



# Yukon Legislative Assembly

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Number 268

1st Session

33rd Legislature

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## HANSARD

Tuesday, May 10, 2016 — 1:00 p.m.

Speaker: The Honourable Patti McLeod

# YUKON LEGISLATIVE ASSEMBLY

**SPEAKER — Hon. Patti McLeod, MLA, Watson Lake**  
**DEPUTY SPEAKER — Darius Elias, MLA, Vuntut Gwitchin**

## CABINET MINISTERS

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

## GOVERNMENT PRIVATE MEMBERS

### Yukon Party

<b>Hon. Patti McLeod</b>	Watson Lake
<b>Darius Elias</b>	Vuntut Gwitchin

## OPPOSITION MEMBERS

### New Democratic Party

<b>Elizabeth Hanson</b>	Leader of the Official Opposition Whitehorse Centre
<b>Jan Stick</b>	Official Opposition House Leader Riverdale South
<b>Kevin Barr</b>	Mount Lorne-Southern Lakes
<b>Lois Moorcroft</b>	Copperbelt South
<b>Jim Tredger</b>	Mayo-Tatchun
<b>Kate White</b>	Takhini-Kopper King

### Liberal Party

<b>Sandy Silver</b>	Leader of the Third Party Klondike
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### Independent

<b>David Laxton</b>	Porter Creek Centre
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## LEGISLATIVE STAFF

Clerk of the Assembly	Floyd McCormick
Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Rudy Couture
Deputy Sergeant-at-Arms	Doris McLean
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Tuesday, May 10, 2016 — 1:00 p.m.**

**Clerk:** Hon. Members of the Assembly: On May 10, 2016, I received from the Hon. David Laxton, the following communication addressed to me as Clerk of the Assembly:

“Yukon Legislative Assembly

“Office of the Speaker

“May 10, 2016

“Floyd McCormick

“Clerk of the Assembly

“Yukon Legislative Assembly

“Dear Mr. McCormick:

“This letter is to serve as notice to the House of my resignation as Speaker effective May 10, 2016.

“Yours truly,

“David Laxton, CD, MLA”

**Motion No. 1186 — Election of Speaker**

**Clerk:** As required by law, nominations are invited for the office of Speaker of this Assembly.

**Hon. Mr. Pasloski:** I move:

THAT Patti McLeod, Member for the Electoral District of Watson Lake, do take the Chair of this Assembly as Speaker.

**Clerk:** It has been moved by the Hon. Premier:

THAT Patti McLeod, Member for Watson Lake, do take the Chair of this Assembly as Speaker.

**Some Hon. Members:** Agreed.

**Clerk:** The yeas have it. Patti McLeod, Member for the electoral district of Watson Lake, is, by direction of this Assembly, duly elected as Speaker of the Yukon Legislative Assembly.

*Motion No. 1186 agreed to*

**SPEAKER'S ADDRESS TO THE ASSEMBLY**

**Speaker:** Thank you. I will repeat the first words traditionally spoken by a newly elected Speaker.

I would like to express my humble thanks and grateful acknowledgement to the House for the honour it has bestowed upon me by choosing me to be its Speaker.

I will now call the House to order.

At this time, we will proceed with prayers.

*Prayers*

**Motion No. 1187 — Election of Deputy Speaker**

**Speaker:** I will now ask whether the House is prepared to elect a Deputy Speaker.

**Hon. Mr. Pasloski:** Thank you, Madam Speaker. Let me be the first to officially recognize you by that name.

I move:

THAT Darius Elias, the Member for Vuntut Gwitchin, be appointed Deputy Speaker and Chair of Committee of the Whole.

**Speaker:** It has been moved by the Hon. Premier:

THAT Darius Elias, the Member for Vuntut Gwitchin, be appointed Deputy Speaker and Chair of Committee of the Whole.

*Motion No 1187 agreed to*

**Withdrawal of motions**

**Speaker:** The Chair wishes to inform the House of changes which have been made to the Order Paper. All motions standing in the name of the Member for Watson Lake have been removed from the Order Paper, as that member is now the Speaker.

**DAILY ROUTINE**

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

Tributes.

**TRIBUTES**

**In remembrance of William Edwin Byers**

**Hon. Mr. Kent:** Thank you very much, Madam Speaker. I rise today to pay tribute to the late William Edwin, or “Bill”, Byers, a long-serving deputy minister whose 18 years of service from 1984 to 2002 spanned the mandates of consecutive Yukon governments representing the three major political parties in the Yukon: the Yukon Party, the Yukon New Democratic Party and the Yukon Liberal Party. That in itself speaks to Bill’s professionalism and the high esteem and regard in which he was held by all.

We are joined in the gallery by a number of individuals, including Bill’s son, Andrew, who currently works in the Department of Health and Social Services. He is joined by his wife Marilee, three of Bill’s grandchildren — Cole, Ally and Brenna — and two former colleagues of Bill’s — the former Public Service commissioner, Pat Daws, and a former Deputy Minister of Tourism, as well as president of the Yukon Housing Corporation, Vicki Hancock. I ask members to join me in welcoming those individuals and others.

