. "Consensus" means the committees have had to really listen to Yukoners and have had to really listen to each other. Some refer to the notion that consensus building is really about a spirit of open listening.

It's not just accumulating more messages in favour than against. We're looking to try to find a common ground and common mind. I think one of the things we've demonstrated through the use of consensus — or unanimous, which is essentially the same type of decision-making — in the past with the previous select committees as the mechanism chosen or mandated, is that it's more than just a change of procedure. It's about building a culture in which all have a place — whether you're part of the majority government or you're the independent member, the Leader of the Third Party or member of the Official Opposition, whether you're a citizen who lives in Old Crow, Watson Lake or Whitehorse.

Sometimes we find that when we get into those rigid committee structures, if it's a majority or parliamentary style, it can create a "for or against", rather than supporting what I was referring to earlier — that notion of cooperative listening and thinking. I think we're being challenged to really work toward that on this issue. We will be challenged to actively listen to each other, to Yukoners and the experts who no doubt will be coming forward.

In doing so, committee members are charged with taking disparate and competing views and melding a consensus. It has been referred to across the floor that the NDP is seeking a veto. That is the absolute opposite to what we've sought. What

we've asked for and have tried to work toward is that this government will work, as it has in the past, in a positive and collaborative way.

In neither the letter the minister quoted from — the first letter that was sent, talking about setting up the committee; and I know he's not terribly interested in listening to this discussion, but I'll put it on the record anyway — nor in his letter of April 23, did the Minister of Energy, Mines and Resources actually refer to the structured language of this motion.

Effectively, what the minister has avoided saying is the structure of this motion gives a veto to the government.

The second, when the committee is structured, the chair of the committee will have a deliberative vote on all matters before the committee. What is a deliberative vote? A deliberative vote is given to a person because they are a member of the group. The term is usually applied to people who chair the meeting to draw a distinction between the vote they get as a member and the casting vote they may get as the presiding person. That means it allows the chair to have a casting vote; they will also have a deliberative vote because they are a member and therefore get a second vote. The term is often used as a casting vote.

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

#### Point of order

**Deputy Speaker (Ms. McLeod):** Minister of Energy, Mines and Resources, on the point of order.

**Hon. Mr. Cathers:** The Leader of the NDP just stated that the chair of the committee would get a second vote. I would encourage her to check with the Clerk before she embarrasses herself further.

**Deputy Speaker:** Ms. White, on the point of order.

**Ms. White:** Standing Order 19(i) refers to use of abusive or insulting language; "embarrasses herself" is inappropriate.

#### Deputy Speaker's ruling

**Deputy Speaker:** There is no point of order. This is a dispute between members, and I would ask members to temper their comments. Thank you.

**Ms. Hanson:** So, Madam Deputy Speaker, I'm not sure what that was about, but the issue that I was raising was the notion that a deliberative vote effectively gives the chair a second vote. The Minister of Energy, Mines and Resources may dispute that, but it's not something that I've just made up on the fly.

The fact is that the minister can try to describe an honest and open approach by the Opposition to have this committee operate based on the process that has been used effectively either by mandate of this Legislative Assembly or by agreement of the committees for consensus.

The notion that the chair of the committee has a deliberative vote on all matters effectively removes that chair from the position of having equal members — three and three.

So, again, one of the reasons we think that consensus is an important principle to work toward and to try to achieve in terms of how we make decisions — decisions that are good for

all Yukoners — is that it requires us to take a hard look at the positions that we walk into the room with — take a hard and deliberative look at them. I use that word deliberately.

Consensus decision-making has a long history within the Yukon. I said this earlier today. Governments in this territory have used consensus decision-making since the Creator made the world. First Nation governments have used consensus decision-making as a central part of their governance forever.

So while we do support — as I said at the outset — the establishment of the select committee on the risks and benefits of hydraulic fracturing, the Official Opposition believes the terms of reference for the select committee should be amended to ensure that Yukoners' voices are heard and that the committee finds and works toward finding that common ground.

I will be proposing an amendment in a minute on having the committee conduct its business and make recommendations by consensus. I would also like to say that the select committee needs to speak with all Yukoners in a manner that the other select committees have. This is an issue that will affect all Yukon communities and our environment. The select committee must reach out and be open to all Yukoners and to all communities. We will be making an amendment on this aspect a little later.

#### *Amendment proposed*

**Ms. Hanson:** I move

THAT Motion No. 433 be amended by, after paragraph number 6 in the motion, inserting the following new paragraph number 7, which reads as follows:

"(7) conduct its business and make decisions by unanimous agreement;"

**Speaker:** Order please. The amendment is in order.

It has been moved by Leader of the Official Opposition

THAT Motion No. 433 be amended by, after the paragraph number 6 in the motion, inserting the following new paragraph number 7 that reads as follows:

"(7) conduct its business and make decisions by unanimous agreement;"

Leader of the Official Opposition, you have 20 minutes on the amendment — please, just the amendment.

**Ms. Hanson:** I have no intention of speaking for 20 minutes on this amendment.

I believe I've outlined essentially why the Official Opposition believes it's important for this committee to be mandated by this Legislative Assembly from the outset to operate with the unanimous agreement of the members. Effectively that is a consensus approach.

I think that it demonstrates to Yukoners that this government is quite prepared to work in collaboration with Yukon citizens as well as members of the Opposition to do the hard work that is required to reach that kind of unanimous agreement. I don't say this because I think it's an easy approach. I do know that working in consensus can be difficult, but as I said earlier, sometimes people get frustrated with trying to reach consensus.

It is ultimately the most effective way to address an issue that has the potential to be polarizing. We have seen this debate on this issue of fracking throughout North America, and it has riven communities. We need to demonstrate that not only government is coming out to ask you for your views — the members in this Legislative Assembly — and asking Yukoners and asking experts to express to them what we believe, as members of the Legislative Assembly — that the members of this committee believe — on all the mandated matters to be considered. It is extensive, and there will be a lot of conflicting information. It will be difficult at times, and that is why it is so important for the credibility not only of the members of this committee, but the ultimate credibility of whatever recommendations are developed by the hard work that this committee will no doubt be engaged in over the coming months. It's important for the credibility of that work — and I'd say ultimately for the credibility of the government on this very important file — that it is seen that every effort was made and it was mandated by the members of this Legislative Assembly — that we believed enough both in the importance of the work to be done and in the members of this committee, that we mandated them to reach unanimous agreement during the conduct of its business and the decisions they ultimately make.

Reaching consensus doesn't obviate or take away from the importance of the role of the chair in this kind of a committee, because it's the chair who has to sense how that meeting is going and how those discussions are going and assess where common agreement or feeling has been reached. To ensure by using consensus that the voices of each of the committee members, and oftentimes those people who will be presenting, they feel confident to speak out. Even in a relatively small committee of six, or in a large community meeting, there will be people who will be scared to challenge the majority view. The last thing we want to see happen in an important issue like this is to have any situation where the minority opinion is in danger of being suppressed. That is why consensus is important, and it's why we believe it's important that the committee be mandated by this Assembly to conduct its business and make decisions by unanimous agreement. Thank you, Mr. Speaker.

**Hon. Mr. Graham:** I've had the pleasure of working on a committee with members opposite — one member of the Liberal Party and one member of the NDP, and we had no problem or difficulty reaching consensus. But I found on that occasion that none of us entered the debate with preconceived notions. None of us entered the discussion having made up our mind already.

Unfortunately, I have to tell you, based on the numerous occasions the Member for Mayo-Tatchun has given his views and his opinions on the subject of hydraulic fracturing, I'm afraid that statement doesn't hold true. On one occasion just recently, he gave us a two-and-a-half-hour speech here on his opposition to hydraulic fracturing and how bad it would be for the territory — for his riding and for everybody in here.

I would have hoped that the Official Opposition would have appointed a member to this committee who has an open mind. I fear that the Member for Mayo-Tatchun has already

made up his mind and he doesn't want to be confused by fact or reason that will be heard during these committee sessions. For that reason alone, I would oppose the Official Opposition's amendment. As for the fact that the Member for Watson Lake will have a double vote, I'm sure if the member opposite wished to bring in an amendment saying that each member of that committee would have one vote and one vote only, we would support that.

**Hon. Mr. Cathers:** In fact, just as a point of clarity, the specific wording that references deliberative vote was a helpful suggestion made by the Clerk's office to distinguish that it was a deliberative vote instead of a casting vote. It is certainly not intended, and it is not the structure of the motion that would give any member of that committee two votes. The chair of the committee would have one vote and would exercise that in deliberations. If there was not a majority decision, at that point, there would not be a majority decision. There would not be a second vote for the chair of the committee.

I've already spoken to why we would oppose this. My colleague, the Minister of Health and Social Services elaborated on this. We're not going to agree to give the NDP member a veto on this. We believe that having equal representation — three votes from the government members, three votes from opposition members — is fair and balanced.

