



Yukon Legislative Assembly

Number 265

1st Session

33rd Legislature

HANSARD

Wednesday, May 4, 2016 — 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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NAME	CONSTITUENCY	PORTFOLIO
Hon. Darrell Pasloski	Mountainview	Premier Minister responsible for Finance; Executive Council Office
Hon. Elaine Taylor	Whitehorse West	Deputy Premier Minister responsible for Tourism and Culture; Women's Directorate; French Language Services Directorate
Hon. Brad Cathers	Lake Laberge	Minister responsible for Justice; Yukon Development Corporation/ Yukon Energy Corporation
Hon. Doug Graham	Porter Creek North	Minister responsible for Education
Hon. Scott Kent	Riverdale North	Minister responsible for Energy, Mines and Resources; Highways and Public Works
Hon. Currie Dixon	Copperbelt North	Minister responsible for Community Services; Public Service Commission
Hon. Wade Istchenko	Kluane	Minister responsible for Environment
Hon. Mike Nixon	Porter Creek South	Minister responsible for Health and Social Services; Workers' Compensation Health and Safety Board
Hon. Stacey Hassard	Pelly-Nisutlin	Minister responsible for Economic Development; Yukon Housing Corporation; Yukon Liquor Corporation

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Yukon Party

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Hon. David Laxton	Porter Creek Centre
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Jan Stick	Official Opposition House Leader Riverdale South
Kevin Barr	Mount Lorne-Southern Lakes
Lois Moorcroft	Copperbelt South
Jim Tredger	Mayo-Tatchun
Kate White	Takhini-Kopper King

Liberal Party

Sandy Silver	Leader of the Third Party Klondike
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**Yukon Legislative Assembly
Whitehorse, Yukon
Wednesday, May 4, 2016 — 1:00 p.m.**

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

Prayers

DAILY ROUTINE

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

Tributes.

TRIBUTES

In recognition of Mental Health Week

Hon. Mr. Nixon: Mr. Speaker, I rise in the House today to acknowledge national Mental Health Week, which is held May 2 to May 8 this year. The Canadian Mental Health Association introduced Mental Health Week in 1951 as an annual event to encourage people from all walks of life to learn, talk, reflect and engage with others on all issues relating to mental health. Mental health is an integral part of health; indeed, health starts with mental health and there is no health without mental health.

There are different ways of describing mental well-being. Yukon captures the concepts in one word: flourishing. Flourishing includes the ability to enjoy life, cope with life's difficulties, believe in others, feel we have a place in the world and believe that we have something we can give to others. To flourish is to feel good and function well. It is the experience of pleasure combined with meaning and purpose. People who flourish feel satisfied and interested in life and are generally happy.

The CMHA encourages us to be loud about mental health. This includes attending to the principles of mental well-being and discouraging stigma toward those who suffer from mental health problems. To those ends, there is a new opportunity for young Yukoners to access skills for increasing their mental well-being. This past February, our government — in partnership with both Bell, Let's Talk and Northwestel — announced a new youth mental health program titled FRIENDS. FRIENDS is a group-based program that helps children and youth cope by building resilience and self-esteem and teaches cognitive, behavioural and emotional skills in a simple format. Maintaining positive mental health, just like physical health, requires a little effort each and every day.

Flourishing encourages all Yukoners to take small steps to improve their mental well-being and the mental well-being of those close to them. As individuals take steps to improve their mental well-being, communities start to thrive. Healthy communities have energy and momentum that generates new ideas and more energy and the whole community flourishes. This year we are inviting everyone to participate in the two-hour Flourishing workshop put on by Mental Health Services on May 4 at the Canada Games Centre from 5:00 p.m. to 7:00 p.m. Visit our website at www.yukonwellness.ca, where

you will find lots of information and ideas for implementing the Flourishing pillars into your life.

To acknowledge this is very important this week. I invite you to join those who participated in the walk this afternoon. We saw a number of people in the lobby and we extend our thanks to those who participated in the walk today. Your participation is a statement that the issue of mental health is important and affects us all.

I would like to conclude by sending my appreciation to every individual and every organization working toward ending stigma around mental illness in Yukon. I also thank those who have worked with us on developing the Yukon's mental wellness strategy; they can expect to see how their efforts were used very shortly.

I'm also calling on Yukoners to reduce stigma so that people with mental health problems and mental illnesses can be treated respectfully and equally.

I would just like to take an opportunity — if all members can join me in welcoming a few individuals to the gallery today. We have Krista Prochazka, Kim Solonick and Susan Stanley joining us. Thank you very much and welcome.

Applause

Ms. Stick: Thank you, Mr. Speaker. I rise on behalf of the Official Opposition to pay tribute to national Mental Health Week also. The Canadian Mental Health Association has declared this week a time to get loud for mental health. This means raising our voices to end discrimination, stigma and shame.

We all have mental health, just as we all have physical health. Mental health is more the absence of mental illness. It's a state of well-being. If we don't personally struggle with our own mental health, we pretty much are guaranteed to know somebody who does. Mental health is an essential part of our healthy delivery in this territory and we have lots to do in addressing the mental health needs of all Yukoners.

The calls to action of the Truth and Reconciliation Commission identified closing the gap between aboriginal and non-aboriginal communities in health indicators, including suicide and mental health, as a priority for reconciliation. We can and must address this.

I would like to thank the many health professionals who work in this field in the Yukon, including our physicians, nurses in communities and hospitals, and organizations such as Many Rivers Counselling and Support Services, the Mental Health Association of Yukon and Second Opinion Society — all working hard to address the mental health needs and provide support to Yukoners.

I urge everyone to mark this week by talking with your family, your friends, your neighbours and your colleagues about mental health. Let's get loud.

Mr. Silver: Thank you very much, Mr. Speaker. I am honoured to also rise today on behalf of the Liberal caucus to pay tribute to Mental Health Week.

Once again, the Canadian Mental Health Association is calling on us to get loud about mental health, get loud to maintain positive mental health, and get loud to get it back.

Mental illness does not discriminate about who it chooses to affect. Many of us — young or old, rich or poor, male or female — can suffer from mental illness. Those with the illness are not the only victims either. Mental illness can affect families, friends and co-workers it not addressed or managed properly.

For too long there has been a stigma attached to mental illness and this needs to stop. We as individuals and we as legislators must create an environment where victims can feel welcomed and supported. Yukoners are starting to talk more about mental health and more often putting it as one of their top concerns. There are more events raising awareness and funds to support local and national organizations taking action to fight mental illness. Now is the time for us to give our support to them.

About a year ago, Mr. Speaker, I put forth a motion for this government to create a mental health strategy for Yukon. I'm very pleased to hear that it will be presented this week. It is an initiative that has been near and dear to my heart. My motion received unanimous support in this Legislative Assembly, acknowledging the importance of mental health in the Yukon and in this Legislature among all members and their commitment to work hard to an all-around healthier community.

Today I participated in the Mental Health Walk from the White Pass Building to Main Street and around the block to the Legislative Assembly and, Mr. Speaker, every time I participate in such events, the conversations and the interactions that I have with people — passionate for their causes — enlighten me and I'm grateful to have such hard-working, committed individuals in our community. I would like to thank everyone who has put their time and effort into working toward a healthier and more vibrant community.

In recognition of Emergency Preparedness Week

Hon. Mr. Dixon: On behalf of all members, I rise today to recognize Emergency Preparedness Week.

Emergency Preparedness Week occurs every year, but this year it seems all too real and all too relevant. So before I begin, I wanted to take a moment to say that our hearts go out to our friends and neighbours in Alberta who are dealing with a truly heart-wrenching situation there and that Yukon stands ready to assist in any way — whether it's providing fire crews, equipment, or other resources — to help respond to that terrible disaster.

Mr. Speaker, Emergency Preparedness Week is a national event held annually to remind Canadians of the role each of us plays in preparing for an emergency.

In a country as large and diverse as Canada, emergency management is a shared responsibility with roles for individuals, communities, governments, and the volunteer and private sectors. In Yukon, where floods, wildfire and earthquakes are real threats, where encounters with wildlife, falls from mountain bikes and power outages are common,

where landslides or severe weather may derail travel plans, we know the value of being prepared and being ready to help.

Basic emergency preparedness starts with each individual. I encourage you now, during Emergency Preparedness Week, to take a few simple steps. This year's theme is "Plan. Prepare. Be Aware." It matches the steps we all need to take. First of all, be aware of risks facing your community and region — for example, forest fires, landslides, floods or severe weather. Second is to make a plan so your family and you will know what to do in an emergency. Third is to prepare an emergency kit so you have the basic supplies needed to look after yourself, your family and your pets in the event you do not have access to electricity or tap water, or you need to leave your home.

Be prepared to be self-sufficient for a minimum of 72 hours. Being able to care for yourself and your family in the first 72 hours of an emergency allows emergency responders to tend to those with the most urgent needs. Preparing a 72-hour emergency kit — one for home and one for the car — provides peace of mind. Because emergencies can occur with little or no warning, being better prepared for emergencies anytime and anywhere by having your kit ready to go and a plan in place can make all the difference. Know the risks, make a plan and prepare your emergency kit.

Mr. Speaker, Emergency Preparedness Week is also an opportunity to remind Yukoners of the work undertaken by the Protective Services division of the Department of Community Services. Protective Services includes the Emergency Measures Organization, which coordinates the territory's preparedness for response to and recovery from major emergencies and disasters.

During an emergency, the Emergency Measures Organization coordinates response activity and may call on partner jurisdictions or the federal government for assistance. Before an emergency situation occurs, the Emergency Measures Organization works with municipalities and First Nation governments on civil emergency plans, roles and responsibilities and incident command system training. It ensures that Yukon government staff receive regular emergency management training, practise our plans through tabletop exercises and share information with our neighbouring jurisdictions. The Emergency Measures Organization is also an exceptional resource for each of us and our families. I encourage everyone to visit the Community Services website for information on what goes into an emergency kit, how to write an emergency plan and details on hazards across Yukon.

I also encourage Yukoners to consider volunteering in their communities as emergency first responders. Protective Services trains staff and volunteers and provides the equipment needed to respond to local emergencies through Yukon Emergency Medical Services, the Fire Marshal's Office, Wildland Fire Management and Yukon Search and Rescue. With a focus on prevention and response, these organizations make our communities safer. I thank these dedicated volunteers and staff for their commitment to public safety and emergency preparedness.

Mr. Speaker, the government is confident in the people, expertise, and resources we have in place to safeguard our communities in the event of major emergencies. Emergency Preparedness Week is the reminder we need as individuals, as caregivers, parents and good neighbours to do our part in preventing emergencies, removing risk, and preparing for the unexpected.

Mr. Speaker, in light of what our neighbours in Alberta are facing, I encourage all Yukoners to take heed of Emergency Preparedness Week and ensure that they're prepared. Thank you.

In recognition of Faro Crane and Sheep Viewing Festival

Hon. Mr. Istchenko: Thank you, Mr. Speaker. I rise today to ask my colleagues to join me in recognizing the 13th annual Faro Crane and Sheep Viewing Festival taking place May 6 to 8 this weekend, Mr. Speaker.

Every May, tens of thousands of sandhill cranes darken the skies above Faro as they migrate from their southern US wintering grounds to their nesting grounds in northern Yukon, western Alaska and northeastern Siberia. On their way north, covering an average of 250 kilometres per day, the cranes travel along the Yukon's Tintina Trench, swooping, soaring, and riding thermals right over the Town of Faro. Their frequent loud trumpeting call can be heard from great distances, alerting birdwatchers of their arrival. With a wingspan of six feet, the sandhill crane is a large, soaring bird visible from afar; but wildlife enthusiasts don't need to keep their eyes on the sky, as they can also enjoy the Fannin sheep making their way to their summer grazing grounds. Up to 100 can be spotted from the Mount Mye sheep centre with interpretive guides on hand to answer questions and explain more about what can be seen in and around the Town of Faro.

In order to celebrate these unique opportunities, the Faro Crane and Sheep Festival features free shuttles to the sheep-viewing stations; also educational presentations, community dinners, as well as the ever-popular morning bird walks. This year, the keynote address will be delivered by Samantha Wilson from the American Bald Eagle Foundation in Haines, Alaska.

The Faro Crane and Sheep Festival is an excellent example of how Environment Yukon works in partnership with other organizations and municipalities to foster wildlife viewing and knowledge-sharing opportunities as well as environmental stewardship.

As some may know, Environment Yukon staff helped launch the first Crane and Sheep Viewing Festival and worked closely with the town of Faro over the years. The festival is now organized exclusively by the Town of Faro, and they sure do a wonderful job. Environment Yukon wildlife viewing staff continue to participate in the festival; however, by staffing the Mount Mye sheep centre, providing information about the sandhill cranes and leading guided walks to the mineral lick along the Blind Creek Road. The awe-inspiring number of cranes, as well as the numerous festival events, continue to attract and inspire visitors and greatly contribute

to the unique tourism opportunities in Faro. In fact, I have been thrilled to see the collaboration between the departments of Tourism and Culture and Environment in contributing to the development of interpretive panels, information pamphlets and the development of the Faro trails network over the years.

I encourage all members of this House to attend the Faro Crane and Sheep Viewing Festival. It's an unbelievable experience to watch and hear the cranes soar overhead. I have experienced this distinctly Yukon festival, and I sure hope that all members will do the same.

In recognition of Archaeology in Yukon

Hon. Ms. Taylor: Thank you, Mr. Speaker.

Mr. Speaker, I am very pleased to rise today to pay tribute to archeology in the territory. This evening, we will see the opening of the 49th annual meeting of the Canadian Archeological Association right here in Whitehorse. We are very honoured that the association has chosen Whitehorse as the conference location for a fourth time. The last occasion was some 17 years ago.

With its rich archeological heritage, Yukon is the ideal place for researchers to share knowledge and generate discussion on diverse topics such as First Nation partnerships, Beringian archeology and ancient metals. As well as the prestige associated with hosting the conference, there are some very significant economic benefits to our economy generated by the arrival of over 340 people during our tourism shoulder season. The Yukon archeology program works to manage and conserve our archeological past. Located in the Department of Tourism and Culture, the work of both the archeology and palaeontology programs is world-class and held in the highest regard both here in Canada and internationally. Yukon's ice patch research, for example, is one of them.

The work takes place in the Southern Lakes region and the traditional territories of six Yukon First Nations: Champagne and Aishihik First Nations, Carcross/Tagish First Nation, Kwanlin Dün First Nation, Kluane First Nation, Ta'an Kwäch'an Council, and Teslin Tlingit Council. It demonstrates the success of working in close collaboration with partners such as these in Yukon as well as with scientists and specialists from around the globe. The local team won the Canadian Archeological Association's public communication award for its publication *The Frozen Past — The Yukon Ice Patches* for an outstanding contribution in communications. In fact, our archeology teams have won this award for a number of collaborative publications, all of which aim to increase awareness about Yukon archeology and its significance here and throughout the world.

Archeological sites in Yukon contain some of the earliest evidence of human occupation in the new world. These sites preserve, most importantly, the history of Yukon's First Nations.

This year's conference program takes these northern themes to explore how studying the past can inform the present. The ways in which archeological research into human interaction with the environment and climate change can help

us understand and respond to current and future challenges, both in the north and globally.

Throughout the week there are a number of opportunities for the public to learn more about the archaeological and palaeontological research in Yukon and the north throughout the duration of the conference.

In partnership with the Yukon Science Institute, a public talk on Vikings in northern Canada will take place here in Whitehorse. Dawson residents can attend presentations on a number of fascinating topics: the story of the Nantuck brothers; palaeontology in the Klondike; and the work of the Tr'ondëk Hwëch'in First Nation to promote and transmit their culture through their heritage program.

In addition, the Yukon archaeology program is facilitating an event with Kwanlin Dün Cultural Centre, the Wood Street Centre School and Purdue University to offer a workshop in copper tool-making or students participating in the local CHAOS program. This hands-on workshop will provide participants with the unique glimpse into past cultures while developing traditional tool-making skills.

To coincide with the conference, a new exhibition called "Looking for the Past" celebrates archaeological discoveries on Kwanlin Dün traditional territory and recognizes the contributions of the students and elders who participated in the projects. For some three decades, Yukon government archeologists have been working with Kwanlin Dün First Nation, its citizens and its elders to learn more about the history and the way of life of their ancestors. It has been a very positive and productive partnership that has led to many significant discoveries that provide a fascinating window into the past. The exhibition, which will be on display until September, shares some of these discoveries and was made possible by a partnership between Kwanlin Dün First Nation, the Kwanlin Dün Cultural Centre and the Yukon government archaeology program.

