



# Yukon Legislative Assembly

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33rd Legislature

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## HANSARD

Thursday, December 3, 2015 — 1:00 p.m.

Speaker: The Honourable David Laxton

# YUKON LEGISLATIVE ASSEMBLY

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

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

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<b>Hon. Elaine Taylor</b>	Whitehorse West	Deputy Premier Minister responsible for Tourism and Culture; Women's Directorate; French Language Services Directorate
<b>Hon. Brad Cathers</b>	Lake Laberge	Minister responsible for Justice; Yukon Development Corporation/ Yukon Energy Corporation
<b>Hon. Doug Graham</b>	Porter Creek North	Minister responsible for Education
<b>Hon. Scott Kent</b>	Riverdale North	Minister responsible for Energy, Mines and Resources; Highways and Public Works
<b>Hon. Currie Dixon</b>	Copperbelt North	Minister responsible for Community Services; Public Service Commission
<b>Hon. Wade Istchenko</b>	Kluane	Minister responsible for Environment
<b>Hon. Mike Nixon</b>	Porter Creek South	Minister responsible for Health and Social Services; Workers' Compensation Health and Safety Board
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<b>Jan Stick</b>	Official Opposition House Leader Riverdale South
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<b>Jim Tredger</b>	Mayo-Tatchun
<b>Kate White</b>	Takhini-Kopper King

### Liberal Party

<b>Sandy Silver</b>	Leader of the Third Party Klondike
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**Yukon Legislative Assembly  
Whitehorse, Yukon  
Thursday, December 3, 2015 — 1:00 p.m.**

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

*Prayers*

## DAILY ROUTINE

### INTRODUCTION OF VISITORS

**Speaker:** Before we proceed, I would like to introduce the Commissioner of Yukon, the Hon. Doug Phillips, who has joined us today to listen to some of the tributes.

*Applause*

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

Tributes.

### TRIBUTES

#### In recognition of International Day of Persons with Disabilities

**Hon. Mr. Nixon:** I rise today to ask my colleagues to join me in acknowledging International Day of Persons with Disabilities. I also rise as a parent of a child with a different ability. The theme for this year is “Inclusion matters: access and empowerment for people of all abilities”.

When we speak of disabilities, we are not only speaking of physical disabilities. Many disabilities are not visible, such as hearing impairments or intellectual disabilities. It is estimated that more than one billion people, or approximately 15 percent of the world’s population, live with some form of disability or a different ability. Persons with different abilities can face barriers to inclusion in many aspects of society. Physical, social, economic, attitudinal barriers can exclude people from participating fully and effectively in society.

We are indeed fortunate that, in a community the size of Yukon, we have amazing groups of people who have come together through various organizations to support and serve Yukoners with different abilities, both physical and cognitive, and I am pleased to list a number of them here: Yukon Association for Community Living, Challenge, Options for Independence, Teegatha’Oh Zheh, the Child Development Centre, LDAY, the Multiple Sclerosis Society of Canada, Autism Yukon, CNIB, and many, many more. All of these groups provide support, not only to the individuals, but also to their families. These organizations make tremendous efforts to benefit Yukoners with a wide variety of different abilities to help to improve their health outcomes and enhance their quality of life. They work very hard to break down barriers and open doors for all their members.

Within this past year, Health and Social Services has established an advisory committee made up of parents, individuals with disabilities, and departmental staff, and we

are very appreciative of the insight and advice that they provide to us as a department and to me as minister.

I have heard it said that Yukon has some of the best supports across this country for individuals with disabilities. We should be very proud of that and of the hard-working individuals who support those with disabilities.

If all members of this Legislature can indulge me and help me in welcoming a number of people to the gallery today: first off, my son Jack and his EA Teresa Kopf from F.H. Collins; Hailey Hechtman, the executive director of Teegatha’Oh Zheh; Wenda Bradley, the executive director of FASSY; Simoukai Mutiwekuziwa from Options for Independence; Scott Boone, senior case manager for the Hub; Chris Camenzuli, an outreach worker from FASSY; Jen Collon, FASSY outreach worker; Tyson Kellerman and Rick Sam from FASSY; Jillian Hardy, manager of employment services, human resources for Challenge-Disability Resource Group; Leslie Peters, the executive director for Autism Yukon; a friend of all of ours in this Legislature, of course, Rick Goodfellow, the executive director from Challenge-Disability Resource Group; and Flo Roberts from the MS Society. Welcome to you all.

*Applause*

**Ms. Stick:** Thank you, Mr. Speaker. I too am pleased, on behalf of the NDP Official Opposition to pay tribute to International Day of Persons with Disabilities. It’s an opportunity to recognize issues in our communities concerning the inclusion of persons with disabilities at home, at work, at school and in all areas of society. Unfortunately, today people with disabilities still face many barriers, including access to transportation, medical care, housing and employment to name a few.

This year’s theme is in fact inclusion — inclusive and accessible communities, improving data and statistics, and inclusion of invisible disabilities. Here in Whitehorse and indeed across the Yukon, we have individuals, families and organizations working hard to break down those barriers and open doors to new opportunities. Most important are those parents and self-advocates who work hard to promote inclusion, and in that, I would like to just pay special tribute to Rick Sam, who I have known for many, many years and have had the opportunity to work with in promoting inclusion for persons with disabilities.

Special Olympics encourages fitness and friendly but fierce competition with individuals of all ages. The Yukon Association for Community Living encourages the employment of individuals in real jobs for real pay with their ready, willing and able program. Challenge has recently opened up the Hub centre that works with individuals to assist them in employment readiness, job coaching, and job placement. There are many more organizations, including those providing residential supports and training and those providing supports in our schools. There are many — and I wouldn’t want to forget FASSY or OFI, Teegatha’Oh Zheh and group homes.

Within government, Mr. Speaker, we have dedicated workers and services to persons with disabilities. In Family and Children's Services, we have the family supports for children with disabilities program that works to provide supports to individuals, families and caregivers. We have the diversity services program and the Health, Safety and Disability Management unit. All of these programs work hard to break down barriers through workplace accommodation and placement.

Mr. Speaker, we are a diverse society, and hopefully we are working to be a more inclusive society. We need to be aware of our own attitudes and ensure that we are not one of those barriers.

**Mr. Silver:** Thank you, Mr. Speaker. I also rise on behalf of the Liberal caucus to pay tribute to International Day of Persons with Disabilities.

Mr. Speaker, on December 3, persons with disabilities around the world, United Nations' representatives, civil society organizers and the general public will come together to celebrate International Day of Persons with Disabilities, or IDPD.

The 2015 event marks nine years since the landmark *Convention on the Rights of People with Disabilities* was approved in New York and more than 20 years of IDPD celebrations. This year, under the theme of "A Day for All", UN agencies and disability advocacy organizations in Geneva are hosting a series of events to showcase progress made around the world in advancing the rights of people with disabilities and inclusion and to recognize and celebrate persons with disabilities as a manifestation of diversity in our societies.

Persons with disabilities continue to be marginalized in Canadian society. Half of all the discrimination complaints filed in Canada are related to disability, according to a report from the Canadian Human Rights Commission, or the CHRC, released just yesterday. Between 2009 and 2013, 20,615 complaints were filed on the grounds of disability. The data, compiled nationally for the first time, confirms a trend observed at the federal level for several years. Disability-related complaints consistently represent a high proportion of discrimination files. Fully inclusive workplaces and accessible services are not yet a reality for persons with disability in Canada.

In light of the International Day of Persons with Disabilities on December 3, the CHRC calls for action to fully implement the UN *Convention on the Rights of Persons with Disabilities* in Canada.

The full inclusion and equality of persons with disabilities cannot be achieved without their participation. The CHRC calls on governments, employers and service providers to work with persons with disabilities to build a more equal and inclusive Canada. The number of disability complaints received by human rights commissions and tribunals provides valuable information to measure progress toward an equal and inclusive Canada.

A CHRC study released in 2012 suggests that persons with disabilities face barriers to full and equal education, employment and standards of living. When compared to adults without disabilities, they are half as likely to complete a university degree, are more likely to settle for part-time instead of full-time employment, and have lower annual incomes.

I would like to quote Marie-Claude Landry, who is the chief commissioner of the CHRC. She says — and I quote: "Employers who hire employees with disabilities frequently report that these employees are productive, talented people who make an invaluable contribution to the organization."

Yesterday, Canada's most decorated female Paralympian, Chantal Petitclerc, launched a Canadian tour to promote Rio 2016 Paralympic hopefuls — that was on Thursday — saying that the time is now for Canadians of all abilities to get involved in sport. Only three percent of Canadians living with disabilities are active in organized sports. That is a statistic that Chantal is working hard to improve.

Petitclerc, who is a 14-time Paralympic champion in wheelchair racing, wants to spread the message that — and I quote: "Canadians of all abilities have the right to take part in sport and live an active lifestyle... Today is a day that reminds us to continue to advance the important work of improving opportunities, accessibility and investment in parasport."

With everyone's support, Canada will lead the way in removing barriers for people to participate in physical activity and sports, from the playground all the way up to the podium.

Petitclerc will visit eight cities on this tour toward Rio 2016. The next stop is on January 19 in Calgary. For more information, visit [www.paralympic.ca](http://www.paralympic.ca) — donate, and make the dream a reality.

### **In recognition of the National Day of Remembrance and Action on Violence Against Women**

**Hon. Ms. Taylor:** I rise today to pay tribute to Canada's National Day of Remembrance and Action on Violence Against Women.

This day is commemorated across our country every year on December 6, the anniversary of the 1989 École Polytechnique massacre in Montreal. On that day, an armed male student murdered 14 women and injured some 10 others. They were killed because they were women. Over the weekend, we will be flying our flags at half-mast to honour the victims and to serve as a reminder that we still have a long way to go when it comes to combatting gender-based violence.

Violence against women has been at the forefront of our minds for the past week and a half, in large part due to the 12 Days to End Violence Against Women Campaign, which wraps up tomorrow with a vigil for the December 6 massacre. This year, there were some 14 events, spanning the 12-day campaign, from film screenings to talks to marches and much more. This week, Yukoners also had the opportunity to hear from Monique Lépine, who spoke on two occasions, bringing a unique perspective to this tragedy.

Mr. Speaker, here in in Canada, one in three women will experience sexual assault at some point over the course of their lives. Sexual assault, of course, is one of the top-five most common violent offences committed against women in Canada and remains one of the most underreported and non-reported forms of violence committed against women. While this systemic violence affects all women, aboriginal women and girls, in particular, suffer at even higher rates.

When it comes to violence, every single one of us has a very important role to play to address this pervasive issue. As parents, we can raise our children to respect themselves, to respect others and to teach them the importance of respectful relationships. As citizens, we can speak out against violence when we see it happening. We can speak up when we hear abusive or degrading language about women. We can resist blaming the victim, and instead honour the resistance and the dignity of those overcoming violence and to support one another to speak out when we witness acts of violence in our networks, in our workplaces and in our families. These are some of the things that we can do to end violence against women.

As a government, we are focused on a comprehensive and an integrated approach to improve key services in our response to women and families through victim services, child protection, probation, in our classrooms, health care, recreation and sport. As the largest employer in the territory, we are developing tools to respond more effectively to domestic violence and provide education and supports to staff and workplaces that are impacted by the effects of domestic violence.

We're working to strengthen the integration of gender-inclusive and diversity analyses throughout the decision-making in government by strengthening training, monitoring the outcomes of decisions and promoting the value of this very important work throughout the organization. We're working on a gender-equality indicators project to provide updated and accurate information on changes to the status of women so that we can adjust our programming and services to better meet the needs of Yukon women.

Mr. Speaker, we are collaborating with Yukon First Nations and Yukon aboriginal women's organizations to host a regional roundtable on the issue of missing and murdered indigenous women and a family gathering that will lend a northern perspective to this national tragedy and to inform our collective work to address this very pervasive issue.

Eliminating violence against women is a long-term goal. It requires action from the community as a whole and it requires a shift in the way we think about violence.

I want to thank everyone in our community who is already leading by example. In particular I want to thank the Victoria Faulkner Women's Centre and Les EssentiElles for all the hard work these two organizations have done to coordinate this year's 12 Days to End Violence Against Women Campaign and for their work throughout the year in support of our territory.

I want to thank Kaushee's Place, Yukon Women's Transition Home Society, the Help and Hope women's shelter

in Watson Lake, the Dawson women's shelter, and the many other agencies that are working day in, day out on the front lines. I want to thank and extend acknowledgement to all of the various Yukon aboriginal women's organizations and the many other women's organizations throughout the territory, and to White Ribbon Yukon and the Women's Directorate for their work in our communities. They work tirelessly in their daily lives to combat violence against women and girls.

Violence is something that hurts us all. It is something that it takes a whole community to stop. We need to do more and we need to do better but, by coming together, we can and are working to make a difference.

**Ms. White:** Thank you, Mr. Speaker. I rise on behalf of the NDP Official Opposition to honour Sunday, December 6 as the National Day of Remembrance and Action on Violence Against Women. We remember the lives of the 14 young women who lost their lives in a brutal act of gender-based violence. We remember and share in the grief of the families facing unimaginable loss. We also pause to give thought to the hidden victims of acts of violence — the family and friends of the murderer and the abuser. The guilt and the anguish they bear linger well past the headlines, as we heard this week from Monique Lépine.

As we remember the shock and sadness we felt as a country that something so awful could happen here, we pause to consider that, in Canada, violence continues to be a daily reality for women and girls from coast to coast to coast. We remember all those who have died as a result of gender-based violence. We mourn the loss of our missing and murdered aboriginal sisters. We mourn the loss of our missing mothers, our missing daughters, our missing sisters and our missing aunts. We take this time as an opportunity to reflect as a society on the ongoing tragedy of violence against women and girls in our country. We acknowledge that, despite our advances, women in this country still suffer physically, emotionally and economically. We still struggle to understand why, even in a country like Canada, there is sometimes such a strong resistance to the full integration of women in today's world. We ask ourselves why that frustration is so often displayed in acts of violence, disregard and aggression toward them.

As a country, it is right that we mark this event, for we must not forget the tragedies of our past if we wish to not have them repeated in our future. We must stand united as a nation to say both with our words and our actions that we do not support violence of any kind against women. We must never stop our fight against the parts of society that continue to teach women how not to be victims, instead of teaching men not to victimize. Gender-based acts of violence will continue if we do not face this reality individually and as a society, and say that enough is enough. We must continue with our efforts to end all forms of violence against women and girls until our streets, our schools, our campuses and our homes are safe.

**Mr. Silver:** Thank you, Mr. Speaker. I also rise to pay tribute to this national day of remembrance. I remember 26

years ago — December 6, 1989. Lots of important things happened in 1989 — the protests in Tiananmen Square, the fall of the Berlin Wall. However, the one event that shook Canadians the most was the Montreal massacre.

On December 6, a very troubled man entered École Polytechnique, an engineering university in Montreal. He was armed with a semiautomatic rifle and a knife. He separated the men from the women. In 20 minutes, he killed 14 women and then himself. From notes that he had left behind, he said he was doing this because women were taking jobs from men. It was a profoundly shocking display of violence, and it was clearly gender-based. I remember when I heard the news, and I felt loss and shame.

Here is what we know about violence against women: Statistics Canada says that victims of violence are about 50/50, men and women; however, 9 times out of 10, it is men who are creating these assaults. Clearly it is us, the men, who need to work to change this situation.

Most violence against women is not random. Most violence, as it turns out, is done by somebody who knows that person. The assaults against women are committed usually by spouses or by partners. We call it domestic violence, but the word “domestic” makes it seem tame or safe. Really, it’s an assault — an assault by somebody who is known — often someone who is loved or trusted.

Now society has changed over the past quarter of a century, but we still have very much left to do on violence. Here in the Yukon, we know of 39 missing and murdered aboriginal women. Violence is more prevalent in some groups, yet extends across all demographics — all incomes, all ethnicities.

Over the years, I have attended the national day of remembrance — the day we commemorate the Montreal massacre and acknowledge the victims of violence against women. I want to acknowledge the groups like the Yukon Aboriginal Women’s Council, Victoria Faulkner Women’s Centre and Les EssentiElles. These organizations work year-round to help raise awareness about violence against women.

It is great that they do this work, yet in order to get to the root of the issue — to truly create a culture and the cultural change necessary — we need to see more men taking responsibility. So I would like to acknowledge one more group: White Ribbon Yukon is men positively engaging men to challenge — quote: “... language and behaviours, as well as harmful ideas of manhood that lead to violence against women.” These guys work to convince men to speak out and to say something when they witness abuse or violence. They also organize the White Ribbon campaign. The white ribbon is a reminder and, for me, a pledge to end violence against women.

### **In recognition of Canada Cares awards**

**Hon. Mr. Pasloski:** I rise today on behalf of all members of the Legislative Assembly to tribute a celebration of caregiving.