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

**Some Hon. Members:** Division.

#### Division

**Speaker:** Division has been called.

#### Bells

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

**Hon. Mr. Pasloski:** Disagree.

**Hon. Mr. Cathers:** Disagree.

**Hon. Ms. Taylor:** Disagree.

**Hon. Mr. Graham:** Disagree.

**Hon. Mr. Kent:** Disagree.

**Hon. Mr. Nixon:** Disagree.

**Ms. McLeod:** Disagree.

**Hon. Mr. Istchenko:** Disagree.

**Hon. Mr. Dixon:** Disagree.

**Mr. Hassard:** Disagree.

**Ms. Hanson:** Agree.

**Ms. Stick:** Agree.

**Ms. Moorcroft:** Agree.

**Ms. White:** Agree.

**Mr. Tredger:** Agree.

**Mr. Silver:** Disagree.

**Mr. Elias:** Disagree.

**Clerk:** Mr. Speaker, the results are five yea, 12 nay.

**Speaker:** The nays have it. I declare the amendment defeated.

*Amendment to Motion No. 433 negatived*



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

**Ms. McLeod:** I don't have a lot to say on this but I just have a couple of things I want to talk about. One, I want to thank the Minister of Energy, Mines and Resources for bringing this forward, and indeed the people responsible for coming up with this concept to begin with.

The purpose, I guess, behind this committee — and the reason why I think it's really important — is so that Yukoners can broaden their knowledge of this method of extraction of natural gas resources. I think that's very important because as has been mentioned, people are very emotional about this idea.

I do want to commend the Watson Lake Chamber of Commerce in the steps that they're taking to inform themselves about the oil and gas industry and regulations and about hydraulic fracturing.

They're engaging the regulators; they're looking at the science and engaging industry to make sure they're informed, as this discussion goes forward.

I want to reference something I heard a little bit earlier, and that was about the committee being government. I want to say that the committee is not the government. The committee is made up of all members of this Assembly and no one in this room can know what the chair will do when exercising a deliberative vote. Some people in this room would suggest they already know what the committee is going to say and, having not had even one single meeting yet, I think it's a bit premature to make that comment. Personally, I think I'll wait until the committee's work is at a stage where it would be appropriate to come to a conclusion. I just want to say that because I find it a little bit annoying for the members to go through this process, to take the time and put in the energy and the hard work to do this task and make sure that Yukoners are informed and have an opportunity to be heard.

I guess I just want to say that I find it annoying to say it's a foregone conclusion. I'm sorry. Thank you. That's really all I wanted to say.

**Mr. Tredger:** I guess I want to echo the member opposite's statement. I have studied fracking and hydraulic fracturing for some time. I've done a lot of work on it. If the member opposite had listened carefully when I was speaking, I did look at the benefits and the risks of hydraulic fracturing. I did not come to a conclusion, but I asked that we do exactly what this committee is doing and take a closer look at it. I'm coming into this process with an open mind and with a sceptical mind, as my constituents want me to.

I resent the idea that I would waste the amount of time this committee is going to take if I'd already made up my mind. I find it rather offensive — especially for members of this Legislature, where we're elected to represent all of our constituents. The member opposite should know that. So I find it offensive when one of my colleagues tells me that I've already made up my mind. As the Member for Watson Lake said, I think that assumption is a bit premature.

As the Member for Whitehorse Centre stated, the Official Opposition supports the establishment of the select committee regarding the risks and benefits of hydraulic fracturing. As I said for the record, I am deeply interested in this matter and I am keenly aware of the contentious nature.

I look forward to examining it in detail with my colleagues on the select committee and to work toward evidence-based decision-making that will help guide the people of the Yukon.

I like to focus on our communities — the places where Yukoners live and work and where they debate and resolve issues. As is evident, hydraulic fracturing, or fracking, elicits strong reactions. Yukoners have lived with and around mining for well over a century. While we may disagree about what is responsible and what is sustainable, it is an industry that we are coming to know and understand. The oil and gas industry — and the process of fracking, in particular — is a large unknown to the vast majority of Yukoners. It may have implications beyond what we see at first glance.

Many Yukoners have strong concerns about the negative impacts of fracking. Many others are looking for the benefits, for jobs and local development, and this of course would open up issues like skills training and infrastructure.

B.C., Nova Scotia and New Brunswick have all done extensive health impact assessments and found myriad concerns. One of the jobs of our hydraulic fracturing select committee will be to look to see if those concerns can be addressed and mitigated so we can talk and assure fellow Yukon citizens. To do so, I think it's important that the select committee speak with all Yukoners in a manner that other select committees have. This is an issue that will affect all Yukon communities and our environment.

One only needs to drive the road from Edmonton through to Watson Lake to see the effect that hydraulic fracturing industry has had on that area. Hotels are full; the communities are busy; there are a lot of concerns. Those concerns are not just in the communities immediately adjacent to where hydraulic fracturing is taking place, but in many other communities in the area. As we found out when we had the oil and gas consultations on the Whitehorse Trough and the dispositions there, potential oil and gas development in Yukon is not limited to Eagle Plains and the Kotaneelee area.

The identified oil and gas basins in Yukon directly impact not only Watson Lake and Old Crow but also Whitehorse, Carmacks, Carcross and Mayo. Communities like Dawson City are impacted by the Eagle Plains development, as is Fort McPherson in the Northwest Territories.

The potential jobs and benefits will impact all communities in the Yukon. The social impacts will also affect all communities in the Yukon. The environmental effects may not be limited to a couple of communities and ecoregions. All Yukoners need to be heard and have the opportunity to be heard. Elders and seniors have long provided communities with leadership, wisdom and perspective. The youth will need to be consulted and involved.

This committee is of and for, and needs to be directed by, all Yukoners. It must be reflective of the entire Yukon. Yukon-

ers, in whatever community they live in, want and deserve to be involved in this important discussion.

We need to begin as we expect to continue, with an inclusivity that sends a strong and clear message to all Yukoners that their voice and their opportunity to hear and to be heard is important.

*Amendment proposed*

Accordingly, I would move

THAT Motion No. 433 be amended by deleting the first paragraph number (5) in the motion and replacing it with:

“(5) hold public hearings in all Yukon communities;”

**Speaker:** Order please. The amendment is in order.

It is moved by the Member for Mayo-Tatchun

THAT Motion No. 433 be amended by deleting the first paragraph number (5) in the motion and replacing it with

“(5) hold public hearings in all Yukon communities;”

Member for Mayo-Tatchun, you have 10 minutes and 25 seconds left, please.

**Mr. Tredger:** We have before us a critical moment for the Yukon. How we decide to move from here will change the face of Yukon. I believe in the Yukon people. I believe the greatest resource in the Yukon is the people of the Yukon. Yukon people are accountable; they're open. They have shown the ability to come together to speak, to listen, to find common ground, to build a culture where all Yukoners have a place, to make decisions that lead the nation — indeed lead the world by finding direction and solutions to big problems.

We need to show Yukon people that we believe in them and that we value their opinions, their ideas, and give them the opportunity to hear on this issue and to speak on this issue.

I mentioned elders and seniors, and their wisdom and guidance is critical. It has been my experience that their words, their thoughts and their ideas are strongest when they're spoken in their communities. I believe it would be a mistake not to give all Yukoners the best opportunity possible to be included in this conversation.

If we begin by saying we're going to go to some communities but not necessarily others, we're sending a message. I believe in the ingenuity of Yukon people. I believe that they can take a look at the risks in a situation and find ways to mitigate them or to evaluate them. I believe that if they are told about the benefits, they are able to look at those, weigh them and make informed decisions.

This is not something to get hasty about. One of the findings of the health impact assessments stressed the involvement of local communities: their input, their ideas and their efforts. This is not the time to get hasty.

Previous select committees visited all communities. As we saw when the Whitehorse Trough — the geological knowledge of formations in the Yukon is at a very preliminary stage. Where, when and how we choose to develop oil and gas in the Yukon is not known yet. We have some expressions of interest in various parts.

We had quite a bit of expression of interest in the Whitehorse Trough area. We need to involve all Yukoners in this discussion because, if we don't, we're setting the committee up for failure. We're setting the committee up for divisiveness. We need to show all Yukon people that we believe in them. The motion calls on the committee to facilitate an informed public dialogue for the purpose of sharing information on the potential risks and benefits of hydraulic fracturing, as well as gathering input from the Yukon public, First Nations, stakeholders and stakeholder groups, including non-governmental organizations.

When I visited my communities, they wanted a say — the people of Mayo, the people of Carmacks, the people of Pelly Crossing.

I'm sure if the Member for Klondike spoke, he would say his community wanted to be heard. I'm sure that the Member for Pelly-Nisutlin would mention Ross River and Teslin. All Yukon communities have the potential to be affected. It's important that all Yukon communities feel they are a part of the decision-making process.

With that, I do hope we can get unanimous consent on the amendment to the motion. It was put forward in good faith and it was put forward to begin as we expect to continue, and involve all Yukoners.

**Hon. Mr. Cathers:** Mr. Speaker, first of all, it's unfortunate to see the NDP taking the tack that they have. We followed an approach prior to introducing this motion that was more collaborative than anyone has been before in introducing a motion to establish a select committee. We shared a draft of the motion. We sought their input. We responded on why certain parts are not being incorporated.

Let me point out that the proposal from the Member for Mayo-Tatchun is to hold public hearings in all communities. What does the member consider a community? Is he proposing there be meetings in Marsh Lake, Ibex Valley, Braeburn, Deep Creek, Grizzly Valley, Aishihik Lake area, Upper Liard, Mendenhall, Champagne, Robinson subdivision, Tagish, Rock Creek, Judas Creek, Keno, Stewart Crossing? I would point out that the Hot Springs Road and the Mayo Road are large areas within my riding that are not within the boundaries of any community but are larger in population than a couple of the smaller communities combined. So where does the member wish to start and where does the member wish to stop?