Bill’s wife Pat, who also served for many years in Yukon’s Public Service Commission, had planned to be here today but health considerations prevented her from travelling.

Mr. Byers was born in London, Ontario on March 26, 1938. He graduated with his law degree in 1963 from the University of Western Ontario law school and he met his wife Pat at that time. He began his career as a newly married, young lawyer in Stratford, Ontario, and established his own law firm with his partner, Stirling Kenny. Bill and Pat’s children — Laura, Meaghan, Amy and Andrew — were all born in Stratford. I had the privilege and the pleasure of attending high school here in Whitehorse with Laura, and that’s why I was able to deliver this tribute on behalf of the members of the House. I thank the family for that as well.

Bill and Pat’s Yukon adventure began in 1984 when the Byers family — together with Bill’s mother Elsie — moved to Whitehorse. Bill became the Government of Yukon’s Deputy Minister of Justice. While Bill served in this capacity for many years, he also served in a variety of other positions,

including special counsel on constitutional affairs, president of the Yukon Development Corporation, president of the Yukon Energy Corporation, deputy commissioner of the Yukon energy commission, special counsel to the Executive Council Office, and then back again as Deputy Minister of Justice to close out his career.

During his first couple of years as Deputy Minister of Justice, Bill oversaw the completion of, and moved into, the Andrew Philipsen Law Centre and law courts building in 1986. At that same time, he created the Legal Services branch because he firmly believed that the government's legal needs would be best served by a team of in-house lawyers.

Bill was instrumental in the creation of the *Department of Justice Act* in 2000, which gave a legislative base for the department to put it on the same footing as departments in the provinces. He was a mentor to our current Deputy Minister of Justice Tom Ulyyett and, in fact, hired Tom as a young articling student.

Bill's legal expertise was called upon to act as the constitutional advisor to the Government of Yukon in relation to both the Meech Lake Accord and Charlottetown Accord consultations. He also played a key role in developing Yukon's energy future, serving, as I mentioned, as president of the both the Yukon Development Corporation and the Yukon Energy Corporation for many years.

Friends and colleagues of Bill's describe him as a tall man — a gentle giant, if you like — principled, quick-witted with a sly sense of humour, laughed easily, kind, and a snappy dresser. Bill passed away on September 8, 2015 after an 18-month valiant struggle with a malignant brain tumour that finally claimed his body but could never conquer his indomitable spirit. The cancer took its toll; however, Bill remained Bill to his final day.

While Bill left the Yukon, the Yukon never left him. Yukoners never forget their own and Bill was one of us. On behalf of the government and people of Yukon, we want to thank Bill Byers for his years of dedicated service to our special territory.

Rest in peace, Bill Byers. May God bless you and your family.

*Applause*

### **In remembrance of Yukoners in the First World War**

**Hon. Ms. Taylor:** I rise today on behalf of the government to pay tribute to Yukon and Yukoners in the First World War.

On behalf of the Government of Yukon, I would like to express gratitude to the men and women of Canada's north for the remarkable strength, resilience and sacrifice they demonstrated 100 years ago, during the First World War.

As a colony, Canada joined the conflict when Britain declared war on Germany on August 1, 1914. Many Yukoners and other northerners immediately volunteered to join Canada's military force, as did thousands of aboriginal individuals across the country. They fought in the Battle of the Somme and other terrible campaigns in the trenches, at sea and in the air.

Joe Boyle, a fellow Yukoner — otherwise known as “King of the Klondike” — Jack Hulland, teacher and superintendent of Education and a member of the Legislature, George Black, a Commissioner of the Yukon and later a Member of Parliament for Yukon, Martha Black, who started the first Yukon chapter of the Canada-wide Imperial Order of the Daughters of the Empire, and Sam Steele, commander of the North-West Mounted Police, were among the many Yukoners who answered the call of duty. They did this to defend the freedoms, human rights, democracy and rule of law that have defined and continue to define our country to this very day.

At the end of the First World War, there were very few individuals, communities and countries that remained unaffected. The war reached out and touched almost everyone's life in some way or the other.

Only a few who witnessed the war but were too young to take part remain alive today. As years continue to pass — as does the living memory — it is more important than ever that we remember. Across the world, commemorations are taking place to mark the centenary of the First World War. These memorials began in 2014 to mark the anniversary of the start of the war and they will continue until 2018.

This week, stories of northern heroism and selfless service are being told at a conference and an archival exhibition here in Yukon to honour and to recognize the role and impact of the war on Canada's north. The North in the First World War is the result of a close collaboration between the association, Yukon College and the University of Saskatchewan's International Centre for Northern Governance and Development. The conference began yesterday with a fascinating one-day workshop led by Sarah Murray, a curator at the Canterbury Museum in Christchurch, New Zealand, with a focus on the role of heritage organizations following traumatic events, including war. Dr. Murray used the example of the Christchurch earthquake to illustrate the collection, the conservation, and the commemoration of difficult stories and personal experiences.