Family caregivers provide care and assistance to spouses, children, parents and other extended family members who are

in need of support because of age, debilitating medical conditions, chronic injury, long-term illness or disability. Family caregivers are the invisible backbone of the health and long-term care system in Canada. With Canada’s aging population increasing, the contribution of these caregivers is essential.

As thousands of us have learned, family caregiving can bring out the best in us, but it is also extremely challenging. It drains our energy and pushes us to our very limits. It affects our families, our jobs, our finances and our health. Often, the health professionals who touch our lives during these difficult times go unmentioned as well, as they give of themselves time and again day after day.

Caroline Tapp-McDougall is one of those caregivers. Most Yukoners won’t recognize her name, as she resides in Toronto. Caroline’s father Ralph lived with ALS, commonly known as Lou Gehrig’s disease. A number of years after his death, her mother, Margaret, had a massive stroke which left her unable to walk or to talk. During this time, one of her daughters was diagnosed with epilepsy. Not only did she provide care and attention to them, she also relied on advice and support from a multitude of caring health professionals along the way. Caroline came to recognize how difficult life can be as a caregiver. In November of 2011, Caroline created Canada Cares: a Celebration of Caregiving. She said, “I founded Canada Cares, to say thank you and to shine the light on all those people who go the extra mile and really do *care*.”

Canada Cares is a not-for-profit organization whose vision is to create a sense of community for family and professional caregivers by increasing awareness, providing encouragement and showing appreciation. They are governed by a board of directors and an industry advisory committee and a patrons committee. Canada Cares’ mandate is to say “thank you,” and to elevate the role of family and professional caregivers while establishing multi-disciplinary, multi-sector partnerships that focus on recognition, participation, awareness, accessibility and diverse community engagement.

This organization encourages families, workplaces, governments, industry and other stakeholders to support caregivers for young children, teens, adults and seniors and to recognize the importance of caregiving to both the quality of life and the economic and societal well-being of our nation.

Each year since 2012, Canada Cares seeks nominations from across Canada for the Canada Cares awards. This is the only national caregiver awards program in Canada. The awards are supported by the Canadian Caregiver Coalition and are awarded at the annual Canadian Home Care Association conference. These very prestigious awards recognize both family and professional caregivers from coast to coast. I would add another coast to that statement, Mr. Speaker — but more on that in a moment.

These awards also recognize support from a caring community and an employer. Additionally, each year one fortunate nominee receives the \$10,000 Canada Cares One Wish award, sponsored by CBI Health Group. It’s not surprising that there have been thousands of nominations submitted over the years. The 2015 nomination request was no

different. I believe, Mr. Speaker, you submitted three nominations associated with the Yukoners cancer care fund. I just so happen to have those nominations: in the category of caregiver, Ms. Geraldine Van Bibber. After the Canadian Cancer Society closed its office in Whitehorse, Geraldine, with the assistance of a small dedicated group, laid the groundwork to establish the Yukoners cancer care fund administered by the Yukon Hospital Foundation. As the founder and principal organizer of the fund, Geraldine works diligently to provide assistance to the individuals and families who are dealing with cancer.

Several times during the year, Geraldine is on the local radio stations and in the news media, promoting fundraisers and bringing awareness of the fund to those who may need its services. Through these promotions, she has successfully brought together 14 individual communities across Yukon to support the fund. Today Geraldine and her group of enthusiastic volunteers work with individuals, groups and the Hospital Foundation to organize fundraising events. During these events, she greets the public, she takes donations, she issues receipts and she cleans up afterward. Her thoughts and counsel are sought by individuals, community groups and members of the government on any number of subjects. As of April 2015, Geraldine and her team have assisted 22 families, and the number keeps growing.

Mr. Speaker, in the category of caregiver-friendly workplace, you nominated the Yukon Hospital Foundation, Karen Forward, president, and Harmony Hunter, manager. Yukon Hospital Foundation administers the funds for the Yukoners cancer care fund and has assisted it in supporting more than 22 families battling cancer. The Hospital Foundation administers six different funds at no expense to the individual trusts. For more than 10 years, the Hospital Foundation team has assisted people and groups through events, trusts, gifts by will, RRSPs, memorial donations and the administration of charity funds. The cancer care fund would not exist without the support of the Hospital Foundation.

Throughout its existence, the Hospital Foundation motivates and educates individuals, businesses and organizations about the need for more and better caregiving for individuals and families in need of assistance. According to the nominator, without the Hospital Foundation, Yukon would not have some of the best caregivers possible.

In the category of caring community, Mr. Speaker, you nominated the community of Yukon. Yukon has a population of approximately 37,000 persons of diverse cultures and backgrounds spread across our wonderful territory. Cancer directly affects an individual, as well as their entire family and the community. The people of Yukon are generous, caring and compassionate and do not look at helping individuals in need as an obligation; rather, it is just what we do here in the north.

Any time there is a devastating personal or community event, a house fire, or a serious injury, someone quickly organizes an event for the local community. Items and donations come from across the territory, often raising tens of thousands of dollars overnight. The Yukoners cancer care

fund and many other funds will always benefit from the overwhelming generosity of Yukoners far and wide.

All of our communities, from Old Crow in the north to Watson Lake in the southeast corner, come together whenever needed to help those who are in need. Mr. Speaker, it is my privilege and honour to inform you and this House that, in the category of professional caregiver northern region, Ms. Geraldine Van Bibber is the winner and was recognized as the inspirational voice.

In the category of caregiver-friendly workplace among workplaces across Canada, the Yukon Hospital Foundation is the winner.

In the category of caring community, the winner is the City of Dorval, Quebec. I would like to congratulate the City of Dorval on behalf of this House. However, I would like to point out that the community of Yukon was awarded an honourable mention. It's worth saying that Yukon was the only community to receive this designation.

*Applause*

From Ms. Geraldine Van Bibber to Ms. Forward, Ms. Hunter and all Yukoners across our truly incredible territory — on behalf of all members of this House, I offer our sincere congratulations and our profound appreciation for all that you have done and continue to do. You have our deepest respect.

Mr. Speaker, we have some guests in the gallery today but, as the nominator, I am going to defer to you during the introduction of visitors so that you can introduce them.

In closing, I would encourage everyone to visit [www.canadacares.org](http://www.canadacares.org) to nominate an outstanding caregiver to express our thanks and appreciation for their selflessness and commitment to their communities.

**Speaker:** We're moving on to introduction of visitors. I think I'll go first.

## INTRODUCTION OF VISITORS

**Speaker:** We all know Geraldine Van Bibber for all of her work, but accompanying her today in the gallery are a couple of her helpers — Florence Roberts and Faye Cable. We're really pleased to have all three of you here.

From the Hospital Foundation — Karen Forward and Harmony Hunter. I am sure your good deeds will not go unpunished someday.

Also joining us today is Curtis Shaw, who is the chair of the foundation.

From the Yukon Hospital Corporation, we have Craig Tuton and Jason Bilsky. We thank all of you for all that you do for the Yukon at large.

*Applause*

**Hon. Mr. Graham:** Thank you, Mr. Speaker. It is indeed a great pleasure for me to rise today and introduce to all members of the House the Notre Dame Argos midget hockey team. The Argos midget hockey team — colourfully dressed, as you can see — is from Saskatchewan and they are

accompanied by their coaches, Michael Mattern Janslansky and Erik Lundie. I have to tell you, Mr. Speaker, that this team is truly an international team. They have players from Russia, Australia, Minnesota in the United States, as well as few Canadians. I know one young fellow there said he was from a First Nation in northern Saskatchewan, I believe, and I have forgotten the First Nation. I apologize for that.

They very well represent all of Canada as well as their home countries. There are 21 boys on the hockey team, accompanied by the coaches and six parents.

I also want to take the opportunity to introduce a true hockey mom and a constituent of mine in Porter Creek North — and no stranger to this House as well — who also has a son who plays in Saskatchewan — junior A in the Saskatchewan Junior Hockey League — and has long been a supporter of Whitehorse hockey and now a supporter of Notre Dame hockey. Pat Duncan is a former Premier of the territory as well.

Please welcome all of these young fellows and Pat to the Legislature, and I wish you well in the tournament that you're playing in this weekend — but not too much luck.

*Applause*

**Ms. Stick:** I would like to just recognize Chester and Judy Kelly, who are in the gallery today, constituents from my riding and people who are pretty familiar with people here.

*Applause*

**Speaker:** Before moving on, I would be remiss if I did not mention that the Commissioner is here. One of the reasons that the House invited him today was to hear the tribute to Canada Cares, because when I nominated the Yukon at large as a community, normally it would be the mayor who would receive the award on behalf of the people of that community. In our case, the Commissioner would have received it on behalf of the Yukon. I'm sure he will, as he moves around the Yukon and talks to individuals, pass on the honourable mention that we have received.

Are there any returns or documents for tabling?

## TABLING RETURNS AND DOCUMENTS

**Hon. Mr. Pasloski:** I rise to table the following document — a press release dated today titled, “Policy change enhances respite services for persons with disabilities and their families”.

**Hon. Mr. Hassard:** Thank you, Mr. Speaker. I have for tabling the *Yukon Diverse Fibre Link Project Value for Money Report Summary* from Ernst & Young as well as the *Total Cost of Service Executive Summary* from Stantec Resources.

**Ms. Stick:** Thank you, Mr. Speaker. I have for tabling this pamphlet called, *Our Food in Place*, and this was a collaboration between the Yukon Anti-Poverty Coalition and Food Network Yukon.

**Speaker:** Are there any reports of committees?

## REPORTS OF COMMITTEES

**Hon. Mr. Hassard:** I have for presentation the 20<sup>th</sup> report of the Standing Committee on Appointments to Major Government Boards and Committees.

**Speaker:** Are there any further reports of committees to be presented?

Petitions.

## PETITIONS

### Petition No. 22 — response

**Hon. Mr. Kent:** Thank you very much, Mr. Speaker. I rise today to respond to Petition No. 22, which was presented in this House on November 23, 2015. As the minister responsible for local area planning, I am pleased to respond to the petition.

The Government of Yukon is committed to safeguarding the rights of all Yukon landowners with respect to the use of their property while also being mindful of input from the affected community. The government has not made any decisions on the current rezoning application submitted by Takhini Hot Springs Ltd. and other owners of commercial mixed tourism zoned properties.

While no timelines have been set yet, a public meeting and consultation process will take place. The Yukon government will carefully consider the local and territorial public interest before making a decision on any rezoning application.

**Speaker:** Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

## NOTICES OF MOTIONS

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

THAT this House congratulates Takhini Hot Pools and Jesse Cooke, Husky Bus on the award and accolades that they both received at the 2015 Canadian Tourism Awards Gala.

*Applause*

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

This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Business incentive program

**Ms. Hanson:** Thank you, Mr. Speaker. Last week, I asked the minister for the number of rebates issued to businesses through Yukon's business incentive program and for a breakdown of rebates issued to local Yukon versus Outside businesses. The information provided by the minister shows that the total value of rebates for 2014-15 dropped 50 percent compared to 2007-08. We still do not know the total number of rebates issued, nor whether they went to local or Outside businesses.

Yukon's business community believes the business incentive program does not level the playing field for locally



based Yukon companies. In fact, recent changes to Yukon's procurement directive make it more difficult for Yukon businesses to win contracts and access the business incentive program.

Can the minister explain why he believes the current business incentive program is adequately supporting local Yukon businesses?

**Hon. Mr. Hassard:** Of course, as I mentioned last week, the business incentive program is out there for people to apply to. If people don't apply to it, then obviously there is nothing that the government can do. We accept the applications and approve the funding as it comes through. If people aren't utilizing the program, then we can continue to try to promote it, but we cannot force people to apply.

**Ms. Hanson:** That is an interesting take. In response to increasing pressure from local businesses about the lack of local procurement opportunities, the minister recently announced a procurement advisory panel. The government says this panel will make recommendations on opportunities to improve government procurement.

The trouble is this is not a new initiative. It's a repeat of a 2009 exercise where Yukon government convened an expert panel on contracting and then largely ignored their recommendations. These recommendations included greater Yukon hire and content and more opportunities for local suppliers.

When we listen to local Yukon businesses in meetings and industry fora, we still hear these same issues and these same recommendations. If this government did not consider the priorities of local businesses between 2009 and 2015, what is different today?

**Hon. Mr. Kent:** I am very excited to talk about the local procurement opportunities that Yukon businesses have. Of course, I've mentioned a number of times during this Sitting that 14 of the last 15 building projects have been awarded to local contractors — the one exception being F.H. Collins, and we saw 75-percent local hire on that project, as well as a number of Yukon subcontractors that were able to work on that project and keep their employees working.

When it comes to the procurement advisory panel that we have recently established — I actually had my initial call with the chair of that panel this morning. We are very pleased to have the calibre of individuals who are involved with that, moving forward. Of course, we have some from outside of the territory, but we also have representatives from the Yukon Contractors Association. A Yukon law firm is represented — as well as representatives of the Consulting Engineers of Yukon.

This is building on something that the former Minister of Highways and Public Works did at the tail end of his tenure, and that is to set up a procurement forum. We held that last year. I am looking forward to the second annual procurement forum where we will be able to present some of the concepts and ideas that the procurement panel has come up with, and we will move forward so that we can ensure that we can take advantage, as much as possible, of local opportunities for local businesses.

**Ms. Hanson:** Interesting. The government says this panel will make recommendations on options to provide economic opportunities for local companies. This is kind of ironic, considering this government's unilateral choice to remove local benefit provisions from the procurement directive in 2013, in clear conflict with the 2009 recommendations.

If this government's goal is to increase local economic benefits, where is the local presence on this new panel? The 2009 panel included five local Yukon industry representatives and an array of senior government decision-makers. On this new panel, there are just two local industry representatives and no senior management from government. There are, however, three Outside organizations represented.

While we remain hopeful, what assurances will the government give to Yukon businesses that the government will listen and respond this time around?

**Hon. Mr. Kent:** Thank you very much, Mr. Speaker. Clearly the Leader of the Official Opposition didn't listen or chose not to listen to my previous response when I outlined the membership of the panel. Of course, I mentioned that we have one of the local contractors, a representative of the Yukon Contractors Association, who is on the panel. We also have a local engineer representing the consulting engineers of Yukon on the panel, as well as a local member of the legal community. He'll be disappointed to hear that the Leader of the Official Opposition no longer believes he lives in the Yukon.

Again, Mr. Speaker, when it comes to the Outside expertise that we've attracted — Mr. Paul Emanuelli, as well as Ms. Marian Macdonald, are procurement specialists and procurement consultants from the Province of Ontario. We feel that soliciting Outside advice will help us in making our procurement performance better. One only needs to read their resumes to see how well-regarded they are in the field of procurement. Mr. Emanuelli, in fact, I believe, is an instructor on procurement in Toronto and has taught many of the officials in the Yukon government on proper procurement practices.

So Mr. Speaker, I'm excited about the list of individuals we've put together; I'm excited about those individuals and all that they're going to accomplish and I look forward to receiving their report and having them present to the second annual procurement forum scheduled for early in 2016.

#### **Question re: Campground development**

**Ms. White:** Thank you, Mr. Speaker. Yesterday we asked the government about its plans to lease campsites to RV owners for an entire camping season, based on internal government documents. This could make campgrounds with high demand simply unavailable and would do nothing to address congestion and conflict over spaces.

The government wants to set aside campsites to lease to a few lucky RV owners for the summer through a lottery process. Yukon parks are a public asset and, as such, they should be available to all on an equal basis. Mr. Speaker, which department started the process to investigate options to

lease campsites to RV owners for the whole season? Was it Energy, Mines and Resources or the Department of Environment?

**Hon. Mr. Kent:** Thank you very much, Mr. Speaker. Part of our campaign commitment in 2011 was to make land available to Yukoners. Further to that, we wanted to provide recreational land opportunities for Yukoners. We have succeeded on a number of those fronts during our time in office, but when it comes to the issue that the member opposite is referring to, it gives me an opportunity to clarify the record.

As Minister of Energy, Mines and Resources, I presented some concepts to my caucus colleagues. At that presentation, they requested further information. The work that has been done so far is that Energy, Mines and Resources is working with Environment to identify underutilized campgrounds that are more than two to three hours away from Whitehorse. Unfortunately the NDP have mischaracterized what we're trying to accomplish here with this concept.

This isn't about competing with the private sector; it's not about tying up spaces in popular campgrounds that are already oversubscribed or hard to get into; this is an opportunity for us to explore additional requirements and, as I mentioned, it's a concept. Caucus colleagues asked me to get more information. I've not had the chance to report back to them on that information. We're focused on expanding campgrounds; we're focused on providing recreational lots — remote access rec lots — and we've been very successful in that. We'll continue to do that and at this stage, this idea remains just that — a concept.

**Ms. White:** Thank you, Mr. Speaker. The minister hasn't denied that this option is being considered by his government. Maybe these weren't just hypotheticals after all, Mr. Speaker. We have correspondence that shows that this government's intention is to have a pilot project up and running for when Yukon's campgrounds open in May of 2016. The Minister of Energy, Mines and Resources said yesterday that the NDP is jumping three, four, five months ahead of ourselves. Well, Mr. Speaker, Yukoners want to know if three, four or five months from now, this government plans on leasing campsites to RV owners for the entire season.