I would point out that, in fact, this is the first time that a committee's motion has actually specified that two areas should be specifically be consulted with. Previous motions do not specify consultations with all of the communities. The member has stated that previous select committees toured all Yukon communities. Well, that is not correct. The member has his facts wrong.

In fact, some did tour the incorporated Yukon communities, but others, in fact, did not tour communities at all, depending on the committee. I would give the example of the Select Committee on the Safe Operation and Use of Off-road Vehicles. That was one that committee members had an open mandate to determine in which communities public meetings would

be held. Because a number of the committee members had had the experience of serving on the Select Committee on Anti-smoking Legislation and the Select Committee on Human Rights and had had the experience of spending a significant amount of time and the taxpayers' dollars going to certain communities and having no one show up at the public meetings, the committee itself unanimously decided that it would seek input from people, including where they would like public meetings to be held and where there seemed to be sufficient interest in a public meeting, they would be held.

I don't have the Select Committee on the Safe Operation and Use of Off-road Vehicles' report right in front of me, but included in it are the communities where public meetings were held and there was significant attendance, and there were a number of others where, because there was not a significant public interest, in the view of the committee members, expressed in having committee members appear there in person, members there had the opportunity to answer the survey, provide their views in writing, et cetera.

So, the Member for Mayo-Tatchun, the NDP is postulating that the only way people can be involved is through a public meeting. In fact, I would note that it was the off-road vehicle committee that saw the largest input in terms of volume from the public, of any select committee. Most of the feedback did not occur through public meetings. It occurred through written form, either through filling out the survey or through written or e-mailed submissions. Many people now, especially on divisive issues, are more comfortable sharing their views directly, rather than in a public forum, where debate can be heated.

So, again, there are a number of ways people can be involved. What we have proposed and are committed to is allowing the committee to determine which communities it needs to hold meetings in, determining whether there needs to be a public meeting in Marsh Lake and Judas Creek and in Tagish and in Mount Lorne and in Robinson, at Fox Lake, at Braeburn, at Deep Creek, at Grizzly Valley, on the Mayo Road, in the Hot Springs Road area, at Mendenhall, at Aishihik Lake, at Rock Creek, at Sunnydale in west Dawson — or whether the committee determines that most Yukoners can have sufficient opportunity to visit with the committee at a meeting, if they wish to do so, by providing a reasonable number of centralized locations for those discussions and that others can best be accommodated through forums, such as the Internet, e-mail, et cetera.

Again, in wrapping up my comments, I would simply note — emphasize the fact in case members missed it — that the select committee which received the greatest amount of public feedback was the Select Committee on the Safe Operation and Use of Off-road Vehicles. It did not hold meetings in all Yukon communities; it held meetings in Yukon communities where the committee unanimously decided in that case would be the ones that had the significant interest expressed in seeing those meetings.

As the Member for Mayo-Tatchun just ably proved in his own words, he has demonstrated why the government did not agree to give the NDP member a veto on the committee. We hope that all members of the committee would enter this process with an open mind interested in hearing from Yukoners and

would not have their minds made up about the outcome of this process and really adding all Yukon communities — unless the members of the NDP were presuming to snub some of the communities that I listed and don't consider them real communities — would be an extremely time intensive and expensive process that would involve a lot of the time of community members.

Again, I would just reiterate that the government and I believe in framing the motion and continues to believe that it is important to emphasize those two communities that are most directly affected, which are the communities of Old Crow and Watson Lake. But the wording of the motion specifically says, "in other Yukon communities as deemed appropriate by the Committee." We certainly expect that that would include communities such as — well, I'm not going to get into listing communities, Mr. Speaker, but I understand that there are members, such as one member of the committee, who suggested a specific community that he represents. Certainly that is a community of significant size. We would leave it to the committee to determine what the list of communities is and when that occurs. Certainly, we expect that all members of the committee would view favourably the Member for Klondike's suggestion that there should be a public meeting held centrally within the riding of Klondike. So I think that really addresses it here.

I would hope that members of the NDP would not stand up with repeated amendments here but would in fact recognize that government accepted a significant number of their amendments, including some that we didn't view as strictly necessary, but in the interest of being collaborative, we did accept them. It's unfortunate that, unlike previous NDP caucuses, this current one does not seem to be following the tradition of Steve Cardiff and Todd Hardy, who engaged very collaboratively with members on these select committees. I'd encourage them to reconsider their approach and engage collaboratively in this select committee.

**Ms. White:** Just to clarify, the Steve Cardiff and the Todd Hardy I knew would tell me to stand up for what I believed I should do and what I thought was right.

When we talk about communities and we talk about visitation — I went to 13 oil and gas meetings about the Whitehorse Trough. They started in numbers of a couple dozen, and the last one they had at the High Country Inn had 150 people or more. So the topic of oil and gas and the oil and gas industry in the Yukon is incredibly pertinent right now. We can go back to 2009 when there were regulations being done and there were nine submissions. Well, we know times have changed and people are more actively involved now in trying to figure out the oil and gas industry.

I think it's important to recognize that when the Member for Watson Lake said she believed that Yukoners can broaden their knowledge of the natural gas industry, that should be all Yukoners.

We can talk about the Select Committee on Anti-smoking Legislation. They visited 17 communities between September 11 and October 7, 2007. That was 17 communities in 21 days.

They went to Mayo, Dawson City, Pelly Crossing, Carmacks, Ross River, Faro, Haines Junction, Destruction Bay, Burwash Landing, Beaver Creek, Watson Lake, Teslin, Marsh Lake, Carcross, Old Crow, Tagish and Whitehorse. They went to 17 communities, Mr. Speaker.

In 2008, the Select Committee on Human Rights visited 16 communities in 18 days, between September 22 and October 10. They went to all those same communities except for Destruction Bay. The Select Committee on the Safe Operation and Use of Off-road Vehicles only went to six communities. This is similar and as large as the anti-smoking legislation. When the anti-smoking legislation was coming forward, it was going to change the face of Yukon communities. There was going to be no more smoking at the corner store, no more smoking in the work trucks. We were looking at going in a different direction, and it was important at that point in time that government engage all communities so they had an ability to speak about it.

If people didn't come, well, people didn't come, but I guarantee at this point in time that people will come to these meetings about the oil and gas industry or the development of an oil and gas industry in the territory, because right now this is an important issue. If part of it is an information campaign and an education campaign so the public can be more comfortable with oil and gas, then all the public deserves to have that reassurance that this is a safe industry for the territory; everybody deserves that opportunity.

I believe in including all communities and we can get into the fancy wordsmithing there: Grizzly Valley community — seven lots sold one house built. Sure, maybe we should have a committee out there in the middle of nothing, but the point is that all communities at this point in time deserve to be engaged on this topic. This is as serious as the anti-smoking for smokers. This is more serious because this will affect everybody in a different way. I believe that the amendment including all communities is incredibly important, and that's my two cents. Thank you.

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

Are you prepared for the question on the amendment?

**Some Hon. Members:** Division.

#### Division

**Speaker:** Division has been called.

#### Bells

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

**Hon. Mr. Pasloski:** Disagree.

**Hon. Mr. Cathers:** Disagree.

**Hon. Ms. Taylor:** Disagree.

**Hon. Mr. Graham:** Disagree.

**Hon. Mr. Kent:** Disagree.

**Hon. Mr. Nixon:** Disagree.

**Ms. McLeod:** Disagree.

**Hon. Mr. Istchenko:** Disagree.

**Hon. Mr. Dixon:** Disagree.

**Mr. Hassard:** Disagree.

**Ms. Hanson:** Agree.

**Ms. Stick:** Agree.

**Ms. Moorcroft:** Agree.

**Ms. White:** Agree.

**Mr. Tredger:** Agree.

**Mr. Silver:** Disagree.

**Mr. Elias:** Disagree.

**Clerk:** Mr. Speaker, the results are five yea, 12 nay.

**Speaker:** I believe the nays have it. I declare the amendment negated.

*Amendment to Motion No. 433 negated*

**Speaker:** Is there any further debate on the main motion?

**Mr. Hassard:** I will be brief as well. I just wanted to thank the Minister of Energy, Mines and Resources for putting this motion forward. I'm happy to be one of the members on this select committee. I look forward to working with all of the members on the committee. I like to think that we are all reasonably intelligent and we can work well together, and I hope that we can all learn a lot. I look forward to coming up with some productive and good findings from this committee. It should be good.

**Hon. Mr. Dixon:** Again, as my other colleagues have done, I will be as brief as possible. I just wanted to say that I look forward to getting on with this good work that the committee will be doing over the coming months and into next year. I know there will be a fair amount of work involved, but I look forward to discussing with other committee members what that work will entail and look forward to sharing a significant amount of material that has been referenced in the House already.

I know that the Member for Mayo-Tatchun suggested that he has done a lot of work on this so I look forward to reviewing the material he has reviewed, sharing what I have, and of course hearing what the Member for Vuntut Gwitchin and the Liberal leader have to say as well. Without going on for too much longer, some of the important things we will need to consider are what other jurisdictions have done — I know that the Northwest Territories, for instance, has undertaken a fairly similar exercise. They had a committee of their Legislature look at the issue of hydraulic fracturing, as well, which may be a good starting point for us. As well, there are other jurisdictions in Canada and in other countries that have looked at this, such as Great Britain and New Zealand, which have both undertaken studies of hydraulic fracturing. Perhaps those are examples of work that we can draw on to enhance our own activities.