On behalf of the Yukon government, I would like to say how proud we are of all of the important achievements made throughout these partnerships and I would really especially like to thank Yukon government archeologist Dr. Ruth Gotthardt. Her commitment and dedication for close to 30 years have been essential to the success of these particular projects and partnerships. I would also like to thank the small but very highly effective organizing committee for their incredibly hard work in coordinating this significant conference. An outstanding team of five has really pulled together this amazing event. I'm also grateful to the Heritage resources unit staff for the major role they have played in the committee and for their continued outstanding contributions over the years to the fields of archaeology and palaeontology.

On behalf of all members of the Assembly here today, a warm welcome to all the delegates who will be visiting here in the Yukon and all the best to the organizers for a great conference ahead.

In recognition of Whitehorse 20-Minute Makeover

Hon. Ms. Taylor: Thank you, Mr. Speaker. One week ago, amid a sea of pink flamingos, City of Whitehorse Mayor

Dan Curtis left me a note that read: "I may have been mocked, but now you have been flocked."

The flamingos for myself signified a personal and a public challenge from the mayor — collect more trash than the city and the business community in 20 minutes or else.

Well, today the gloves came off and then they also came on. This morning we — in fact, my colleagues — a number of us, including the Premier and a number of the ministers — joined together with the mayor of Whitehorse and his colleagues and hundreds of employees from our respective governments along with representatives of the business community and picked up as much trash as possible in 20 minutes to clean up our city. I'm talking about the 20-minute makeover, which takes place each and every year. On this day, Yukoners are encouraged to spend 20 minutes cleaning up garbage outside of their place of work or wherever they see trash.

For the past two years, the Yukon government has collected the Oscar: the most coveted prize for collecting the most trash. This year, I am very proud to report that the Yukon government has once again taken home the prize. The City of Whitehorse and the business community — I will give them this — gave it their all, but I'm pleased to say that the Yukon government will be holding on to the Oscar for the third year in a row.

In the matter of trash collection, everybody wins — responsible waste management is important for Yukoners and we are very committed to waste diversion and environmental stewardship.

Last year alone, the 20-minute makeover collected over two tonnes of waste and that number continues. The 20-minute makeover is a quick and really fun way to make a difference to our environment and to clean up the areas where we spend the most time. We live in a beautiful city — and today is a beautiful day — so events such as these are an example of great collaboration among our respective governments and the community in which we live to take pride and to do our best to beautify the city that we call home.

I would also like to thank CBC Radio this morning for hosting today's "Trash Talk". It was a great primer for us to get out there and to do our best, and certainly we did our part. Together, we can and we are doing our part to make our city a more enjoyable place to live and to have fun while we're doing it. It was a great opportunity to take the gloves off and to face off with the City of Whitehorse, along with the Whitehorse Chamber of Commerce. We look forward to next year's competition and doing our part once again. Already we are planning our next strategy.

Speaker: Introduction of visitors.

Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Cathers: Thank you, Mr. Speaker. I have two documents for tabling today.

The first is the annual report of the Yukon Police Council, covering the time period from April 1, 2014 to March 31, 2015.

I also have for tabling a copy of the *Workers' Advocate Office 2015 Annual Report*.

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

Are there any reports of committees?
Petitions.

PETITIONS

Petition No. 27 — received

Clerk: Mr. Speaker and honourable members of the Assembly: I have had the honour to review a petition, being Petition No. 27 of the First Session of the 33rd Legislative Assembly, as presented by the Member for Mayo-Tatchun on May 3, 2016.

Petition No. 27 meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

Speaker: Accordingly, I declare Petition No. 27 is deemed to be read and received. Pursuant to Standing Order 67, the Executive Council shall provide a response to a petition which has been read and received within eight Sitting days of its presentation. Therefore, the Executive Council response to Petition No. 27 shall be provided on or before Tuesday, May 17, 2016.

Petition No. 24 — response

Hon. Mr. Pasloski: Thank you, Mr. Speaker.

Yukon government is committed to meeting its consultation and, where appropriate, accommodation obligations to Kaska, including Kaska represented by Ross River Dena Council. The distinction between “asserted” and “established” aboriginal title is of legal significance. In the absence of established aboriginal title, the courts have directed government to consult and, where appropriate, accommodate for adverse impacts on asserted aboriginal rights, including title.

Yukon government’s position has been, and continues to be, that the specific language in past agreements — frequently referred to by Kaska, including the Ross River Dena Council — do not establish aboriginal title, as aboriginal title can only be established by a treaty or by a court.

In the 2011 decision in *Ross River Dena Council v. Yukon*, Justice Veale found that the agreements do not amount to an acknowledgement that Ross River Dena Council has established aboriginal title, and the acknowledgements by Government of Yukon were in the context of an assertion, rather than an acceptance, of an established aboriginal title to the Ross River area.

In the recent hunting case brought by Ross River Dena Council, Justice Veale found that a duty to consult prior to issuing hunting licences and seals exists and, Mr. Speaker, I’m proud to say that Justice Veale also found that, through the efforts of our dedicated officials, Yukon government had met its duty.

In Yukon, we undertake wildlife inventories and monitor wildlife populations as closely as possible. There are processes in place, including direct engagement with First Nations, to develop the necessary regulation of wildlife harvests in response to conservation concerns or other wildlife interests. Through its work with First Nations, the Fish and Wildlife Management Board, renewable resources councils and other agencies, Yukon government will continue to collaborate on wildlife management and ensure hunting opportunities for Yukoners.

Yukon government, through the Department of Environment, makes sustained and extensive efforts to consult with Ross River Dena Council on wildlife management in the Ross River area. A permit hunt authorization is a specific tool for limiting species harvest when there’s clear evidence of a conservation concern. Harvest rates of big game species by licensed hunters are considered sustainable in the Ross River area with the exception of Finlayson caribou, which are subject to a permit hunt authorization.

Since 2014, Yukon government has been engaged with three Yukon First Nations without final agreements, and the Kaska Dena Council, in the negotiation of reconciliation agreements. We are pleased with the progress being made to advance reconciliation and resource development discussions. Reconciliation agreements are a proactive way to improve government-to-government relationships, address shared priorities and mutual concerns, facilitate First Nation participation in economic development opportunities, and clarify consultation processes in the absence of a comprehensive land claim agreement or treaty.

In January 2016, Yukon government and Kaska signed a framework for a government-to-government agreement to guide negotiations that are aimed at establishing collaborative land and resource management, facilitating capacity-building and economic development and addressing the social and cultural impacts of land and resource development.

Yukon government will continue to work with our First Nation partners to advance reconciliation and to improve the social and economic conditions of all Yukoners.

Petition No. 25 — response

Hon. Mr. Kent: Thank you very much, Mr. Speaker. As mentioned, I rise today to respond to Petition No. 25, which was presented in this House on April 21, 2016.

As the minister responsible for local area planning, I am pleased to respond to the petition presented. 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 Hotsprings Ltd. and other owners of commercial mixed-use/tourism-zoned properties. The Yukon government will carefully consider the local and territorial public interest before making a decision on any rezoning application.

Petition No. 26 — response

Hon. Mr. Hassard: Thank you, Mr. Speaker. I do rise today to respond to Petition No. 26. I was approached by the Teslin residents, as MLA as well as the minister responsible for the Yukon Liquor Corporation, regarding a proposed liquor store/territorial agent in the community of Teslin.

I did my due diligence in first receiving the approval of both chief and council as well as mayor and council to proceed with public consultation. With their consent, I then held a public community meeting, which clarified the need for more direct consultation, which I committed to do.

Over the past number of weeks, I have travelled door to door to speak to individuals throughout the area. I feel that the best approach to consulting with people is to do so in their own homes and away from places of work in order to lower the risks of possible peer pressures and influences of other community members. I feel that it is very important for citizens to have as much information as possible in order for them to make clear, informed decisions.

People need to understand that this is not an either-or situation. People would not lose the opportunity to access such things as recreation opportunities or facility funding if the government were to move forward with a project such as this.

This proposed project would be led by the private sector, in a privately built and privately owned building leased back to the government. It would maximize private sector opportunities and minimize capital costs to government.

As for the next step, I'm committed to finishing the door-to-door consultations, after which time I will host another community meeting to discuss the results of that consultation.

I request the patience of the community and of this House as I work through this sensitive and time-consuming process, which I hope to conclude as quickly and efficiently as possible while still giving the residents the time that they need to be heard.

Speaker: Are there any petitions to be presented?
Are there any bills to be introduced?
Are there any notices of motions?

NOTICES OF MOTIONS

Hon. Mr. Pasloski: Thank you, Mr. Speaker. I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to provide a donation of \$25,000 in relief efforts to the Red Cross to support the people of Fort McMurray, Alberta.

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

THAT this House urges the Government of Yukon to use the 2016-17 budget to invest \$385,000 in 2016-17 to add new front-line officers for the Whitehorse detachment of the RCMP along with additional civilian support services to allow for enhanced crime reduction operations.

Hon. Mr. Kent: Thank you very much, Mr. Speaker. I rise to give notice of the following motion:

THAT this House urges the Yukon government to work with the Kwanlin Dün First Nation, Ta'an Kwäch'an Council, City of Whitehorse and stakeholders — including the Yukon Hospital Corporation, Riverdale Community Association and appropriate school councils — to consider the development of an alternate access and second bridge, in recognition of the important role facilities in Riverdale — including the hospital, ambulance station, continuing care facilities, and the five schools — have in meeting the needs of the entire community.

Ms. McLeod: Thank you, Mr. Speaker. I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to use the 2016-17 budget to contribute \$21,000 in start-up funding plus office assistance to re-establish Crime Stoppers in Yukon.

Mr. Barr: Thank you, Mr. Speaker. I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to promote ways for Yukoners to support relief efforts, through financial or any other means, to help evacuated residents of Fort McMurray, Alberta.

Ms. Hanson: Thank you, Mr. Speaker. I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to mark the historic milestones of the 75th anniversary of the completion of the Alaska Highway and the celebration of 150 years of Confederation by working with First Nation governments and the governments of Canada, Alaska, Alberta and British Columbia to develop a network of electric vehicle charging stations along the Alaska Highway corridor.

Ms. Moorcroft: Thank you, Mr. Speaker. I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to implement the recommendations from the *Yukon Procurement Advisory Panel Report* to recognize the strategic role and importance of procurement and establish resources, policies and processes to support it.

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

QUESTION PERIOD**Question re: Local procurement**

Ms. Hanson: Thank you, Mr. Speaker. I'm just so keen to get going.

Yesterday, the Minister of Highways and Public Works tabled the *Yukon Procurement Advisory Panel Report*. The report presented 11 recommendations based on input from Yukon's business community. We thank the panel for their work. It reinforces the messages from Yukon businesses and

contractors that we as the Official Opposition have been trying to get the Yukon Party to acknowledge.

To carry out the changes, the report stated an important requirement. I quote: “Leadership at the elected and senior management levels to champion an increased understanding of the role of procurement in meeting government’s business and policy objectives”.

This report laid out the recommendations and states that leadership is required in order to support local businesses, support the local economy, and keep Yukoners working.

What immediate action will this government take to improve the procurement process for Yukon?

Hon. Mr. Kent: Thank you very much, Mr. Speaker. I too would like to thank the Procurement Advisory Panel for the work that they have done since November when our government asked them to take a look at procurement and some of the improvements we made. Obviously we’ve engaged a number of Yukoners on that panel, as well as Outside expertise from British Columbia and Ontario, to help us come to an informed decision.

Again, when it comes to the immediate steps that we’re looking at, obviously we want to take the recommendations of the panel to some of our important stakeholders. There are meetings scheduled with the Whitehorse Chamber of Commerce as well as presentations at the Yukon Contractors Association meeting on May 11 and the Association of Yukon Communities AGM on May 12 and 13.

We also have meetings planned with the Yukon Chamber of Commerce, Yukon First Nations Chamber of Commerce, Association of Consulting Engineering Companies — Yukon, and other associations and vendor groups. Obviously the themes that emerged in the panel report include increasing opportunities for Yukon vendor participation, reducing barriers to participation, and increasing dialogue and building a more collaborative culture around procurement. We welcome those recommendations.

We’ll be working in the coming weeks on preparing a detailed response to the report. As outlined in the backgrounder that we put together with the press release, there are a number of immediate steps that are underway and we are thankful for the report and all others that have an interest in procurement —

Speaker: Order, please.

Ms. Hanson: Thank you, Mr. Speaker; we do have a keen interest in this area. Mr. Speaker, looking at the bids section in the Procurement Advisory Panel report, a line caught my attention — and I quote: “Some vendors raised concerns about the integrity of the bid challenge process, as there are perceptions that complainants face negative repercussions from buyers or that there is political interference in the complaint process.”

Mr. Speaker, this is exactly the kind of backroom dealings Yukoners are tired of and these are exactly the concerns the Yukon NDP Official Opposition has repeatedly brought to this House. What steps is the government going to take to ensure that political interference or negative

repercussions do not occur in any step in the procurement process?

Hon. Mr. Kent: Recommendation No. 11 put forward by the Yukon Procurement Advisory Panel is to revise the current bid challenge process. We’ll look at opportunities to do that. We’ve heard concerns from the vendor community as well. This is not the only opportunity that businesses have had to bring procurement concerns to our attention. The Premier, the Minister of Economic Development and I hosted two community conversation roundtables with members of the local vendor community to hear their concerns — concerns with the bid challenge process came up there as well.

We have also had several discussions at forums like the procurement industry forum — the second annual one — which was held this past year. We continue to listen to Yukoners, whether it’s in the grocery stores or the coffee shops or calls to our office on a number of fronts.

Procurement, as I mentioned yesterday in response to the Member for Copperbelt South and her questioning, provides an important local stimulus to local contractors and we’re doing well with the local economy on procurement matters. We feel we can do better. The themes that have emerged from this panel report suggest that we can do better, and we’re looking forward to sharing these recommendations with key stakeholders, developing our response to the panel report and moving forward with implementing our response.

Ms. Hanson: Mr. Speaker, it goes beyond sharing. It goes to taking action. The report also recommends — and I quote: “... selecting procurement formats/processes that take the economic value of local business participation into account and support ‘right sizing’ of projects/contracts...”

For years, this government has been telling Yukoners how important local and First Nation participation is to Yukon’s economic prosperity. Unfortunately, reality does not match the Yukon Party mantra. Based on this recommendation, it is obvious the government is failing on this subject as well, and they’re running out of time.

Why does this government not recognize the significant economic potential to be gained by support for Yukon-based businesses, including First Nation development corporations?

Hon. Mr. Kent: Thank you very much, Mr. Speaker. Of course, we recognize the contribution of the local contractors to the economy. I highlighted yesterday for members and tabled a separate document yesterday, the *2015-16 Year in Review* and *2016-17 Outlook* from the Property Management Division. Of those projects — the last 15 major capital works projects completed through the Property Management branch — 14 of those were awarded to local contractors.

Local contractors can and do compete for our local opportunities. One only needs to look at other projects that are underway, such as the energy-efficiency upgrades to the main administration building. That’s being done by a local general contractor and there are great opportunities for local labour. The recently tendered Archives vault expansion — two Yukon businesses went up against Outside companies and finished one and two in the bidding. We’re very pleased with that as

far as that project goes. Mr. Speaker, you look at the new Salvation Army — again, a project that is being undertaken by a local contractor.

We recognize this — we know there is more work that needs to be done. We know there is more education and training, not only for public service officials, but also for the contracting community. We recognize the collaboration opportunities that exist and we are prepared to meet the challenge of this panel and other things we have heard from the local vendor communities.

Question re: Local procurement

Ms. Moorcroft: Mr. Speaker, the bid challenge is part of the government's procurement process. This process allows businesses to make complaints when they think the public procurement has been unfair. The procurement advisory report notes that the bid process could be affected by trade agreements such as the *Agreement on Internal Trade*, which is currently being renegotiated, and the Canada EU trade agreement, which is currently being finalized. The business community has been critical of this government for not consulting them about the AIT negotiations.

Mr. Speaker, has this government now consulted with all the chambers of commerce in Yukon about the AIT negotiations and will it stand up for Yukon businesses during those negotiations?

Hon. Mr. Hassard: Thank you, Mr. Speaker. Of course, we will stand up for local businesses. That's why we're here.