Mr. Speaker, will the minister confirm that his government plans to go ahead with this plan for next summer's camping season?

**Hon. Mr. Kent:** Thank you very much, Mr. Speaker. No, this will not be anything that's considered for next camping season. As I mentioned, it's a concept. I've asked department officials to get more information based on a request from my caucus colleagues. Once that information is available — and it's information again related to campgrounds that are beyond two- to three- hours' drive from Whitehorse and that are underutilized through the summer months in the peak camping seasons. This isn't about any competition with the private sector. It's not about tying up some of our favourite spots or some of the campgrounds that are busy. It's an idea to increase the usage of those campgrounds that are currently underutilized. It will not be in place for the next

camping season. Again, I've not had the opportunity to even be briefed on the information request from officials because we've been focused on other things, Mr. Speaker. We've been focused on providing cottage lots for Yukoners, and expanding some of the more popular campgrounds and adding a campground at Conrad.

**Ms. White:** Thank you, Mr. Speaker. Will this government commit to consulting with Yukoners before going ahead with plans to lease campsites to RV owners in Yukon campgrounds?

**Hon. Mr. Kent:** Thank you very much, Mr. Speaker. I still am in a position where I need to consult with my caucus colleagues on this concept. They've requested additional information with respect to some of the options that were put forward. I haven't even received that information myself. Once I do, I will take it to colleagues to discuss it further. Beyond that, there will be external stakeholder engagement as well as consultations with other governments if necessary.

Mr. Speaker, to put this in perspective, I believe it was about 14 months ago that we initiated discussions with the Kluane First Nation — the MLA for Kluane and I — with respect to the cottage lots along Kluane Lake. We're hoping to have those available for next summer. The tender has been awarded for the surveying for that project and we're extremely excited to be able to provide that, in addition to the lots that we provided on Bennett as well as Tagish Lake, in addition to lots that the previous Yukon Party government provided on Little Teslin Lake.

Mr. Speaker, we're looking to satisfy a demand for recreational opportunities for Yukoners and we'll continue to entertain concepts and I'll continue to bring those concepts forward to my caucus colleagues for their consideration.

#### **Question re: Climate change action plan**

**Mr. Silver:** Thank you, Mr. Speaker. Yesterday, the government released its progress report on its climate change action plan. In the report, the minister acknowledges that the government — and I quote: "... recognizes the magnitude of changes to our northern climate and our willingness to respond in a coordinated, informed and timely manner.

I thank the government for providing us with an update as we head to the critical climate change talks in Paris next week. The update addresses how we will adopt here in the Yukon and the update establishes that from now on, we will use more robust methods of tracking our Yukon-wide emissions.

However, the update does not lay out a clear picture for how we will address the cause of climate change. Can the minister or the Premier explain how we plan to do our part to reduce emissions here in the Yukon? How are we responding in a coordinated, informed and timely manner?

**Hon. Mr. Istchenko:** I do thank the member opposite for the question. I sure hope that the briefings this morning for both parties across the way were informative.

Of course everybody knows — and I've said it in the House before — that in 2009, the Government of Yukon released its climate change action plan, which included priority actions to help us better understand the challenges and

to adapt — not adopt, adapt — to change. The four main goals in the plan are: enhance the knowledge and the understanding of climate change, adapting to climate change, reducing our greenhouse gas emissions, and leading the Yukon action in response to climate change.

So this is the second progress report so far showing what we have achieved. The report shows our government recognizes the magnitude of changes to our northern climate and that we are responding in a coordinated, informed and timely manner. In the progress report, there are sector-specific targets. They are ambitious ones — electricity, industrial operations, and the building and transportation sectors.

So I look forward to working with all the people from around the world on this issue and see what comes out of COP21. I look forward to our robust group of folks heading over there to tell Yukon's story.

**Mr. Silver:** It is worth noting that Yukon's per capita emissions — we're 30-percent higher than BC, 35-percent higher than Ontario and 70-percent higher than Quebec.

The Premier has noted in the Legislature and in the media that transportation accounts for well over half of all emissions here in the territory. Where in the plan is the focus on transportation? How does the government hope to achieve the emissions reduction targets that it has set, including an interim target to reduce transportation emissions by 10 percent by the end of this year?

**Hon. Mr. Istchenko:** Since developing the climate change action plan, the government has demonstrated leadership and commitment to climate change. Our commitment to addressing climate change is emphasized in the plan's four goals — the areas of greenhouse gas reduction, responding to climate change impacts, developing knowledge and understanding of leadership. The plan sets out 33 priority actions, most of which are complete, and we are going to see more actions as we move forward.

Although there is always more work to do, the new 2015 climate change action plan progress report details the significant progress that we have made to date and identifies some of the new actions. So I look forward to moving forward with this and seeing our delegation head to Paris for COP21. I'm really happy that we have a youth ambassador going and the Council of Yukon First Nations — the Grand Chief is going to tell Yukon's story.

**Mr. Silver:** Part of the story — two weeks ago, the Minister of Environment spoke about the reductions in transportation emissions and noted that — and I quote: "In 2013, transportation emissions were 9.74 percent lower than 2012." The update also shows this decrease in emissions.

What we don't have are measureable actions that are leading to a reduction in transportation emissions. What we do have are mine closures, a fadeout of exploration and a contraction of our economy. Is that the Premier's plan or the minister's plan to reduce our emissions — with a recession?

**Hon. Mr. Istchenko:** Actually we do have a plan, Mr. Speaker. It's called the Yukon climate change action plan and we started it in 2009. Climate change, we have got to know is affecting the north faster than anywhere else on the

planet. Yukoners see it and the effects of it every day. The effects on our road, especially related to permafrost, have been the focus of our work for recent years. We are a sought-after jurisdiction for permafrost research and I can tell you in the riding of Kluane — the great riding of Kluane — the line permafrost along the Alaska Highway, that 200-kilometre section, cost us a whole bunch more — \$6 million more — seven times the O&M costs of other regular roads.

So the report looks not only at our successes, Mr. Speaker, but our challenges. We have made progress on meeting our greenhouse gas emission targets, but of course there is still work to be done. One of the positive actions we have taken is to prove the way we measure emissions. There is new data that shows the areas we still need to improve, especially in the transportation sector — the member opposite spoke of it. We will work to do that, but it is important to note that Yukon's greenhouse gas emission levels are still very low.

I'm looking forward to the delegation heading over to COP21 to see what our federal counterparts come back with, as well as our other partners and other provinces and territories, and working with them.

#### **Question re: National Aboriginal Day as a Yukon statutory holiday**

**Mr. Barr:** Mr. Speaker, I am excited to be part of the campaign to adopt National Aboriginal Day as a statutory holiday in Yukon for debate in the coming weeks. This idea is based on the belief that Yukon First Nations have a rich culture and history that deserves to be celebrated by all Yukoners.

When I asked the Premier about his support for my motion, he said — and I quote: "I encourage all Yukoners to recognize the importance of National Aboriginal Day and to participate in truly celebrating the rich history and culture of our First Nation heritage here in this territory."

With those words of encouragement in mind, will the Premier support my motion to adopt National Aboriginal Day as a statutory holiday in Yukon?

**Hon. Mr. Pasloski:** Thank you, Mr. Speaker. I certainly appreciate the member opposite quoting the words that I had in this House on a previous day. I certainly still stand by those words and encourage all citizens of this territory to recognize and to celebrate National Aboriginal Day. Of course, what I also said in the House on that day is that there isn't a consistent day that Yukon First Nations celebrate. In fact, I believe that I used the Teslin Tlingit Council as an example. Their employees actually work on June 21 because they celebrate their day on July 28. So there are certainly significant days for different First Nations in this territory as well.

There are a lot of things to consider when we look at this situation, but again, I encourage all Yukoners to take the time to recognize and to celebrate what National Aboriginal Day is across Canada, but also specifically here in Yukon.

**Mr. Barr:** I would like to say that TTC does support this and all First Nations would be able to get together, along

with all of the Yukon. By giving Yukoners a chance to celebrate National Aboriginal Day, we could take another step forward in Yukon's path toward reconciliation with First Nation communities. We know that there is so much more to do, especially as demonstrated by the calls to action laid out in the Truth and Reconciliation Commission's final report.

National Aboriginal Day is an excellent chance for Yukoners to come together and share in the wonderful diversity that makes Yukon such a wonderful place.

Mr. Speaker, will the Premier support our motion to make National Aboriginal Day a statutory holiday in Yukon?

**Hon. Mr. Pasloski:** Thank you, Mr. Speaker. I certainly recognize and appreciate the member opposite recognizing the work that this government is doing when it comes to the calls to action from the Truth and Reconciliation Commission. To remind the members opposite, very shortly after the calls to action were tabled in the report, I tasked the deputy ministers across the entire government to begin to put together a report that identifies the work that is ongoing, or that we have done, that links to the calls to action.

I also said that we were going to work with First Nations toward reconciliation and, Mr. Speaker, I did say last week in this House that I had met that day — last Thursday — with First Nation leadership to talk about issues such as this. In fact, I'm returning this afternoon from another meeting with Yukon First Nation leadership to talk about the Truth and Reconciliation, to talk about how we're going to continue to move forward and how this is truly an issue that is much greater than public and First Nation governments, and that it's an issue that needs to be recognized and adopted by all citizens, all community groups and all service groups as well.

#### **Question re: Climate change action plan**

**Ms. Hanson:** The minister opposite has stated that adapting the Yukon to the effects of climate change is a priority. We adapt to changes after they are known. The challenges of climate change call us to act, not simply to accept. It is past time for government to take real action to fight the causes of climate change. The Yukon still has no territory-wide emission targets and this Yukon Party government continues to push the development of the oil and gas industry that will further increase Yukon's contribution to greenhouse gas emissions.

Yukon has an opportunity to demonstrate vision and leadership by establishing clear and meaningful goals to reduce its greenhouse gas emissions. When will this government make fighting the causes of climate change a priority and set territory-wide, not just internal to government, emissions targets?

**Hon. Mr. Istchenko:** Thank you, Mr. Speaker, and I'll just articulate what I told the Leader of the Liberal Party earlier in this Question Period, that the climate change action plan — we've been speaking of it for the past few weeks — has four main goals: to enhance the knowledge and understanding of climate change, to adapt to climate change, to reduce our greenhouse gas emissions and to lead the Yukon action in response to climate change. In the progress report,

there are sector-specific targets. There are ambitious ones, Mr. Speaker, when it comes to electricity, the industrial operations or the building and transportation sectors.

Mr. Speaker, I'm sure the Minister of Energy, Mines and Resources can speak a little bit to the energy strategy progress report that will be coming out shortly. These coincide together, recognizing that climate change and energy are linked.

**Ms. Hanson:** Mr. Speaker, this government is ignoring the obvious contradiction of trying to establish an oil and gas industry as a pillar of the economy while also claiming to be serious about fighting climate change. This Yukon Party government cannot seriously claim that climate change is a priority while they push for an industry that will increase Yukon's contribution to the north's greenhouse gas emissions.

World leaders — leaders from this Legislative Assembly — are gathering in Paris to talk about ways to move away from fossil fuels, while the Yukon Party is actively pushing for it. Meanwhile Yukon is passing up on opportunities to invest in a renewable energy economy that would last into the future while also helping to reduce Yukon's greenhouse gas footprint.

Does this government agreement that establishing renewables as a pillar of the economy would benefit Yukon's economy while also doing more to help fight climate change?

**Hon. Mr. Kent:** Only the New Democratic Party believes that economic development and taking action on climate change are mutually exclusive. We believe that they can both move forward together.

When it comes to our oil and gas resources, we have a very limited stock of oil and gas resources in the territory. There are only a handful of basins that exist, but we see opportunities there. We see opportunities to diversify the economy. I have said this before — where the NDP would have us pit industry versus industry, or individual versus individual. They pick and choose who can have a job in their Yukon and who cannot have a job.

Mr. Speaker, when it comes to the resource sector, we believe there are tremendous opportunities — not only in oil and gas, but in the mineral sector.

Let's talk a little bit about what we're doing as far taking action on reducing our own emissions. I'm sure the members opposite have driven around the building in the last couple of days. They will notice construction staging areas and materials starting to show up to reinsulate this building and redo the windows. This is one of our largest contributors to greenhouse gas emissions in the territory as far as buildings.

The second one is the old F.H. Collins that has recently been replaced. We're looking forward to the opening of that facility in January, Mr. Speaker. Again, we continue to take action on climate change, but not at the expense of economic development as the NDP would have us do.

**Ms. Hanson:** Thanks, Mr. Speaker. It's always interesting to see the deflection that occurs on the opposite side.

Canada's provinces have committed to taking bold action to fight the causes of climate change while this government

continues to pursue an industry that will set Canada's emission reduction targets back.

World leaders have gathered in Paris to set goals to cap global temperature increases to two degrees Celsius. Mr. Speaker, Yukon has already experienced that two degrees rise in temperature. Climate change is real; it is happening in the Yukon; it is lived reality.

The Northern Climate Exchange's findings on climate change have indicated that Yukon's permafrost is rapidly thawing. This affects all industries, all Yukoners. Addressing these problems means making commitments to fighting the causes of climate change.

How does the Premier reconcile the climate change action plan's goal to decrease greenhouse gas emissions while promoting the oil and gas industry in Yukon?

**Hon. Mr. Kent:** Again, the New Democrats are the party in this Legislature that pits Yukoner versus Yukoner. If you work in one industry, you are somehow better or you are held to a higher standard in their minds than if you work in a different industry.

Mr. Speaker, we want to encourage opportunities for all Yukoners, no matter what they do. I have family who work in the mining industry. I want to make sure that they can remain here in the Yukon and raise their families in the territory.

When it comes to other provinces and territories, the Yukon is in a very enviable position, as my colleagues have stated. I could only wonder what it would be like for the Yukon NDP to be in the same Legislature as the Alberta NDP, criticizing them for converting from coal to natural gas and not taking that extra leap right to renewables.

Mr. Speaker, 50 percent of the electricity generated in Alberta is from coal. Again, we're not in that situation. We have a very long and proud history and legacy of renewable energy opportunities. We're taking action on the biomass strategy. We're taking action on IPP and microgeneration, which includes solar.

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

**Hon. Mr. Kent:** Members opposite can yell all they want at this side of the House. We're taking action, but we also believe in a strong economy and a strong private sector moving forward.

### Question re: Community dietician

**Ms. Stick:** Thank you, Mr. Speaker.

Mr. Speaker, Yukoners face serious barriers to healthy, nutritious food and healthy eating habits. Earlier this week, we heard the minister say that he wasn't aware of the elimination of the community dietician position, leaving us the only jurisdiction in Canada without one.

In another questionable decision, the government's new food strategy was produced by EMR in the absence of a partnership with Health and Social Services or Education, even though local food procurement could benefit children, students, patients. Just this week, the minister said he will continue to work with his department on a plan.

My question is, Mr. Speaker: Why is the minister not working with EMR on a less-siloed approach to addressing food insecurity, nutrition and health outcomes in the Yukon?

**Hon. Mr. Nixon:** Thank you, Mr. Speaker. This just speaks to the fact that the member opposite clearly does not pay attention to the work that this government does. In fact, the Department of Health and Social Services continues to work with Highways and Public Works, it works with the Department of Education and it works with the Department of Community Services on those healthy eating strategies and public service announcements throughout the territory. We see dieticians working in our continuing care facilities and our hospitals. Mr. Speaker, we have access to health care through doctors, nurses and nurse practitioners. We see dieticians working with home care for seniors. But the position that the member opposite is speaking about was originally created under the THAF or the THSSI funding that was provided to the territory, and that position was responsible for implementing activities and a healthy eating work plan that ended in March 31, 2014.

A revised healthy eating work plan was developed in its place until March 31, 2016. Community Health Programs was reorganized with Health Promotion's existing staff and has been able to dedicate a half position to the healthy eating program. The member opposite clearly needs to pay attention to the work that is being done within government. There is no siloed approach. We continue to work with a number of departments and we're proud of that work.

**Ms. Stick:** Thank you, Mr. Speaker. I understand that there are dieticians in the department and working in different sections — that's great. But we do not have a Yukon community dietician — the only jurisdiction in Canada.

We should be concerned. In 2015, the Yukon received a failing grade on a national health report card. Healthy and nutritious food has a proven role in the prevention of chronic diseases such as cancer, diabetes and, as locally grown foods are more nutritious, the Yukon's proposed food strategy can have a potential impact on both food security and health outcomes, but only if government departments work together and with Yukoners. As it stands, national statistics show that Yukoners are eating less nutritious food than 10 years ago.

Will the minister acknowledge that food insecurity has serious implications for Yukoners' nutrition, health and well-being?