The program continues for the next two days, with a schedule of presentations by scholars, international experts, local historians and other people who are passionate about history, and, in particular, the stories of the north and the First World War.

Following the day's conference papers, a new mobile exhibit created by Friends of the Yukon Archives Society and Yukon Archives will be unveiled at a reception this evening. The display is entitled “The Yukon and the First World War”. Using images and photographs of items from the wartime period, it offers an introduction to the many contributions made by Yukoners to the Great War and the impact on our territory. The very powerful exhibit includes a list of names of the men and women who served in the war and a second list of the names of the fallen.

Later this evening, the Royal Canadian Legion will be holding a ceremony of remembrance at the cenotaph outside city hall to honour the Yukon men who gave their lives in the First World War. Their names will be read out loud at the

ceremony and everyone is very much welcome to attend. These commemorative events provide important opportunities to honour the tremendous war efforts made by the people of the north, especially those who made the ultimate sacrifice with their life.

Yukon historian Michael Gates kindly shared this story of one such Yukoner, Howard Grestock, who was among the 94 Yukon men who died in this terrible war. Howard Grestock was a veteran of the Boer war and a Yukon miner. He was the first man in the Yukon to enlist when war was declared on August 4, 1914. We know more about Grestock than many of the other Yukon soldiers, simply because letters that he sent to Dawson were frequently published in the newspaper. In September 1914, before shipping out for England, he predicted that they were in for a “bad war... it will be extremely lucky if we come back.”

A few weeks later in England, with the mounted regiment, Strathcona's Horse, he complained about the constant rain on the Salisbury Plain and about the work. “I did not come out to do barrack room work,” he said. “If we don't go to the front before Christmas I shall apply for a transfer to a British regular... regiment.”

By June 1915, Grestock was in France. “When I left Dawson,” he wrote, “we thought that the war soon would be over, but now I think it has just started and is good for years.”

In April 1916, he was on the front, waiting for a big offensive to begin. He went on to see heavy action with his 73<sup>rd</sup> Highlanders, but came out of it unscathed. Several times, he reported on his good luck of not having been shot, blown up or gassed. In late 1916, he played an important and daring role in forcing back an enemy counterattack. The following night he returned to no-man's land to recover the body of a dead German soldier in order to identify his unit. Since his arrival in France and Belgium, he had seen action in all of the major battles: the Hoogue, Festubert, Givenchy, St. Eloi and the Somme. Grestock was given a commission for personal merit. He was transferred to Vimy as Lieutenant Grestock, second in command in his unit.

On February 4, 1917, his luck ran out. He led a small raiding party across no-man's land to attack the German trenches. His party went too far and suffered heavy casualties. Grestock did not return. Later, it was learned that he had died as a prisoner of war in a German-run hospital.

Lieutenant Grestock's courageous contribution to the war came at an enormous cost. Close to 61,000 Canadians were killed during the First World War.

Madam Speaker, for most of us, war is a mere concept. It is something that we study in school and something we watch on the news or in a theatre or in a game we play online. For the most part, war is not something that we have experienced directly, fortunately, here in Canada, but for many people in other parts of the world, war is real and is a daily reality.

As Canadians, we are extremely fortunate to live in a country that guarantees our rights to go to school, receive an education, practise a variety of religions, share different ideas, differ from one another, and exercise our democratic right to vote. These freedoms and rights have not come easily and

should never be forgotten. This makes remembering all the more important. Events taking place this week are opportunities for all of us to acknowledge contributions and the personal sacrifices made by the women and men who have served and continue to serve on our country's behalf.

It is an opportunity to honour the thousands of First Nation, Inuit and Métis people who have proudly served our country in times of war and peace, and an opportunity to recognize the many Yukon veterans who have served our country from the First World War to the most recent conflicts in Afghanistan. Madam Speaker, I encourage all Yukoners to take part in the events commemorating Canada's north in the war. On behalf of the Government of Yukon, I thank everyone involved.

I want to express a huge special thanks to the local and the visiting historians for their passion and dedication and for uncovering and telling the moving stories of ordinary northerners, their hardships and the extraordinary contributions they made. I would also like to acknowledge the invaluable work of the Royal Canadian Legion in the remembrance ceremony this week and in the territory as a whole.

I want to congratulate and thank the Yukon Historical and Museums Association and all the many dedicated volunteers for their imagination and hard work. I refer to Sally Robinson and Max Fraser and their hard work in bringing to life a conference on this very important topic that has been talked about for some time. The organizing and hosting of this substantial and important conference is a result of the extraordinary efforts of the YHMA and the many volunteers and they deserve our sincere gratitude.

I want to thank the Friends of the Yukon Archives Society and the Yukon Archives for their achievements in creating a powerful new exhibit that we will be seeing unfold later this evening.