Without further ado, I look forward to passing this motion, establishing this committee and getting on with the good work of the committee.

**Hon. Mr. Pasloski:** I would again just briefly comment on the motion. I want to thank the Minister of Energy,

Mines and Resources for bringing forward this government motion on a topic that has been well discussed here in this Assembly. I want to thank him for the work that has gone into articulating this motion. I want to acknowledge the input that was received from members on the opposite side of the House. I recognize the fact that this government has gone out and asked for their suggestions and made amendments to this motion in advance of tabling it in the House. Again, it's another Yukon Party government select committee. There has only been one that was ever brought forward by the NDP or the Liberals into this Legislative Assembly. We look forward to the good work that will be done.

We felt it was very important that this committee include the members for Watson Lake and Vuntut Gwitchin because of the identified potential for oil and gas development in those areas. We do strive to ensure that people will have an open mind and will look at the data that comes forward and the information.

I'm sure everyone is encouraged to see what will happen as a result of the science-based information that will be presented or asked for. We are hopeful there will be a consensus. We have heard statements from the Member for Mayo-Tatchun on his position. He said he has done a lot of work on it, and I'm glad to hear that he has. What I do know is what I have read in *Hansard* in terms of what his position has been on this, so I'm hopeful he will be moving forward, looking at all the information, hearing from all the people who will come forward — Yukoners, the public, organizations, First Nations, but the experts in this field as well — so we can move forward.

I do support the lack of prescription that is in this motion, which allows this committee to make the decisions they deem are necessary as they move forward, as they look at and hear all the information, so they will steer this bus, as opposed to those of us who don't have all that information and try to make it too prescriptive at this time.

I have the confidence in the members who will go forward in this committee. I want to thank those members in advance for their engagement. This will be a lot of work and I appreciate their willingness to be a part of this and help us come forward with recommendations, as described, by the spring of 2014.

**Ms. Moorcroft:** As previous speakers have indicated, the Official Opposition supports the motion to establish a select committee regarding the risks and benefits of hydraulic fracturing. I believe this is a very important committee and it has a considerable amount of work ahead of it. I would also like to acknowledge and thank the Minister of Energy, Mines and Resources for his work to revise this motion to take into account some of the positions that our caucus put forward to him.

I want to put on the record an issue of great concern to my constituents in Copperbelt South and to constituents throughout Whitehorse — and that is that I believe there should be a public hearing held in Whitehorse. I know that the Member for Mayo Tatchun has said that and that others have. I haven't heard a response from the government, though.

I did hear the Minister of Energy, Mines and Resources saying that he had discussions with the Member for Klondike and that there was a representation put forward that there should be a public hearing held in Dawson City and that that would probably be the case.

I did not hear the minister indicate that the committee would be — and the government would be — in support of holding a public hearing in the capital City of Whitehorse, which is the economic and transportation hub of the territory. I certainly would assert that Whitehorse and the Whitehorse area would be affected by oil and gas development, and I submit that this is a community where it would be appropriate to hold a public hearing.

With that, I'll conclude my remarks. Thank you.

**Speaker:** Does any other member wish to be heard on the main motion?

**Mr. Silver:** I'd like to thank everybody for their comments today. Quite clearly, this is a divisive topic in the Yukon and also in the Legislative Assembly here. My worry is that the substance of the motion — it could be considered a foregone conclusion. I regret even more that both the government and the NDP have voiced their opinions on fracking before the work of this committee has even started. That's a timing thing. I wouldn't say that that was anything more than a timing issue, but the optics of this to date — well, it looks like the government is employing a command-and-control approach in designing how they will look out for Yukoners.

In the lead-up to this motion being debated, I asked the government to work with the Opposition to set fair and constructive terms of reference for this committee. Now, it is a matter of opinion, but I believe that the government refused. I wrote the minister, asking for the committee to be able to set its own terms of reference to ensure that we provide the best results for Yukoners. Mr. Speaker, the minister refused. I asked numerous times for the committee — the committee — to meet and discuss the terms of reference, and again the minister refused. I will get back to that in a second.

To me, this just speaks to a command-and-control mindset moving forward. The decision to create the committee in the first place is an admission from the government that the current regulatory mechanisms are not significant to address the issue of fracking. That is good, because this contradicts a long-held view of the Yukon Party government that no public discussion or regulation changes were needed. Now, with a properly planned oil and gas industry, we would have seen these discussions take place several years ago. The government's intention, however, to finally do the right thing and engage the public in debate is very encouraging.

Where are we going to go from there? The discussion by the Government of Yukon to create this committee — and this is worth noting — also does place a moratorium on the practice of fracking in the Yukon. It would be inexcusable for the government to permit this activity until the committee has completed the work and its recommendations have been implemented. I am pleased that the government has agreed to put this

moratorium in place as the committee does its work, even if they can't say the words. Even with the Peel watershed region, the government can't say the word. I think the media advisory called it an "interim withdrawal from mineral staking."

Regardless of the wording, questions do remain about what happens if the committee doesn't finish and goes past its spring 2014 deadline. How long will the committee be given to complete this work if it goes beyond that 2014 spring deadline, for example?

I'm going into this process with an open mind. I'm concerned — like I said before, both the Yukon Party and the NDP have already said through public statements what their views are on fracking and that is a concern. The Member for Vuntut Gwitchin deserves credit. He has not said yes or no, and will hopefully be participating — as all the other members will be — with an open mind. I am encouraged to hear from Yukoners.

I'd like to put on record a few suggestions for the motion before us. I owe it to Yukoners to put forward recommendations to enhance the effectiveness of this committee — recommendations on how we can have a committee that is accountable, recommendations on how we can provide the most honest and accurate information to Yukoners and, most importantly, recommendations on how we can have an open and honest consultation process that begins to rebuild the faith that the government has torn apart by the consultation process on the Peel land use plan. I owe it to Yukoners to make these recommendations. I believe the government owes it to Yukoners to consider them.

I look forward to hearing from the dedicated Yukoners who will go out of their way to share their views with us. In order for these Yukoners to be confident that their views will be taken seriously, however, the government should make full records available to the public consultations conducted instead of providing a summary.

I am optimistic about the insight we will gain on hydraulic fracturing through discussions with experts. I'm very much looking forward to this.

I believe that the government should provide a public account of the presentations made by these experts. It will help ensure —

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

**Mr. Silver:** I can hear the birds of spring, Mr. Speaker. It will help ensure that taxpayers are getting good value for the money that this committee will spend, and it will hold the government responsible — to allow Yukoners to see all sides of the discussion and educate their opinions in the process.

I am hopeful that all parties will work collaboratively and constructively in this committee and to ensure this, the government should make minutes of discussions public. As I'm hearing, these are things that are going to be discussed by the committee, but once again, I want to be on record saying this in this House today.

I'm very ready and willing to work hard to achieve the ambitious agenda that is set for this committee, and I would like to see one more objective added to the list: the committee needs to review the overall economic and environmental im-

pacts of hydraulic fracturing, instead of deciding before we even begin that the Yukon needs this.

Because the government has refused to engage the Opposition parties in any meaningful way in the drafting of the terms of reference of this motion, I am leaning toward opposing it.

Many of the issues I have raised today could have been avoided if the government had been willing to work more closely with the Opposition members, instead of its command-and-control approach. As the government decides to charge ahead, I will commit to do my best on behalf of Yukoners throughout the work of the committee. I commit to always raising the best interest of Yukoners, and I will commit to doing it in an open and accountable fashion.

This brings me to the concepts here of the way we've been engaged. I'd also like to speak about the NDP. They have also made suggestions. I'm not going to get into their amendment, but we've talked about consensus here today and, on this topic, I'm sceptical that any forward motion would happen. I would argue that we wouldn't even get out of the parking lot.

If any member of this committee had it in their head that, as long as the committee is working, there is a de facto moratorium on hydraulic fracturing in the Yukon, then they could use this opportunity to oppose every item in the discussion and they could drag the work of the committee out indefinitely. That's a problem. I see that as a problem. In the spirit of cooperation and balance, I'd like to propose another alternative, one I wish I had an opportunity to discuss with the committee previous to today.

Let's look back at how the whistle-blower committee went forward. The Minister of Health and Social Services touched on this today.

We did start with a command-and-control approach with the very same Minister of Energy, Mines and Resources. He was attempting to mandate at that time that the Member for Vuntut Gwitchin participate. Not to get into the very valid reasons why the member did not want to be on that committee, I presented at that time an alternative in the spirit of cooperation. The members of that committee from the Yukon Party and from the NDP agreed and we did meet and discuss the best way to proceed. The committee was allowed to move forward with very little political influence. I would actually argue that there was none — no political interference. We formulated an agreement that I would replace the Member for Vuntut Gwitchin, and we look forward to the good work of that committee hitting the floor of this Legislative Assembly someday soon, hopefully.

I just want to speak together about the difference of opinions here as to the work that was done previous to this motion hitting the floor, working together with all the parties. Using the House Leaders' meeting to throw information at us is not a good way of starting this committee. Taking us aside and having conversations in the members' lounge is not a great way to start the conversations here. I am very happy that we were involved in the process, but using the House Leaders' — this is a very busy part of the day, especially for me.

We had no idea that on that particular day, the Yukon Party would be using this forum to communicate this govern-

ment's version of working with the Opposition on the wording of this motion. It's not on our heads.