**Hon. Mr. Kent:** Thank you very much, Mr. Speaker. First of all, I would like to mention that the Agriculture branch in Energy, Mines and Resources works with the interdepartmental food security working group as well as the Yukon Agriculture Industry Advisory Committee. That group includes Growers of Organic Food Yukon, the Fireweed Community Market, Yukon Agricultural Association, Young Farmers, and the Game Growers Association. That work has been to discuss and develop concepts to enable industry expansion.

Mr. Speaker, I am proud of the work of our government in developing the local food strategy. Consultations closed in

early October and we expect to have a finalized strategy before Yukoners in the coming months.

Again, what we're looking for is to include in that a vision for local food production and consumption and principles to guide those decisions. We see great opportunities with expanding our agriculture sector and we're building on existing work that has already been done.

Support for the Fireweed Community Market, support for community markets and community gardens throughout the territory are but a few examples. For the member opposite to suggest that there are silos is an incorrect assertion. As I mentioned, Energy, Mines and Resources works with other departments and associations to discuss and develop concepts to enable the expansion of the agricultural industry in the territory.

**Ms. Stick:** Mr. Speaker, the 2010 nutrition framework identifies schools and child care settings as priority areas for promoting healthy eating practices. The minister said this week — and I quote: “Our focus needs to be on children.” He must not be aware that the Yukon is one of the few Canadian jurisdictions that has chosen not to develop nutrition standards for our schools and childcare settings. For this government's words — when it comes down to it, the actual policies needed to make our children healthier — they have not taken the needed action.

Will this government continue or will it approach children's health and commit to developing nutrition policies with standards that can be measured and tracked?

**Hon. Mr. Nixon:** Thank you, Mr. Speaker.

Mr. Speaker, the community health program was approved to reorganize, as I indicated earlier, within Health Promotion's existing staff and has been able to dedicate a position to the healthy program. There are other registered dietitians within government. There is one community dietitian who provides support to the broader community throughout the territory. We are proud of the work that is being done within this area through a number of different departments, as I indicated earlier — through the departments of Community Services, Highways and Public Works, Health and Social Services and Education. One only needs to look at the Food For Learning program that the Minister of Education supports, which has a tremendous impact on a number of families.

We will continue with the good work. There is a lot of good work being done. We are proud of that work and we thank those who are doing it.

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

We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

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

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

## ASSENT TO BILLS

**Commissioner:** Please be seated.

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

**Clerk:** *Act to Amend the Elections Act and the Electoral District Boundaries Act.*

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

*Commissioner leaves the Chamber*

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

## GOVERNMENT BILLS

### Bill No. 89: *Act to Amend the Municipal Act*

**Clerk:** Third reading, Bill No. 89, standing in the name of the Hon. Mr. Dixon.

**Hon. Mr. Dixon:** I move that Bill No. 89, entitled *Act to Amend the Municipal Act*, be now read a third time and do pass.

**Speaker:** It has been moved by the Hon. Minister of Community Services that Bill No. 89, entitled *Act to Amend the Municipal Act*, be now read third time and do pass.

**Hon. Mr. Dixon:** Mr. Speaker, it is a pleasure to rise at third reading for this bill. In my second reading speech, I attempted to provide an overview of the history of this bill. Of course this bill found its inception in the OTOF initiative, which began a number of years ago. Following that, the *Municipal Act* Review Committee played an integral role in providing some of the foundational recommendations, which we see reflected in the bill before us. Then of course, following that, there was considerable consultation with the Association of Yukon communities, Yukon municipalities and a range of other stakeholders.

This is the result of a considerable amount of work done by Community Services' staff, but there has been significant input by a number of stakeholders over the years and I think that there are too many to list today, so I won't bother trying to list all those who have all contributed to this bill.

Earlier this week, we had a thorough debate on this bill and were able to go line by line through the bill, so I trust members are well aware of its contents, but the early indications I had previously were that all parties would be supporting the bill, so I look forward to its passage today here at third reading and ultimately its assent, hopefully in the next few weeks.

Mr. Speaker, there isn't too much more to say other than that, so I will conclude my third reading remarks and commend this bill to the Legislature.

**Mr. Barr:** I rise today to give some final remarks on Bill No. 89 and its changes to the *Municipal Act*. I would like

to thank all those who put forth a great effort into making these changes across the departments and the communities that were involved, and all the different councils. This bill makes important changes to the law that governs the important work of our municipalities, often without the recognition that they deserve.

However, it is important to remember that much work still needs to be done to continue reforming Yukon's municipal infrastructure, particularly by further discussing the Yukon Municipal Board's role and issues regarding local advisory councils.

That said, Mr. Speaker, we will be supporting this legislation.

**Mr. Silver:** I'll be very brief. We'll be supporting this bill, of course. I want to thank all of my municipal counterparts who helped with the understanding of what we are here to debate in Committee of the Whole. I would also like to thank the minister for his commitment to get up to Dawson City and help the municipality, with his staff, to go through some of the procedural issues that the municipality will have as far as their ability to create revenue for the municipality.

With that, I want to thank all the department staff for all their hard work on this bill.

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

**Some Hon. Members:** Division.

#### Division

**Speaker:** Division has been called.

#### Bells

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

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

**Mr. Elias:** Agree.

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

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

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

**Hon. Mr. Istchenko:** Agree.

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

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

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

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

**Ms. McLeod:** Agree.

**Ms. Hanson:** Agree.

**Ms. Stick:** Agree.

**Ms. Moorcroft:** Agree.

**Ms. White:** Agree.

**Mr. Tredger:** Agree.

**Mr. Barr:** Agree.

**Mr. Silver:** Agree.

**Clerk:** Mr. Speaker, the results are 18 yea, nil nay.

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

*Motion for third reading of Bill No. 89 agreed to*

**Speaker:** I declare that Bill No. 89 has passed this House.

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

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

*Motion agreed to*

*Speaker leaves the Chair*

#### COMMITTEE OF THE WHOLE

**Chair (Ms. McLeod):** Committee of the Whole will now come to order. The matter before the Committee is general debate on Bill No. 92, entitled *Act to Amend the Travel for Medical Treatment Act*. Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

#### **Bill No. 92: Act to Amend the Travel for Medical Treatment Act**

**Chair:** The matter before the Committee is general debate on Bill No. 92, entitled *Act to Amend the Travel for Medical Treatment Act*.

**Hon. Mr. Nixon:** Madam Chair, I would like to first take the opportunity to welcome the officials to the Legislature today. With us we have Brian Kitchen, the director of Policy and Program Development, as well as Shauna Demers, director of Insured Health and Hearing Services. Welcome to both of the officials.

I'm pleased to rise today in Committee of the Whole to speak to Bill No. 92, *Act to Amend the Travel for Medical Treatment Act*. This key piece of legislation provides the authority for emergency medical transportation of all persons, including Yukoners and visitors from other parts of Canada and the world, for that matter. It also provides for pre-approved travel for medical services not available in the community or in Yukon for eligible health care insurance plan beneficiaries.

I'm pleased to bring forward this bill, as it supports quality of life and caring for Yukoners. Certainly access to necessary medical treatment via medical travel is essential to the delivery of quality patient-centred health care services in the north. This bill also supports our government's priority of good governance in practising open, accountable and fiscally responsible government. It achieves this by modernizing this decades-old piece of legislation and strengthening the

legislative framework. It achieves this by providing for clear legal authority, system efficiencies and better alignment with evolved program practices and with clinical service delivery.

Medical travel is not a universal health care benefit. Over the past year across Canada, including Yukon, we have seen cases in the media where people were not insured for medical travel outside of their home jurisdiction. As a result, they were responsible for the payment of ground and air medevac services, which can range from a few thousand to several thousands of dollars.

Health and Social Services has recently undertaken a media campaign to ensure that Yukon residents are informed of the limitations of their health care insurance coverage — in particular, ground ambulance and air medevac — when leaving the territory. We want to take the opportunity to empower Yukon residents to obtain third-party insurance prior to departing the territory. This proactive approach will ensure that Yukon residents have no surprises when accessing ambulance service outside of the territory.

Yukoners who take a quick trip to Atlin, Skagway or Vancouver should be aware that they need to consider purchasing extra insurance to ensure they are covered for air medevac or ambulance fees when they are away. The travel for medical treatment program is a significant cost-driver in the health system and reflective for all governments in the north delivering health care services.

In 2014-15, the expenses of the program were \$10,097,683. The Government of Canada, through the territorial health investment fund, is contributing \$2.6 million over three years to offset the continued cost burden associated with medical travel. We continue to experience declines in this level of support over the years.

Some medical travel stats for Yukon during this period are as follows: there were 516 people who received emergency air medevac services, of which 208 trips were transportation to a Yukon facility and 308 trips were transportation to a facility outside of the territory; 190 people received ground ambulance care; 2,539 people received scheduled air travel for medical treatment outside of the territory; 2,953 people received a travel subsidy; 1,436 people were provided mileage to travel in from communities for medical treatment; and 132 people were repatriated — that is, brought back home to Yukon from Outside medical care in BC or Alberta.

We know that managing this program is important. In 2012, we commissioned a review of the medical travel program to provide options, improvement recommendations, and implement changes. As a result, improvements were made to the referral process for medical travel from rural Yukon to Whitehorse. The capacity of the program to report on medical travel statistics had been increased. Finally, the medical travel program policy regime in Yukon was more clearly defined.

Twenty-one recommendations were developed, based on gaps and challenges and areas of opportunity identified for each improvement area, and I'm pleased to report that a number of those recommendations were accepted and have been implemented.

Madam Chair, during second reading, there were some questions that addressed the costs of the program and how the changes will streamline things for patients. This bill is aimed at achieving ways to secure operational efficiencies and ensures we do not incur losses for unrecovered travel expenses of non-Yukoners or costs that may be paid by another insurer. Our focus continues to be on providing quality patient care — patient care that recognizes the roles that health care professionals and administrators play in providing accessible, responsive medical travel services.

Some of the ways in which this bill will improve patient focus and enhance system efficiencies are as follows: a broader range of health care professionals will now be recognized in the act as being able to independently complete the application forms on behalf of the patient; non-resident emergency travel is being authorized in the act and will now be firmly anchored in the legislation in addition to Yukon resident emergency travel; discretionary benefits such as travel to benefit others and compassionate travel are being brought into the act; the authorization for emergency travel and pre-approved travel are being better aligned so that people most immediately accessible are involved in providing support and making decisions around travel; recovery of outstanding debt to non-insured people will now be efficiently collected through working with the Canada Revenue Agency to pursue offsets against income tax returns for non-resident Canadians.

The proposed collection process will align Yukon with practices consistent with other Canadian jurisdictions as well as prevent Yukoners from carrying the burden of unrecovered debt. Over a four-year period, Yukon government wrote off nearly \$100,000 as uncollectible debt for emergency medical transportation. The act brings clarity in its provisions that Yukon government will not pay for travel that another insurer will cover. The act enhances Outside travel accountability by placing the approval authority with the director of insured health rather than a contracted party. The director of insured health will continue to work closely with an independent physician who provides a clinical review of each request.

The review committee is now being established on an as-needed basis to complement the existing system of having an independent physician clinically review all Outside travel claims submitted to the Insured Health and Hearing Services branch. These are some of the examples of the benefits that modernizing this act will have.

I will now give a brief section-by-section summary of the changes proposed in this legislation.

In section 2, subsection 1, a number of new definitions are added to bring clarity to the act, and some are being amended to better align with the overall legislative scheme. Some key new definitions include “discretionary travel expenses”, which cover key benefits such as travel to benefit others or compassionate travel. This includes travel outside the territory for an organ donation such as the case of a kidney donation from one living person to another. It also includes coverage for compassionate travel such as covering the travel



of parents of a critically ill child receiving medical treatment outside of the territory.

During second reading, it was asked how this legislation will expand the availability of compassionate travel for many Yukoners who cannot travel with their loved ones. This bill includes compassionate travel in the act as a discretionary benefit. We will examine means in which compassionate travel may be expanded when we do our regulatory review.

During regulatory development, we will also examine the definition of “escort” to ensure that it reflects today’s operating environment.

Also, there are new definitions for “insured person” and “non-insured person”. This bill is now clear that “emergency transportation services” applies not only to Yukon people but to non-insured people who are visiting from other parts of Canada or other parts of the world. The act brings clarity that these valuable medical services will be delivered to all persons who need them.

The definition of “authorized practitioner” has been brought into the act to include not only physicians but nurse practitioners and registered nurses practising in an expanded scope. In actuality this has been happening in the regulations but needed to be brought in and aligned with the act as the existing act’s parameters were focused on physicians and nurses directed by physicians.

We are expanding the use of these health care providers in this bill as these are the front-line people who provide valuable patient services to Yukon people and complete the forms for pre-approved medical travel. Having this broader range of health care professionals who can provide patient services included in this bill further contributes to seamless care delivery. It is noted that these practitioners were brought in because they are most qualified about the medical necessity of a request in the operations of the publicly funded health care system. This distinction is important as it means we are not looking at expanding into private-practice practitioners at this time.

Other new definitions are brought in to provide clarity in the bill, such as “emergency medical transportation”, which recognizes the broader means in which a patient may be transported, and “medical emergency”, which defines situations that are deemed as an emergency and so forth.

Finally, some definitions are being amended to better align with the overall legislative scheme.

Section 2, subsection 2 addresses powers of the minister. This section now lays out those powers in a more comprehensive way, capturing all elements of the travel program, including the payment of subsidies or reimbursement in respect of an approved travel expense of an insured person; as well as authorization of the emergency transportation of a person; the repayment or reimbursement; and the repayment of expenses incurred by Yukon government for the emergency medical transportation for persons transported who are not covered by the Yukon health care insurance plan.

In section 2, subsection 3 of the bill, it provides for the powers of the director. This section has been amended to

enable the director of insured health to approve travel expenses including: amounts for travel expenses for an insured person or escort for travel outside the territory; as well, to perform any other functions and discharge of duties as assigned to the director by the regulations. The director will not only continue to approve in-territory travel, but will now approve or delegate the approval of all out-of-territory travel claims. The director works in partnership with the medical travel advisor in carrying out this authority.

Section 2, subsection 4 of the bill addresses the process that authorized practitioners undertake in submitting an application to the director for payment of approved travel expenses. These authorized practitioners may be a physician or a nurse. They achieve this by submitting an application certifying that an individual requires the medical examination, test, procedure or treatment, as it is not available at the point of referral. They also recommend whether or not an escort is required to accompany an insured person for medical reasons.

Section 2, subsection 5 of the bill addresses the final approval of travel expenses by the director of insured health. In practice, this is done after the form is completed by the patient’s physician or nurse, certifying that the treatment is required and is not available here in the territory. The director of insured health makes this decision, taking into consideration the clinical review carried out by an independent physician and giving consideration to the facts of the case and the regulations, which set out eligibility conditions, rules and amounts to be paid for medical travel.

In section 2, subsection 6, it simply states that a person approved for travel expenses is eligible for reimbursement of travel costs or subsidies toward expenses prescribed in the regulation, such as meals and accommodations. As set out in regulations, patients who are not admitted to a facility and require outpatient services may be eligible to receive \$75-a-day subsidy, beginning on the second day they received outpatient services, to a maximum of 90 days.

In section 2, subsection 7 of the bill, it ensures that Yukon government is not paying for Yukoners’ travel expenses that are covered by another insurer — for example, employees of the federal government or federal government corporation. If an insured person or escort is eligible for, or entitled to, the payment or reimbursement of all or part of their travel expenses by another insurer, that insurer covers the cost of those travel expenses.

Madam Chair, I see that you are giving me the signal that my time is nearly up. I do have a few more things that I would like to add, but I’ll provide the member opposite an opportunity to ask some questions.

**Ms. Stick:** My notes are brief and I am prepared to go through and ask my questions when we go into clause-by-clause debate. I want to thank the officials for being here today. This is an important piece of legislation that impacts many Yukoners. I’ll comment on the last part of the amendments that refers to the provision for recovery of medical travel first.

I support this; I think this is an important piece and understand that this is an expense that sometimes goes unpaid

when it's travel for persons who are residing outside of the Yukon. This particular part of the legislation will look at being able to recoup those costs against any income tax refunds, so it does limit the ability to do that to, I'm assuming, Canadians, or individuals living outside the Yukon, but within Canada. I imagine there's still the piece of those residing outside of Canada that makes it more difficult to get reimbursement for.

It's good to see that we're getting some clarification on medical travel. We do hear from a lot of Yukoners who have difficulty, sometimes, with medical travel. That's one of the things — when they're facing a medical crisis or an emergency, whether it's in the Yukon or having to leave the Yukon, they just want to get to where they need to be and take care of whatever that medical crisis is. The clarification is a good thing because too often I do hear from Yukoners who stumble or who don't understand what's happening, and sometimes it's after the fact so it's too late.

So I'm pleased to see that because again, as I say, that's the last thing they want to face is confusion or not understanding the rules. It will be important to have clear regulations and good public education, not just for Yukoners but for medical practitioners and health professionals in the Yukon who can convey that message to patients.