We have with us a number of distinguished guests who have joined us here in the gallery today. I would like to have all members welcome them to the gallery here today, starting with: Joe Mewett, the president of the Whitehorse Legion; Red Grossinger, the past president of the Whitehorse Legion; Sally Robinson, president of the Yukon Historical and Museums Association; and also Max Fraser, as I referenced, who is a Legion member and a member of the conference planning committee and, as I mentioned, the visionary behind this long-standing conference.

I also wish to offer a warm welcome to Lieutenant Colonel Paul Fleet, who is with the Joint Task Force North headquarters out of Yellowknife. With him is Master Warrant Officer Blair Neatby, also from the Joint Task Force North. Joining them is our own Captain Kathleen Tipton, who is also part of the Joint Task Force North here in Whitehorse. I extend a warm welcome to all of you and others who have joined us here.

*Applause*

**Ms. White:** Thank you, Madam Speaker. I rise on behalf of the NDP Official Opposition to pay tribute to the

role that the north and northern Canadians played in the First World War. The world prior to the summer of 1914 was a very different place. At this point in history, we had not seen a conflict of such epic proportions between nations. The choice between war and peace hung in the balance on Saturday, August 1, 1914 and, by August 4, the world as we knew it would never be the same.

The war that they said would be over by Christmas lasted for another four, long years. When the fighting finally ended on November 11, 1918, over 60,000 Canadians had given their lives for peace. This week, participants from across the country are joining us here in Yukon to learn about the involvement of northerners in the First World War. We have talked about the different cast of characters who left Yukon to do their part for the war-time effort at various times in this Chamber, and who could ever grow tired of those stories? There is, however, one individual who, through his poetry about the north, captured the hearts of thousands and had them dreaming about the Yukon.

Robert Service first set foot in Whitehorse to work for the Canadian Bank of Commerce in the fall of 1904. Returning home from a walk one Saturday night, he heard the sounds of carousing from a saloon and the phrase “a bunch of the boys were whooping it up” popped into his head. Inspired, he ran to the bank to write it down and by the next morning he had completed *The Shooting of Dan McGrew*. It was about a month or so later when he heard of a gold rush yarn from a Dawson mining man about a fellow who had cremated his pal. He spent the night walking in the woods composing *The Cremation of Sam McGee*. It wasn't until 1908 — 10 years after the gold rush — that Robert Service finally set foot in Dawson City, arriving at last in the Klondike. After adventures, love and more poetry, he left the Yukon for good in 1912.

Robert Service was 41 and living in Paris when World War I broke out. Although he attempted to enlist, he was turned down due to health reasons, but he wasn't to be deterred. He worked as a stretcher bearer and ambulance driver with the Ambulance core of the American Red Cross. Through poetry, Robert Service was able to capture the beauty, mystery and wildness of the north, and it is through poetry, again, that he was able to capture the thoughts and feelings of World War I.

It was with his battlefield experiences that he wrote many of the poems in *Rhymes of a Red Cross Man* and he dedicated this book to the memory of his brother — Lieutenant Albert Service, a member of the Canadian Infantry — who was killed in action in France in August, 1916. It is thought that he wrote this poem, *The Call*, on August 1, 1914:

Far and near, high and clear,  
Hark to the call of War!  
Over the gorse and the golden dells,  
Ringing and swinging of clamorous bells,  
Praying and saying of wild farewells:  
War! War! War!

High and low, all must go:  
Hark to the shout of War!  
Leave to the women the harvest yield;  
Gird ye, men, for the sinister field;  
A sabre instead of a scythe to wield:  
War! Red War!

Rich and poor, lord and boor,  
Hark to the blast of War!  
Tinker and tailor and millionaire,  
Actor in triumph and priest in prayer,  
Comrades now in the hell out there,  
Sweep to the fire of War!

Prince and page, sot and sage,  
Hark to the roar of War!  
Poet, professor and circus clown,  
Chimney-sweeper and fop o' the town,  
Into the pot and be melted down:  
Into the pot of War!

Women all, hear the call,  
The pitiless call of War!  
Look your last on your dearest ones,  
Brothers and husbands, fathers, sons:  
Swift they go to the ravenous guns,  
The gluttonous guns of War.

Everywhere thrill the air  
The maniac bells of War.  
There will be little of sleeping to-night;  
There will be wailing and weeping to-night;  
Death's red sickle is reaping to-night:  
War! War! War!

**Mr. Silver:** Thank you very much. I rise today on behalf of the Liberal Caucus to pay tribute to the Yukon and its role during the First World War. This week, Heritage Yukon is hosting a conference called, “The North and First World War Conference”, which includes a two-day study tour in Dawson City to explore the roots of the Yukon's involvement in the Great War.

The Yukon people have made numerous sacrifices during and after the First World War for king and country, including the enlistment of almost 600 Yukon men, representing a significant portion of the Yukon's population. Dawson City, as the then-capital of the Yukon, was the centre of military and support efforts. The call to serve reached far and wide, enticing men of all stature — miners, bankers, Mounties, First Nations and local businessmen. They banded together regardless of social position as a united front for Canada.