In response to the member's comments on the AIT, Yukon works with other Canadian governments to reduce unnecessary barriers to trade because the free flow of people, goods, services, and investments across Canada support a stronger economy. Yukon is participating in negotiations for a renewed agreement on internal trade, focused on the areas of government procurement, goods, services, investment, technical barriers to trade and regulatory cooperation.

Mr. Speaker, in a sparsely-populated jurisdiction such the Yukon with a number of developing economic sectors, an important objective in negotiations is ensuring that Yukon continues to have the tools necessary to achieve economic strength and diversification.

Ms. Moorcroft: Mr. Speaker, the minister opposite has just stood up and said that, of course, they will stand up for local businesses. There are a number of recommendations found in the Procurement Advisory Panel's report that bring forward concerns that indicate they have not been completely successful in that. I had asked the minister whether this government has consulted with all of the chambers of commerce in the Yukon about the AIT negotiations. The minister simply said that they are participating in the negotiations, so I will repeat my question for the minister.

Has this government now consulted with all of the chambers of commerce in Yukon about the AIT negotiations and will it stand up for Yukon businesses during those negotiations?

Hon. Mr. Hassard: Thank you, Mr. Speaker. As I said in my first response, yes, we will stand up for Yukon businesses. I agree that we are not finished — we are not done here. The negotiations continue, and when they are done, then we will have somewhere to go from there.

Mr. Speaker, as I have said, the Yukon works with other Canadian governments to reduce unnecessary barriers to trade. This is important because we need the free flow of people, goods, services and investments across Canada to support stronger economies, not just for Yukon, but for all parts of our country.

Ms. Moorcroft: Mr. Speaker, the minister has still not indicated that he has actually met with representatives of businesses and the chambers of commerce before the negotiations and is taking their views into account. It sounds like he will talk to them after the fact.

The Procurement Advisory Panel's report recommends that departments identify how they will use procurement, in particular with respect to targeting local businesses and First Nations to support their mandates.

The Yukon business incentive policy, BIP, provides rebates to contractors working on eligible government contracts as an incentive to hire Yukon residents and use Yukon-manufactured products. In contrast, the Northwest Territories' BIP is designed to promote economic growth and capacity within NWT businesses and the economy. The bid adjustment is based on the value of the contract.

How will this Yukon Party Government strengthen the BIP process to promote Yukon business and economic growth?

Hon. Mr. Hassard: Thank you, Mr. Speaker. Of course, we will take the Procurement Advisory Panel's reports under advisement and see how we can make changes in regard to what they've said. But, of course, we have to understand that the business incentive program, or BIP, is there to promote the hiring of Yukon residents and the manufacture and use of Yukon goods by providing rebates to contractors working on eligible Yukon government contracts.

We have talked to many people about the difference between what we do here in the Yukon and what's done in the Northwest Territories. Many people don't believe that the way the Northwest Territories' BIP system works is good at all, so we'll continue to listen to panels such as the Procurement Advisory Panel, we'll continue to meet with organizations such as the chambers of commerce and we'll continue to work at improving all of our systems across government.

Question re: Dawson City recreation centre

Mr. Silver: Thank you, Mr. Speaker. Before the 2011 election, the Yukon Party candidate for Klondike held a sod-turning ceremony with a former minister of Community Services to announce that a re-elected Yukon Party government would build a brand new rec centre in Dawson City. As the government's mandate winds down, it's now clear that this long-standing Yukon Party commitment will not be fulfilled.

Mr. Speaker, why has the government broken the promise that it made with residents of Dawson City?

Hon. Mr. Dixon: We continue to work closely with the City of Dawson to make improvements to their recreation centre through investing an envelope of money that was committed a number of years ago for upgrades to that facility.

This year we have a plan in place — or at least beginning to have negotiations about a plan for the year — to set out an agreed upon course for that particular facility. That committee involves Yukon government representatives as well as representatives of the City of Dawson. They chart out the work plan for the year and then the Yukon government provides the funding to do the upgrades as necessary.

My understanding is that we either have or are close to having that work plan done for this year, and we have money budgeted to undertake upgrades to that facility so that Dawsonites will have access to those recreational facilities for years to come.

Mr. Silver: Mr. Speaker, the Yukon Party candidate made a promise to build a new recreation centre. He didn't get elected, and the Yukon Party's commitment to build a new facility is now off the table. It was a broken promise, plain and simple, and instead of owning up, the Yukon Party simply tries to pretend that the commitment wasn't made in the first place. The government has instead continued with a band-aid approach year after year, and it is my understanding that an agreement has been signed, or is close to being signed, with the City of Dawson to spend \$2.3 million on a facility this year. The budget before us, however, has only allocated \$1 million, as far as we can see.

Can the minister confirm that there is a signed negotiation or agreement for \$2.37 million to flow this year for what's referred to as option B-2? Further, why is that amount not outlined in the budget before us?

Hon. Mr. Dixon: Thank you very much, Mr. Speaker. The amount that the member is referencing — the \$2.3 million — is the remaining amount in the envelope that has been committed to that project. We have budgeted an amount of money that is consistent with typical spending patterns for the year for that project.

The commitment for that original envelope of money — the \$2.3 million — remains in place. We are committed to spending that money. The funding that we have budgeted this year is reflective of what we thought we would be able to do this year for work that would be done. If we need to access more money or if we need to look into increases there, then we can do that. But the budget this year reflects what we thought we would be able to accomplish this year in terms of upgrades to that facility.

Mr. Silver: Mr. Speaker, the Yukon Party candidate for the Klondike during the 2011 election campaign told voters that a newly elected Yukon Party government would build a new recreation centre. People expected the government to live up to that commitment; they did not. The government has had numerous reports done since then to bring the facility up to an acceptable level. It has not acted on them and there is no money in either the budget or in the long-term planning for a

permanent solution. \$2.3 million doesn't make the community whole. Millions will still be needed to complete the existing recreation centre. There has been some funding over the last five years to continue to apply band-aids and we see that again this year.

Why did the Yukon Party government spend the entire time in office refusing to come up with a long-term solution for the residents of Dawson to have a fully functional recreation centre?

Hon. Mr. Dixon: Thank you, Mr. Speaker. What we have done is spent this term spending a significant amount of money improving the Dawson recreation centre. We have done that in collaboration with the Dawson City municipality. We have worked together every year to set out a work plan for work to be done to that facility.

The funding that we have identified for the recreation centre in Dawson is unique. It is a long-standing commitment that was made a number of years ago to make improvements to that facility. We continue to make those improvements, and we are committed to the funding that we have committed. When it comes to a longer term plan, we have begun discussions with the municipality, the City of Dawson, around what some options could be, and we look forward to charting out a course forward for that recreation centre that will ensure that Dawsonites have access to adequate and sufficient recreation opportunities at that recreation centre.

Question re: Keno area mining runoff

Mr. Tredger: Thank you, Mr. Speaker. Last week when I asked the Minister of Community Services what was being done to solve the water issues in Keno, he was clear: trucking water in from Mayo was the best he could offer. He also stated that — and I quote: "... individuals can drill their own wells if they would like." This dismissive statement flies in the face of his government's own reports of the contaminated groundwater under the homes and businesses of Keno. Indeed, many residents had private wells that are now contaminated. It is irresponsible for the minister to make uninformed statements like that on the floor of this House.

Will the minister retract his statement suggesting Keno residents drill their own water wells where groundwater is known to be highly contaminated?

Hon. Mr. Dixon: Thank you, Mr. Speaker. It's a responsibility of our government to ensure that Yukoners have access to safe, clean drinking water. That's exactly what we're doing now. In this particular case, the well in Keno had an unfortunate situation that saw the well become unusable at the current time, so we have taken the opportunity to find a stop-gap solution, which is trucking water from Mayo. We will continue to do that as long as is necessary.

But I wanted to note, Mr. Speaker, that my comments were simply reflective of the fact that other places in the territory that are on water delivery don't have the opportunity to have the government pay for that. That is a unique situation to Keno and that's the case right now.

Mr. Speaker, we'll continue to ensure that Kenoites have access to safe, clean drinking water by trucking it from Mayo

until a longer term solution for the well in that community is found, and at that point we'll be able to determine how best to move forward.

Mr. Tredger: Thank you, Mr. Speaker. People in other places do not live in a recognized toxic, type 2 site. In other places, wells have not become contaminated.

This government has made repeated promises to keep Keno residents informed. I would suggest that the Minister of Community Services getting informed himself would be a good start. The chief medical officer of health and YESAB have both recommended that the water be tested regularly and that the residents of Keno be kept informed, yet here we are again with inconsistent testing, inconsistent reporting — leaving residents of Keno in the dark and the minister making uninformed statements on the floor of this House.

Will the minister commit to holding regular community meetings, which the residents of Keno have asked for, until their water access and contamination problems are resolved?

Hon. Mr. Dixon: Thank you, Mr. Speaker.

Mr. Speaker, we continue to test the water in Keno to the extent that is required of us and we continue to communicate the results of that testing with residents. I know that the member opposite would like me to personally go up there every week and have a community meeting about it. That is not what we'll do; we'll continue to let officials communicate what their testing results are to residents of Keno. If it's not happening with the frequency that we have committed to, then that's news to me and I would be happy to look into the matter. If individuals have questions about the water quality there or the testing that has been done, then I encourage them to contact our department and we can provide them with whatever information we have at hand.

Again, Mr. Speaker, I need to be clear. We are faced with an unfortunate situation where the well is not usable currently and we have found an adequate stop-gap solution to provide drinking water to those residents in the meantime. In the long term, we will look at options for improving the well in Keno, and if we need to make some larger changes to the well or some larger changes to the water system there, we will have to consider that at that time. Until then, Mr. Speaker, we will continue to provide safe, clean drinking water to the residents of Keno.

Mr. Tredger: Thank you, Mr. Speaker. Mr. Speaker, we're talking about ministerial responsibility, and this minister has let the residents of Keno down. This government often talks about its wish to encourage tourism and mining together to provide jobs to Yukoners. Keno is an example of this wish coming true, yet this government has not been supporting residents and business owners. The people of Keno are trying. Many of them have put their life savings and their dreams into growing Keno into a major international tourist destination. It is a wonderful place to visit and I highly recommend it. Residents, however, are rightfully concerned that water being trucked in from Mayo may not cover the community's needs during the busy summer months.

Will the Minister of Community Services assure the residents and the businesses of Keno — and their visitors —

that the trucked-in water supply will be adequate during the busy summer season?

Hon. Mr. Dixon: Thank you very much, Mr. Speaker. Yes, of course, we will do our very best to ensure that the water being trucked from Mayo to Keno will meet the needs of the Keno residents and businesses.

Question re: Burwash Landing policing

Mr. Barr: Thank you, Mr. Speaker. For the past several years, the community of Burwash Landing has been pleading for a full-time RCMP presence. Currently, the RCMP responds to calls from Haines Junction, and response times can take hours under the best conditions. The community has asked on a number of occasions for more RCMP resources, yet the Minister of Justice, who sets the priorities for the RCMP, has repeatedly rejected those calls.

In the summertime, the RCMP sends a part-time officer to Burwash Landing. Residents of Burwash Landing want the summer RCMP presence to be extended.

Why has this government not made a year-round RCMP presence in Burwash Landing a priority?

Hon. Mr. Cathers: Thank you, Mr. Speaker. We work with the RCMP as well as other community partners to assess the needs and the pressures. I would point out to the member that the simple answer to his question is that the cost of a detachment is an estimated \$3 million to \$5 million in capital funding — perhaps even higher — and the operational cost of a detachment is approximately \$600,000 to \$700,000 for adding a new detachment. That is why there is not an RCMP detachment in every single community of the Yukon.

We very much appreciate the concerns of the citizens of Burwash Landing and the Kluane First Nation. That is why, since 2008, the Department of Justice has funded an RCMP reservist in Burwash Landing to address the heightened policing needs in the summer, and we will continue to engage in discussions with the First Nations along with the RCMP to look at the need for policing in the area, as well as considering it in the context of the overall policing pressures within the territory.

We have been pleased to respond to the needs identified by the RCMP through the addition of \$385,000 in this year's budget to increase the strength of the Whitehorse detachment to enable them to do things, including an increased focus on targeting the drug trade and property crime. But again, the simple answer is that there is a high cost and that is why we are continuing to assess the needs.

Mr. Barr: Mr. Speaker, the residents of Burwash Landing are not happy with these continued responses. They are not having their needs met. Community leaders are still wondering what it will take for the community to receive a full-time RCMP presence. We know this government sets the broad priorities for policing in Yukon. This year's budget allocates \$385,000 for five new RCMP positions in Whitehorse, yet Burwash Landing is once again being passed over.

Why does this government deem it more important to allocate five new RCMP to Whitehorse while Burwash Landing still doesn't have a permanent RCMP presence?

Hon. Mr. Cathers: Thank you, Mr. Speaker. I would ask the members of the NDP's position — that they would oppose this investment in increasing the strength of the Whitehorse detachment, which has the majority of the population of the territory, as well as providing service to very large communities within the Whitehorse periphery, including on the north side in my riding of Lake Laberge and on the south side in the Marsh Lake area, the Tagish area, et cetera.

I would again remind the member that the cost of a detachment — I should correct the number. The cost estimate I gave was \$3 million to \$5 million in capital funding, but I should note that, based on the numbers we ran into in Faro, the lowest bid for that project was \$5.5 million for constructing a new detachment plus an estimated increased operational cost of \$600,000 to \$700,000 in ongoing O&M.

We have worked with the RCMP to assess the various competing needs, the demand around calls for service and a need to increase the resources we have to target drug trafficking and to target property crime within the Whitehorse area and the periphery. Those are the priorities that have been identified not only by the RCMP but with input from the Yukon Police Council.

We will continue to work with the community of Burwash Landing and continue to appreciate their needs, but just as is the case all across the country, no government can afford to fund an RCMP detachment in every single community.

Question re: Climate change action plan

Ms. White: Thank you, Mr. Speaker. The Premier marked this year's Earth Day with a press release that supported the signing of the Paris agreement, but also made sure to remind Yukoners that his government would do their part to — and I quote: "... fight the imposition of a carbon tax."

Similarly when northern premiers gathered in northern Yukon, via privately chartered planes no less, the Premier dug his heels in further, making his opposition to carbon pricing the weekend's major statement on climate change. It's telling, but not surprising, that the Yukon Party government's strongest position on fighting climate change is to tell us about the things they don't want to do without offering us any solutions.

Mr. Speaker, what is the Premier planning to put on the table for the upcoming First Ministers' Conference when the rest of the country, including the north, discusses how to build a low-carbon economy?

Hon. Mr. Istchenko: Thank you, Mr. Speaker. Of course, the Yukon government fully supports the actions to address climate change. That's outlined in our energy strategy and our climate change action plan.

Some of our work includes: expansion of our hydro grid; reducing communities' reliance on diesel; an option to the territorial biomass strategy; conversions of some of the

Yukon's backup power to LNG from diesel; development of new technology at the Cold Climate Innovation centre; some of the progress on our new next generation hydro project; and I was at an energy summit in Burwash Landing not long ago with the wind project we're doing in partnership with Kluane First Nation.

We successfully made the case that the national policy on carbon must include investment in new and existing energy technologies. It should also take into consideration the challenges of living in the north and the needs of this economy. I'm very pleased with the leadership of this Yukon government on this file ensuring that these elements were included in the Vancouver declaration.

We also proposed that the federal government should partner in the north to mitigate one of our greatest emissions sources — our homes and our buildings. Retrofitting our housing and our buildings would greatly reduce our emissions to create jobs for Yukoners at that time. That's the sort of solution that will help combat climate change and foster an economy at the same time.

Ms. White: We need bold action when it comes to reducing our own carbon emissions. The Yukon is disproportionately affected by climate change and our territory is warming more quickly than the rest of the country, yet this Yukon Party government is content to let the rest of the country do the heavy lifting.

Throughout the world, more jobs are being created in the green energy industry than in any other sector. Yukoners want to play a part in this conversation and have a role in this new economy. Yukon citizens want to see resilient and sustainable green energy jobs that are part of a diverse Yukon economy.

Mr. Speaker, will the Yukon Party government commit to consulting Yukoners on how they want to participate in a national plan to transition to a low-carbon economy, or is an ideological stand all they have?