I also recognize that the regulations will need updating. One of the areas that is not addressed in this act — but if there are any comments to be made, I would be interested to hear them — and that's the cost that people face when going outside for travel, whether it's the \$75 a day for accommodation or the meal allowances that are offered. More and more, it seems that we're seeing these GoFundMe requests on Facebook and in our communities for families that are facing an unexpected medical crisis. It might be a spouse who has been in a motor vehicle accident who has to go Outside and the spouse goes, and all of a sudden they're without income. They may not have the luxury of a private insurance company that could help cover those costs, so more and more we're seeing these GoFundMe sites to support families to be together when someone is in a medical emergency or crisis and needs that family support around them.

I'm hoping this is something that will be looked at, because there are not many places in Vancouver where a person is able to access a hotel for \$75 a day. I speak from personal experience, having spent eight months Outside with a family member when they were ill, and it was costly. Without that private insurance and without the help of family, it would have been even more difficult.

Along those same lines, I'm also curious as to how these regulations and changes to the act parallel those services that are available to individuals under the non-insured health benefits and whether they are similar, because there has been in the past quite a difference in the way that medical travel has been addressed between the Yukon government and between non-insured health benefits. I'll just finish up with my questions and then let the minister carry on with finishing his remarks before we move to clause-by-clause debate.

He has mentioned a couple of times the clarifications on compassionate travel, and I'm not sure why that comment has come up when that is in the regulations now. It talks about parents or guardians being able to go out for a critically ill child, so I'm not sure what difference this will bring. But I do appreciate the recognition of the need for medical travel that will benefit others and the example that the minister gave with regard to live organ donations.

I guess the final comment I'll make, Madam Chair, is around the regulations themselves. How soon does the department see that they will be able to bring forth new regulations with the appropriate changes and have them in place? I'm hoping that there will not be a long delay in this, and I'm sure they're hoping the same too — but if we could get an idea of timelines in terms of the new regulations or amended regulations.

This is an important piece of legislation and I'm glad to see it coming forth. Like I say, it impacts a lot of Yukoners, and we want people to be able to receive the care they need in the Yukon or Outside in a timely manner and one that is supportive of them.

**Hon. Mr. Nixon:** I appreciate the remarks from the member opposite. As I indicated as I was wrapping up — and the member will have this in front of her — in section 2, subsection 6, it states that persons approved for travel expenses are eligible for reimbursement of out-of-territory travel costs or subsidies toward expenses prescribed in the regulations such as meals and accommodations. It's set out in regulations that patients who are not admitted to a facility and require outpatient services may be eligible to receive up to a \$75-a-day subsidy beginning on the second day they receive outpatient services to a maximum of 90 days. I know my colleague, the Minister of Justice, was around in 2006 when this government increased that per diem from \$30 a day. At that time, it started at day four to the now per diem of \$75 a day that starts on day two, so I certainly extend my appreciation to my colleague and his colleagues of the day who made those important changes.

I do know that we will be reviewing the regulations in the coming year. We don't have a firm timeline as of yet, but we do expect, in the 2016-17 year, to address the regulations of this act. I should also mention, Madam Chair, that Yukon does presently have one of the most lucrative programs in the territory for these types of expenses, so we're certainly appreciative of the people who work in the department on a daily basis on this.

As I was wrapping up, I was about to get to section 2, subsection 8 of the bill, and that section provides clarity around the appointments and mandate of a review committee, which was formerly known as the medical audit committee. This committee may be appointed to review payment of a subsidy or reimbursement in respect of the travel expenses of an insured person or of an escort. This appointment would be an additional check and balance in an appropriate case, as currently the insured health branch uses the service of an independent physician to clinically review the medical travel applications.

The regulation will set out the composition, powers and mandate of the committee appointed under this section. The review powers of the committee are broad and may be considered beyond just a medical audit, as previous legislation stated. It is noted that, while the old legislation focused on medical audits, it did not preclude financial audits that are currently in place through the Yukon government's financial system.

Madam Chair, section 2, subsection 9 of the bill provides for emergency medical travel. It aligns with the evolving practice of patient-centred care, whereby the director of insured health is authorized to approve emergency medical transportation of a person in a medical emergency. The movement of this duty from the chief medical officer of health, who is the physician who advises and leads the department and medical experts on matters of public health importance, reflects an involvement of practice.

This places the authority with the director of insured health and recognizes that this position remains on call 24 hours a day, seven days a week, and is the person most immediately available to address emergency medical decisions when they are required. This includes making decisions around specific types of cases, such as neonatal and pediatric care teams' use of alternative aircraft or decisions on outsourcing of regulations.

The bill will also, in part, provide legislative authority for Community Services' Yukon Emergency Medical Services program, which provides for emergency medical transportation. This work will be further carried out in the regulations. In fact, this department provides for both emergency and non-emergency medical transportation of the sick and injured within Yukon and to specialist care in southern Canada. They receive over 7,000 emergency calls per year.

Further work will be done in the regulations to align the authorities with the persons involved in providing support and making decisions around emergency medical transportation. Both section 2, subsection 9 and section 3 address recoveries of expenses incurred for persons not insured.

The provision of clear authority to collect from persons for emergency medical travel provides Yukon government with the ability to work in partnership with Canada Revenue Agency to set off any income tax refunds owing to the debtor. This will certainly help reduce any expenses that may otherwise be written off as uncollected debt and align Yukon with the practices of other Canadian jurisdictions. It will create system efficiencies in their recovery processes.

Section 4 of the bill provides for a number of regulatory powers. These have been identified in the act to ensure that the necessary aspects engaged by administration of the program can be addressed by regulation.

Section 5 of the bill simply corrects the expression of "Government of Yukon" to ensure the act reflects the proper legal name.

Section 6 of the bill revokes the form currently prescribed by Order-in-Council 1986/069. This form is currently used in making application for travel. As this form is operational in

nature, the authority to approve forms is included in the duties of many Yukon government program officials. The form is more appropriately created by the director of insured health in accordance with any regulations setting out in the parameters. This amendment allows necessary changes and updates to be made at the operational level.

Finally, Madam Chair, section 7 of the bill will allow the act to come into force on a day or on days to be fixed by the Commissioner in Executive Council. Once the regulations have been modernized and approved by our government, the act will be brought into force. Our officials are working on the regulatory changes necessary to be brought forward for Cabinet consideration and approval, and we will be working diligently toward seeing the outcomes of this work.

This concludes the summary of the bill.

Again, I would like to thank everyone who was involved in the creation of this bill. This includes collaborative work that Community Services and Justice have done in working with Health and Social Services to complete this bill.

Madam Chair, to answer a couple of the questions from the member opposite — one regarding compassionate travel brings into regulation the decisions being made by the director using discretionary power.

The member also asked about non-insured health benefits federally administrated. There are communications between Yukon government and NIHB on a regular basis regarding the coverage that is available. There are some disparities whereby Yukon government continues to work with NIHB to align the practice.

The member opposite also asked who we can recover from. Recovery will only apply to Canadian non-residents. The majority of outstanding debt is that of Canadians. Non-Canadians generally carry third party insurance that will cover all or part of the cost of a medevac.

Again, Madam Chair, I hope this answers a number of the questions from the member opposite. I know many Yukoners rely on this service. I know that my son Jack — who was in the gallery today at five feet and nine inches — was born at two and a half pounds at week 28 in the pregnancy and was rushed down to Vancouver. I certainly still remember the time that Emergency Services took to transfer him from one incubator to another and the care they took to transport him down to Vancouver to spend the next two and a half months, until he was five pounds and could return home. So my sincere thanks to those people back in 2000.

There is a lot of good work being done in the department — sometimes thankless work — but I certainly, as Minister of Health and Social Services, extend this government's thanks to those hard-working people.

**Chair:** Does any other person wish to speak in general debate? If not, we will proceed with clause-by-clause reading of the bill.

*On Clause 1*

*Clause 1 agreed to*

*On Clause 2*

**Ms. Stick:** There was a comment about the appointment of a new committee and I'm just wondering if

this is, in fact, an appeal process where a person could ask for a review of their own file — whether they're being asked for a reimbursement or they think they should have been allowed more allowance or that type of thing. Is that the purpose of this?

**Hon. Mr. Nixon:** In the current act, an audit committee, as I indicated earlier in my remarks, may be appointed to medically audit all applications for travel to obtain medical treatment outside of the territory. In practice, there has not been a lot of need for this committee, given the existing checks and balances in place around medical travel, including: the application made on behalf of a patient from a physician or a nurse that is then medically reviewed by an independent contracted physician; applications that are reviewed by the department policies and guidelines; air travel that is based on low-price fares; and benefits that are guided by the act and regulations including both the eligibility criteria and the subsidy amounts for meals and for accommodations.

The act is being amended to clarify the nature and scope of this committee. It may be appointed under the new section 8 to review the payment of a subsidy or reimbursement of travel expenses of an insured person or an escort. The regulations will set out the composition of the powers and the mandate of a committee appointed under this particular section.

It is noted, Madam Chair, that while the old act focused on medical audits — as I indicated in my earlier remarks — it did not preclude the financial audits that are currently in place through Yukon government's financial system.

Appeals are handled by the director of insured health, and I certainly appreciate that work.

Thank you for the question from the member opposite.

*Clause 2 agreed to*

*On Clause 3*

*Clause 3 agreed to*

*On Clause 4*

*Clause 4 agreed to*

*On Clause 5*

*Clause 5 agreed to*

*On Clause 6*

*Clause 6 agreed to*

*On Clause 7*

*Clause 7 agreed to*

*On Title*

*Title agreed to*

**Hon. Mr. Nixon:** Madam Chair, I move that Bill No. 92, entitled *Act to Amend the Travel for Medical Treatment Act*, be reported without amendment.

**Chair:** It has been moved by Mr. Nixon that Bill No. 92, entitled *Act to Amend the Travel for Medical Treatment Act*, be reported without amendment.

*Motion agreed to*

**Chair:** We are going to move on now to Bill No. 20. The matter before the Committee is continuing general debate

on Vote 53, Department of Energy, Mines and Resources in Bill No. 20, entitled *Second Appropriation Act, 2015-16*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

**Bill No. 20: *Second Appropriation Act, 2015-16* — continued**

**Chair:** The matter before the Committee is continuing general debate on Vote 53, Department of Energy, Mines and Resources in Bill No. 20, entitled *Second Appropriation Act, 2015-16*.

**Department of Energy, Mines and Resources — continued**

**Hon. Mr. Kent:** Madam Chair, I take this opportunity to welcome back Ms. Abercrombie and Ms. Relf to the Legislature to provide assistance as we move through debate on the supplementary.

I think where we left off last time, there was a question with respect to off-road vehicle regulation. I just want to provide a little bit of context for the members and then, time permitting, I do have some additional information with respect to the Wolverine mine, section 37 of the *Waters Act*, and its use at some of the abandoned mine sites that we have as well as mine reclamation closure and security.

First of all, I will start off with the off-road vehicle aspects. Of course members will recall that Energy, Mines and Resources is responsible for implementing recommendation 14 from the report of the Select Committee on the Safe Operation and Use of Off-road Vehicles. That recommendation focuses on situations in which off-road vehicle use negatively impacts the environment.

As members will recall, we tabled amendments to the territorial *Lands Act* a number of sessions ago. These amendments provided new tools for government to manage the environmental impacts of off-road vehicles on particularly sensitive areas. Since then, we have begun consultation on the regulations to bring these tools into effect. We launched this consultation earlier this year with First Nations, RRCs, the Fish and Wildlife Management Board and the public. Since that time, both First Nations and the Fish and Wildlife Management Board requested that consultation be extended, so it was, and consultation concluded in, I believe, early October. The regulatory package we have been contemplating would give government the ability to target specific areas where there had been or might likely be significant impacts resulting from ORV use.

Once we have reviewed the input received in this consultation, we will be bringing forward regulations to deal with the issue. Of course, as has been practised with a number

of consultations, we are also compiling comments into a “what we heard” report. It will be released to stakeholders, First Nations and the public shortly, followed by the drafting of the regulations.

We recognize that there are specific places and areas in this territory that are particularly sensitive to damage from off-road vehicles and that we need a way to target specific areas where it’s appropriate to restrict ORV use or limit the growth of new trails. This is what was contemplated when we made changes to the territorial *Lands Act* last year. What we are anticipating is a process to identify these areas and put into place these types of protection.

To do that, we think that the model used for the creation and changes for hunting and fishing regulations that involve First Nations, RRCs and the Fish and Wildlife Management Board is a possible solution. That’s why we have sought input of these groups and why we extended the consultation at their request. We’ll continue to work with RRCs and others to develop the type of process that will allow us to target specific areas that are in need of protection, but also treat all Yukoners in a fair manner.

It’s important to note that the legislative changes we made created new tools for government to manage the environmental impacts of ORVs and their use in particularly sensitive areas. The first of these was the ability to create ORV management areas that could limit access by ORVs to allow the area to recover or limit future access to prevent damage and limit the growth of new trails.

What we need to do is develop a process to identify and create these areas and implement the new tools we have available to us. We see the system used for hunting and fishing regulations as a possible model. However, the act also allows government the ability to issue temporary or seasonal protection orders in areas if an ORV management plan is not in place. If there is an interest from First Nations or RRCs in using these temporary or seasonal protection orders in specific areas of concern, I’m happy to consider that and will work with those governments and organizations to explore options for implementing this protection as soon as possible.

Madam Chair, I wanted to touch on a couple of issues that were raised by the Member for Mayo-Tatchun during our initial questions on Energy, Mines and Resources. The first is with respect to mine reclamation, closure and security. Yukon has a mine site reclamation and closure policy and guidelines based on modern industry standards and consistent with national mine site reclamation policies and best management practices.

The reclamation and closure plan must be prepared by the mine owner and submitted for review and approval by government prior to receiving a quartz mining licence. The approved plan must be updated at least every five years throughout the operating mine life. The mine owner must file an annual report that provides an update on their progressive reclamation, the results of their environmental monitoring programs and the effectiveness of mitigation measures.

The mine owner must provide financial security for the full outstanding mine reclamation and closure liability. This is

calculated based on the cost to reclaim and close the mine site in accordance with the approved reclamation and closure plan. The amount of security owed is assessed at least every two years to reflect changing liabilities on-site as progressive reclamation and other activities take place and annual reporting results.

Yukon government hires a third party to review the reclamation and closure plan. The reviewer provides a number of things, including cost estimates for the current liabilities on-site, liabilities expected within a two-year period and the expected liabilities at the end of mine life.

Yukon government uses this third party report, along with the estimates provided by the mine operator, in the reclamation and closure plan to determine the financial security required for a mine site. If liabilities are expected to increase more rapidly than the two-year review window, Yukon will require an update to financial security commensurate with development activities and changing liabilities.

Madam Chair, I am going to also touch specifically on Wolverine mine. I know there were a number of questions raised by the member opposite with respect to this. This is an update, as of December 1, from department officials and staff.

Compliance Monitoring and Inspections, or the CMI branch, inspects the mine site monthly to ensure the company continues to meet its obligations under its mine licence and provide proper care and maintenance. Yukon government is working with Yukon Zinc officials to make certain that regulatory requirements are met and to ensure temporary closure activities are implemented to safeguard the public and the environment.

Under the current requirements, Yukon Zinc is fully secured and has undertaken work to clean up the mine site and reduce its liability. Yukon Zinc’s operating plan going forward is to continue with the care and maintenance of the Wolverine mine site until such time as metal prices improve and production is deemed economically viable. A draft final reclamation and closure plan has been submitted and is currently under review by the Yukon government. Financial security will be adjusted after review and approval of the plan.

On October 2 of this year, the outstanding financial security for the Wolverine mine was paid in full by Yukon Zinc. Yukon government now holds almost \$10.6 million in financial security under Yukon Zinc’s quartz mining licence and water use licence. Currently, Yukon Zinc has a small crew on-site carrying out care and maintenance. The quartz mining licence and water use licence authorize a period of temporary closure for up to three years.

To date, the following activities have been carried out on-site, as per the temporary closure plan: all industrial activities have ceased at the site; waste material and ore have been relocated to lime facilities to limit environmental risk; and a four-member crew remains on-site to maintain the property and ensure environmental compliance; the underground mine de-watering system is not being used at present and the mine is passably flooding; temporary barricades have been installed to prevent access to the mine by people or wildlife; and the

company has proposed the installation of hydraulic plugs to seal the underground openings before water reaches the surface.

That is a brief update on Wolverine. I do have additional information and can provide that if further questions arise from members opposite.

I wanted to touch a little bit on section 37 of the water licences at abandoned type 2 sites. Section 37 is a clause of the *Waters Act* that applies in situations where a work is closed, or has been abandoned. This is a Yukon authorization granted by the Minister of Energy, Mines and Resources. Under section 37, if there is a danger to persons, property or the environment that results from closure or abandonment, the minister can take any reasonable measures necessary to prevent, mitigate or remedy any adverse effects on people, property or the environment.