George Black, the Yukon Commissioner at the time, was among those men. He stepped down from office and enlisted his name. He was joined by his stepson Lyman, and his wife Martha Black, who travelled to England, where she volunteered for the Red Cross, advocating for the Yukon and distributing the Yukon comfort fund. Lyman Black made

Lieutenant by the age of 19 and was awarded the military cross.

A local businessman, Joe Boyle, sponsored a machine gun battery of over 50 men to travel and to fight alongside them. This group is said to be the most decorated Canadian army unit of World War I, holding 34 decorations among them. The Yukon's effort did not go unnoticed. Many men and support groups from the Yukon had a significant impact on the direction and eventual victory of World War I. The Imperial Order of the Daughters of the Empire, the Women's Patriotic Service League, the Anglican Church Women of Canada and Daughters of Nippon — to name a few — fought the war from home soil; collecting funds, sewing socks and warm clothing and putting together care packages for the Yukon soldiers.

When the Great War ended, only a little more than 100 men returned to the Yukon. The territorial budget was significantly reduced and many jobs were lost. In June 1920, the cenotaph was resurrected on the steps of the Whitehorse Public Library. It now sits in front of Whitehorse city hall. I urge you all to pay your respects to those who fought for our freedoms, including supporting efforts here on the home soils. I would also like to thank historians and museum staff for keeping their memories alive.

**Speaker:** Are there any visitors to be introduced?

### INTRODUCTION OF VISITORS

**Hon. Mr. Kent:** Thank you very much, Madam Speaker. An omission I made during the Bill Byers tribute — I should have introduced long-time Cabinet employee Mr. Gordon Steele, who was very instrumental in identifying and recognizing the contributions of Mr. Byers to the Yukon government. He worked with the family and Tom Ulyett, as well, to put together the tribute. My apologies for not recognizing you, Mr. Steele, during the original tribute, but thank you so much for joining Mr. Byers' friends and family here today for the tribute.

*Applause*

**Hon. Mr. Nixon:** Thank you, Madam Speaker. I would ask all members to join me in welcoming a long-time friend of the gallery, Mrs. Jackie Mewett — welcome.

*Applause*

**Ms. Hanson:** Thank you, Madam Speaker. I invite members to join me in welcoming two new members of the Yukon NDP Official Opposition staff team, Stephanie Dragoman, who is from Dawson City, and Marie Andic.

*Applause*

**Mr. Silver:** I would like to ask all of my colleagues to help me in welcoming to the gallery today, Lake Laberge candidate for the Yukon Liberal Party, Mr. Alan Young.

*Applause*

**Ms. White:** I ask everyone to join me in welcoming three fantastic humans with whom I have the pleasure of being friends from 600 College Drive. We have Lillian Lopenon, Diana Griffiths, and Bonnie Dalziel. Thank you very much for being here.

*Applause*

**Hon. Mr. Pasloski:** It is indeed an honour for me to rise to recognize Mr. Darryl Tait, who is with us in the gallery. Most people in this territory know Darryl for some of the great work that he has done. He is truly an inspiration to those who are living with a physical disability. I invite all members of the House to join me in welcoming him here today.

*Applause*

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

Are there any reports of committees?

Petitions.

### PETITIONS

#### Petition No. 28

**Ms. Stick:** I have for presentation a petition that reads as follows:

To the Yukon Legislative Assembly

This petition of the undersigned shows:

THAT the proposed continuing care facility in Whistle Bend has not had enough meaningful public consultation;

THAT it is too important to too many vulnerable people and Yukon seniors and their quality of life to proceed without better community-informed decision-making;

THAT it is not based on current Canadian research on promising practices in long-term care with respect to size and location;

THAT it is too big and too far away from doctors, the Whitehorse General Hospital, shopping, families, hourly public transport, and community activities and other appointments; and

THAT key decisions on size and location were made without consultation with older adults, interested citizens such as family caregivers, nurses, doctors, health care workers and support staff working in long-term care.

THEREFORE the undersigned ask the Yukon Legislative Assembly to urge the Government of Yukon to stop work on the Whistle Bend continuing care facility until these concerns are addressed.

#### Petition No. 27 — response

**Hon. Mr. Kent:** I rise today to respond today to Petition No. 27, which was presented in this House on May 4 this year. I am responding as the minister responsible for local area planning and I am very pleased to respond to the petition as presented.

Again, the Government of Yukon is extremely committed to safeguarding the rights of all Yukon landowners when it comes to the use of their property, while also being mindful of

input from the affected community and the community at large.

The government has not made any decisions on the current rezoning applications submitted by Takhini Hot Springs Ltd. and other owners of commercial mixed-use tourism zoned properties. While public consultations have taken place this spring, we have not been presented by officials with options going forward on this particular project.