Hon. Mr. Kent: Thank you very much, Mr. Speaker. Of course, the Department of Energy, Mines and Resources plays an important role in this, as well as our colleagues in the Department of Environment. Through energy incentive programs, including ones introduced by our government — the microgeneration program has been extremely successful in allowing Yukon residents to install renewable energy sources into their homes and sell the excess power back into the grid. We introduced commercial energy incentive programs last year, as well as the residential energy incentives programs, which I've noted on the floor of this House have revolutionized the way that homes are being constructed here in the Yukon. What was less than 10 homes traditionally has now ballooned to 94 new homes built, as of mid-February of this year, to the EnerGuide 85+ standard, resulting in estimated cost savings of \$157,000, as well as 452,000 kilowatt hours in thermal energy savings.

The good energy incentives program is also an extremely popular and successful program in its eighth year with 12,000 incentives issued to almost 7,000 Yukon residents under this program.

Yukoners are engaged in a green economy. Look at those who are working on this building right now. Each and every one of us pass them every day. Those are green jobs, bringing energy efficiency to one of our least energy-efficient buildings, resulting in cost savings as well as savings in greenhouse gas emissions.

Ms. White: Thank you, Mr. Speaker. Yukoners are looking for new ideas, not the same laundry list that gets read out every time we ask about our energy future. There is an easy way the government could show a tangible commitment to green jobs right now. The tech wing at F.H. Collins Secondary School, which already has a geothermal well dug nearby, could become a valuable learning opportunity for high school students to get hands-on experience in the green technology industry. There's an opportunity to incorporate geothermal, solar and biomass technologies, all of which have an important role to play in Yukon's energy future.

Why would we let this opportunity pass us by? By making this one choice, we would be exposing hundreds of young Yukoners to a developing industry that will require a long-term influx of skilled workers. So Mr. Speaker, does the Premier agree that Yukon has a golden opportunity to expose young people to the green energy industry by including them in the F.H. Collins tech wing?

Hon. Mr. Pasloski: Mr. Speaker, I've said in this House many times, and in the community, that we all have to do our part when it comes to reducing greenhouse gases, but what we believe in this party is that one size does not fit all. We can call it carbon pricing or we can call it a carbon tax, but you know, Mr. Speaker — this is something that both the NDP and the Liberals — Yukoners need to know that both the NDP and the Liberals would institute a new tax that would make everything more expensive in this territory from gasoline to home heating fuel, to food to diapers to milk, and to clothing. That is a reality.

I have spoken to a lot of people who struggle in this territory — struggle with the cost of living that we have today — not without increasing them even further. We have a plan, Mr. Speaker — a plan that focuses on real solutions, not on ideology. It's a plan that will see us actually reduce our greenhouse gases; a plan that will see us increase jobs and not make everything more expensive. Yukoners are looking for real solutions.

Speaker: The time for Question Period has now elapsed.

We will now proceed to Orders of the Day.

ORDERS OF THE DAY

OPPOSITION PRIVATE MEMBERS' BUSINESS

BILLS OTHER THAN GOVERNMENT BILLS

Bill No. 107: *Act to Amend the Elections Act, with Respect to Political Contributions* — Second Reading

Clerk: Second reading, Bill No. 107, standing in the name of Ms. Hanson.

Ms. Hanson: I move that Bill No. 107, entitled *Act to Amend the Elections Act, with Respect to Political Contributions*, be now read a second time.

Speaker: It has been moved by the Leader of the Official Opposition that Bill No. 107, entitled *Act to Amend the Elections Act, with Respect to Political Contributions*, be now read a second time.

Ms. Hanson: I rise today to speak to legislation tabled by the Yukon New Democrats, entitled *Act to Amend the Elections Act, with Respect to Political Contributions*.

Mr. Speaker, this bill amends the *Yukon Elections Act*. Bill No. 107 eliminates corporate contributions, eliminates union contributions, limits donations to individuals ordinarily resident in Yukon, and limits individual contributions to \$1,500 a year. The act adds loans to the definition of "contribution", and the bill also prescribes what the party or candidate should do, should a contribution not meet the changed act.

The bill will affect everyone who participates in Yukon's elections by means of contributions or donations to Yukon political parties. Corporate and union entities who have contributed to Yukon political parties in the past will no longer be able to do so. The bill will come into effect when assent is given. To be clear, unlike the 2015 Alberta legislation, there is no retroactivity in this legislation, so contributions that have already been made this year will not be affected. This will affect only contributions made after the assent is received for the bill.

As to the "why" of this bill, it's quite simple: individuals vote; corporations do not vote, unions do not vote. Bill No. 107 does not prevent individuals who work for or who own corporations, or who are members of unions from making contributions. The intent of this bill is to strengthen the voice of ordinary Yukoners by restricting the presence of big money in Yukon politics. There are currently no restrictions placed on money in Yukon politics. Any union, any corporation, any individual residing anywhere in the world can donate as much money as they want to Yukon political parties.

Mr. Speaker, Democracy Watch, a nation-wide coalition of 50 citizens' groups across the country representing over three million Canadians, puts the issue in plain language that we can all understand. They ask in their Money in Politics Campaign — and I quote: "Money to the Ref? We don't allow that in hockey or other sports — but in politics it's legal!"

They go on to say — and I'm quoting again: "Politicians are supposed to be the referees who decide what is in the public interest — so why do we allow wealthy private interests to buy them off with huge donations, including secret donations, and why do we allow interest groups to spend secret, unlimited amounts of money before and during many election campaigns?"

It is no secret that citizens express an erosion in trust in politics, the political process and, sadly, politicians. Bill No. 107 is a straightforward way to say to citizens that it is time to shift the pendulum of democracy back to the voter,

to the citizen who exercises their franchise and not to unseen and unaccountable others.

To be clear, Bill No. 107 represents a correction to the system that is the current law that allows the perception that, by donating to a political party, one's organization or corporation gains power to influence political decisions. We believe it, and we hear it frequently from Yukon citizens — that decisions on projects should be made based on the facts, on a clear business case and whether or not it is good for Yukon. Allowing people who have a direct financial interest in the decisions that this government takes raises some serious integrity questions.

The lack of restriction on money in politics leads to a number of conflicts when it comes to politics and governance in Yukon. When political parties take donations from groups whose interests they will be deciding on, it creates the potential for conflict of interest or the perception of conflict of interest. As the Yukon New Democratic Party has said so often before, we believe that government must not only be ethical, but we must also be seen to be ethical. Public trust and confidence in government relies on that principle. Not only do Outside corporate and union contributions cause present ethical problems for government, they also water down the voices of individual Yukoners. Our democratic system operates on the principle of "one person, one vote". When we allow corporate, union and Outside contributions, we distort that principle. Levelling the playing field for individual Yukoners is the chief goal of this legislation.

If passed, this bill would remove Outside, corporate and union donations from Yukon politics and set a \$1,500 annual contribution limit for eligible contributors. Bill No. 107 borrows from the *Canada Elections Act* and the recently passed Alberta bill, entitled *An Act to Renew Democracy in Alberta*. Neither Alberta nor Canada allows corporate or union political donations. Our bill borrows the language used by Alberta that only allows Albertans to donate. Both Alberta and Canada have set political contribution limits. We believe that it is ordinary Yukon citizens who should have a say in Yukon politics.

There is a growing recognition across Canada that big money in politics needs to come to an end. Nationally, we have seen issues involving money in politics — most recently with the Ontario Liberal government being embroiled in a cash-for-access scandal. We have also seen the British Columbia NDP proposing similar legislation to this to limit events like the \$20,000-a-plate dinners thrown by the BC caucus of the Liberal government there.

In both Ontario and BC, corporate interests have been caught paying for special access to ministers who have the final say on government policy that affects their businesses. This legislation builds on a proud Yukon NDP tradition of democratic reform. In this Legislature alone, we have tabled bills to prevent floor crossing without a by-election and paid lobbyist legislation. When this legislation is passed — and it will be passed either now with the support of the government and the Third Party member of this House, or when we table it as government.

We are hopeful that it will encourage more Yukoners to take part in our political process and that it will allow Yukoners to have a greater sense of engagement in the political processes that affect their everyday lives.

I would like to address some of the claims made by the Yukon Party, both in this House and in the media, since this bill was tabled. The Premier has stated that the Yukon Party would love to be a part of this conversation, but that somehow the process is flawed, that there is not enough time to properly move this legislation forward and that one party should not unilaterally put forward legislation.

Mr. Speaker, that is rather rich from a party that, since being elected in its current iteration of the 33rd Session of the Yukon Legislative Assembly for almost five years, has not consulted with the Official Opposition on any legislation that it sought to introduce in this Legislative Assembly. It wasn't always so. The previous Yukon Party Premier did occasionally meet with the Official Opposition and the Third Party.

As for the Yukon Party insinuation that there is not enough time to thoroughly debate and engage on this bill, they must have been asleep at the wheel for the last five years. Our approach to this bill and the process in which it was developed is no different from the way in which this current government has proposed and passed legislation.

This House was also treated to a display of mock outrage after Bill No. 107 was introduced. Among the litany of supposedly egregious actions by the Official Opposition was an alleged failure to signal intent. It would appear that the Yukon Party not only does not listen to Yukon citizens, but fails to pay attention to what transpires in this House. We sort of guessed it from the rote answers in budget debate or Question Period. However, I will remind Yukon Party members of the number of democracy-enriching motions and bills going back to the comprehensive democratic reform motion that I tabled in 2012.

Key among the other assertions is that the NDP had failed to use the opportunity afforded it when the Chief Electoral Officer conducted a review of the Yukon *Elections Act*. Members will recall that the Chief Electoral Officer provided her report to the Legislative Assembly in December 2014. It contained approximately 111 proposed legislative amendments and over 20 administrative amendments. Since the Chief Electoral Officer is an officer of the Legislative Assembly, the all-party Members' Services Board was charged with reviewing the proposed amendments and agreeing on which it would move forward into amendments of the *Elections Act*. One would think that this would be of prime importance to all members of this Assembly.

I would remind members here — and I will note that the minutes of the Members' Services Board are available to all members once they have been approved by the Members' Services Board, so I'm not transgressing or revealing any secrets here.

The Members' Services Board's first meeting to deal with the December 2014 report was March 2014, where it was agreed to put the report on the next agenda. That next meeting

was postponed at least twice, eventually occurring on June 2. At that meeting — perhaps I am revealing something here, but it became clear that only the most essential amendments would be moving forward. Of 111 amendments, only a few were going to clearly get the approval of all members.

The next meeting was scheduled for October 11, eventually happening on October 26, where the MSB reviewed draft amendments. So, Mr. Speaker, to suggest that the Official Opposition should have fought to delay the passage of necessary amendments, knowing that this is an election year, that all parties need to have a more efficient electoral process — including what was eventually agreed upon as the key priorities, being those related to enumeration and the modernizing of electoral lists — to suggest that is somehow rationale or reason not to address this matter is a rather weak argument, Mr. Speaker.

This bill is two-and-a-half pages long. It takes about two minutes to read. It is legislation that is clear, unambiguous. Bill No. 107 is a simple piece of legislation. The Yukon Party has had two weeks to consider Bill No. 107. I would argue, Mr. Speaker, that this exceeds by far, on a number of occasions, the length of time provided to the opposition to consider legislation by this very same party.

I want to say this in a polite way. Mr. Speaker, I think it is unfounded to attack the NDP with respect to a perception of adherence to what they perceive as their view on legislative process, because it comes across as a rather awkward attempt to reinforce the Yukon Party's preference to deflect attention from the substantive issue at hand here.

In this case, the substantive issue at question is whether or not the Yukon Party believes their primary accountability is to individual Yukon citizens. Does the Yukon Party believe, as a party, as elected members of this Legislative Assembly, that their primary accountability is, in fact, to individual Yukon citizens, or is it to some other entities? A simple question — the answer will be telling.

We have followed the rules of this House and if this government, reflected by the wish of the whole House, truly believes that putting limitations on corporate, union and Outside donations is a bad thing, then they ought to say so, rather than dancing around the issue. The only relevant question is: Will this government support these changes or will they resist? If this government chooses not to support these changes, Yukon citizens have every right to ask the Yukon Party — and every member of that party and every member of the Legislative Assembly representing that party — why and what are they afraid of?

Let us be clear; every Yukon political party has financially benefited in the past from union, corporate and Outside donations, including the Yukon New Democratic Party. Last month, we held a fundraising event in Edmonton with like-minded NDP supporters from across the country — we absolutely did and we're not hiding from it — we even tweeted about it. We accepted small donations from individuals looking to support progressive change in the Yukon.

Perhaps some people in this House are not aware that it is a tradition in the populace movement of the CCF or the NDP to pass the bucket as a method of fundraising. Individuals from across Canada made small contributions to the Yukon NDP at that party. It was actually my birthday party. It is pretty common knowledge that the grassroots origins of the CCF and later the NDP, stemming from workers and farmers in the early 1930s on the prairies, depended on everyone pitching in what they could to help — whether it was to pay for gas or for food — as the early members went from town to town. It is a tradition with deep roots. Whenever we get a group of NDP together, to this day, someone will make a pitch and pass the bucket or cap. This is far from the notion of a luxury yacht cruise.

These donations were made without a vested interest in influencing Yukon's political process, other than support for progressive politicians who want to make a change.

We will be the first to say that, yes, the Yukon NDP has in our past electoral campaigns benefited from the generous donation of unions. We appreciate these donations and the support behind them. We would like to thank the unions who have been so good to us in the past.

Unions, the CCF and later the NDP have a rich history. It was the CCF government of Canada's greatest Canadian and the father of Medicare — Tommy Douglas — that was the first government in Canada to recognize the right of public servants to bargain collectively and to organize unions in the public service, but times change. The perception is in some fields that union donations are similar to corporate donations and that perception is valid in the sense that, as I said at the outset: neither unions nor corporations vote; citizens vote.

Bill No. 107 will not prevent citizens who are part of a union or who work for a corporation from making individual donations to the party of their choice. Times change. The Yukon New Democratic Party has signalled by the tabling of Bill No. 107 that we are prepared to embrace change. The question remains: Is the Yukon Party? Is the Liberal Party? This bill is not an attack on any one party. It is an effort to make Yukon politics a reflection of Yukon voters and of Yukon citizens.

Our own fundraising will be affected by this legislation but we are willing to forego the financial benefits of the current system in order to make politics in Yukon fair. The Yukon NDP is confident in the support of individual Yukoners. If having taken corporate, union or Outside donations in the past precludes a party from supporting an electoral change, then we would never see it occur. Not one party in this House can ever claim never to have taken a corporate, union or Outside donation. What we need is to focus on change for the future.

Mr. Speaker, as the minister knows, it takes money to run good campaigns and win elections. It's unfortunate but it's true.

The basis of our electoral system is an even playing field. As such, the Yukon NDP will comply with the current rules. It would be a disservice to our supporters and to the Yukon to undertake this election at a disadvantage. The Yukon NDP is

working hard to replace this government and, rest assured, if this House does not pass this legislation then we will pass it.

Contributions from a wide range of donors were considered acceptable in the past; however, as I said, we have increasingly seen contributions in the tens of thousands from private industry become the norm. Nationally, standards of best practice are moving away from the acceptance of corporate, union or Outside donations in an effort to make political parties more accountable to the citizens and to the voters. We believe — Yukon citizens believe — it is time for Yukon to catch up.

Again, I'll come back to the one fundamental question here: Does the Yukon Party support legislation to ban corporate, union and Outside political contributions or do they not? If they do, then we can wrap up debate on this bill and pass this legislation. If they do not, then they should have the courage to stand in this House and vote against the legislation. If however this government talks out the clock, kills this bill on a technicality or sends it to Committee, Yukoners will be sorely disappointed. This government has shown in the past how quickly it can pass legislation that benefits its own interests. We're talking about legislation that benefits the interest of ordinary Yukon citizens. There is no reason that this legislation cannot be passed here today.

Ultimately this legislation is about democratic reform. This legislation is about making politics fair and more accessible for the ordinary Yukon citizen.

I look forward to the support of all members of the Yukon Legislative Assembly for Bill No. 107. It is an important first step to making Yukon's democracy a true reflection of the interests of Yukon citizens. Thank you.

Hon. Mr. Cathers: Mr. Speaker, again, as my colleague, the Minister of Community Services, along with the Government House Leader, the Member for Vuntut Gwitchin, noted earlier, we really are quite disappointed by the timing of the Leader of the NDP's choice to bring forward this legislation. The NDP have had several opportunities over the past two years to propose changes of this type.

We have made it clear that we are open to discussing further reform of the *Elections Act*, but were disappointed in the unilateral approach taken by the NDP leader. The approach that we have taken with regard to the fundamental law that governs our elections is that changes should have broad, multi-party support and that no one party should unilaterally attempt to force through changes that affect how Yukoners select their representatives.