Since abandonment, all work conducted at Faro, Mount Nansen and Ketzka is under a section 37 authorization. Monitoring, inspections and oversight of these abandoned mines is regularly carried out by Yukon government, and environmental standards are in place to ensure ongoing protection of the aquatic environment. In the short term, the work required to fulfill the minister's section 37 direction is care and maintenance work designed to protect human health and safety and the environment. However, care and maintenance will not be sufficient in the medium- to long-term to adequately mitigate risks and may be considered a holding pattern while the planning, design, permitting and implementation phases of remediation are undertaken.

Conditions at abandoned type 2 sites are continuously evolving, making remediation planning a complex task. Added to this is the challenge of reconciling the different interests and expectations of three levels of government — of course federal, territorial and First Nation — with respect to the overall remediation objectives of each site.

Assessment and Abandoned Mines has been negotiating with Canada to submit both care and maintenance activities and remediation plans to the Environmental Assessment Agency so that water use licences can be obtained. The status varies at each site. At Faro, a section 37 direction was issued in 2009 at the time of site abandonment and when an overall remediation plan was expected to be submitted to environmental assessment within 18 months. A draft project proposal for care and maintenance work at Faro was finalized in November 2014 as timelines for submission of the overall remediation plan continued to slip.

Discussions are still underway with Canada regarding the timing of this submission. The overall remediation plan agreed to by Canada, Yukon and affected First Nations in 2009 has now, as I mentioned in previous debate, reached the 20-percent level of overall design definition. The plan is being executed in stages and components identified as urgent works based on risk. An example we talked about is the north fork of Rose Creek and the tailings impoundment, which are proceeding as a high priority.

Discussions around regulatory approaches for care and maintenance/urgent works and the remainder of the overall

remediation plan continue with Canada. To date Canada remains unconvinced of the need to submit works for assessment and or licensing.

With respect to Mount Nansen — care and maintenance activities there are currently being undertaken as well, under a section 37 authorization. An overall remediation plan has been developed to the 30-percent level. Associated costs are higher than those anticipated at the evaluation stage, so Canada is exploring ways to reduce costs while preserving the outcomes of the selected option.

As mentioned previously, they are pursuing opportunities to sell Mount Nansen and pass the design and execution of the remediation plan on to the purchaser. That's a similar model to what we've seen at Keno Hill. Canada will require the purchaser to obtain a water licence for all works as a condition of the final sale. Yukon and Canada are discussing approaches to care and maintenance during the sale process — a potentially two- to three-year duration — recognizing that continued environmental degradation during the period of sale could have cost implications for Canada and/or could complicate the sale. Yukon has proposed that once the sale process begins, our role should transition from overseeing site care and maintenance into a regulatory role. This would limit any liability to our government associated with site degradation during that sale process.

Finally, with respect to Ketzka, care and maintenance activities are underway under a section 37 authorization. These activities include pumping and treating contaminated water. Assessment and Abandoned Mines has recently begun assessing the resources required to develop an EA — environmental assessment — and a water licence submission for these works, recognizing that it could again be a three- to five-year time horizon before remediation begins.

Canada and Yukon have had initial discussions regarding a long-term approach to remediation of the site and have had preliminary discussions with the affected First Nations. There are four First Nations: Ross River Dena Council, Liard First Nation, Kaska Dena Council, and the Teslin Tlingit Council.

That is an update I have based on questions that arose during previous debate and I welcome additional questions related to that or other issues from members opposite.

**Mr. Tredger:** I would welcome the officials back to the Legislature.

Just on ORVs — and I thank the minister for his fairly comprehensive review of some of the questions I had — when the act was passed, the minister was given the authority to restrict or prohibit the use of off-road vehicles in sensitive areas on a temporary basis when he considers it necessary. At the time, the minister said that will allow the government to address some of the more sensitive areas while we are waiting for regulations to be put in place. It's my understanding that the minister has not deemed it necessary to close any of the areas, so I take that to mean that it is in the minister's opinion — since he hasn't used his authority, I would assume he believes that extensive or permanent damage is not occurring and that sensitive areas and wildlife are not being adversely affected by the encroaching spider web of trails that, when I

have seen pictures, extend further and further into the wilderness and higher on to the mountains.

I would ask the minister: How has he come to that assessment? What data has he collected that would assure the public that permanent damage is not occurring and, therefore, it hasn't been necessary to close off any of these areas? I would be looking for what studies have been done. Has there been any aerial photography done to map the extension of the spider web? Has any wildlife analysis been done?

I know the minister has been given a number of areas citizens have raised concerns about and those areas haven't been closed. I guess my assumption is the minister feels everything is okay. Does he have data to support that?

**Hon. Mr. Kent:** As mentioned, the act does allow government the ability to issue temporary or seasonal protection orders in areas if an ORV management plan is not in place. That does not remove our requirement to consult with First Nations so, as I mentioned in my opening response, if there is an interest from First Nations or RRCs in using these temporary or seasonal protection orders in specific areas of concern, we would be happy to consider that and will work with them to explore options for implementing this protection as soon as possible.

That said, though, we do need to develop an enduring process to identify and create these areas and implement the new tools we have available to us. We see the system used for hunting and fishing regulations as a possible model. I know that I worked closely with the previous Minister of Environment, as well as the current Minister of Environment, on identifying a potential model that exists and would work, and this is where we felt we could have the best success.

The Department of Energy, Mines and Resources, on this particular file, has been focused on consulting and developing the regulations. There has been no data collection or assessments done, as the member opposite asked, at this point.

That's not to say that I don't recognize that there could be specific areas of concern. Again, we will have to meet our requirements to consult with First Nations if we are going to use the temporary or seasonal protection orders in those specific areas. We'll look forward to hearing from First Nations or RRCs if they believe a specific area requires this measure to be taken.

**Mr. Tredger:** When we discussed this earlier, the minister implied that he would react to complaints and concerns and that the process could be complaint-driven. I know that TOYA has mentioned a number of areas to the minister. Has he been consulting with First Nations on particular areas that have been raised by the public? Which First Nations has he consulted with and in which areas?

**Hon. Mr. Kent:** No, Madam Chair, I have not consulted with First Nations on any particular areas of concern that have been brought forward by members of the public.

**Mr. Tredger:** I thank the minister for that answer. Last time we were on the floor, the minister described the closure plans as being a percent completed. For example, he said that the overall remediation plan has been developed to a 30-

percent level for Mount Nansen and Faro is at 20-percent design. What does that percentage mean and are there any timelines associated with percentage completion?

**Hon. Mr. Kent:** It's my understanding that, when used in this context, design standards are an engineering term. We have professional engineers who are contracted to develop our remediation plans when it comes to the abandoned sites. This may be updated from my previous response because it's an updated note, but Faro is at a 20-percent level of overall design definition. Mount Nansen is at 30 percent. Ketza, which we just recently acted on — of course, we haven't begun looking at what the remediation plan would look like for that site. There are care and maintenance activities that are underway there. Again, my understanding is that these are engineering terms when used in this context of remediation design.

**Mr. Tredger:** So they wouldn't mean that they're that percentage completed — only the planning of a design would be 20-percent completed? I'm just asking for clarification.

**Hon. Mr. Kent:** That percentage represents the level of overall design definition in those cases.

**Mr. Tredger:** At Faro we have 20 percent of a final plan. It has been costing — from my figures, which may be inaccurate — approximately \$10 million to \$12 million a year. We're in the process now of designing a new dam and diversion of the water — permanent upgrades to the Rose Creek dam and diversion — and I just caution the minister that the word "permanent" should not be used for earthen structures in contact with flowing water.

The minister mentioned that new aspects to the Faro reclamation would cost around \$150 million — one project at \$100 million and another at \$50 million. These were newly conceived projects. Today he mentioned that — and I didn't get the whole thing — Canada remained unconvinced of the necessity for some of that. I guess my concern is that at Mount Nansen, when Canada was unconvinced of the need for a particular closure plan, they took over the closure plan and are looking at trying to cut costs on that. Is that a possibility at Faro, or has the federal government agreed to fund the extra unanticipated \$150 million?

**Hon. Mr. Kent:** I think it's important to clarify for members and the Yukon public that the amount spent — particularly at Faro, there is a significant amount spent every year for just care and maintenance activities. I believe it's in the neighbourhood of \$10 million to \$12 million per year that is spent strictly on care and maintenance activities at that site. The other component that is there is the overall remediation plan. That is the plan that has now reached the 20-percent level of overall design definition. It is being executed in stages — components identified as urgent works — based on risk.

Again, we've talked about at the north fork of Rose Creek — and the tailings impoundment is proceeding as a high priority. Discussions around regulatory approaches for care and maintenance/urgent works and the remainder of the overall remediation plan continue with Canada.

As mentioned, Canada is on board for the remediation work at Faro. Canada does, however, remain unconvinced of

the need to submit works for environmental assessment and/or licensing. That is what I had mentioned in my opening remarks for the member opposite.

When it comes to Mount Nansen, the overall remediation plan that has been developed to the 30-percent level — the costs associated with that are higher than those anticipated at the evaluation stage, so Canada is exploring ways to reduce costs while preserving the outcomes of the selected options.

It is important for all Yukoners to recognize that, as these sites were permitted under the Government of Canada's watch prior to devolution, they are the responsibility of the Government of Canada. As such, they play a very important role in delivering on the remediation and care and maintenance aspects.

They are a partner in each of these sites with us, and we continue to work with them and affected First Nations to find solutions to what are some complex issues and complex concerns that emerge at these sites, particularly at the Faro site, given the size of it and what is taking place within the Faro mine complex.

**Mr. Tredger:** I thank the minister for his answers there. I have a quick question. It sounds like significant changes are happening at Faro. Has the mandated steering committee been informed of those changes? Have they received a report? Is the minister in touch with them? How are they reacting to that?

**Hon. Mr. Kent:** With respect to the site at Faro, the Assessment and Abandoned Mines branch of EMR continues to keep affected First Nations and the Town of Faro apprised of the status of care and maintenance activities and of the north fork of Rose Creek remediation, which, as I mentioned, has been described as urgent works. The first meeting of the working group designed to develop an approach to Kaska input to the governance and management approach at Faro met in July of 2015 and included representatives of Yukon, Canada, RRDC, Liard First Nation and the Kaska Dena corporation.

A follow-up meeting was planned for November but is now deferred to January in recognition of the leadership election in the community of Ross River. Opportunities to receive updates and provide input to the project were provided to Selkirk First Nation in the fall of 2014 and the spring of 2015, culminating in a meeting in July 2015, at which Selkirk First Nation was provided an overall project update and discussed potential Selkirk First Nation involvement in Faro.

That note has been sent to me since we last got together to talk about Energy, Mines and Resources and hopefully provides an update of the engagement activities between Yukon, Canada and the affected First Nations, as well as the Town of Faro, specific to that project.

**Mr. Tredger:** I thank the minister for his answer. The Mount Polley tailings dam failure created an environmental disaster. There are proposals for similar and much larger tailings ponds to be built in the Yukon. In fact, the proposed Casino mine is over 10 times the size of Mount Polley and, if built, will be one of the largest tailings facilities in the world, one that must be maintained forever.

I understand that particular project is now before YESAB. Last spring, the minister told this House that his officials were reviewing the Mount Polley recommendations. One of those recommendations was specific to tailings ponds, and the recommendation was to move away from tailings ponds to other alternatives. My questions for the minister are: Have there been any changes to Yukon regulations stemming from the Mount Polley review? What regulations are specific to tailings pond structure? Have they been updated to account for new research and new understandings of how our permafrost is melting?

**Hon. Mr. Kent:** As a bit of an update — maybe just to go back to the Mount Polley failure that happened in 2014. This may be repetitive from the spring, but there is a little bit of new information with respect to the Casino project in particular.

Compliance Monitoring and Inspections branch, or CMI, administers a comprehensive inspection program for Yukon that is based on risk assessments to ensure the safety and integrity of tailings ponds and mine works. Inspections are conducted on a frequent basis. Yukon uses several approaches to ensure safe construction and operation of the tailings facilities. All facility designs and operations must be assessed by the YESA board and reviewed by the Yukon Water Board and Energy, Mines and Resources, with terms and conditions included in their respective licences.

Several older mine sites in Yukon that we've recently talked about — of course, the abandoned sites at Faro, Clinton Creek, Mount Nansen — are still under federal jurisdiction. Yukon will be discussing the care and maintenance of those sites with the federal government in the context of the reviews that were announced by British Columbia, Ontario and Saskatchewan. The Mount Polley independent review panel, having released its report, included recommendations that mining regulators and industry across Canada learn from in order to improve the design and construction of tailing storages.

With respect to the Yukon tailings dams themselves, Yukon mines use various methods to store tailings, including both tailing ponds and dry-stack tailings, depending on the specific site and mining process — by that, I mean whether it's placer or hardrock mining. The dry-stack tailings process is stable because it compacts and layers the tailings and contains less than 20-percent moisture content. Tailings facilities require a quality assurance and quality control — or QAQC — manual for construction and design drawings that is sealed by a professional engineer. These designs are peer-reviewed and recommendations are provided to regulators. Throughout the life of the project, CMI conducts regular on-site inspections to ensure the mining activities, including the handling of tailings, are in accordance with the terms and conditions of all authorizations and any applicable law.

I know we spoke about this in the spring so I won't go into further details about each mine tailing facility. If the member has specific questions about them, I welcome them. Most of them are existing mines. Of course the one we were talking about is the Casino mine. We have put together a



project charter for Casino. As part of that, there are technical working groups associated with that, even though the project, as the member accurately indicated, is still in the YESAA process. It's awaiting adequacy. I believe there is an information request to the proponent that is outstanding at this time.

Those technical working groups will work on a number of aspects, including the tailing storage facility. Some of the key improvements that we're anticipating under the mine licensing improvement initiative — I'm going to read more than perhaps what the member opposite was asking for, just because I think it's important to inform members of what work we're looking at doing under the mine licensing improvement initiative.

It includes: clarity on roles and responsibilities among departments and between the Yukon Water Board, EMR and the YESA board; regulatory and/or policy changes to address overlaps between the water and quartz licensing processes and management of water and quartz mining licences — including the following: developing water quality and effluent discharge standards and other methodologies; clarifying water licence requirements, including post-mine closure; development of standards for the design, construction and operation and maintenance of works related to the use of water or the deposit of waste; development of a Yukon-based acid rock drainage and metal leaching guideline; and determination of formalized processes and procedures under reclamation, closure and security requirements. The one that speaks to the tailing storage facility there is the third one that I mentioned under that heading, which is the development of standards for the design, construction and operation and maintenance of works related to the use of water and the deposit of waste.

There are also: key improvements anticipated work to clarify and codify; First Nation participation in major mine management and formalized government consultation processes with First Nations on major mines; enhanced First Nation access to the benefits of quartz mining projects through appropriate policy or regulatory structures.

That is a bit of a snapshot on some of the work that is underway. There are a lot of moving parts with the mine licensing improvement initiative, but that gives you an idea of some of the work that's underway with respect to that key initiative that the government is undertaking at this time.

**Mr. Tredger:** I thank the minister for that answer. I also thank the mine licensing improvement initiative and those who have contributed to it. It's my understanding that regulations help the proponent in that they get a better understanding of what is required and what isn't required, and it also helps the assessment process because then the assessor has an idea of what is there and what is not. That's why I think it is important that our regulations reflect the findings of various committees across Canada — like the Mount Polley recommendations.

Just recently the Auditor General of Ontario released a report to the Government of Ontario that raised a number of issues around their resource department. There were a number of statements that applied to the Ontario resource department.

I am just going to go through a couple of them and see if the minister has looked at them in the Yukon. One of their statements was that the ministry lacks estimates for abandoned mine cleanup costs and does few inspections or follow-ups on abandoned mines. A second one was that mine closure plans lacked sufficient technical review.

The third one was around the establishment — "Mining-company financial assurances may be insufficient to cover mine close-outs". My question for the minister is: In the Yukon, who is responsible for inspections and enforcement of type 2 sites? Who do they report to? Are the reports on record and are they available to the public? How often and how long are abandoned sites monitored after the closure? Are those reports available to the public?

As we have seen in Faro with evermore complex and threatening toxic tailings at the Faro reclamation site, how do we determine security on a project that relies on a dam that must contain toxic failings forever? How do we estimate the costs incurred in case of a failure like the Mount Polley failure — bearing in mind that all new projects now are the Yukon government's responsibility and no longer the Government of Canada's?

Will the minister ask his department to review whether or not our securities are sufficient, especially in light of the varying amounts that were deemed adequate at the recently closed Wolverine mine? Will the minister ensure that all closure plans are up to date and reflect current development research practices and costs?

I realize that some of the questions the minister answered already in a roundabout way today, but if he can give me a general comment on them, I would appreciate it.

**Hon. Mr. Kent:** I — and officials present — have not had the opportunity to review the Ontario Auditor General's report that the member is referencing. I will take a look at it. I was a little bit more interested in the report they released yesterday on how much Ontarians will be overpaying for power in the next little while.