Once we are presented with those options, our government will carefully consider the local and territorial public interest before making any decision on this or any rezoning application.

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

Are there any bills to be introduced?

Are there any notices of motions?

## NOTICES OF MOTIONS

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

THAT this House urges the Government of Yukon to continue to work with Northwestel, the RCMP and other stakeholders to expand 911 service to all Yukon communities by the end of July 2016.

**Ms. Stick:** Thank you, Madam Speaker. I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to revise *Forward Together — Yukon Mental Wellness Strategy* to include clear goals, timelines and measurable outcomes.

**Ms. Moorcroft:** Thank you, Madam Speaker. I rise to give notice of the following motion for the production of papers:

THAT this House do order the return of any engineering studies related to the Whistle Bend continuing care facility construction project completed prior to issuing the tender documents.

I further give notice of the following motion for the production of papers:

THAT this House do order the return of any engineering studies related to the Whitehorse airport apron project.

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

This then brings us to Question Period.

## QUESTION PERIOD

### Question re: First Nation participation in mining sector

**Ms. Hanson:** Thank you, Madam Speaker. Yesterday, the minister ignored questions about a government policy that grants residential title on placer claims. In not answering why he acted without consultation, and why he is using mining regulations to grant residential property rights on placer mining claims, the minister demonstrated yet again that he

either does not understand or chooses to ignore his obligations under final and self-government agreements, the devolution transfer agreement and the common law.

Yukon First Nations have tried to work with this government. In August 2015, they signed on to a protocol designed to make joint First Nation and Yukon government recommendations on changes to Yukon's mining regime.

Madam Speaker, this issue is important so I'll ask again: Will the minister consult with the Tr'ondëk Hwëch'in First Nation and revoke its new placer occupancy policy pending the outcome of that consultation?

**Hon. Mr. Kent:** Thank you very much, Madam Speaker. As I mentioned yesterday, there are approximately 70 existing residential structures that have been constructed on mining claims prior to the 1999 mining land use regulations, which were implemented by the federal government. Applicants' residences must fit the approved criteria and comply with the rural residential policy. Applications are subject to a public review process on a case-by-case basis, which provides an opportunity for First Nation consultation as well as public input.

Madam Speaker, this is a long-standing issue for those placer miners who qualify for these. The Premier, other members of the government side and I have visited many of these placer mines and the owners and the investments that they have made pre-1999 on these properties. Again, consultation will take place with First Nations on a case-by-case basis as applications come forward.

**Ms. Hanson:** Existing mining claims do take precedence over First Nation settlement land rights. Since 1906, the annual value of work required on mining claims has not changed — \$100 or \$200. The intent was to ensure that claim holders carry out mining activity, not sit on the land.

This January, the minister announced the continuation of the double assessment program, effectively cutting claim holders' costs in half. The Tr'ondëk Hwëch'in, who again were not consulted, have expressed their concerns and that — I quote: "By providing cheap and near-permanent rights that trump any other interest in the land, Yukon's mining regime violates the intent of our Final Agreements."

The minister's proposal to exclude settlement land from the double assessment program is another example of this government's piecemeal approach. What is this government doing to ensure that First Nation concerns regarding the double assessment program on overlapping claims are met?

**Hon. Mr. Kent:** Thank you very much, Madam Speaker. The member opposite referenced the year 1906. Again, since that time, there have been a number of other taxes and fees that are levied against all Canadians, including income tax and GST. The economic contributions of the placer industry are certainly recognized by this side of the House. Unfortunately, the New Democrats do not recognize the contributions. That is evident in the platform that they tabled in 2011, which would have been very punitive for placer miners in the Klondike region and indeed throughout the Yukon.



When it comes to the double assessment credit, of course, we are recognizing that prospectors were faced with difficult market conditions and were looking for opportunities. One of the options presented to me as minister was to provide relief from assessment. I didn't want to do that, because it would have had the negative impact of incenting miners or prospectors not to work on their claims.

The double assessment credit was instituted. Some prospectors mentioned to me that they were able to leverage up to an additional \$1 million in exploration funding because of the double assessment credit last year. We have changes to the quartz and placer mining acts before the House, which will allow us to have different rules for settlement land and public land. So that's what we're doing to make those changes. I look forward to debating those changes later on in the session.

**Ms. Hanson:** Thank you, Madam Speaker. There was no response to the issue of overlapping claims.

Madam Speaker, rather than working with Yukon First Nation governments on successor resource legislation, this government continues to make one-off changes, creating conflict and uncertainty.

As Tr'ondëk Hwëch'in put it in its letter — I quote: "Yukon mining legislation has essentially dictated the land use plan for the southern portion of the TH Traditional Territory". I have heard similar concerns from other Yukon First Nation governments. This ad hoc approach to resource legislation flies in the face of obligations under the First Nation final and self-government agreements and the devolution transfer agreement.

Madam Speaker, will the minister admit that this government's ad hoc approach to mining legislation creates uncertainty for First Nation governments, the Yukon mining industry and Yukon's economy?