I also believe that, at that time, I did make some slight recommendations. The minister addressed one of those concerns today. However, these were off the top of my head. I also asked at the time for the committee to meet previous to today to discuss the meat and bones of the committee, just as we did with the positive results of the whistle-blower legislation. I was told by the minister at that time that he would be back to me. I'm still waiting.

With all that said, given the public statements from the Yukon Party and from the NDP — well, let's go with the Yukon Party — these demonstrate that they are already in support of fracking. There is no mathematical way that the committee would actually produce a report — with the current rules that are being discussed in the motion today — that would allow fracking in the Yukon if you take a look at the numbers and if you take a look at the comments that have been made.

I would suggest that it would not happen, even if it's what we hear during our deliberations this summer, and into the fall and into the spring.

So our report will be produced and, in all probability, it will not be against fracking. I'm going to propose an amendment based upon the fact that this is a divisive subject, and there will be a lot of opposing views. The amendment will allow a member of the committee or members of the committee to release a minority or a dissenting opinion.

**Speaker:** Order. You are speaking to your amendment?

**Mr. Silver:** Yes, I'm going to.

### Speaker's statement

You need to move the amendment in and then you get to speak to it.

**Mr. Silver:** Okay, sure — absolutely. I'm sorry, Mr. Speaker.

#### *Amendment proposed*

**Mr. Silver:** I move

THAT Motion No. 433 be amended by adding the following after the phrase "2014 Spring Sitting of the Legislative Assembly":

"THAT the committee report may contain one or more minority reports or dissenting opinions;"

**Speaker:** The amendment is in order. It is moved by the Leader of the Third Party

THAT Motion No. 433 be amended by adding the following after the phrase "2014 Spring Sitting of the Legislative Assembly":

"THAT the committee report may contain one or more minority reports or dissenting opinions;"

**Mr. Silver:** I'll be very brief here. The amendment will allow a member of the committee or members of the committee to release a minority or dissenting opinion. For example, if the committee decides fracking can or cannot proceed and recommends that it does or doesn't, a member or members

of the committee could produce a report that has a different view.

Just on this amendment — and I'm not going to talk a lot about it here — this is a divisive issue in the Yukon. The result will be a legacy for this Yukon Party government. They have a choice between command and control or cooperation and compromise.

**Hon. Mr. Cathers:** This is really very disappointing from the Liberal member. When motions are tabled in this Assembly, including the motions the member himself tables and including all past motions establishing select committees — they have not been shared with members of the other caucuses and those members being given opportunity for input.

The Liberal member is partly correct in what he is saying, in that he did indicate that he would like the committee members to sit down to discuss their mandate. What he is failing to note is, in fact, that we indicated that, no, we're open to input on what the motion says that establishes the committee; however, committees don't meet before their committees to set their own mandate. Their mandate is established by motions of the Assembly and then the committee, once established, meets to determine their workplan and to begin their work.

So the member had sufficient opportunity — the member had more than a month to bring forward the concerns he is bringing forward today. The question he will need to answer to the public is why did he wait until today? It seems very cunning of him to do so. But I would hope that the Member for Klondike is engaging himself and is engaging on behalf of his constituents and is not simply bringing forward what his chief of staff writes.

So, Mr. Speaker, I would point out in this a few things that, in addition to having given the member over a month to provide these concerns —

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

### Point of order

**Speaker:** Leader of the Third Party, on a point of order.

**Mr. Silver:** Mr. Speaker, for the record, my words are my own. I would like the member to retract his statements. I am not sure what the Standing Order specifically is here — 19(g) — but he is imputing false or unavowed motives.

**Speaker:** Minister of Energy, Mines and Resources, on the point of order.

**Hon. Mr. Cathers:** I don't believe there is a point of order. I said that I hoped that the member would represent himself and his constituents.

### Speaker's ruling

**Speaker:** After careful consideration, there are lots of comments going back and forth on all sides of the House. This is nothing more than a dispute between members.

**Hon. Mr. Cathers:** So, just in concluding my remarks on the proposed amendment, I would note that the member's proposed amendment specifically says that "the committee

report may contain one or more minority reports or dissenting opinions.”

This would be a significant departure from what every other select committee has had. There is nothing — let me emphasize — nothing in the structure of the motion as it is without the amendment that prevents the committee choosing to determine that it — on a specific clause or recommendation — might note a dissenting member. Of course, after the committee has concluded its work, there is nothing preventing any member — and indeed every Member of the Legislative Assembly — from expressing their views on the report and agreement with it or lack thereof.

If all six members of the committee are going to write their own report, and we're going to hold meetings in every Yukon community, it's clear why the Member for Klondike doesn't think that a year is enough time to do this work. I would encourage the member to engage in this and not assume that members have their minds made up. That's one thing.

Another thing I have to take issue with is that the Liberal member was suggesting that he viewed government members as having their minds made up. No, government members are reviewing this and are very interested in hearing from experts and hearing the views and concerns of Yukoners and hearing the input from our own government staff within various departments about the potential risks and benefits of hydraulic fracturing.

I am confident that every government member on the committee is entering this with an open mind. I have the same confidence about the Independent Member for Vuntut Gwitchin. I think his viewpoint on this is in many ways similar, in that I think he is always sincerely interested in the question of: Can this practice be allowed safely?

There could be significant economic benefits, but I think that his concerns and the concerns of his First Nation, the Vuntut Gwitchin First Nation, as I have heard and understood them — and I don't mean to put words in their mouth, but my understanding of the concerns from Vuntut Gwitchin First Nation and from the Member for Vuntut Gwitchin is that they also are very concerned about the question: Can it be done safely and, if so, how would it be done? If it cannot be done safely, then of course, it should not be done.

Another thing I would note in this is, again, the Member of the Third Party's suggestion that it was up to government to decide whether to make minutes public — no, that's actually up to committee members to —

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

#### Point of order

**Speaker:** The Member for Takhini-Kopper King, on a point of order.

**Ms. White:** On the point of order, 19(b) speaks to matters other than the question under discussion. Right now we're discussing the amendment, that the committee report may contain one or more minority reports or dissenting opinions.

**Speaker:** Minister of Energy, Mines and Resources, on the point of order.

**Hon. Mr. Cathers:** Mr. Speaker, I was specifically responding to comments made by the Member for Klondike in speaking to this amendment.

#### Speaker's ruling

**Speaker:** There is no point of order.

There is a relevance here. I'll ask the minister to bring it to a conclusion, please.

**Hon. Mr. Cathers:** For clarity, in speaking to what a report could contain — which was my understanding of what the amendment related to — I was simply intending to cover two things: that nothing in the current structure of the motion prevents the committee from choosing to note dissenting opinions if it chooses to do so; and that also, as far as the control of minutes of committees of the Legislative Assembly, it's up to those committees. It is not up to the government.

So I think that pretty much covers it. I would hope that members would be interested in wrapping up debate on this and actually proceeding with other business later today.

**Ms. Hanson:** I would passionately like to get on with the business of the day, but I have to comment that, with respect to this amendment — if nothing else, what this proposed amendment does is it exemplifies exactly the points that the Official Opposition was making earlier when we urged the government to consider using the practice of mandating this select committee to work by consensus, because then you avoid — and I said at the time — the hard work that's required to achieve consensus — avoids the concerns that are being expressed.

I understand what the Member for Klondike is expressing here with respect to his lack of confidence and his concern that there may not be consensus reached. With the structure of the committee — by having the chair with the deliberative vote — it is doubled there.

I have heard many comments about who has an open mind and who has a closed mind. I would point out again that the Minister of Environment/Economic Development was incredibly clear last November when the debate went on about how we should all be on this side of the Legislative Assembly taking our lessons from the Americans and that fracking was the best thing since sliced bread. Well, we believe that, yes, it is correct to have an open mind, but it is also important to be sceptical. As the Member for Klondike said, he was divided about where he would stand on this. I am going to have to think about this, but I am almost thinking that this goes from scepticism to cynicism. That is unfortunate that this is the climate that has been created, which causes us to feel that we are concerned that there will be that kind of due process.

I am mindful that, in the past, there have been situations where members of select committees have attempted to table minority reports and been censured by this Assembly. That's why I'm saying that there is some potential merit to what's being proposed here. I would urge each member to vote on their own on this one, as opposed to a party direction.



**Ms. White:** In speaking to the amendment, the dictionary definition of “minority report” is a separate summary presented by members of a group that disagree with the majority. Due to the severity and importance of this issue for Yukoners, both on the side of for and against an oil and gas industry, the ability to be able to table reports with a dissenting opinion is important.

**Ms. McLeod:** I just have something very brief to say regarding this amendment. As far as minority reports are concerned, we have six people on this committee.

It’s conceivable that we have six different opinions at the end of the day. We all issue our own little report and at the end of the day the government is no further ahead than if we had not taken the time and spent the money to do this work. For that reason, I have to disagree with this amendment.

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

Are you prepared for the question on the amendment?