Earlier today I read in a portion of the note with respect to mine reclamation closure and security. What I will do is give some more detail around that and what we're doing.

Just to close one question there that the member opposite asked, as far as type 2 site inspections, Compliance Monitoring Inspections in Energy, Mines and Resources does some of that work. Environment Canada is the one that inspected and issued the directive with respect to the north fork of Rose Creek. Those are two of the branches within our government — one within our government and one within the federal government — that do conduct inspection work at our type 2 sites.

Yukon has a mine site reclamation and closure policy and guidelines based on modern industry standards and consistent with national mine site reclamation policies and best management practices. The reclamation and closure plan must be prepared by the mine owner and submitted for review and approval by government prior to receiving a quartz mining licence. The approved plan must be updated at least every five years throughout the operating mine life.

The mine owner must file an annual report that provides an update on their progressive reclamation, the results of their environmental monitoring programs and the effectiveness of mitigation measures. The mine owner must provide financial security for the full outstanding mine reclamation and closure liability. This is calculated based on the cost to reclaim and close the mine site in accordance with the approved reclamation and closure plan.

The amount of security owed is assessed at least every two years to reflect changing liabilities on-site and annual reporting results. As I mentioned earlier, the Yukon government hires a third party to review the reclamation and closure plan. The reviewer provides cost estimates for the current liabilities on-site, liabilities expected within a two-year period and the expected liabilities at the end of mine life.

We use this third party report, along with estimates provided by the mine operator in the reclamation and closure plan, to determine the financial security required for a mine site. If liabilities are expected to increase more rapidly than the two-year review window, Yukon will require an update to financial security commensurate with development activities and changing liabilities. So Madam Chair, there are regular updates to the security requirements and the plans.

To get into a little bit more background, our mine site reclamation and closure policy and supporting guidelines are based on modern industry standards that are consistent, as I mentioned, with national mine site reclamation policies. The reclamation and closure plan must be prepared by the mine owner and submitted for review and approval by Yukon government prior to receiving their quartz mining licence. This reclamation and closure plan should fully address, but is not limited to, the following: reclamation objectives, including closure design criteria; the progressive reclamation of the site during the life of the operation; the removal or stabilization of any structures and workings; the design of tailings and waste rock disposal areas; the reclamation and revegetation of the surface disturbances, wherever practicable; methods for protection of water resources; a temporary closure plan; a cost estimate of the work required to close and reclaim the mine; and a plan for ongoing imposed closure monitoring and reporting at the site.

A plan should include the establishment of thresholds and identify adaptive management responses should such thresholds be reached. The mine owner must file an annual report stating what progressive reclamation has been accomplished and the results of environmental monitoring programs.

Under the heading of “Financial security” — again, we mentioned before that the owner must provide financial security for the full outstanding mine reclamation and closure liability. The liability calculated is based on the cost to reclaim and close the mine site in its current status, in accordance with the approved reclamation and closure plan.

Outstanding reclamation and closure liability includes the net present value of security for post-closure reclamation, monitoring and maintenance programs to support the reclamation and closure work done up to that point in time,

including the following: the cost for a third party to complete the work when there is a need, based on risk, for the costs of mitigating contingencies; net present value for reclamation and closure costs that would be incurred at the time of decommissioning; where operations are reasonably expected to continue for more than two years; retained earnings and progressive reclamation completed and verified. Reclamation and closure liability are reassessed a minimum of every two years, as I mentioned, when mine owners must submit to government a revised estimate of outstanding liability.

Progressive reclamation has the opportunity to reduce the amount of financial security required; however, if outstanding liability increases, mine owners will be required to provide additional financial security if there is progressive reclamation or failure to meet reclamation objectives; if there are changes in liabilities, knowledge, technology and risk; to account for costs associated with a temporary closure; or to account for changes to the net present value of security or a material change reported by the mine owner deemed by the minister to significantly increase or decrease liability covered by an approved reclamation and closure plan.

Under the heading, “Temporary closure upon notice or determination of a temporary closure”, Yukon government will determine whether or not a review of the approved reclamation and closure plan, outstanding liability and adequacy of security shall be completed. The mine owner shall conduct planning and assessments in discussion with relevant Yukon government agencies to prepare for the temporary closure. That’s a little bit more detail than what I provided earlier today. I hope that addressed many of the questions asked by the member opposite.

**Mr. Tredger:** Thanks again to the minister for the answer. A further statement from the Auditor General was that the ministry’s marketing strategies may be ineffective, which leads to this question: How much is Yukon spending on marketing the mining industry? I know the Premier, the minister and other members of the Legislature as well as department officials have gone to a number of conferences and trade shows. There has been considerable time and money spent in partnership with the Yukon mining chamber of commerce. I noted that the Geoscience Forum had increased industry involvement. There are new publications and marketing programs. I know that marketing at the annual Cordilleran Roundup and sponsorship of events there, including Yukon Night, is ongoing. These have, by word of mouth, been relatively successful. I know the mining industry appreciates it.

My questions for the minister are: Who are the targets? Are they targeting investors or miners? How successful have these junkets been? Is there a way of determining their success? Is there one way that has been particularly successful? In fact, how does the government evaluate the success of the dollars spent? What are our targets? What feedback has been received? Will the minister produce a report outlining total costs, targeted audience, expenditures and determinants of success?

**Hon. Mr. Kent:** I can't remember the timing, but it was prior to me being Energy, Mines and Resources minister that we transferred responsibility for these promotion-type activities to the Department of Economic Development. They are the lead on that and would produce potentially the reports that the member opposite is asking for. I would certainly invite him or the appropriate critic to ask the Minister of Economic Development when he is on his feet. That said, Energy, Mines and Resources does play an important role in promoting our mineral resources, both here at the Geoscience Forum, gold show, Dawson Rocks and other opportunities.

The Yukon Geological Survey does a tremendous job at all of those Yukon events, as well as the Roundup, in providing talks and science-based talks on the economic potential and different formations and a bunch of other things that the trained geologists we have in YGS understand an awful lot better than I do.

That said, I've been at conferences with the Minister of Economic Development to promote opportunities and provide advice. We've had officials there to provide advice on our regulatory system, our geology, as I mentioned — just the types of timelines that companies can expect. At the events I've attended, we've met with investors, we've met with representatives of major mining companies, we've met with representatives of the chartered banks in this country, and we've met with vice presidents of exploration in some of the major mining companies that are interested in taking a look at what we have to offer up here.

We've said on a number of occasions that we do have the number-one ranked geology of the jurisdictions that were involved in the Fraser Institute's survey, but we still need to take advantage of that by ensuring that we have a robust and effective regulatory system, that we have the proper knowledge base for the geology that we have, and that we can continue to promote that.

Prior to re-entering politics, I chaired the Yukon Gold Mining Alliance. Before I did that work, I didn't have a very big appreciation for the work that those companies do in marketing their projects and marketing the Yukon. I think that organization, now called the Yukon Mining Alliance, does a great job of promoting their projects — and then having the Yukon government there to promote Yukon opportunities and the Yukon as a whole.

During my time as the chair and since, many people who have attended those talks have come up and said that it's a very unique model, one that isn't widespread in the world — where competing mining companies that are competing for that same investment dollar come together with the Yukon government to promote opportunities in the territory.

It has been successful and we're hopeful that it continues. Again, specific questions regarding promotion would be better answered by the Minister of Economic Development.

**Mr. Tredger:** I thank the minister for his answer. I'm not sure if we are through Economic Development or not, but certainly the minister would be happy to answer my questions at that time.

Bill S-6 is being challenged in court. What has occurred with the new government in Ottawa is that YESAA and Bill S-6 are now in limbo, in a sense. There are two different sets of parts to the act, and it's leading to a lot of uncertainty in First Nations, in the mining community and in potential for development in the future.

I know that right now industry is making plans for the next season. Some certainty around this would be very good.

I know that when the five-year review was completed, many suggestions were accepted by all three parties. It was only the federal and territorial governments' insistence on inserting four new amendments to the Bill S-6 that became contentious and threatened all of the other ones.

My question for the minister is: Has he had discussions with the federal government and the First Nation governments to resolve this as quickly as possible to get rid of some of the uncertainty surrounding it — because, as he is well aware, industry is right now making plans for the next season? Capital is difficult to obtain and it is very easy to move to another jurisdiction.

Has the minister met with his federal counterparts and First Nations to resolve this issue. When can industry and Yukoners anticipate a resolution of this so that miners, industry and First Nations can get about with their business?

**Hon. Mr. Kent:** As the Premier has mentioned on a number of occasions, this is a federal statute, so many of the questions around timing and when cannot be answered by me. It will have to be answered by the new federal government — I'm assuming the new Minister of Indigenous and Northern Affairs, Minister Bennett. I haven't had the opportunity to speak directly to her yet. Perhaps my colleagues have.

It's important to note that I think a campaign commitment was reaffirmed by the Leader of the Third Party and I know the Premier has spoken to several of the ministers as well — that the federal government intends to alter or remove the four amendments. In the intervening time, we have reached out to First Nations to find a way to work through them.

The one that could have an effect — because Bill S-6, of course, is the law right now until if and when it's repealed — is with reassessment. I know there were some concerns from some First Nations. They sent letters to our government about the reassessment piece. We have committed to consult with First Nations if we do receive any applications that are within their traditional territories, so that's a commitment that has gone out from our government with respect to that. I would not anticipate any delegation of authority or policy direction that would affect any of the existing projects or projects that are coming on board, and I don't have any notes with me to determine what the new timelines would be.

It's important to note that there are timelines within the YESAA process. That's one of the things that made it unique off the front end. They were not legislated timelines, but there was a requirement for the YESA board to develop rules that had timelines associated with them. It's nothing new to this system and, again, it was one of those — at the time, cutting edge and unique aspects to this environmental assessment legislation that others didn't have.

I'm sure the YESA board themselves are working through what those timeline commitments would be, but again we'll continue to work with First Nations. I have had discussions with industry in Vancouver as well as here with respect to what the Bill S-6 legislation means in the near term and what it could mean going forward. Again, just to close the loop, this is a file that is being led by our Executive Council Office. That is the update that I can provide members opposite with respect to Bill S-6.

**Mr. Tredger:** I would hope it's a priority and that the minister will meet the other levels of government as quickly as possible. That certainty is necessary for the industry.

Just to touch briefly on agriculture, the previous minister made the Mayo Road property available to the Yukon Agricultural Association. As well, the previous minister conducted consultations and promised regulations on genetically modified organisms; however, another growing season has passed. Farmers are making plans for the new year and ordering their seeds. Climate change may extend the range and make southern crops viable here. When can we expect and be informed of regulations around GMOs?

**Hon. Mr. Kent:** With respect to the genetically modified organisms — or specifically, genetically modified alfalfa — there has been work undertaken and proactive work with the agricultural industry through the agricultural advisory committee to explore regulating GMOs in Yukon through the area development regulations and zoning regulations. The proposed regulatory amendments would allow for development or zoning areas to regulate genetically modified organisms as a discretionary use if farmers and citizens within the area decide that is how they want to proceed.

The discretionary use provisions of zoning regulations are subject to an application and community consultation that will allow consideration of the proposal and local impacts. It's unlikely this genetically modified seed release will have an effect on Yukon farms. We grow only small acreages of alfalfa and the genetically modified varieties are unlikely to be suitable for our production system in the Yukon. So that is where we're at with respect to genetically modified alfalfa, or the GMOs. Nothing has changed since the spring on this file.

**Mr. Tredger:** Just one quick question on next generation hydro. The Teslin Tlingit Council strongly objected to the mega-hydro project proposed on their territory, which has since been ruled out. I have also heard considerable concerns and objections from both Na Cho Nyäk Dun and the Selkirk First Nation over proposed developments in their territory.

My question for the minister is simple: Will the government proceed without the consent of affected First Nations?

**Hon. Mr. Kent:** The member opposite has the wrong minister in this case. It's the minister responsible for Yukon Development Corporation and Yukon Energy Corporation who is leading the project planning for next generation hydro. I understand that officials from Yukon Energy Corporation and Yukon Development Corporation will be attending as witnesses here before the end of this current Sitting. After

today, I think we have six more days left. They will be here in that window to talk about questions arising with respect to YDC and YEC, including next generation hydro.

**Mr. Tredger:** I thank the minister for his comments and I thank the officials for coming today. Thank you for the briefing.

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

I'm going to start with the mobile trades trailer. Earlier this fall, we heard the mobile trades trailer will be heading to Carmacks. Fantastic. The local First Nations and Yukon College are deploying the mobile trades training trailer this fall to help provide an introduction to a plumbing and heating program. That's what we were told. Students are expected to get on-the-job skills training there. They also want to do some retrofitting in the First Nation government building.

We haven't heard much about the trailer since their first program in Dawson about a year ago, so my question to the minister is: Could he give us an update as to where they've been since then? Are they being used year-round?

**Hon. Mr. Kent:** I would direct the member opposite to the Minister of Education with these questions. The mobile trades trailer, although funded by the Yukon government, is the property of Yukon College. It was funded by the Yukon government and CanNor. I know it provides opportunities for mine training, but I don't have any of the information that the member opposite is requesting. This would be the responsibility of the Minister of Education.

**Mr. Silver:** I will definitely ask the Minister of Education. We haven't heard anything since Dawson. We would like to know that those important trailers are being used properly.

I will move on to a report. Many years ago, the Energy Solutions Centre did a report on government buildings and their energy efficiency. When was the last time the government looked at this issue? Is there a report the government could share that contains this overview?

**Hon. Mr. Kent:** With respect to government buildings — we've obviously undertaken, through the work of the Energy Solutions Centre and Highways and Public Works, some assessments as far as energy efficiency goes. I know we are working closely with the Department of Highways and Public Works' Property Management Division.

When I was up in Highways and Public Works, we talked a little bit about some of the building condition assessments. I'm not aware of an additional report and I would have to look at the exact report that the member opposite is referencing before I was able to comment further on what we've been achieving. Obviously there are some buildings that are up for retrofit, including the main administration building, which houses the Legislative Assembly. I'm excited to see that work start. It's work to the envelope of the building to remove the existing siding, insulate, replace the existing windows and then place most of the existing siding back on the building. There will be some new siding required for the exterior stairwell areas, but it's an exciting opportunity for us to

increase energy efficiency here at the main administration building.

I will commit to get back to the member on any additional buildings that we have assessed and any additional activities that have been underway.

As mentioned by the Minister of Environment earlier today during Question Period, we will have an energy strategy progress report that's available very soon. That does speak to building efficiency as well, so some of the numbers in that progress report will hopefully speak to what the member opposite is looking for.

I want to touch briefly on a couple of the incentive programs that we've introduced that are very successful. I've talked a lot about the residential energy incentive program and good energy incentives, and what we're doing to subsidize individuals who want to join the microgeneration program.

One that I haven't had an opportunity to talk a lot about was one we announced in May of this year. It's the commercial energy incentive program. It offers incentives for improving energy use in multi-family dwellings and commercial buildings through building retrofits or lighting system upgrades.

As of late September, the lighting systems of 10 commercial buildings, including hotels, a curling rink and a vehicle service centre, have been upgraded to LED lamps and fixtures. These energy-efficient upgrades represent an approximate annual energy savings of 1,188,000 kilowatt hours and an annual cost-savings of \$142,500.

We didn't have stats at the time available on the air-tightness and insulation retrofits for these buildings or the multi-unit residential buildings, which were also contemplated in this program, but I thank the member opposite because it just gives me another opportunity to highlight another great program that we've developed and are implementing through the Energy Solutions Centre.

**Mr. Silver:** I appreciate the answer from the minister. The report that we were told of is about 10 to 15 years old. It would be great to get a copy, if the minister can do so.

I'm going to turn to geothermal resources. Madam Chair, geothermal resource maps for Alberta were completed by CanGEA, with funding from Suncor, the province and the federal government. These maps were then used to quantify the resource base in terms of megawatts of electricity for power, and also megawatts for thermal for heat. CanNor, CanGEA, the Yukon Geological Survey and the Yukon government are currently producing similar maps for the Yukon.

These maps are intended to inform policy-makers, in order to allow for the informed utilization of the territory's geothermal resources. Can the minister give us a progress report on these resource maps?

**Hon. Mr. Kent:** Yes, the member opposite is correct. We are working on geothermal favourability maps in partnership with the Canadian Geothermal Energy Association. The Yukon Geological Survey is playing an important role as well in that. I believe we received funding from CanNor. It's my understanding that we're anticipating

the work to be complete in the spring of 2016, and then we'll be in a position to release that work publicly.

**Mr. Silver:** I'm going to move on to the Freegold Road. Has a route been chosen for this? Is there any money in the budget currently for this project? How much? Could the minister expand on whether or not it crosses settlement land and if there is an agreement with First Nations to cross their land?

**Hon. Mr. Kent:** This initiative is being led by Highways and Public Works. I don't have my notes in front of me, or my briefing binder. I will be able to provide the member opposite with a little bit of an update. There could be further information once we get back into HPW debate.