**Hon. Mr. Kent:** Thank you very much, Madam Speaker. Of course, there are a number of initiatives that our government has undertaken with respect to mining and working with First Nations — the establishment of the devolution transfer agreement protocol table.

We certainly recognize there may be matters that require additional direction. We're committed to the process as established under the DTA protocol table for bringing those mining matters forward to the Premier and applicable ministers as well as the First Nation chiefs. The Government of Yukon is firmly committed to engaging cooperatively in good faith and by way of open discussions to address and develop recommendations as the protocol establishes. There are a number of initiatives that are underway and being discussed at that table, including mine licensing improvement and the mineral development strategy, among others.

We're committed to ensuring that the table is successful and that the processes that were established under the protocol are adhered to. There was a meeting last week of the table. I believe it took place on Thursday of last week. Officials are working through mining-related issues with First Nations and I think that's the proper forum for those to be discussed — at the DTA protocol table under the processes that we've established in the agreement with First Nations.

### **Question re: Whistle Bend continuing care facility**

**Ms. Stick:** Thank you, Madam Speaker. Yesterday, I confronted this government on their failure to conduct meaningful public consultation on the new Whistle Bend continuing care facility. The Premier responded that there were 60 people currently on a wait-list for continuing care and that elective surgeries are being cancelled because the hospital is full of people waiting for a nursing home bed.

There is a need for continuing care services in this territory and it has been a long-standing need. This government has had 14 years to plan for ongoing, continuing care needs of our aging population.

Madam Speaker, did this government skip the consultation because they were trying to catch up from 14 years of not planning for growing continuing care needs?

**Hon. Mr. Nixon:** Thank you, Madam Speaker. I thank the member opposite for her question. Certainly as a result of the two needs assessments and the business case that was conducted, we definitely realized that there was a dire need for providing this level of care for seniors who could no longer provide that level of care for themselves or for their loved ones.

We do recognize that, in the new Whistle Bend continuing care facility, through conversations with many stakeholders, there is a need for mental health services, there's a need for additional services with relation to dementia as well as palliative care, and those are components to the new Whistle Bend continuing care facility that we are planning on moving forward with.

The member opposite talked about the hospital and providing this level of care in the hospital. We know that this comes to a cost of approximately \$2,400 a day — where we could provide that same level of care probably in a much nicer environment at just over \$500 a day.

We do plan to move forward with this project. We do plan to continue to have dialogue with our stakeholders and we certainly extend our thanks to many, many Yukoners who have provided feedback with relation to this facility.

**Ms. Stick:** Thank you, Madam Speaker. The needs were identified long before these reports. This year's commitment of \$244,000 in additional funding for home care services is a drop in the bucket. Home care services in Yukon are restricted to business hours, but the needs of Yukoners don't stop at 5:00 p.m. If this government was truly committed to helping seniors and elders stay in their homes as long as possible, it would have used the last 14 years to plan for a home care system that would deliver services throughout the day and night and seven days a week. If that were the case, perhaps this territory would not have seniors waiting in the hospital for continuing care beds at a price tag of over \$2,000 per day.

Does this government have plans to expand hours for providing home care to Yukoners throughout the Yukon?

**Hon. Mr. Nixon:** Thank you, Madam Speaker. I think if the member checked her facts — in fact, this government has expanded home care opportunities throughout the territory and, not only that, we've increased the home care budget by

well over 350 percent since 2002, something that this government is particularly very proud of. We recognize the need to keep seniors in their homes as long as possible, but when there comes a point in time in some seniors' lives when they're no longer able to care for themselves or their family is no longer able to care for them, we need a facility such as the Whistle Bend continuing care facility to provide that level of care.

I should also add that there are a number of individuals — children and youth — who also need this type of facility. We know that, at the current time, there are a number of children and youth who are receiving services at Copper Ridge Place and the Whistle Bend continuing care facility will be open to those individuals.

We are very grateful for the stakeholder dialogue that we've had so far. We're very proud of the significant investments we've made in home care. We'll continue down that path.

**Ms. Stick:** Thank you, Madam Speaker. We do need more continuing care — we agree. Yesterday, the chief of staff for the Whitehorse General Hospital stated: "As far as the need goes there's absolutely no question. We at the hospital are probably of the opinion this should have been several years ago."

This continuing care facility is hastily planned without meaningful public consultation because this government did not use the past 14-year mandate to properly plan for the needs of a population this government knew was aging. We can look back at reports and find those recommendations. This is exactly the kind of impulsive capital project decision-making that is characteristic of this government.

Why didn't this government use the last 14 years to develop a comprehensive plan for continuing care throughout the Yukon for all Yukoners?

**Hon. Mr. Pasloski:** Thank you, Madam Speaker. In politics, words are important — the words that we say. In fact, it was only a few days ago that the Leader of the Liberal Party gathered the media to tell the media that, if elected, the Liberal government would continue on with this project. Meanwhile at the very same time, his party was out actively pushing a petition that would request that we stop work on this project immediately. Words are important, but obviously words mean nothing to the Liberal Party.