**Some Hon. Members:** Division.

#### Division

**Speaker:** Division has been called.

#### Bells

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

**Hon. Mr. Pasloski:** Disagree.

**Hon. Mr. Cathers:** Disagree.

**Hon. Ms. Taylor:** Disagree.

**Hon. Mr. Graham:** Disagree.

**Hon. Mr. Kent:** Disagree.

**Hon. Mr. Nixon:** Disagree.

**Ms. McLeod:** Disagree.

**Hon. Mr. Istchenko:** Disagree.

**Hon. Mr. Dixon:** Disagree.

**Mr. Hassard:** Disagree.

**Ms. Hanson:** Agree.

**Ms. Stick:** Agree.

**Ms. Moorcroft:** Agree.

**Ms. White:** Agree.

**Mr. Tredger:** Agree.

**Mr. Silver:** Agree.

**Mr. Elias:** Disagree.

**Clerk:** Mr. Speaker, the results are six yea, 11 nay.

**Speaker:** The nays have it. I declare the amendment defeated.

*Amendment to Motion No. 433 negatived*

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

**Mr. Elias:** I have an optimistic outlook for this select committee. I have had the privilege and experience that, once this motion gets past the House, this is going to be my fourth select committee that I’m going to be serving on, on behalf of

Yukoners. I think it’s important to note that out of the human rights committee, the smoke-free places committee and the landlord and tenant committee — all of those select committees resulted in either new pieces of legislation or updating our current pieces of legislation. That’s my expectation here, because I believe in the honour of all the committees and all of the members, and I hope when Motion No. 433 passes, it’s going to be viewed as a successful committee.

On behalf of my constituents and all Yukoners alike, I look forward to my participation on this committee regarding the risks and benefits of hydraulic fracturing.

I will do my best in working with my fellow parliamentarians to help ensure that the select committee fulfills its mandate in its entirety. I think it’s important that, when this committee is created, all the members recognize that every single word in the motion means something. There’s a difference between public hearing and public meeting. I don’t see the word “consultation” in here, so we have to be cognizant of that fact.

I look forward to working with my fellow select committee members and getting this work done on behalf of Yukoners.

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

**Hon. Mr. Cathers:** I’d like to thank the Member for Vuntut Gwitchin for his remarks. I think he summed it up better than I could. These committees in the past have been very successful. I’d like to thank the Member for Vuntut Gwitchin and every member who served on these select committees for their work. The most important thing members could do, as the Member for Vuntut Gwitchin alluded to, is give the committee a chance and have some faith that the other MLAs appointed to the committee will engage in good faith and every member will come forward to the committee in good faith representing their constituents, but also since they are there on a committee formed by this Assembly, recognize their role in representing all of the Yukon in that and trying to come up with recommendations that hopefully, where possible, will be unanimously agreed to by the committee, if at all possible to do so and, at the end of it, that hopefully the committee’s report will contain a sound recommendation that will help the Legislative Assembly and the government determine how to address the matter it has been tasked to review.

With that, I would commend the motion to the House and would urge all members to close the book on today’s *Hansard*, vote in favour of the motion, and engage in this committee positively, constructively and optimistically.

**Speaker:** Are you prepared for the question on the main motion?

**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 No. 433 agreed to*

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

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

*Motion agreed to*

*Speaker leaves the Chair*

## COMMITTEE OF THE WHOLE

**Chair (Ms. McLeod):** I will now call Committee of the Whole to order.

The matter before the Committee is Vote 7, Department of Economic Development, in Bill No. 10, *First Appropriation Act, 2013-14*. Do members wish a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

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

**Chair:** We're going to resume debate on Vote 7, Department of Economic Development.

#### Department of Economic Development — *continued*

**Chair:** Mr. Dixon has the floor with six minutes, 46 seconds remaining.

**Hon. Mr. Dixon:** I guess we'll just pick right up where we left off last time.

I believe when we ended last time we were debating this section of the budget. I think we had just done opening remarks, and I was getting into the Regional Economic Development branch, hoping to tie in some response around the planned actions with regard to changing resource prices and gold, in particular.

So, following up where I left off with the Regional Economic Development branch, one of the important aspects of that branch is the community development fund. It's a very flexible fund and a very popular one that has funded a number of projects throughout the Yukon over quite some time. It is one that has a fairly — I don't want to use the term "nebulous", but it is very broadly applicable to a number of projects, as I'll try and demonstrate with a few examples of some of the ranging possibilities that the community development fund has. For instance, one example is that the Teslin Tlingit Council was funded \$20,000 to provide research and plan an exhibition using an interactive relief map of the Teslin Tlingit Council's traditional territory, showing the Teslin Tlingits' journey from an independent traditional First Nation through the years under the *Indian Act* and then on to the final agreement and self-government.

Another good project in the tier 2 range was by the Association of Yukon Communities. The Association of Yukon Communities used the funding to host a three-day workshop to provide newly elected mayors and councillors with the training that will give them a solid foundation for leading their communities and becoming more effective in their leadership roles. So, again, this is something that is applicable to a range of organizations and levels of government and the Association of Yukon Communities, in a very creative manner, accessed this fund to provide training for new councillors.

One project I know received a significant amount of interest, and one that I was very excited to see go forward, was a tier 3 project that the Yukon College accessed. That was a project that saw Yukon College provided with funding to develop a new primary care training program at Yukon College, with the creation of an on-site training space, local faculty development and equipment resources. Yukon College will be in a position to repeat the program in the future and respond to market and labour force needs using a tuition-based, cost-recovery model.

In this case, the CDF provided funding to the college for the beginning of a program. The program, in its first year, will be launched with the assistance of the community development fund, but on a go-forward basis will operate on a different funding operation. CDF, of course, can't fund ongoing programs, but we can help with getting projects off the ground.

So this is a case where a significant training need was addressed in the territory to develop that primary care training program for first responders. I think those three examples of projects that have gone from tier 1 to tier 2 to tier 3 demonstrate the flexibility and relative openness of the CDF to a variety of opportunities.

Another important aspect of Yukon's Department of Economic Development and Regional Economic Development is the Film and Sound Commission. I know this has come up a

number of times throughout the months and years that we have been in this Legislature and we have had some discussion about it. It's one that I think offers a tremendous opportunity to grow our economy. The film and sound industry is one that is actually fairly robust in the Yukon despite our relatively small population. There is a remarkably high number of film producers, musicians and other cultural artists who access some of the programming and funding in the Film and Sound Commission.

One of those programs that they access is the film incentive program. The department continues to work to diversify Yukon's economy by expanding our cultural industries, and we are very fortunate to have such an incredibly talented and vibrant film and sound recording industry. The Yukon Film and Sound Commission administers six different film and sound funding programs aimed at meeting the diverse needs of this industry for which, in this current budget, \$710,000 has been budgeted.

The film industry in Yukon continues to be strong, providing Yukoners with employment and training opportunities.

I see you're signalling that my time is just about concluded, Madam Chair, so I won't be able to get into one of the really exciting recent developments in the Film and Sound Commission's programs, and that's that one of our respondents will be presenting a film at the Cannes Film Festival, which is an internationally known festival. It's one that's very famous and well-regarded. It's very exciting for us to have a Yukoner presenting a film at it.

Seeing that my time has elapsed in this go-round, I'll hear what the member opposite has to say.

**Ms. Hanson:** I'm hoping that the minister is not signalling that we're going to next hear about his trip to Cannes and he'll be consorting with the stars and starlets over there.

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

**Ms. Hanson:** I'm sure he does wish, but I do want to say that at the Tourism Industry Association meeting this week in Haines, Alaska, it was really good to see the participation of representatives there from the Film and Sound Commission, as well as people from Alaska and the Northwest Territories.

We talked about the dimensions of this industry in those neighbouring jurisdictions. One of the things that I found intriguing was the information and approach being taken by the Alaskans. This is not where I had meant to start off, Madam Chair. It's what we call a "squirrel" over here — so, he just did a squirrel on me, so I am going there.

The Alaskan representatives at the Tourism Industry Association spoke about the economic impact analysis they have done and do with respect to the economic impact of film and the film industry in their state. So I have just a simple question before I move on to other areas. I would ask the minister what economic impact analysis is underway or is planned with respect to — it's not simply the fact that a film crew comes up here and spends \$700,000 doing some filming. There is a ripple effect, one would imagine, and it would be interesting to know the extent to which the minister has directed the department to do that analysis. It is similar to a question that I will be asking him with respect to his mandate, in terms of an economic impact analysis of the tourism industry, because it was certainly

clear from the discussions this weekend that there are significant positives to be realized through that kind of analysis because of the consistency and the ability of that industry, as similarly appears with the film industry to whether the world economic storms with a more resilient — maybe slow and patient growth, but it does grow — and that is gratifying to see for an economy that could be buffeted by fluctuations — and is.

We are seeing that this year, in terms of the reduction in the exploration activity buffeted by world economic circumstances and, in particular, the downturn in various commodity prices. So, the economic impact analysis with respect to film and sound, and if he wants to speak at this point on tourism, we can certainly go there and come back.

**Hon. Mr. Dixon:** I will quickly respond to this one as well because I know there are other issues that we want to get into at further length.

With regard to the economic impact of the film and sound industry, we did conduct an economic impact analysis on that industry a few years ago, in conjunction with NFVIA, the Northern Film and Video Industry Association. I don't have it here today, so I can't really comment exactly on the details of it, but I would be happy to find it, review it, and perhaps provide some further information to the member.

One of the things it noted was that there was a minimum four-to-one ratio of dollars spent versus rebated, so investing in the Film and Sound Commission is certainly money well invested, I guess, in that sense. The money that we're investing here in the budget is certain to have a strong economic impact on the territory.

But I did want to finish just commenting quickly on the sound recording program. Yukon's sound recording industry also continues to grow as professionals develop their talents, expand their portfolios, and market their music products across Canada and around the world.