What I would remind the member of is that not only did we have multiple Members' Services Board meetings discussing the *Elections Act*, but in fact we amended the very clauses of the act that the Leader of the NDP proposes to change with her bill: the definition of "contribution"; the definition of "contributor" and the changes to section 373. All of those sections were amended last fall with the unanimous support of the Legislative Assembly after discussion by Members' Services Board, agreement by Members' Services Board on the content of the legislation and the unanimous

approval of the House. In the nine pages — nine pages — of the *Elections Act* amendments tabled and passed unanimously last fall, after it received unanimous approval from Members' Services Board to table it in its exact form, not only do those nine pages deal with campaign financing, but in fact they amended the very definitions and section 373 that the Leader of the NDP chooses to with her bill.

We do have to point out that it seems that the NDP is not acting in good faith. It does seem rather an interesting change of heart for them to propose a ban on Outside donations less than two weeks after holding a fundraiser in Edmonton.

Again, I should note that in addition to the multiple opportunities my members have mentioned and the nine pages of the act that deal with the act that was passed unanimously last fall that dealt with campaign financing, there was ample opportunity for the leader to bring forward these changes. I would again refer the member to the fact that if we look at page 56 of the *Act to Amend the Elections Act and the Electoral District Boundaries Act* tabled last fall, there were changes to the definition of "contribution". There were changes to the definition of "contribution in kind". There were changes to the definition of "contributor" to a candidate and, on page 57, there were changes to the definition of a "person" and that specifically said — as approved by Members' Services Board for tabling and as passed unanimously by this House last fall — that definition said: "person" means (a) an individual, (b) a corporation, including an entity that is incorporated in any jurisdiction but not including a trade union or a political party, or (c) a partnership, or other unincorporated association, organization or body, that is registered under the *Partnership and Business Names Act*."

If you refer to page 58, the definition of "unincorporated group" in the legislation passed unanimously last fall says: "unincorporated group" means (a) a trade union, (b) a political party, and (c) any other entity that is not a person".

Also in the nine pages to the *Elections Act*, we dealt with things including the disclosure of contributions, the changes to the rules for disclosure of in-kind contribution, and again, the Leader of the NDP was silent during all of that process on her apparently new-found zeal for changing the *Elections Act*.

It does also leave one wondering whether the Yukon Federation of Labour, which was the largest contributor to the NDP's campaign last time, announced that they were not contributing to the NDP this time before or after the Leader of the NDP had her apparent awakening and decided that union contributions and Outside contributions were no longer acceptable. Additionally, the fact that this change is being proposed almost halfway through the calendar year that is an election year is changing the rules after parties have already begun their financing and other provisions.

Mr. Speaker, I would have to ask the Leader of the NDP as well, in her new-found objection to Outside donations: Is the NDP going to give the money back that they received in Edmonton last month? They have indicated that their own fundraising will be affected. They have indicated that they're against Outside donors, although last month they found that apparently morally acceptable.

Again, I would have to ask the Leader of the NDP: Why did she not, as we have done every single time we've amended the *Elections Act*, first attempt to reach all-party consensus through Members' Services Board? We in fact specifically said — the Minister of Community Services, who is the other government member on the Members' Services Board, and I — and made it very clear at Members' Services Board and in one-on-one conversations with members of the NDP and the Third Party that, if they were not comfortable with the content of the *Elections Act* that was presented to Members' Services Board for approval last fall, we would not table it.

The Leader of the NDP, in saying we have not consulted on tabling legislation, is not correct. In fact, on this piece specifically, as the minutes of Members' Services Board show — and again, although I believe — correct me if I'm wrong — you can't engage in debate, Mr. Speaker, but I'm sure the Clerk will correct me if I'm wrong. My understanding is that the minutes of Members' Services Board require either authorization from Members' Services Board or a motion of the Legislative Assembly to be tabled or to be released. Let me be clear: the government would be more than happy to support that information being provided to anyone who wants it because the record shows very clearly that, contrary to the Leader of the NDP's assertion that we did not reach agreement on recommendations — I would encourage the member to pull her copy of the minutes from Members' Services Board from June 2. While, Mr. Speaker, being careful not to contravene the line of disclosing content, I think the member will find that we reached unanimous agreement on all except three recommendations. We concurred with the recommendations of the Chief Electoral Officer with the exception of three — and only three — recommendations: one we agreed to disagree on, and the other two — more information was asked from the Chief Electoral Officer. The one that we agreed to disagree on had nothing to do with campaign financing.

Mr. Speaker, I would point out that the NDP, in attempting to paint this as some sort of crisis, is ignoring the fact that the rules regarding campaign financing have remained largely the same here in the territory for decades under governments of all stripes. We made some changes to them, as recommended by the Chief Electoral Officer, last fall, but the NDP, as I mentioned, had ample opportunity — including specifically through the amendments to those very clauses they are now proposing changing, several months later. They could have put on the table the suggestion of changing the rules. They have indicated publicly — they claim that we would have rejected it, but the bottom line is that they never even tried.

Again, government will stand strongly with the view that changes to the *Elections Act*, including but not limited to any changes to campaign financing, should not be done to serve the partisan interest of any party. There should be a sincere attempt by all, in our view, to achieve an all-party consensus on amendments to the *Elections Act* that are fair and reasonable.

I would also like to note that the Leader of the NDP, last fall, in debate on the *Elections Act*, stated at second reading — she referred to the report done by the Chief Electoral Officer. She commended the Chief Electoral Officer for her vigour, her professionalism and her report, and referred to that report as a comprehensive analysis of Yukon's *Elections Act*.

Again, the point I have to make here, as my colleagues have before, is that we do find it rather convenient for the NDP to decide to bring this up halfway through an election year. It does not appear to be aimed at good policy or all-party consensus so much as it being about doing something that they now see as in their interest in this election campaign and in their interest in terms of political grandstanding.

I would again note that we are happy and prepared to discuss changes to the election rules for campaign financing as they pertain to citizens, to unions and to corporations. Without prejudicing any discussions that could occur between all parties, I would note that it is our general view that donations from corporations, including small businesses, should probably be capped, rather than eliminated, but we would be prepared to discuss this topic.

I would also point out and refer members to one of the recommendations from the Chief Electoral Officer's report last fall, which the Members' Services Board chose not to direct the Chief Electoral Officer to take further action on at that time — largely, I think it's fair to say, in part because we were approaching the end of the mandate and there was limited appetite by various parties to get into lengthy discussions about the rules.

I would refer the members to the section — and the media and anyone else listening — of the Chief Electoral Officer's report from 2014, that notes the issue of third-party financing and unregulated, unrestricted third party campaigning during an election period.

I would point members' attention to what goes on in the United States, where we see the example that, for lack of a better characterization, could be called a Wild West show or a gong show, with the unrestricted use of Super PACs to see third-party advertising or campaigning in proxy through groups that have little to no oversight from the electors and little to no disclosure.

In the Yukon right now, as noted by the Chief Electoral Officer — her words, not mine — there are currently no provisions concerning riding associations, third-party advertisers or leadership contests. Consideration of expanding the scope of the act to include registration, reporting and public disclosure by these political entities may be appropriate, given the role they play in influencing political discourse. So the Chief Electoral Officer noted that we may want to direct the Chief Electoral Officer to develop recommendations regarding the oversight of riding associations, third-party advertisers, and leadership contests, if the Members' Services Board had determined that oversight of these political entities is deemed — pardon me; I should correct and use her words exactly. She said, "... if oversight of these political entities is deemed to be warranted." She did

not specify Members' Services Board in the Legislative Assembly.

Again, I do want to note that the government's view and position is that if we're going to be capping donations from private citizens, or considering capping those donations, and if changes are contemplated to union donations and to corporate and small business donations, then, at that same time, all three political parties should address the issue and attempt sincerely to reach consensus on not only those provisions, but also establishing rules for third-party advertising during election cycles.

Otherwise, we could see the NDP grandstanding, as they have in this election year with Bill No. 107, and in fact then running their entire campaign effectively through a third-party organization and campaigning by proxy with little to no oversight, much like occurs in the United States through Super PACs. I am not suggesting that is their intention. I'm simply pointing out that there is a blatant gap in there and if playing within the party donation process becomes more restrictive, if the third-party spending area will become one that parties could naturally gravitate to and attempt to campaign by proxy, as occurs in the United States, and without rules around disclosure, we could have the NDP — through a business or a non-government organization — running an advertising campaign that fully supports the NDP's goals, but they would have no requirement to disclose who was writing the cheques.

Mr. Speaker, for anyone who is not familiar with the Yukon *Elections Act*, it should also be noted that — unlike in some other jurisdictions and, most notably, in the United States — in the Yukon, for many years it has been the practice that all donations over \$250 have to be disclosed by political parties in the year in which they are made.

One of the changes made last fall applied that as well, as recommended by the Chief Electoral Officer, to in-kind donations, but while we were discussing in-kind donations and while we were debating and approving legislation that dealt with the definition of "contributor", the definition of "contribution" and the provisions of section 373, which are the three key elements of the Leader of the NDP's bill — while we were discussing those sections, she never even made the point or pitch that we should consider the changes she proposes today.

So, Mr. Speaker, again I will make a few other notes here. Again, we're open to considering and engaging in all-party discussions of capping political contributions. As I mentioned, we are inclined to think that it should continue to be a possibility for Yukon businesses, especially small businesses, to choose to make a donation through that venue. That is a way that many Yukoners use, depending on if they own a small- or medium-size enterprise. It can be better for them financially to make that donation through their company and they do have to disclose it as do the political parties as to which company made those donations or which individuals made those donations.

It should also be noted that the campaign financing rules in Yukon have largely been the same for decades and, in my opinion, in the over 30 years of responsible government here

in the Yukon, I think it's fair to say that election spending has never once been the primary deciding factor in the outcome of a territorial election. Of course, campaign advertising and campaign spending has some effect, but in my view, and I think history in the territory proves this, parties and candidates win or lose on the doorstep far more than they do through advertising, through debates or through another forum.

The fact that the NDP again is proposing these changes midway through a calendar year in an election year is interesting timing. It's very convenient that they proposed banning outside spending less than two weeks after they had an outside fundraiser.

I would again refer the members and anyone listening to the December 2014 report by the Chief Electoral Officer, which the Leader of the NDP herself described as comprehensive, to the multiple Members' Services Board meetings and again to the fact that in June that board reached unanimous agreement on all but three recommendations. The draft legislation was shared with Members' Services Board last fall. There was a presentation to Members' Services Board by the legislative drafter and the Chief Electoral Officer. Members had the opportunities to ask questions and the questions that they asked for clarification on — again, because this was related to Members' Services Board, I won't table that today but would be happy to do so if the Members' Services Board or the Legislative Assembly authorized it. We have e-mails from the Leader of the NDP as well as the Leader of the Third Party supporting the bill as proposed — noting it was obvious from that, that they did not ask for additional changes. There were questions asked by Members' Services Board. There were answers provided by the Chief Electoral Officer, the legislative drafter and the Clerk.

Then — and I will refer to the dates in the e-mails for the members — we have confirmation from the Leader of the NDP on October 27 in an e-mail that is dated 5:05 p.m. that she was comfortable with proceeding with the legislation and an e-mail from the Leader of the Liberal Party on October 27 at 12:29 p.m. indicating that he was comfortable with the content of the legislation, subsequent to the amendments that we had all discussed and that were referred to.

I would point members to the reference. Again, I will simply excerpt from the October 26, 2015 minutes of Members' Services Board that notes that the board unanimously agreed to proceed with the bill — that being Bill No. 91, *Act to Amend the Elections Act and the Electoral District Boundaries Act*.

I could add additional detail, but I don't want to provide too much that is currently within the purview of Members' Services Board — while again emphasizing for the record that if members wish to debate what was said and the e-mails and the minutes from the Members' Services Board meetings, the government is more than happy to see those tabled here in the Legislative Assembly.

I would remind the Leader of the NDP of her own statements regarding how comprehensive the analysis of the *Elections Act* was. I would also remind her of a statement made by her colleague on November 26 that not only thanked

the Chief Electoral Officer for the enormous amount of work but referred to the recommendations for amendments to the *Elections Act* — that being the Chief Electoral Officer's 2014 report. She referred to that report as a clear and thorough report, and the member also went on to talk about the enhanced clarity and equity within the framework of election finance reporting and disclosure — that again from her comments as recorded in Hansard on November 26.

With that, in the interest of what we believe is best practice — that no party should attempt to gain the system or grandstand, but that there should be a sincere attempt to reach all-party consensus on what are fair and reasonable amendments to the *Elections Act* — while noting again that we are fully prepared to discuss the possibility of limiting campaign donations and placing caps on them and are prepared to discuss how that should be done — and while emphasizing that we believe that while that occurs, the issue of third party spending — as referenced by the Chief Electoral Officer in her 2014 report — should be discussed as part of that same conversation.

Amendment proposed

Hon. Mr. Cathers: Accordingly, I move:

THAT the motion for second reading of Bill No. 107, *Act to Amend the Elections Act, with Respect to Political Contributions*, be amended by adding the phrase “and referred to the Members’ Services Board” immediately after the phrase “be now read a second time”.

INTRODUCTION OF VISITORS

Mr. Tredger: I would like to take advantage of the lull in the activities to introduce Steven and Julie Smyth, who are mother and father to our page Andrew Smyth. Welcome to the gallery.

Applause

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

It has been moved by Minister of Justice:

THAT the motion for second reading of Bill No. 107, *Act to Amend the Elections Act, with Respect to Political Contributions*, be amended by adding the phrase “and referred to the Members’ Services Board” immediately after the phrase “be now read a second time”.

Hon. Mr. Cathers: In speaking to the amendment, I just want to note for the record for those who are not familiar with Members’ Services Board that not only is it an all-party board that deals with things such as the review first before it goes to Cabinet of budgets for the Elections Office, the Legislative Assembly office, the Ombudsman and Child and Youth Advocate, et cetera, it also deals with various rules and funding pertaining to things such as the funding of the three caucuses, as well as provisions such as pertaining to MLA travel and so on.

Another thing that should be noted for members of the public is that Members’ Services Board — while technically it can vote and pass things by majority, virtually without

exception it operates by consensus. There is almost always on decisions made by Members’ Services Board a consensus reached before the decision is made. There are a handful of exceptions to that, but it is the practice of all members of the committee as well as the advisors to the committee to attempt to reach agreement on a path forward. In the vast majority of cases, after debate, we are successful in reaching that agreement at MSB.

Again, as I mentioned, when the Chief Electoral Officer, after consulting with all political parties and other stakeholders, made recommendations — so again, that was the first opportunity that the NDP and every party and caucus had to provide views to the Chief Electoral Officer to inform her report — this issue did not come up as presented by the NDP in the report. When we discussed the recommendations, including amendments to these very clauses that their bill amends, they did not present this proposal. Again, it’s being approached in a very different way than what government did in bringing forward amendments to the *Elections Act*, which was to first sincerely attempt to reach an agreement by Members’ Services Board on the content of any proposed *Elections Act* changes.

In fact, as demonstrated by the minutes of Members’ Services Board meetings and members’ own statements in Hansard last fall, as well as by the recorded vote, which showed every member of the Legislative Assembly voting unanimously in favour of Bill No. 91, entitled *Act to Amend the Elections Act and the Electoral District Boundaries Act*, when it passed last fall — our attempt to reach an agreement at Members’ Services Board on changes was successful. That body has a track record of working effectively and successfully.

I would remind members and point out to the public that despite rhetoric that occasionally comes forward in this House, there are a number of areas where this government has over the past three terms gone into areas in a more collaborative manner with members of the opposition than had happened under past governments.

Prior to the all-party committees, the select committees consulting on major policy matters that were embarked on by this government — the first one was chaired by me during my time as Minister of Health and Social Services, which was the Select Committee on Anti-Smoking Legislation. That was followed by the Select Committee on Human Rights. There was the all-party committee, the Select Committee on the Safe Operation and Use of Off-road Vehicles — all of those committees — and there have been others since that time — worked together and made a sincere attempt to reach unanimous agreement on the path forward.

In the ones that I participated on — the anti-smoking legislation committee and the off-road vehicle committee — in fact we were able to reach unanimous agreement on a report.