The Freegold Road, of course, travels from Carmacks and it's anchored at the northern end by the Casino mining project. We've been in discussions with First Nations at the officials level to talk about putting together some working groups as far as those projects go. The route that is currently before YESAB in the Casino application does cross settlement land. I'll have to confirm whether the public part — which is from Big Creek south — crosses settlement land as well. I believe it does, but I'll beg the indulgence of the member until we get into Highways and Public Works debate — exactly whose settlement land it crosses and where. That, of course, would make those First Nations a decision body on the project. They would be able to come in under the YESAA process and act as a decision body and be able to accept, reject or modify the YESAB recommendations at that point.

Maybe I'll provide a quick update as well for the member on something that is a little bit closer to home for him, which is northern access into the Dawson range out of Dawson City. I believe the working group is just being established. They may have met already. I'm not 100-percent sure. Again, I'll defer to HPW debate for more details. Yukon government, Tr'ondëk Hwëch'in First Nation and Kaminak have formed the initial working group on that route. Of course, it would use existing gold field roads to get down close to the north shore of the Stewart River. There would be two barge crossings and another road to access the Coffee project that would be Kaminak on the south end.

Again, we are working through these aspects on a project-by-project basis. I have informed two of my federal counterparts about these projects. I believe our new Member of Parliament has also been brought up to speed on these projects. We believe that, as managers of the resource on behalf of Canada — Canada is a significant beneficiary of these resources so we would like them to take a role in potentially funding the upgrades required to these two routes that access mineral-rich belts.

Of course they're not driveways to particular projects like Kaminak in the north or Casino in the south. These are very rich mineral belts that have multiple projects and multiple opportunities along there. Much of the royalties, taxes and other benefits will flow to the Government of Canada and we've been building a strong case over the past number of months with the looming federal election. Work had continued at the officials' level, but we will be re-engaging

with our federal counterparts here in the new year along with industry and First Nations to talk about the benefits of these projects.

That's as much as I have off the top of my head, but if there are further details required by the member opposite we can get into discussions when I have officials and briefing material here for Highways and Public Works.

**Mr. Silver:** Thank you, Madam Chair. Kudos to the Tr'ondëk Hwëch'in and the City of Dawson for their agreed approach to a northern route to the Henderson range and the White Gold district. I agree 100 percent with the minister. This is not a road to one particular mining camp, although I will say that Kaminak has done an amazing job being in the community and advocating as well for a northern approach to that resource.

With that, it does kind of segue perfectly into the next question just on resource roads in general — all of the ones that have been hitting the news — whether it be the Nahanni or Kaminak or, like I said, the White Gold district. When the new Prime Minister was elected, the Premier released a statement and it read in part — and I quote: “The Yukon government requires partners at the federal level to develop important infrastructure that will foster economic growth and deliver important services to Yukoners. Resource access roads, the Next Generation Hydro Project and healthcare funding are key initiatives important to Yukon.”

Now the minister as well reconfirmed the statement on the floor here today that because there is a benefit to the federal government, there are going to be partnerships in building these roads. I guess the question to the minister is: What resource roads have been identified as priorities? Is it Kaminak? Is it the Nahanni Range Road or others? How do we go about this? How do we present to Ottawa what the most important roads are? Is the government planning to apply to Building Canada for this funding?

**Hon. Mr. Kent:** We have identified two main areas that would benefit from this type of infrastructure improvement.

The Dawson Range, which houses the Casino property, the Coffee property that Kaminak has, numerous existing placer properties and placer potential, a number of Copper properties south, and Minto — the Minto mine is in that belt. Rockhaven's Klaza property is in that area as well. It is serviced by the Mount Nansen Road, but again is within that area and Northern Freegold. The problem with starting a list is I don't want to forget anybody, so if I have left anybody out, my apologies to them. I know there are multiple targets in that Dawson Range, so that has led to a prioritization of the southern route, which is again bookended by Casino at the north and the northern route coming down that's anchored by the Coffee Creek project on the south end.

The other area that we're looking at is the Nahanni Range route — improvements to that road. Of course that project would be anchored at the northern end by the Selwyn project. There is a Howard's Pass access road that takes off from the Nahanni Range Road and accesses the Selwyn lead-zinc deposit that is owned by Selwyn Chihong Mining Ltd. There

are a number of other deposits along that route, including Three Aces, which is a high-grade gold target owned by Golden Predator. Again, my apologies to those that I haven't named here, but those are two areas where we see major potential and multiple projects that could benefit the Yukon and Canada for years to come.

To a lesser degree, and one that is not necessarily going to be a priority for us at this time, is the North Canol Road. Again, there are a number of base metal projects there, anchored by the Mactung deposit on the northern end and working its way south through a number of different projects that are potential in that area.

The high-priority resource access routes would be accessing the two into the Dawson range and the Nahanni Range, and then a lower priority would be the North Canol. I'm not sure what program we'll be looking for. It depends, I guess, on what emerges with the new federal government as far as funding opportunities. When you look at our northern neighbours in recent years, you have seen the road from Inuvik to Tuktoyaktuk that is being built — that is obviously a fairly expensive venture for the Government of Canada and the Government of the Northwest Territories — as well as infrastructure improvements in Nunavut. The Iqaluit airport redesign and the terminal building there are other expensive projects.

We have never had a project of that significance that we've asked for funding for here in the territory, but we feel these are opportunities for us to build a good business case for the Government of Canada to see what we're trying to achieve and why these improvements to infrastructure that have been identified by many industry associations, including the Yukon Chamber of Mines, and Mining Association of Canada, and Prospectors and Developers Association of Canada as lacking in the north. Improvements to infrastructure, we think, are good investments. They are good investments for industry obviously, they are good investments for the Yukon government, and they are good investments for Canada.

We always need to be cognizant of the fact that benefits from these projects — there must be measurable and attainable benefits for our First Nation communities that are affected by these developments and a good and solid understanding of environmental and socio-economic impacts associated as well. I guess that is a snapshot of where we are again. Further details can happen when Highways and Public Works are with me and I have the notes here with me in the House.

**Mr. Silver:** The minister mentioned Howard's Pass for the Selwyn project, and we know right now that this road is going to need to be expanded. It is pretty much a mule trail, compared to what it needs to be for the project to move forward. It's not without its own problems as it does run the perimeter of a national park.

Have there been conversations with the federal counterparts as far as a plan forward to expand this already existing road in Howard's Pass?

**Hon. Mr. Kent:** The Howard's Pass access road that we spoke about, which comes off the Nahanni Range Road,

has been and continues to be the responsibility of Selwyn Chihong themselves. I don't want to speak for them, but I think they've engaged not only the Northwest Territories government and affected First Nations, but also the federal government. They have enlisted the services of a number of individuals to assist them with this aspect of the project. Our primary role will be to upgrade and enhance the Nahanni Range Road so it can accommodate the heavy traffic.

As I mentioned earlier in Highways and Public Works debate — or in Question Period, I think it was — we'll have the Robert Campbell upgrades completed to the Tuchtua camp, which is the turnoff for the Nahanni Range Road, either by the end of the 2016 season or by the end of the 2017 season, so that portion of the road will be upgraded. There have been significant upgrades to the Stewart-Cassiar Highway in British Columbia, and I know the Minister of Economic Development travelled to the community of Stewart to inspect the two port facilities — or the one port facility and the one potential port facility — in that community.

Again, just to loop back, the Howard's Pass access road will be the responsibility of the company.

**Mr. Silver:** I'm going to move on to outfitter land leases. We've been getting some information here about outfitter land leases being back on the table here. I'll start there. Is that true? Is the minister's department giving out land leases to outfitters currently?

**Hon. Mr. Kent:** At this time, we're still operating under the existing 2006 policy; however, there have been a number of discussions over the past years with the outfitters and what their requirements would be. We've informed them that any changes to the land tenure process would require consultation with First Nations. They're certainly aware of that. They have been conducting a couple of different studies themselves. They've undertaken an economic analysis of their industry to update the economic impact. They've also undertaken a public education and awareness campaign so that individuals in the territory can be aware of what their industry is all about.

With respect to any changes to the land tenure policy, there's nothing that I have the approval of Cabinet for at this point to go out and consult on. However, we are working toward that and beginning consultations with our partners, including First Nations, sometime in 2016.

**Mr. Silver:** It does beg a lot of questions. On the website now, the application is there, so if they are an outfitter, as I understand — the minister can correct me if I'm wrong; if this is not true — it seems that this would not be the policy. There was a court case a number of years ago about buildings at Copper Point in the Bonnet Plume. I could ask questions on that. Has this been resolved? Has the outfitter now been granted a lease on these properties? A lot of questions here on this — because I don't believe any other Yukoner can make spot land applications like this, so we're wondering why the government would proceed with outfitters having land leases.

**Hon. Mr. Kent:** So the current big game outfitter policy or BGO policy was approved in 2006 and does not allow outfitters to apply for sites established after devolution. The 2006 policy is voluntary and has resulted in very little uptake. This has resulted in non-tenured infrastructure in remote Yukon, land use conflicts between users and potentially liability issues for the Yukon government.

Without a new land policy — and we are looking at a remote land policy — the situation we feel will continue to perpetuate, so the Land Management branch, working with the Yukon Outfitters Association, has drafted a new remote land policy to address these long-standing land tenure issues. Again, the policy is consistent with Yukon government's commitment to make land available for commercial purposes and ensures appropriate tools are in place to manage public land in the territory.

Again, this is important. We have not initiated the public consultation on the draft policy. The Yukon Outfitters Association is expected prior to that to communicate with the public and stakeholders on industry benefits to outlying communities. I know that this is a proposal to replace the outdated 2006 BGO policy with a new remote land policy. I still need to go through our internal processes and get caucus and Cabinet approval to consult — agreement to consult on what is here. As I said, I anticipate doing that sometime in 2016 — having those consultations occur. Actually, with the outfitters ball taking place this weekend, many of the outfitters are in town. I know I personally will be meeting with them tomorrow, as well as a couple of my ministerial colleagues at different times, to discuss different issues that affect their industry, but this has certainly been top of mind for them over the past while as far bringing some certainty to their industry going forward.

I think the existing application that the member opposite is referring to must refer to the 2006 BGO policy and what we're contemplating is a new one, but again it will require full consultation with Yukoners and First Nations.

**Mr. Silver:** It does beg a lot of questions. We're opening up land leases for remote areas for a specific industry, but there are other industries out there — trapping, for example, is another industry that could benefit from land leases. Is the government opening this process up to trappers or to others, or is this just specifically for outfitters?

That court case, Copper Point at the Bonnet Plume — has that been resolved? The minister did mention that — I don't know if there was some uptake or minimal uptake for the application process, but I guess it begs the question: How many applications have been received under this process? How many are still in the process and have any been approved?

**Hon. Mr. Kent:** At this time, this is being contemplated for Yukon outfitters. Perhaps it could serve as a potential model, if it's successfully implemented — if consultation is successful and implementation is successful, it could serve as a model for other industries. Wilderness tourism is simply one that I've heard a lot about as far as

needing some sort of a policy for them to use to access property outside of — in rural and remote Yukon.

I'm not familiar with the court case the member opposite is speaking of, so it's difficult for me to comment at this time. I could potentially get back to him, once I get a little bit more information.

As far as the 2006 big game outfitting policy, I believe that three or four of the outfitters have applied under that particular policy but, again, in my discussions with the outfitters, there's a unified voice there that they would like to see a new policy in place, rather than the existing one. We're working with them, and eventually we'll be working with all Yukoners and First Nations during the consultation process to determine whether this is a viable option going forward.

**Mr. Silver:** Thank you to the minister for committing to getting back to me on the Bonnet Plume court case. The last question in that would have been: Has the outfitter now been granted a lease on these properties? I would appreciate him getting back to me on that.

I have one more question here and it's about the Peel staking ban. Then I'll sit down and see if anybody else in the Official Opposition wants to ask any more questions.

A couple of different questions on the Peel staking ban: Will the Peel staking ban be extended when it expires at the end of the calendar year? Does the government plan to reconstitute or revive the Peel land use planning commission within the next year? Also the same question as it pertains to the Dawson land use planning commission.

Thank you to the officials for their time here today.

**Hon. Mr. Kent:** With respect to the Dawson planning commission and the Peel planning commission, there is a 60-day window for either of the parties to seek leave to appeal — since it was unanimous is my understanding of it — to the Supreme Court of Canada. Until that 60-day window expires, it's difficult for me to comment on the status and status going forward. We've agreed with our First Nation partners to pause the Dawson process until we get some clarification from the Peel process and, again, we won't know until the end of December about that.

That said, Madam Chair, it's my advice, I guess, to our government — it still hasn't received ratification yet — that we extend the staking withdrawal as well as the relief from assessments that exist in the Peel watershed for a period of two years. I think it's due to expire at the end of December, so I will be bringing that forward to my Cabinet colleagues for consideration. We don't see the issues at hand being resolved prior to the expiration of that time frame. If by chance they are, the staking ban can be removed in all or portions of the watershed. I think the authority is mine, as the Minister of EMR, to do that.

Again, I think we have reached out to First Nations to communicate our willingness to do that and have received a response that they agree that a two-year staking ban is warranted for the Peel watershed.

**Chair:** Does any other member wish to speak in general debate? If not, we will proceed with line-by-line debate.

*On Operation and Maintenance Expenditures*

*On Sustainable Resources*

*Sustainable Resources in the amount of \$323,000 agreed to*

*On Energy, Corporate Policy and Communications*

*Energy, Corporate Policy and Communications in the amount of \$171,000 agreed to*

*On Oil and Gas and Mineral Resources*

*Oil and Gas and Mineral Resources in the amount of \$3,296,000 agreed to*

*On Compliance Monitoring and Inspections*

*Compliance Monitoring and Inspections underexpenditure in the amount of \$688,000 agreed to*

*On Total of Other Operation and Maintenance*

*Total of Other Operation and Maintenance in the amount of nil cleared*

*Total Operation and Maintenance Expenditures in the amount of \$3,102,000 agreed to*

*On Capital Expenditures*

*On Corporate Services*

*On Dome Road Realignment*

*Dome Road Realignment in the amount of \$155,000 agreed to*

*On Operational Equipment*

*Operational Equipment in the amount of \$26,000 agreed to*

*On Sustainable Resources*

*On Land Management — Industrial*

*Land Management — Industrial underexpenditure in the amount of \$200,000 cleared*

*On Land Management — Residential*

**Mr. Tredger:** Could I have an explanation why the amount has gone down by \$2 million please?

**Hon. Mr. Kent:** The Rural Land Development unit develops, plans, designs, constructs and delivers Yukon government land development projects throughout the Yukon. We've signed a number of land development protocols with the incorporated communities and continue to work with other communities. Just to give the member opposite a breakdown by community: Carcross has seen a \$425,000 decrease; Dawson City, a \$500,000 decrease; Mayo, a \$100,000 decrease; Mount Lorne, a \$1.3 million decrease; Teslin, a \$75,000 increase; and Watson Lake, a \$100,000 decrease — so that total should be \$2.35 million total reduction.

**Mr. Tredger:** Can the minister explain why there was a decrease in those situations?

**Hon. Mr. Kent:** I don't have the case-by-case results, but just an anecdotal description — some of the plans have changed in these various communities resulting in the decreases that we see here today.

We have worked with rural municipalities according to their community plans, as well as working with First Nations and other government branches, private sector developers, as I mentioned — so while I don't have the details, it's an alteration or a change in what the community and the government have decided to move forward on with respect to the priorities.



*Land Management — Residential underexpenditure in the amount of \$2,150,000 cleared*

*On Forest Management — Forest Engineering*

*Forest Management — Forest Engineering in the amount of \$35,000 agreed to*

*On Agriculture — Agricultural Land Development*

*Agriculture — Agricultural Land Development underexpenditure in the amount of \$500,000 cleared*

*On Total of Other Capital*

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

**Total Capital Expenditures underexpenditure in the amount of \$2,634,000 agreed to**

**Total Expenditures in the amount of \$468,000 agreed to**

**Department of Energy, Mines and Resources agreed to**

**Chair:** We are finished with Vote 53.

**Hon. Mr. Kent:** Madam Chair, I move that you report progress.

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

*Motion agreed to*

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

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

*Motion agreed to*

*Speaker resumes the Chair*

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

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

### **Chair's report**

**Ms. McLeod:** Mr. Speaker, Committee of the Whole has considered Bill No. 92, entitled *Act to Amend the Travel for Medical Treatment Act*, and directed me to report the bill without amendment.

Committee of the Whole has also considered Bill No. 20, entitled *Second Appropriation Act, 2015-16*, and directed me to report progress.

**Speaker:** You have heard the report from the Chair of Committee of the Whole.

Are you agreed?

**Some Hon. Members:** Agreed.

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

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

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

*Motion agreed to*

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

*The House adjourned at 5:26 p.m.*

**The following sessional paper was tabled on December 3, 2015:**

33-1-180

*Standing Committee on Appointments to Major Government Boards and Committees Twentieth Report* (December 3, 2015) (Hassard)