The department's sound recording program provides Yukon musicians with financial support to create professional demos and CD recordings. The 2013-14 budget allocation for the sound recording program is \$50,000. By supporting the film and sound recording industries, we are positioning Yukon and its people to be competitive in the national and international marketplaces.

Some recent examples of other accomplishments of the Film and Sound Commission, in partnership with the Northern Film and Video Industry Association — NFVIA — the Film and Sound Commission provided funding to manage, market and deliver experiential training and course work in factual documentary series development to Yukon producers. This initiative helps to position Yukoners to tell Yukon stories.

The Yukon Film and Sound Commission sent six music industry businesses to Canadian Music Week in Toronto in March of this year. I know that was a great experience for those six businesses. They were quite a variety of businesses too. It wasn't just people directly in the music industry, but people who provide other kinds of ancillary services. For instance, Gary Bremner Photography went to the conference. The company does shoots for CD covers and the associated materials

that go with sound recording. My understanding is it went very well and was very exciting. The Yukon representatives who attended that certainly benefited from it greatly.

The Yukon music industry businesses had been provided with a mentor to prepare for the event and further develop their business skills, so it was an opportunity for us to access Outside talent and Outside experience to develop our own local talent.

The Film and Sound Commission financially supported the Yukon Film Society's Available Light Film Festival's media industry development forum. The forum brought 19 film industry professionals to Yukon to network and share their knowledge and experience with Yukon producers to assist in advancing Yukon projects.

I think that rounds out that part. What I was getting to last time and I didn't get to explain — I did want to do a shout-out to the individual who did go to Cannes. It was Moira Sauer, a local filmmaker. She had her short film, *The Provider*, selected to be part of the third edition of Canada's "Not Short on Talent" at the Cannes Film Festival. This Telefilm Canada initiative is designed to increase the international exploitation of new short films and to promote Canadian talents to accredited buyers and international festival programmers at the Cannes film market in France this month.

The Cannes Film Festival is one of the largest and most prestigious film markets in the world. We think Moira may be the first Yukoner ever to screen at this event. So we're very excited and very proud of that. We're certainly very proud that the Yukon Film and Sound Commission was able to provide some support on this specific project that landed a Yukoner at Cannes.

Moira is a new filmmaker who was first introduced to the medium through the Yukon Film and Sound Commission-funded training initiative "Cold Snap" in 2011. *The Provider* was the film that Moira created during this 48-hour film experience. It won the Audience Choice award and went on to screen at the Tromsø International Film Festival in Norway and will now grace the screen at Cannes. This is a wonderful success story for the work of the Film and Sound Commission to date in developing and supporting new talent.

Telefilm Canada will make an announcement regarding the films that have been selected to participate in their initiative and, at that point, the news will become public and we can share it. We can all share in congratulating Moira in that accomplishment.

I think that rounds out the discussion I wanted to have on the film and sound industry, although I of course will entertain further questions coming from the member opposite. With regard to her one question, yes, we do economic impact studies of it; we haven't done one in a few years now, but I'll be working with the Film and Sound Commission and industry to determine if another one is needed in the near future and, if so, then we'll consider moving forward with that.

**Ms. Hanson:** I too agree that Moira's film — I don't want to use the word "delightful"; it's kind of quirky — will fit in quite well in Cannes. For the record, I stand to be corrected, but I do believe that Paul Davis had a short film that was also

accepted in one of these things. It's a workshop-type thing that Moira's film is being viewed at in Cannes. I believe that Paul also has a film there, which is something about the north and the cold.

So I look forward to receiving from the minister the information with respect to any studies that have been done on the economic spinoffs or impact to the territory and how that benefits different sectors of the territorial economy. We will come back to the tourism one at a later date.

I notice that the minister is getting impatient this afternoon. I too am impatient in terms of moving on with the budget stuff, for different reasons perhaps. I want to get on, partly because when you leave long times between these sessions, you sort of forget where we left off. I do recall in a conversation — or in response to a question — the minister noted that his department has now engaged on an official level to be involved with representing Yukon with respect to Canada's role on nation-state trade agreements.

I think for the record we just want to make it clear that it's "CETA." I think the record came out "CIDA" and I don't think we have anybody working for the Canadian International Development Agency, at least not yet. That could well come.

We have in the past asked the minister questions about the *Agreement on Internal Trade*, the European trade agreement and the FIPPA, the most current FIPPA with respect to the *Canada-China Foreign Investment Promotion and Protection Agreement*.

It's no secret that there are critics of these types of trade investment agreements to say that they weaken the ability of local communities to prefer or favour local industries. I guess my area that I would like to explore with the minister is — we know and we've talked about this in this Legislature. Some industries are less mature than they might be elsewhere. We're growing; we're growing in the diversity of industries in this territory, so we're not fully robust and as such we may require assistance to get off the ground. We have used procuring rules effectively in this territory in the past — rules for acquiring or buying that can help, I think, strategic new industries get started.

The member opposite and his party have in the past, however, supported trade and investment deals, and have said clearly in this House that they support CETA and FIPPA. So my question for the minister: Given that this government also was responsible for effectively removing or eliminating the Yukon hire policy, which gave preference to hiring local people for the public service, does this minister support rules that would give Yukon businesses and workers a competitive advantage?

**Hon. Mr. Dixon:** I guess we'll start by responding to some of the comments around the CETA, which, as the member opposite correctly noted, is the *Comprehensive Economic Trade Agreement* with Canada and Europe — not CIDA, as in the former federal department. I do believe I did submit that to *Hansard* so I'm sure *Hansard* has corrected that by now.

The governments of Canada and the European Union launched negotiations for this *Comprehensive Economic Trade Agreement* in 2009 and, for the first time in the history of trade

negotiations, to my knowledge, provinces and territories were invited as part of the Canadian negotiating team to attend the negotiation sessions relating to issues within their jurisdictions.

This is partly because of the fact, as far as I can tell, that Canada recognized a number of topics to be discussed will have impacts on the provinces and the territories and that Europe wanted the provinces and territories to be included in that as well, in the same way that they wanted their member states to be included in some of the discussions.

As I can only imagine, the negotiations are quite exhaustive and quite complex. As I understand it, they're still ongoing. We're very happy to have the invitation to participate in those and to represent Yukon's interest in those negotiations, primarily because we recognize that reducing international trade barriers benefits Canadian businesses, workers and consumers and it contributes to a stronger economy for the benefit of all Canadians. A strong Canadian economy means a strong Yukon economy, of course, as well.

At the same time, as a small and somewhat developing economy, the Government of Yukon recognizes the need to assist some of our businesses to grow and diversify. We provide a number of programs to do just that. Some of the ones we've discussed already in the Regional Economic Development branch — initiatives that focus on regional hubs like many of the rural Yukon communities. As well, we provide assistance for companies that are providing services to government. Our business incentive policy, for instance — BIP — provides rebates for companies that either hire local or use local supplies. For instance, there would be a rebate if a company doing work for the Yukon government used locally made windows or hired local students or anything like that. There are ways that we can incent and encourage the procurement of services locally and the use of local labour and the creation of local jobs.

So those are things that we advocate for Yukon, and do so at the negotiating table, whether in Brussels or Ottawa, through the negotiations with the European Union. So we are confident that our voices are currently being heard. I haven't received, for a number of weeks now, an update from the federal government as to where we are with that, although I did hear in the media recently that it appeared that the negotiations would continue into the summer, despite claims from both the Canadian government and the European Union that they wanted to have this wrapped up sooner than that. I do have the understanding that things are still ongoing.

One of the things we always hear about with trade negotiations is that the first 95 percent of the deal is easy to do — that's the easy stuff — it is that last five percent that is very difficult to do. I don't know the details of where the negotiations are presently, but they are ongoing, and we do continue to send a representative from the Yukon to participate, when possible.

With regard to the FIPPA with China, I have clearly articulated previously in the House that we feel that it doesn't inhibit the Yukon government in any way from legislating on behalf of Yukoners, either for the protection of Yukon citizens' health and safety or for the health and safety of our environment.

We remain confident that's the case. When the FIPPA did come out, and it was a significant issue in the media, both locally and nationally and even internationally, we consulted with our colleagues in other provinces and territories. As I mentioned last time we debated the Economic Development budget in Committee of the Whole — last year — some jurisdictions, like Ontario or B.C., will often have specific trade branches because trade is a very important thing for them. They'll have 100 or 150 policy advisors within their branch of that department, so they have a significantly higher amount of capacity when it comes to analyzing these things and consulting with legal teams and those sorts of things.

We do try to collaborate with other jurisdictions as much as we can so we have a very full understanding of the issues and, to a certain degree, we do rely on advice we get from others around the country. That's not to say we don't have some expertise in the department — of course we do.

The lady I did mention, who is our representative — I have full confidence in her and the representatives we have today, of course, who provide me advice around Yukon government's position on these issues.

Again, to reiterate, we're confident that Yukon's voice is being heard. We're confident that we're advocating in the best interests of Yukoners and Yukon's economy.

I think that answers the member's questions around FIPPA, CETA and the willingness of government to provide incentives to hire local.

**Ms. Hanson:** I do have some additional questions, because I think it's maybe one thing for the government to be willing — I guess what I'll be exploring with the minister is the extent to which the analysis has been done with respect to the potential for constraint on that willingness.

The CETA is really the first agreement to expose territorial and municipal governments to what is called a "negative listing coverage", which means that a government has to explicitly identify which areas are to be exempted with all other sectors, subject to the terms of the agreement. What this really does is that it expands the reach of investment and trade agreements and means that new services and regulations will be subject to the agreement.