I should remind the members as well that in addition to that and the success of Members’ Services Board that the all-party Standing Committee on Appointments to Major Government Boards and Committees was an initiative by this

government. The motion to establish the committee for the very first time, after successive governments of different stripes had committed to establishing an all-party committee to review appointments to major boards and committees and didn't keep those commitments, this government did. I tabled the motion.

The Member for Whitehorse West was, I believe, the first chair of that committee, and members on this side have served on the committee over time and, I believe currently, if memory serves, it's chaired by the Member for Pelly-Nisutlin. The effort has been made at that committee and is usually successful to reach agreement on recommendations for those appointments. As members know, government members not only take into account the suggestions made by members of the Third Party and the NDP at that board, but on many occasions over this mandate, we have accepted their suggestions, rather than something that had been suggested by a member of the government caucus, as part of that board, because we do sincerely attempt to work collaboratively on those all-party boards.

Mr. Speaker, I hope that has provided some of the context for members of the public on why we think this should be referred to Members' Services Board. I would conclude with the following appeal to the NDP that, if they believe these changes are appropriate, they follow the practice that has been successful in the past through attempting to reach agreement at Members' Services Board, and that they at least make the sincere attempt to reach consensus on amendments when they're presenting their proposal at that body, rather than first introducing it in the Legislative Assembly without engaging in a sincere attempt to reach all-party agreement on what types of changes should be made with regard to the subject matter they've introduced.

With that, I will conclude my remarks on the proposed amendment to the motion for second reading, and I hope members will support this motion and that we can pass this and move on to other business.

Ms. Hanson: On the amendment, I would like to express my disappointment at the member opposite and the Yukon Party for their response to what is, in fact, a reflection of the current and growing view among citizens across this country, and indeed across this world, that the political process belongs to citizens and that we have an obligation, as elected members of this Legislative Assembly, to individually and collectively reflect that will. That's what we're elected to do, Mr. Speaker.

I'm not surprised. I will absolutely agree with the member opposite that when I spoke in my last comments with respect to the act to amend the Yukon elections act I did say that I supported what the Chief Electoral Officer had said in her report of December 14. I did say, Mr. Speaker, in that speech, that the amended *Elections Act* represented a good first step.

I believe that we have the opportunity to move forward. We have the opportunity as members of this Legislative

Assembly to use the Legislative Assembly for full debate on issues that are important.

This is an important issue — how decisions are made and where those decisions are made. If the Yukon Party is afraid to have a public debate with all members of this Legislative Assembly expressing their views as to who they are accountable to, if each one of these members across from us will not have the courage to say whether or not they believe they are accountable to individual Yukon citizens, then they will be held to account. I will say, and I have said in putting this motion forward, that I am quite prepared — quite prepared — to be held to account.

When I said that it was a good first step, it is really about the whole issue of making a decision about where one draws the line in terms of how far one is going to push things. The member opposite made a reference to Members' Services Board. It was abundantly clear to me, as I mentioned this earlier in the debate, that although the report was received in December, it was given to the Members' Services Board at the March 14 meeting, and it was going to go on to the next agenda, that meeting didn't occur because government members weren't available twice until it was finally settled for June 2. This is a high priority for this government —

Some Hon. Member: (Inaudible)

Ms. Hanson: — dangerously close. I'm sorry? Call me on a point of order; go ahead.

When it becomes clear — we talk about achieving consensus. Consensus is sometimes achieved because we are not prepared to delay the progress of activities in a meeting or an event in order to at least get some progress. It is very clear that when we don't have a meeting, when we have intentions to get legislation approved and we are not meeting, we have to make some decisions. I will agree that I wasn't assertive enough, that I didn't push hard enough to get all aspects of all 111 amendments — or 23 administrative recommendations — pushed through. Perhaps I should have been more assertive. Perhaps that would have meant that we didn't achieve consensus. Would that have meant that we would have no amendments to the Yukon *Elections Act*? That is not what I see as my responsible activity. But when I have an opportunity to come back to this Legislative Assembly with something that positively reflects the concerns that I have heard throughout this territory about a perception that there are Outside influences making decisions that could potentially have an impact on how government decisions are made, then I have an obligation as a legislator to say so. I am using the first opportunity that I have to do that.

The member opposite has made a number of assertions; I don't agree with them. It's clear that the minister opposite has sadly reached into the bag.

As I have said, I was concerned that we might get into deflection, rather than an open and honest debate on the merits of the proposal put forward today. The minister may wish to live in the past. He may be satisfied that the rules for campaign funding are, as he says, largely the same as they have been for decades and that is fine by him. I'm not. Citizens across Yukon are not.

It's clear that the Yukon Party doesn't want to allow its individual members to debate the merits of this bill in the Legislative Assembly — that same Legislative Assembly that we are elected to by the citizens of each of our ridings to reflect their interests. Either they don't want to stand up and say what they believe, or even try to describe what they believe the citizens in their ridings believe, with respect to the issues raised here today — whether or not they believe that there should be no corporate contributions to the electoral process, whether or not there should be no union contributions, whether or not there should be limits to donations so that only those people who are resident in the Yukon — and I would suggest to the member opposite that, in terms of the discussion and the debate today, he might have considered whether or not that actually might have covered off some of the aspects of the PAC kind of funding that he was talking about.

So it's clear that the Yukon Party doesn't want this bill to pass before an election. I had made it very clear, Mr. Speaker, that the intent of this bill is not to be retroactive. Any money that anybody has raised to date — go for it; you have it; it's in your bank. All parties — all members of the Legislative Assembly; not just a few; not just one from the Third Party; not just one from the Official Opposition — and all members of the Legislative Assembly are participants in Committee of the Whole. That's why we were anticipating this being debated in Committee of the Whole so that every person here could state their view for the record, for the citizens in their riding.

If the government is truly open about what it believes — truly open and willing to describe to the citizens of the Yukon how they believe they are accountable and who they are accountable to, how they believe democracy is best served in this territory — then I believe that they need to support second reading and we can have that discussion immediately in Committee of the Whole.

The government has had two weeks to review a three-clause bill. We're all here. Everybody in this Legislative Assembly is here today. There is no reason to delay. Let's hear from everyone in this Legislature.

You know what, Mr. Speaker? The saddest part is in his comments. The government's representative on this debate so far has refused to say whether or not the Yukon Party thinks that Outside contributions should be allowed. Do they support that?

This is one of the few jurisdictions in the world — I mean people are aghast at the notion that anybody anywhere can make contributions to our elections. Do we want to be run from outside the Yukon? But maybe there are merits to it — and we would love to hear all members of the Legislative Assembly having the opportunity to express their views, to talk about what democracy means to them, and who they're accountable to. I would be fascinated after those comments that were made earlier.

I guess, Mr. Speaker, that it's clear that I will not be supporting this amendment.

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

Are you prepared for the question on the amendment? Are you agreed?

Some Hon. Members: Agreed.

Some Hon. Members: Disagreed.

Speaker: The yeas have it. The amendment is carried.

Amendment to motion for second reading of Bill No. 107 agreed to

Speaker: Does any member wish to be heard on the motion, as amended?

Ms. White: The day after we tabled this bill that has now been amended, a motion was tabled by the Government House Leader detailing all the things that the Yukon Party thought was wrong with it, from timing to content. It was easy to tell that this was going to be a fiery debate. We've just heard for quite a while, at length, talking without actually saying anything — not saying where the government stands on the idea, but talking about how we should talk more about it.

There are a couple of things I love deeply when it comes to words — poetry, which sadly has no place in today's debate, and dictionaries, which I think do. I'm going to start with a couple of definitions that will help frame my argument. The word "perceive" means to recognize, discern, envision or understand. The word "perception" means the act or faculty of perceiving or apprehending by means of the senses or of the mind, cognition, understanding. The word "influence" means the capacity or power of persons or things to be a compelling force on or produce effects on the actions, behaviour and opinions of others. The word "ethics", the rules of conduct recognized in respect to a particular class of human actions or a particular group or culture.

These words come to mind when I've been talking to Yukoners about our limitless political campaign contribution rules — how anyone, anywhere in the country, can influence what happens here in the territory. Yukoners often perceive that, because there are no rules and no limits, influence can be acquired for a price. The perception that the influence can be acquired leads to ethical questions because, as we all know, government, political parties and legislators must not only be ethical, but we must also be seen to be ethical. Perception of ethics in government is super important. When you're looking for buy-in from people, it's just as important as the reality of the situation.

If people perceive that their voice doesn't matter, they won't participate. When people look at the contributions of the winning political party and they see that 90 percent of their donations came from corporations, or from businesses, and half of those were from out-of-territory, the perception is that they, as citizens, don't matter. It's no wonder that there is apathy out there. How, as individuals, could the ordinary Yukoner expect to make a difference in a system where Outside companies can, and do, make contributions that are thousands of dollars more than they could possibly ever

donate? Not only must government act ethically, but they must be seen to be acting ethically.

I can speak to the perception of money and politics from both personal experience and from what I've been told by people when I speak to them. Perception matters. There is a perception that the groups and businesses with money have the government's ear — and sometimes more than that, Mr. Speaker.

For example, when Yukoners see the Yukon Party hold their biggest fundraiser of the year on a boat cruise in Vancouver, they begin to wonder who has the ear of this Yukon Party government. That perception begins to build. You have to know it's not John or Jane Doe Yukoner on that boat cruise. If a \$300-per-plate fundraiser was held here, there would be no complaints from this side.

When we see improvements to the Robert Campbell Highway that prioritized a mine over a community of 400 people, and when the government's feasibility study spoke only of the needs of the mine and when we see that mine has given thousands of dollars to the Yukon Party, there is the perception that influence can be acquired.

When we see the government spend millions to upgrade the Keno-Stewart transmission line and when the minister responsible cannot point to a cost-benefit analysis or any study that shows there will be a beneficial return on investment, people begin to perceive things. They perceive that maybe the reason that the line is being built is not for Yukoners themselves or for the benefit of Yukon, but for the benefit of the two mining companies operating in the area that have given significant donations to the Yukon Party on a number of occasions.

The members are going to say — or maybe they will say — that I'm attacking mining companies or businesses, but I'm not. We don't begrudge Yukon or Outside businesses for donating to the Yukon Party, to the Liberal Party, or to the Yukon NDP if we allowed those donations, which we don't — because right now it is perfectly legal for them to do that. Why wouldn't you, if you thought that it could benefit your business or your corporate interest?

We're not attacking or criticizing mining, but we are criticizing the Yukon Party, which hasn't told us where they stand on taking contributions that put them in an obvious ethical conflict. We're talking about the obvious ethical conflict that arises when members of this House use their positions as ministers to sell tickets for political fundraisers. We're talking about the obvious ethical —

Some Hon. Member: (Inaudible)

Point of order

Speaker: Government House Leader, on a point of order.

Mr. Elias: I don't even know where to begin. For the NDP member to suggest in any way that any honourable minister on this side of the House has acted unethically in the oaths that they swore to the Yukon public is out of order. I'm going to reference 19(h): "charges another member with uttering a deliberate falsehood"; and 19(g): "imputes false or

unavowed motives to another member". This is nothing short of a deliberate and calculated attempt at character assassination and it's pathetic.

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

Ms. White: I was talking about perception and, to quote the minister opposite, I'm not suggesting that there's intention, but that could be a perception.

Speaker: I'm sorry — could you repeat that?

Ms. White: Absolutely, Mr. Speaker.

Speaker: Who are you quoting?

Ms. White: I have laid out the dictionary meanings of four words, including — let me just get the first page — "perceive", "perception", "influence" in ethics, which is what I'm talking about here — and then the minister —

Speaker: Which minister?

Ms. White: The Minister of Justice, when he was speaking earlier — and I'm quoting him — he said: "I'm not suggesting that there's intention, but that could be a perception" and I believe that's what's happening here. I believe this is a dispute among members.

Speaker's ruling

Speaker: I have been concerned because I anticipated that there would be some rather heated debate here. As such, one of the things I have been trying to listen for — and I believe we have been walking the line very closely — is implying that there were actions with a motive by members on both sides. It is unparliamentary to just say that the actions of a party or an individual with a motive are unparliamentary. I am saying that we are walking a very fine line here. At the present time, I am going to have to look at the Blues. If I need any further ruling, I will give it.

I am just going to caution everybody right now. I know you are very impassioned, but be very careful that you are not implying a motive by a member or a party within any action that there could be or that they could have taken.

Ms. White: That is the power of words. We have an example of perception here.

I think it is an important part of the conversation to look at the election financing and political contribution documents between the 2011 election campaign and the last report that was made available to us for 2014. This bill spoke to corporate, union and outside-of-territory donations. I am going to illustrate what that means for all parties. As you know, on the political contribution lists, all donations over \$250 — and this is where much of my focus will lie. The 2011 election saw a total of \$390,561.35 spent between five registered political parties, with campaign values from \$575 all the way up to \$159,516.82. That is nearly \$400,000 that was spent on trying to influence Yukon voters about who they should vote for in the 2011 territorial election. That is a substantial amount of money. As you might imagine, the lion's share of that money lies with the three largest political parties in the territory: the Yukon NDP, the Yukon Party and the Yukon Liberal Party.

In this comparison, I will be using the stated campaign values, the in-kind donations and donations over \$250, all of which are listed in public documents.

Before I am accused of pointing fingers or laying blame, I am going to start with us — the Yukon New Democratic Party. Our 2011 election campaign was valued at \$137,828.90. Of that, \$2,500 came from an Outside trade union, \$35,000 was donated by a Yukon union, and in-kind donations of personnel from BC, who, in my mind are priceless, were valued at \$1,500. We had in-kind donations of furniture from nine individuals in the territory for a total value of \$2,136.27. In 2011, \$59,690.12 was donated by 79 individual Yukoners. That means that an equivalent of \$4,000 came from out-of-territory union donations, between staff and cash contributions, \$35,000 came from the trade union within the territory, and an equivalent of \$61,826.39 came from individual Yukoners.

In 2011, the Yukon Party ran a campaign valued at \$159,516. This is where the numbers get important: \$76,500 in cash donations came from 20 separate companies registered outside of the Yukon; \$57,500 in cash donations came from 30 separate companies registered in Yukon; \$18,669.90 came as in-kind donations from two Yukon companies; and there was also a single \$500 personal donation from Toronto. Twenty-one individual Yukon citizens each donated over \$250 for a total of \$12,800. That means that \$77,000 came from out-of-territory donations — out of the \$159,000 — and \$12,800 came from 21 individual Yukoners.

Mr. Speaker, you might not be surprised to know that the Yukon First Nations Party had substantially less money. They had five territorial contributions for an amount of \$1,104 and they laid it all on the line; everything was spent on the campaign. The Yukon Green Party ran a campaign on the contributions of three Yukoners and they finished with a portion equal to what they spent during the campaign — \$575.

The Yukon Liberal Party in 2011 had a campaign valued at \$91,560. They had four Outside companies donate \$6,300; they had seven local companies donate \$2,100; and they had 28 individual Yukoners who all donated over \$250, for a total of \$47,671.07.

Mr. Speaker, you can see right there that there is too much happening — too much happening from unions, too much happening from Outside interests, and not much from individual donors outside of the territory, but there was one and he was from Toronto.

In 2012, there was a slowdown, which isn't a surprise because it's the year after the election. We filed a return for \$33,831, of which we received \$600 from an individual living in Saskatchewan and the remainder came from individual Yukoners. We received no money from unions or corporations.

In 2012, that same year, the Yukon Party filed a return for \$30,605, of which they received \$16,000 in donations from two Outside companies, and one of those donations was from a mining company that has a vested interest here, and they donated \$15,000. They received \$1,500 from three local

companies and they received \$9,850 from 19 individual Yukoners.

Mr. Speaker, the Yukon First Nations Party — well, they had zero dollars to declare. The Yukon Green Party was starting to build and they declared \$1,350.

Mr. Speaker, in 2012, the Yukon Liberal Party declared \$11,888, of which \$1,000 came from an Outside financial institution, \$300 came from a local company and \$6,089.65 came from 12 individual Yukoners who each donated over \$250. Mr. Speaker, 2013 was much the same, but I think it's important to highlight that 2013 is the first year in the section where the Yukon Party did not receive money from Outside companies.

In 2014 we start to see things ramping up again. It's like there is an election looming or something. So Mr. Speaker, the Yukon NDP filed a return for \$60,312, of which \$1,000 came from unions — \$500 of which was from a union registered outside of Yukon — so \$500 Outside union money, \$500 inside union money. The remaining contributions that were over \$250 came from 61 Yukon residents to make up the balance of \$60,312.

In 2014 the Yukon Party filed a return for \$69,115, of which they received \$36,400 from corporations and most of them were from outside the territory. They received just over \$16,000 from 24 Yukoners who each donated over \$250. Again, the Yukon First Nation Party declared zero, the Yukon Green Party declared \$3,055. Then we have the Yukon Liberal Party. They declared \$11,240. Again, \$1,000 came from an Outside financial institution. They had again \$3,315 from nine individuals who each donated over \$250. These numbers are increasing. It only makes sense; it's an election year.

Part of what this conversation was, was hoping to see the Yukon Party take a stance: "Yes, we agree" or "No, we don't agree". They could let Yukoners know where they stand on that. It's interesting to know that the conversation now will go behind closed doors where we have to reach consensus before anything can move forward.

I'm going to end on one more instance of perception and this one is a personal one, Mr. Speaker. The Yukon Party has shown their unwillingness to address the substantive points of this bill publicly on this floor when that question really is: Do you support big money being in politics? Yes or no? Do you support money from out of the territory coming into the territory to support political parties? Yes or no?

When they don't want to have this conversation in a meaningful way, it's telling. I was hoping that members here would share with us; that they would put their feelings on the record so that we knew where their position was; whether they answered yes or no to: Do you believe that money from outside the territory should influence Yukon politics? It sounds like that — well, maybe — there are others to speak so maybe we will get a chance to hear that.

I thank you, Mr. Speaker. I cannot wait for the 2015 financial contribution list to make its way into our hands.

Hon. Mr. Dixon: I initially hadn't intended on speaking to this motion, as my colleague the Minister of Justice outlined our position on this matter quite thoroughly. I thought he did a good job of explaining that and it's clear from the comments made by the Member for Takhini-Kopper King and other members on that side that they simply didn't listen.

I will help to elucidate some of the matter here for them. I will skip over the part where my personal integrity was impugned and where the implication was made that I somewhat sold my integrity for a few-hundred-dollar donation. I will skip over that part and won't respond to that. Obviously there are a number of comments I could make about that, and to say it is insulting is more than enough, but I will move on to the substance of the bill and to the criticisms I have thereof.

I have explained vocally already outside these Chambers my concerns with the bill. The first concern I outlined was the timing. I expressed, as did my colleague the Minister of Justice, more thoroughly a few minutes ago, my concern with the timing of the bill. Obviously, over the last two years we have had significant discussion about the *Elections Act* and about a number of the matters therein, including some of those being addressed in this bill. Over the course of that time, there was ample opportunity for members of this Legislature — and members, more specifically of the Members' Services Board — to bring up matters that they wanted to see addressed.

Now, when the *Elections Act* was on the floor of our Legislature just last fall, there was obviously the opportunity to bring forward amendments, questions, concerns — anything like that — and that did not happen. What did happen, Mr. Speaker, was that a few months later, the NDP brought forward this bill. It's not lost on me and I don't think it's lost on Yukoners that they were utterly silent over the last few years about this issue and now — in an election year — they choose to bring this up.

Now, to me, it is nothing more than political grandstanding. I think it is tremendously apparent to anybody I have spoken to that, if they genuinely wanted to make changes, there was opportunity, and that by bringing this forward now, it is simply something that is being brought forward in an election year to benefit them — or if they think it's going to benefit them politically — by bringing this issue forward in an election year, that's the reasoning.

I disagree with the timing, but that isn't the substance and I will return to the substance. I disagree with the scope of the problem that they have identified. I don't agree that the problem is as pervasive and undue as they seem to be implying. I rarely agree with Mr. John Thompson, the editor of the *Yukon News*, but I agreed with his synopsis of the 2011 election, in discussing this in a recent editorial. He said, Mr. Speaker — and I'll paraphrase — that essentially what passes for big money in Yukon is very, very little.

Our elections are very intense, I can say, from having been in a few — once as a candidate — but rarely do we see the influence of vast amounts of money. Our campaigns typically are fought with each party spending around

\$100,000 or so. That alone provokes a laugh when we talk to somebody from Ontario or from British Columbia, so I disagree with the scope of the problem. This isn't to say, though, that there aren't issues we can deal with and I'm not saying it's not an issue. I disagree with the diagnosis of the problem that is put forward by the members opposite.

Let me turn then — and I should say that the Minister of Justice outlined this very clearly, so for the members to say that he didn't address it is simply inaccurate. I think that this was explained quite thoroughly earlier today.

Now, Mr. Speaker, to the content — on the issue of banning corporate or union donations, the NDP believe that should occur. We said, again — the Minister of Justice said this in his remarks — that we are interested in seeing caps brought forward to union or corporate donations. We could impose limits on those; we are interested in that. We would be happy to discuss it. I haven't personally arrived at what I think an appropriate limit is. Is it \$2,500? Is it \$5,000? Is it \$10,000? I haven't arrived at that myself yet, and I would be happy to discuss it with members through the Members' Services Board once we are able to have this bill there. I haven't arrived at a conclusion as to what an appropriate threshold is, but I would agree that it makes sense to limit corporate and union donations somehow. The Minister of Justice explained that and I will reiterate it here now.

On the issue of Outside donations, I am fine to — again, if we are going to limit corporate or union donations locally, it only makes sense to limit Outside donations as well in a commensurate way. If the case is that we are going to limit corporate, small business or union donations here locally, it would make sense to limit donations coming from outside of the Yukon as well — probably at a commensurate level. I know, for me, I think — I'm not sure if my uncle from Toronto actually ended up donating that \$100 or not, but I certainly had some support from my family outside the territory. I don't think that is pervasive. I don't think that is an undue influence in our political system. I think that is my uncle helping me out with \$100. I don't think that's a huge problem, but again, if there is a desire to cap or limit that for reasons to be determined, then I think it should be commensurate with the caps on union or small business donation here in the territory. That is a pretty clear indication of where we stand on that, or where I stand on that, and I think my colleagues agree with me.

Finally, what is, in my opinion, probably the most fatal flaw in the bill is the absence or omission of anything to do with third-party spending, because if you cut off the ability for political parties to raise money themselves through means like union or small business donations, then what happens is exactly what we see every day in the USA: proxy campaigns are fought by political action committees that have even less transparency, less accountability to the public and absolutely no limits. That is the case that we see in the United States where they have very tightly regulated and controlled political parties and campaigns and then completely unregulated and completely non-transparent third-party campaigns. Even if we were to pass the bill right now — if we were to do that and

parties were unable to raise money from small businesses and unions and were limited otherwise, it would be entirely possible for anyone to set up an alternative body — an NGO, a group outside of the political party — and raise as much money as they wanted and spend as much money as they wanted in an election and influence the election to a much greater degree than our political parties do right now. That would be completely okay in a world where this bill passes.

What I believe is that if we are going to further limit union and small businesses from donating to political parties, we have to at least have the conversation about third-party spending, because if you don't, you go down that path that we see in the United States, and that is not one that I think is healthy. It's not one that I think is appropriate for Yukon. It would create even less transparency and even less accountability for Yukoners.

That is a general overview of some of the points. Again, I said I hadn't planned on speaking to this, because I thought my colleague, the Minister of Justice, outlined those points very clearly. The member said he didn't, so I needed to be even clearer, I think.

I disagree with the timing; I disagree with the scope of the issue that the members have raised. The bill itself I disagree with. I don't think that union and corporate donations should be altogether eliminated. I think it's worth having a conversation about capping or limiting those donations. The fatal flaw, in my opinion, is the omission of third-party spending from this bill, which is something, as a member of the Members' Services Board, I will, of course, bring forward. If it had been brought forward in years past when we were discussing it, I would have brought it forward then too.

Mr. Speaker, the important thing is that we bring this bill to an all-party committee to look at it, to have those discussions, to talk about limiting union and corporate donations, to talk about third-party spending, to talk about Outside donations, but what is not the right way to go is for the NDP to table this bill, politically grandstand about it for a few weeks, and then expect us to just merrily pass the bill and carry on with a very flawed bill. That's not the approach I want to take.

I almost forgot the utter and incredible hypocrisy of proposing to limit Outside donations 10 days after having a fundraiser in Alberta. It is almost hilarious, I think, and Yukoners see that for what it is too. To host a political fundraiser in Alberta at the Sheraton in Edmonton, and then 10 days later, table a bill that would propose to ban donations from outside the territory is almost comical. I'll give the NDP credit for their audacity, at least, because to have the ability to do that with a straight face is incredible. I'm very impressed by their audacity on this one.

Mr. Speaker, I'm glad the motion was amended and I'm glad this bill, and the issue itself, will be considered by Members' Services Board. I know that obviously the various political parties will take their stances, as we move forward to an election, and perhaps it will even be an election issue. Regardless, I'm glad this is moving forward to Members' Services Board. I think it's an issue worth talking about. I

only wish the NDP had done it in a more collaborative way and in a more intelligent way. That's not what happened today, Mr. Speaker.

I will support the motion as it is, having been amended, and I will look forward to engaging in discussion about this in the months to come.

Mr. Silver: I'm going to be very brief here today. A lot of my concerns and questions that I was thinking about putting on the floor today have been addressed. It would be great if we used our private members' day motions to debate the bill, to debate the mains, to debate the budget that we're working on right now. It's clear that we are in an election campaign, as we speak, when we are talking about these issues.

To the point of the motion itself, I'm for it; I'm absolutely for limits when it comes to political contributions. To think that this bill would pass here in the Legislative Assembly today is a bit rich. We know that the Yukon Party is in power right now. If they wanted to limit these contributions, they would have. They haven't, and it is kind of like the Wild West out here.

There are no limits right now, and there is also unlimited lobbying in an unregistered approach. It's a great conversation to have. I do agree with the government on this one — that this should be something that we discuss in Members' Service Board. That would be a good place to do it. I will support the bill as amended. I would have supported the bill not amended, with some questions, because I believe it was hastily written as well. I was looking forward to a Committee of the Whole debate, and I will discuss what those issues are that I would like to have questioned on the bill.

Most of this has been dealt with already. The number of \$1,500 — it would be nice to know where that number came from. How did the NDP arrive at \$1,500 as a limit to individual donations? What consulting did occur before this bill was presented? Were there any discussions with the current Chief Electoral Officer about considerations? I do agree with the Minister of Justice — there were the third-party contributions — again it is definitely something that should be discussed before ink goes on to paper for a bill.

I do have a note here that the Members' Service Board would have been a comprehensive place for an all-party dialogue before bringing this topic to the floor of the Legislative Assembly, and if the NDP had considered that — that would be another question that I was looking forward to asking in Committee of the Whole before the amendment.

Ultimately, a ban on both union and corporate donations is absolutely worth looking into. I think that the concerns about money buying influence is real here and across the territory. The Minister for Community Services has the opinion that it's such a small jurisdiction and the money is such a small amount. I don't agree with that. It's almost the same as the climate change narrative that we hear as well. It's like we're too small of a jurisdiction and it's different here because we're small. I don't agree with that necessarily. I think that, in this particular case, the amount of contributions

is unlimited — that's the issue and we need to look at how we can rein that in. One only has to look south of the border to see the consequences of what can happen when there aren't checks and balances in place with political fundraising.

I do question a blanket ban on donations from outside of the Yukon. I don't support that part of the bill. That would definitely be something that I would want to discuss, whether it's in the Members' Service Board or whether it's in Committee of the Whole debate. We all have friends and family from outside the boundaries of this territory. What's wrong with a \$100 donation or even a \$1,500 donation coming from someone's brother, from someone's aunt or a friend from Saskatchewan or from British Columbia or wherever? It's hardly going to lead to the kinds of scenarios that I think the movers of this bill are trying to prevent, with all due respect.

As we move into Members' Service Board, it would be interesting to definitely have a conversation on this — if the Premier wants to discuss this, he's more than welcome to get up and give me his comments when I sit down.

We could talk about the timing about this — all parties are in campaign mode right now, and I guess that's just going to be a part of the final session of the 33rd Legislative Assembly. I will be in support of this bill as amended, as I was in support with the original ideals of the bill, which are to put a limit on corporate and union donations.

Ms. Moorcroft: The fairness in political contributions act is about fairness and democracy. The Leader of the Official Opposition introduced this bill to bring fairness to politics and political financing. It is a democratic reform measure. This bill respects the principle that only an individual can vote, and it would establish that only an individual eligible to vote could contribute financially to political parties in Yukon.

This bill would establish a political financing system that would allow only individual residents of Yukon to make donations to political parties. This bill would end the practice of allowing corporations, unions and those who live outside the Yukon to contribute financially to political parties.

Mr. Speaker, the Minister of Justice stood and spoke about the fact that he thought that the New Democrats had not acted in good faith in bringing forward this bill. I note that the Leader of the NDP, in her statement, made the point that the Members' Services Board was clear that they would only be willing to entertain any amendments to the *Elections Act* that were not controversial and that everyone could agree with.

The amendment that the government has brought forward refers this bill to the Members' Services Board. That is behind closed doors. This is a matter of public interest and a matter that should be debated publicly.

We heard the Yukon Party, by and large, talking about the process rather than the substance. I will get to the substance in a minute, but the government members asserted — the Minister of Justice in particular said that this Yukon Party government has demonstrated a collaborative manner of bringing forward legislation, and he referred to the select

committee process, which has been adopted in looking at anti-smoking legislation, at amendments to the *Human Rights Act* and to the off-road vehicles legislation, which was in March 2011.

In March 2011, there were recommendations that were made regarding legislation and regulations to deal with off-road vehicle use, and here we are in 2016, and there has still not been action taken to bring forward those recommended regulations. The Yukon Party has a pattern not only of establishing select committees, but of ignoring the recommendations that it disagrees with.

Another example of that is the *Human Rights Act* review where a recommendation was made to recognize the independence of the Yukon Human Rights Commission, to recognize the quasi-constitutional nature of human rights legislation and to, as a result of that, have the funding for the commission come from either Members' Services Board or the Legislative Assembly, as a whole, with representation of all parties in the House, rather than having the Human Rights Commission funding coming from the Department of Justice.

There are many reasons to support that good recommendation, one of which is that frequently human rights cases that are put forward to a panel of adjudication for hearing are ones where the Government of Yukon is the respondent, and the very same government department that is going to court to answer charges of discrimination and violation of human rights is the department that provides the funding to the commission and to the agencies that are dealing with those complaints.

On the substance of the bill, members opposite have spent their time asking why we didn't raise this bill sooner and yet, for the first time, the members opposite have raised the concerns about third-party spending. I would like to respond to that. The *Act to Amend the Elections Act, with Respect to Political Contributions* put forward by the Leader of the Official Opposition would replace the definition of "contributor" to be "'contributor' to a candidate or a registered political party means an individual ordinarily resident in Yukon who makes a contribution to the candidate or registered political party".

Then, in section 3, the amendment would replace section 373 of the *Elections Act* with the following: "Only an individual ordinarily resident in Yukon may make a contribution". That is point 1.

Point 2 is: "No person or unincorporated group shall make a contribution except for an individual ordinarily resident in Yukon". Point 3 is: "No individual shall make contributions to a candidate or a registered political party that exceeds \$1,500 in total in any calendar year".

There are a couple of other sections. The bill is very clear that only an individual ordinarily resident in Yukon may make a contribution. That precludes third-party contributions, so I would submit that the government's objection on that point is irrelevant.

Mr. Speaker, on the substance of the act, what we haven't heard today is where the Yukon Party stands. Does the Yukon Party support ending corporate and union donations to

political parties, or does it not? The minister who last spoke said that they might be willing to entertain a cap, but they wanted to discuss that in a Members' Services Board meeting, where there is no public debate.

Does the Yukon Party accept that there should be limits on the amount of financial contributions that an individual can make to political parties, or does it not? What is the Yukon Party government's response to public concerns about the government's refusal to consider lobbying legislation? What is the Yukon Party's response to members of the public who ask whether industry donations to the government of the day are made in exchange for access to ministers, or serve vested financial interests? I think this afternoon the members opposite have been attempting to deflect from the intent of the bill before us.

This is a bill that is designed to improve democracy. It is a bill that proposes measures that other jurisdictions have already brought into play. It is a bill that deals with financial contributions to political parties, which is of significant public interest here in the Yukon, across the country and indeed around the world. Governments and members of the public are dealing with this issue. We have put forward a bill that would establish a political financing system that would only allow individual residents of the Yukon to make donations to political parties and we're disappointed that the government is not supporting the bill.

Thank you, Mr. Speaker.