This is important because this affects, as the minister alluded to — it's not just at the national government level; it goes down into municipal governments; it goes into Crown corporations. So my question is two-part: Has the Government of Yukon consulted with the AYC with respect to the implications of the current status of the CETA provisions with respect, particularly, to this notion of negative listing and has Yukon, in line with his comments about seeking — or the willingness of this government to try to foster and support local businesses — has it sought areas to be exempted from the comprehensive agreement — that Canada-Europe trade agreement — because those kinds of exemptions might be the kinds of protectors that would give comfort to municipal governments and potentially Crown corporations. We heard discussion this afternoon about the need for significantly large capital infusion. We need to be thinking about that and what the implications are for Canada,

for Yukon, and I would suggest Yukon First Nation corporate entities as well.

I'll just leave it at that. I do have one or two other areas with respect to this procurement issue that I would like to pursue as well.

**Hon. Mr. Dixon:** My understanding is that with regard to the discussions we've had with communities, the only community we were really thinking would possibly be affected by that was Whitehorse, because of the size. So we consulted with the Mayor of Whitehorse at the time and asked for input from the AYC. The Mayor of Whitehorse at that time suggested that — she was the chair of the AYC at the time — she did note that Whitehorse would be the only community that could even possibly really likely be affected by this. Those discussions have occurred.

If there are other questions following that, I may have missed them. I apologize.

**Ms. Hanson:** It was with respect to both the municipal and the territorial level of looking at negative listing, basically seeking to have listed negatively — i.e. that they can't have them covered — so you would be listing those services, those areas, that would not be subject to this agreement.

**Hon. Mr. Dixon:** My understanding is that we identify areas that need to be exempt and carry those forward, and we're comfortable with the way they have been going.

**Ms. Hanson:** I have a two-part question here.

We've heard municipal governments, and for sure at last year's Association of Yukon Communities, the Federation of Canadian Municipalities spoke to this. Municipal governments — UBCM in British Columbia, in particular — have sought clarification and exemption from CETA coverage mainly because — and I'm looking for a confirmation from the minister in this — indications are that all municipal purchases of services over \$300,000 and construction contracts of over \$8 million would be open to EU companies pursuant to this agreement.

I'm wondering if the minister can confirm that, if that's still on the table and what the implications or the analysis of the impact of that might be for the largest municipality — but there are other municipalities that might see significant capital projects too.

**Hon. Mr. Dixon:** Our understanding, based on the conversations we've had with the previous mayor and then the AYC chair, is that it is very unlikely that any municipality, even Whitehorse, would meet the thresholds that are being proposed in the negotiations. That aside, our position is that we would still like to have all communities in Yukon exempted.

**Ms. Hanson:** The first question I'll ask is this: What has been the response from the national government on that? I raise this, Madam Chair, because groups as disparate as the World Trade Organization have estimated that procurement by all levels of government basically represent between 10 and 15 percent of our GDP. So that indicates to me that the purchases made by the federal, territorial and municipal governments in our territory are quite significant. They provide real significant economic clout for governments and business opportunities for local businesses.

My question: What analysis has Economic Development done of the purchasing scope — purchasing done by the four levels of government annually in this territory? If you have that information, then you're able to get a real sense of the implications of these agreements. If you don't have it, I'm not sure how we can make the assessment that it doesn't impact. So what analysis has Economic Development done or are they undertaking of the purchasing power — the purchasing made — by the federal, territorial, municipal and First Nation governments annually?

**Hon. Mr. Dixon:** What we have looked at to date with regard to an analysis of the different levels of government — the impact is that the municipalities would have none, because they're too small. There is the possibility that if Whitehorse had a massive contract go out, it could be included.

But the amount of contracting going out, the size and volume of these contracts simply suggests that it's very unlikely that they would be affected. Nonetheless, as I said, our position has been that we would exempt communities from those provisions. The member asked what the response has been from Canada and the response has been generally fine. They haven't pushed back in response and I would suggest that that's probably likely because I don't think the European Union is really pushing to have access to contracts in Faro or Watson Lake, with all due respect to those communities. They're interested in the larger municipalities in the south. I don't anticipate that Canada will have an issue with maintaining the exemption for Yukon communities because I don't really think that the European Union would be asking for it either because of the fact that our communities are so small and I don't think there is a real drive for the Europeans to have access to Yukon communities.

With regard to the analysis of the Canadian federal government, that's the federal government's job. With regard to Yukon Territory — the territorial government — again, we don't feel that there is going to be a significant impact, so we're not overly concerned with that.

**Ms. Hanson:** I think the minister, upon reflection, might want to reflect that the fact is that \$300,000 and \$8 million are not significant thresholds anymore. An administrative building or a new building for the City of Whitehorse would exceed that quite easily, and there is a suggestion — I've heard from at least one member of that council that that is something that's being considered.

Who would have thought that SNC-Lavalin would be in the Yukon running the federal building? A transnational is a transnational. These are investor-staked agreements. It's not so much whether or not Düsseldorf is interested in investing in Whitehorse; it's the economic drivers, the transnational corporations, that will be looking to do that, and they have arms and extensions throughout the world. I don't want to suggest that the minister is underestimating — I believe he is. I will say that he is completely underestimating the potential interest of a transnational corporation that has interests in Canada, as well as in Europe.

The thresholds are relatively low. What I'm looking for is not so much a bland assurance that nobody is interested in the

Yukon — well, that's quite the opposite of the message we're telling the world. We want people to be interested in the Yukon. We just want to make sure — or, we, as legislators, should be wanting to make sure that when that investment comes here, it does not come at the price of local control. That's why it's important to know with clarity: (a) What message is being given to the federal negotiators on behalf of the territory? and (b) What response are they giving with respect to that kind of negative listing that allows us to ensure that a small territory — as I said at the outset — oftentimes growing new segments of industries that need some ability not to be swooped in and kicked out of business because XYZ company with a base also in France says they want to be here? That extends to many areas we haven't gotten into yet. We haven't seen the full picture of the territorial water strategy, but we do know that there are significant corporate interests in Europe that are interested and have established themselves in the North American market with municipal water services. These are issues. There will be huge challenges for us.

I wouldn't underestimate the size. As we grow — we saw how much it cost to build the Canada Games Centre. That was more than \$8 million. It was lots.

If we're quite confident, then the next part of the issue here are these international trade agreements as they're currently structured. It really begs the question: Does the minister support giving foreign companies and governments — the nation states — particularly with respect to the FIPPA, the one with China, the Canada protection and promotion agreement. But just in general terms, there is the notion that these offshore interests have the right to take subnational governments in front of a third party arbitrator — and keep in mind that these arbitrators are not a court; it's a very small group, from which this pool of arbitration is chosen.

They could effectively challenge policies that they view as a threat to their investment, which means that as much as we would like to take the assurances at face value, which the minister has, that we'll be exempted from the provisions, I guess what I'm looking for is an undertaking to show how that will actually happen.

What undertaking does the minister have with respect to CETA in the first instance that municipal and territorial procurement policies are not going to be subject to this third party arbitration process?

**Hon. Mr. Dixon:** I'll start with the beginning part of the member's questions.

With regard to the level of interest that European companies might have in Yukon, she expressed her concern with the level of the exemptions, the size — I think \$8 million and \$300,000.

The question here is this: Do we allow outside companies to bid on local contracts? The point I should make is that the IAIT exemption lists are already much lower than that anyway, so Outside companies — being from outside the Yukon but not outside Canada — can still bid on contracts here in Yukon.

Does it make a difference locally if a company is from Toronto or from France? They are not a Yukon company, so that's the point that needs to be made there. We are already open to

Outside competition, which isn't a bad thing. Having competitive companies bid on local contracts is often in the best interest of the government for having efficient programs go forward. We have confidence in our local contractors — despite these agreements that allow Outside competition, local companies still get contracts. They still do well and they are still very competitive. We have confidence that they will continue to do so.

With regard to FIPPA and the comments about FIPPA, what we lose is the ability to discriminate against Chinese investors specifically for being Chinese. That's what we lose. We are no longer allowed to discriminate against the Chinese company for being Chinese, which is something that, to me, I can't ever imagine the government deciding that because a company is of a certain nationality they would have a different set of rules than someone else. Nonetheless, that is the issue.

So what we're confident about with FIPPA is that the Yukon still has the ability to legislate in the interest of our citizens, for the health and safety of our citizens, for the health of our environment. We're still able to make environmental laws and apply them to those doing business in the territory, and even, in an unfortunate situation that the NDP form government and want to raise the royalties on placer miners as they have suggested they would do, they would be allowed to do so, even if it were a Chinese placer miner.

The point is that government still has a lot of options for legislating and regulating in the interest of Yukoners, but, seeing the time, I move that we report progress.

**Chair:** It has been moved by Minister Dixon that the Chair report progress.

*Motion agreed to*

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

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

*Motion agreed to*

*Speaker resumes the Chair*

**Speaker:** I will now call the House to order.

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

#### **Chair's report**

**Ms. McLeod:** 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 from the Chair of Committee of the Whole. Are you agreed?

**Some Hon. Members:** Agreed.

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

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

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

*Motion agreed to*

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

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

**The following document was filed May 6, 2013:**

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Yukon Minerals Advisory Board 2012 Annual Report  
(Cathers)