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

Ms. Hanson: Mr. Speaker, it has been a most edifying — I guess would be the word that I would use — discussion here this afternoon. I had hoped that I had misconceptions and that I would have opportunity to say — I had hoped that the misconceptions that I had would be reinforced as misconceptions as opposed to a reinforcement of the perception that, in fact, the Yukon Party does support the notion of corporate donations as being just fine, and does support the notion of Outside contributions to influence political decisions in the Yukon, and that the Yukon Party is unprepared to say as individuals or as a party where their allegiances stand. That they are unprepared to say that they support the rights of individual voters and they speak up for individual voters and so they're prepared to let stand the perception that they're more interested in Outside interests; more interested in corporate interests — that's unfortunate Mr. Speaker.

As I have said before and as my colleague alluded to, the facts of the matter are there —

Some Hon. Member: (Inaudible)

Point of order

Speaker: The Minister of Justice, on a point of order.

Hon. Mr. Cathers: I believe it has been ruled out of order in the past for members not only to impute unavowed motives to other members, but to accuse a member of acting

other than in the interest of their constituents. I believe the Leader of the NDP has crossed the line, not to mention that she knows full well that this government and every member stands committed to the interests of Yukoners first and foremost.

Speaker: Opposition House Leader, on the point of order.

Ms. Stick: On the point of order, Mr. Speaker, I did not hear my colleague say that and I believe this is just a dispute between members.

Speaker's ruling

Speaker: It is a dispute between members. Leader of the Official Opposition, please continue.

Ms. Hanson: Thank you, Mr. Speaker.

I just wanted to reiterate for the record that the New Democratic Party — the record is clear that, between 2011 and 2014, 85 percent of the donations and contributions made to that party came from individuals. The Yukon Party, between 2011 and 2014 — 73 percent came from corporations, which is why I referenced the notion that I was looking for a challenge to that perception to come from the individuals in the Committee of the Whole. We would have that debate; we would be able to hear people express their own views as opposed to what the record shows.

When I hear the members opposite making disparaging comments about — oh dear, the richness, the grandstanding and other things by the Leader of the Official Opposition — the notion that I would bring this up after we had a gathering and some of us attended the national convention of the New Democratic Party in Edmonton — I said in my speech that we had a fundraising event that was held in a hospitality suite where, I said, we did put the cap out — “put the bucket out” is what the NDP tradition is — and people throw in \$5 or \$10. We also sold Yukon Brewing beer. I am proud of the fact that we sold Yukon Brewing beer to our guests. That is a far cry from the advertised Yukon Party party, which in fact was advertised — I could have brought this up earlier, sure. I could have said, “You know, in response to the Yukon Party having an event advertised for January 26 of this year, where you would be invited for an exclusive opportunity to connect with the Premier and ministers” — two ministers are named — “and where you can get a \$200-tax deductible receipt for your \$300 ticket to an event held Outside.” That is the kind of perception that we want to avoid — influencing public and political decisions. I will tell members that we had a lot of fun and the bucket was passed around the room to get \$5 and \$10 from different people. That is a far cry from giving tax deductions for \$200 for a \$300-exclusive opportunity to meet with the Premier and a couple of ministers from this government.

The point that we were simply trying to get by introducing this motion this afternoon — this Bill No. 107, which is a fairness in political contributions act — was to get a confirmation that all members of this Legislature were prepared to talk about what they believe in their heart of

hearts is fairness in political contributions — to have them assert on the floor that they do believe that individual Yukon citizens are the ones who should be driving the electoral process in this territory, and that my allegiance as a member of the elected Assembly when I go out to seek the support of Yukon citizens, is to them, not to somebody who they don't know, not to somebody who doesn't live in this territory, not to somebody who may try to influence the political decisions that I may make as a legislator. It's to the individual Yukon citizen.

The members opposite — and they have the majority — have indicated clearly that they don't want this debated here. They would like it referred to the Members' Services Board. For sure, we are prepared to do that, and we will urge the members at every opportunity — privately and publicly — to convene that Members' Services Board immediately so that we can continue this debate. I stand to say that we do support the member's motion that this be done, and we are supporting the motion as amended.

Speaker: Are you prepared for the question?

Some Hon. Member: 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 yeas, nil nays.

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

Motion for second reading of Bill No. 107, as amended, agreed to

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Motion No. 1033

Clerk: Motion No. 1033, standing in the name of Mr. Silver.

Speaker: It is moved by the Leader of the Third Party:

THAT this House urges the Government of Yukon to explain the details of the newly announced Dempster Highway fibre optic line, by providing:

(1) the project cost;

(2) a breakdown of the financial contribution from all funding partners;

(3) details on any ongoing financial commitments the Government of Yukon has made;

(4) a copy of the diverse fibre project phase II report;

(5) a copy of the Ernst & Young *Value for Money Assessment* report;

(6) an explanation of why the Dempster Highway was chosen over the Skagway-Juneau fibre optic line; and

(7) an explanation of why the contract was not awarded by a competitive bidding process.

Mr. Silver: As most members of the House will recognize, it has been almost a year since I called for debate on this motion on the same project. At that time, a decision had not been made on what direction the government was going to go, as far as picking one of the two proposed routes. That decision has now been made, so it's a good time to revisit this issue. Again, a couple of things on this motion have already been accomplished. A copy of the diverse fibre project phase 2 report and also the Ernst & Young value-for-money assessment report have been presented, but that does leave five other points here.

This is an issue that I have been asking about since the Legislature began in fall 2012, actually. In the 2012-13 budget speech, the government acknowledged the problem that Yukoners are facing and the Premier said in that — and I quote: "... broadband capacity could be improved and there is no redundancy." As we reach the end of the Yukon Party's mandate, little progress has been made and this is just another in the list of unfulfilled promises by the Yukon Party. We heard about another one here today in the Legislature, and that was the broken promise to build a new recreation centre in Dawson City.

Since I tabled the motion last fall, the government has released some of the documents that I have been asking for, but there remain, however, a number of outstanding questions on this project. I hope the minister can help in addressing those today. I won't spend a lot of time here in the introductory comments. I was surprised to see in the budget that was released this year only half a million dollars set aside for this project. When the minister announced this project last year, the press release said — and I quote: "It is expected the Dempster Highway route will take two years to build, with an anticipated completion in 2017." Given the lack of funding in the budget, I don't see how that deadline will be met, but perhaps the minister can lay out a timeline as to where that finish line is today.

I have a number of questions that I would just put out there before I concede the floor to the member opposite. First off, why didn't the government issue a request for proposal on this \$32-million project when there may well have been other service providers that could have provided fibre services to

Yukon for less money, perhaps? As an aside, one of the documents the government has released put the capital cost of this project between \$47 million and \$60 million, not the first-forecasted \$32 million.

Also, what was the specific reason why not providing a tender for an RFP? Without a request for proposal, how can the minister properly ensure that the Yukon taxpayer is getting the best price for this \$32-million project? With even a 10-percent savings on this project, we could have millions back in the budget that could be used for other projects, for other cost overruns, et cetera.

Also, how can the government justify sole-sourcing this contract to Northwestel? There were five bidders on the Mackenzie Valley fibre link: Axia SuperNet, Ice Wireless, Plenary Group, Northwestel and ATCO Group. So it begs the question: Does the government not think that Yukon would have been better served to permit a public bidding process, especially given the size of the contract and the long-term and strategic value of owning a fibre link that runs the length of the Yukon?

There are limits on sole-sourcing — I guess it is sort of ceilings, I guess — on sole-sourcing contracts. We are wondering if the minister can explain how sole-sourcing this contract complies with the government's own rules.

Is any funding from Canada in place for this project? We're told no; actually, we were told in the briefing that there isn't right now. So again, where is the funding going to come for this on the federal side? Has an application been made to Canada already? If not, where is that application going to go? What pocket of money?

Has any funding from Northwestel been confirmed? Where are these discussions at? The Yukon government is contributing, as I said before, half a million dollars this year for engineering studies and permitting. What is Northwestel spending on this project this year?

Also, what has been spent to date on the project — if we can get an update on that from the minister as well? Can the minister table a copy of the contract with Northwestel, and is there, in fact, a signed contract?

Also, has the Government of Yukon made any long-term funding commitments to this new line? Ongoing O&M expenses, for example? Or any other costs beyond the upfront capital costs?

I will leave it at that. There are many unanswered questions about the government's approach on this project. I would like the minister to dedicate some time today to answer some of those questions. The government has talked mostly in general terms so far about how important this project is — which we totally agree with, especially when the project runs through and will offer redundancy for communities outside of Whitehorse. That's fantastic. But again, we're asking for a lot more detail here in the Legislature.

I guess that's about it. I will sit now and I'm looking forward to hearing some answers from the minister on the questions that we raised and hopefully all the members can support this motion.

Hon. Mr. Hassard: It's a pleasure to rise today to speak to Motion No. 1033. Just to begin, I came here with the intention today of speaking to the motion.

The member opposite has introduced several new questions that aren't in the motion, so if I don't answer those questions today, I guess we'll get to them another day, because I came prepared to answer the ones that he had originally.

It's important to say that this government does understand the importance of redundancy in our fibre here in the Yukon. We understand the importance of the IT sector in the Yukon. In order for the IT sector to continue to grow, we need — as we have said many times — fast, affordable and reliable Internet service here in the Yukon. This is a large step in moving in this direction.

In terms of cost of this project, I guess I can't, in good conscience, give you a firm number. We haven't finished the final engineering. As the member opposite said, we have \$500,000 in the budget for this year for engineering. Northwestel is doing a cost-share with us on that engineering. When that final engineering is concluded, we'll have a better idea of cost, but we won't have an exact cost until Northwestel tenders the project. Then we can tell you for sure. Until that time comes, Mr. Speaker, I had best not say.

In terms of financial contributions, as I've mentioned in this House on a number of occasions, we have a commitment from Northwestel to provide a contribution of \$10 million toward the capital, and also \$60 million over 20 years to pay the operation and maintenance of this fibre link. I have also informed the House that we continue to work with the federal government on ways for us to partner with them — the federal government — to determine sources of funding with which to help pay for this project. We know that the federal government has a fund of \$500 million for increasing broadband. We will continue to work with the federal government in terms of securing funding, hopefully through that program or maybe they have another idea — but, as of today, no, we have not secured that funding.

I'm happy to say that the summaries of the phase 2 report and the Ernst & Young value-for-money assessment report have been tabled, as the member opposite mentioned. They are only summaries, as both reports contain proprietary information.

To the next question — the Dempster route being chosen over the Skagway and Juneau route — there was much consideration put into it. We've done feasibility studies, et cetera. At the end of the day, the Dempster route provides the most complete coverage for reliable service to the south for Yukon communities, basically meaning that we get the most redundancy possible for Yukon by using the Dempster route. Had we chosen the Skagway-Juneau route, we wouldn't have had nearly the redundancy. The other possible — what might be perceived as — downfall to that option was that the government would own the line and we would get into the can of worms of how to run it. Do we create another entity, or do we run it through the YDC? How do we go about that?

The other reason that the Dempster route was important to choose is that it gives us an entirely Canadian route. We don't have to go through the United States and we're not relying on anyone else. I think that was important for some of the things that are done in Inuvik — that they felt it would be very beneficial for them to have an entirely Canadian loop.

We are very happy to continue to work with Northwestel. I think we have a very good working relationship with them. I'm happy to report that Northwestel is currently evaluating tender submissions for the Pelly Crossing to Dawson City fibre. This is a very important link in joining the Dempster fibre to the rest of the Yukon. It's also very important for the people in the City of Dawson. It provides them with complete redundancy as well.

Northwestel has committed to somewhere in the range of \$70 million, both in capital and maintenance costs for this project. It seems rather unlikely that any other telecom company would be interested in owning more than 750 kilometres of dark fibre — and I don't mean to be disrespectful but, for lack of a better term, I would say, "in the middle of nowhere". However, it makes total sense for Northwestel to be involved in this project.

In closing, I would like to remind all members that this is an important, well-thought-out project and it will benefit the entire north, not just the Yukon. I think that it is very important, when looking at our dealings with the federal government, that we have the support of the Northwest Territories and Nunavut in this project as well, because it's not just about us — it's about the entire north.

I hope that answered the questions. In terms of the rest of the questions that the member opposite threw out, we'll get to them at another time.

Ms. Moorcroft: I rise on behalf of the Yukon NDP Official Opposition to speak in support of the motion before us, brought forward by the Member for Klondike, urging the Government of Yukon to explain the details of the newly announced Dempster Highway fibre optic line. I want to thank the Member for Klondike for bringing it forward and the Minister of Economic Development for his remarks, which have responded to many of the detailed questions contained in the motion.

The first item for discussion was on the project cost, and the Stantec report dated September 2015 stated that the total capital cost of the project would be between \$47 million and \$61 million. It further stated that the life-cycle costs of the operating expenses would be \$40 million over the 20-year life. I can't resist pointing out that in this instance, we have a report prepared for the government where the financial administration practice of estimating operation and maintenance costs as well as the capital costs was followed.

The minister, however, said that the government does not yet have a firm dollar value for the project. He indicated that this year the government is cost-sharing with Northwestel on engineering the project. I believe I also heard the minister say that Northwestel would be tendering the project and so I'm interested to know how the Yukon government procurement

objectives would be observed and met if the project is tendered by Northwestel.

We have been discussing in this Legislature throughout this term, but particularly in the last couple of days, actions suggested by the Procurement Advisory Panel. I want to note some of the actions the report suggested in requiring departments to identify how they will use procurement — in particular, with respect to targeting local businesses and First Nations to support government objectives. There are also recommendations to select procurement formats and processes that take the economic value of local business participation into account. There is a recommendation that the government, in the development of major projects, ensures that procurement supports the successful delivery of the intended outcomes, including maximizing the participation of local businesses. Further, there are recommendations to establish guidance to support a number of recommended steps in the development of major projects. Perhaps the government will indicate whether there will be further Yukon government procurement involved or whether Northwestel will be doing all of the tendering.

The minister also indicated that there was an agreement for Northwestel to contribute \$10 million and \$6 million a year over 10 years for operation and maintenance, which would indicate operation and maintenance costs would be at a minimum \$60 million over 10 years. The Stantec report estimated the life-cycle costs of operating expenses at \$40 million over 20 years, so there is quite a difference in that amount.

The motion asked for details on ongoing financial commitments that the Yukon government has made and what value is being provided by the federal government. The minister indicated that there were sources of federal funding; that there is a \$500-million fund for increasing broadband; however, the minister has said they haven't secured funding for that yet, so we'll again be looking to the government to keep us informed.

Another question related to the Dempster Highway route being chosen — the minister has indicated that their feasibility studies and reports supported the Dempster route because that was the route that provided the most redundancy and that it was a benefit to have an all-Canada route. The minister didn't provide a lot of detail on that. He concluded that this was a well-thought-out project but, as I have said in my remarks on this motion, there are many more questions than there are answers at this stage, so it's not clear exactly how well-thought-out the project is at this time.

We do, however, support this motion. It is in the interests of all residents of the Yukon to have details about major capital project investments that the government undertakes, and we hope the government will live up to those interests and to those requirements.

Speaker: If the member now speaks, he will close debate.

Does any other member wish to be heard?

Mr. Silver: Again, this motion was about information-sharing. We're hearing that there's support for this project but, again, if you haven't succeeded in getting the funding, it's hard to say that the mission is accomplished here, as far as redundancy in the Yukon.

Again, I thank the minister for providing us with a bit of an update — not much more than what we heard in the Economic Development opening statements and some of the Committee of the Whole debate issues. I do hope the minister does endeavour to get back to me on the questions that I did put in the Legislature today, because there are some important questions there. There are some important issues that we really haven't seen this government be very forthcoming about in terms of what progress has been made, especially the cost to date. In the cost to date — I mean everything, not just the cost to date of the proposed route through the Dempster, but also the Juneau route — how much money has this government spent so far on both those options?

This motion is not a new motion. This is from several years back and we have been talking about this for the complete mandate of the Yukon Party government in this session — the 33rd Session of the Legislative Assembly. There's still no funding in place, and we haven't seen a lot of information flowing.

With that, I'll commend this to a vote, and hopefully we'll get some more answers from the minister soon.

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 No. 1033 agreed to

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

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

Motion agreed to

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

This House adjourned at 4:55 p.m.

The following documents were filed May 4, 2016:

33-1-131

Annual Report — Yukon Police Council — April 1, 2014-March 31, 2015 (Cathers)

33-1-132

Workers' Advocate Office 2015 Annual Report (March 2016) (Cathers)