This government will continue to move forward with this project — this project that is so meaningful to those people who are waiting in the hospital for a bed, for all those people who are struggling with family members at home who are waiting for a bed in this nursing home, and also for those people who are struggling to get a break through respite.

We will focus on creating this facility that is so desperately needed, creating those construction jobs for the next two years and creating opportunity for our health care professionals in the future.

#### **Question re: Local procurement**

**Mr. Silver:** After ignoring the concerns of the local business community over local hire and procurement for the

last four years of the mandate of this Yukon Party, with an election on the horizon, they have finally agreed to talk about improving contracting rules. Last week, it released a glossy brochure that confirmed that a good share of the contracts go to Outside companies and that the Yukon Party has ramped up capital spending over the last two years, as the election approaches.

It failed to mention the fact that the two largest projects being built this summer have gone to contractors outside the territory. The government followed up by inviting local businesses to a conference and, for a \$320 fee, they would be told by the Yukon government how the private sector can develop proposals to pursue government business.

Madam Speaker, what is the justification for such a high cost for this conference?

**Hon. Mr. Kent:** Thank you, Madam Speaker. Again, when you listen to the Leader of the Liberal Party, you often wonder what documents he is reading. The document that I tabled suggested that 19 of the 20 largest capital projects that have been completed by the Yukon government have gone to local companies. The one outlier was the F.H. Collins school and there were significant local benefits provided by that project, including 75-percent local labour. Again, a number of subcontractors worked on that as well.

When it comes to the Whistle Bend continuing care facility, one only needs to look at the press release issued in January by the local carpenters union. The title of it alone speaks for itself — and I'll quote: "Whistle Bend Continuing Care Facility Goes Local." Again, this is a similar agreement that the local carpenters union had with PCL on the hospital project. It's unfortunate that the Leader of the Liberal Party seems to have his head stuck in the permafrost, but we'll continue to work hard with local companies to ensure that there are local benefits.

The local procurement forum was a big success, from all accounts. It's the second one that we've hosted. We're moving on a number of initiatives to promote local participation in the procurement world and we'll continue to do so in spite of the suggestions by the Leader of the Liberal Party.

**Mr. Silver:** Thank you, Madam Speaker. We've heard these briefing notes before. For four years, the Yukon Party ignored the concerns of procurement and local hire. I have raised these questions, the NDP has raised these questions, and the Contractors Association has as well. At the last minute, the government is trying to paper over the cracks.

Let's try to answer this question — \$320 is a significant barrier for entry for many Yukon businesses and it would preclude all but the biggest players. Over the last number of years, we've heard significant concerns raised about the procurement process under this government, and this costly event does little to resolve those concerns. A similar conference in February this year was only \$125 and it included the same facilitator as part of a panel.

Madam Speaker, why is the business community being asked to pay to hear how the government is going to fix its own mistakes?

**Hon. Mr. Kent:** Thank you very much, Madam Speaker. Again, this government continues to improve the procurement process. Of course, it's something that started with my colleague, the previous Minister of Highways and Public Works, establishing the Procurement Support Centre. The February 23 and 24, 2016 procurement industry conference had approximately 200 attendees — not only for the conference, but there was also a reverse trade show — something that came up in conversations that the Premier, the Minister of Economic Development and I had at two roundtables that we hosted with local companies that were interested in the procurement side of things.

Madam Speaker, we continue to dialogue with the local business community. The numbers for local procurement, of the \$294-million spent on service and construction contracts in 2014-15, \$218 million — or 74 percent — went to local companies. In that same year, of the almost 11,000 total contracts, 4,400 were service and construction, and 82 percent of those went to local companies. The numbers are good, but we feel that we can do better, and that's why we continue to work with the local business sector in multiple forms to address their concerns. Again, the member opposite fails to mention the recently tabled report of the Procurement Advisory Panel that our government started in November —

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

**Speaker:** Order, please.

**Mr. Silver:** Thank you, Madam Speaker. The minister's own Premier has said they need to tighten up what it means to be local, but I am going to try to ask this one question again and see if we actually get an answer. They have not addressed the issue of procurement and they want the local business community to pay to hear how it is going to fix it. That's unbelievable, Madam Speaker. The high cost is a barrier for many businesses and the government's approach to this issue doesn't seem very business-friendly. People are dissatisfied with the government's approach to this entire issue, and I hear it every day from local business people. The government's too-little, too-late scramble in the last few months before an election isn't going to cut it.

Will the minister at least look into the prohibitive costs of this event?

**Hon. Mr. Kent:** Thank you very much, Madam Speaker. The Leader of the Liberal Party seems focused on one aspect of what we have been doing over the last while to address the procurement concerns of the local contracting community. As I have mentioned, the previous minister established the Procurement Support Centre. We have hosted two very successful industry forums on procurement over the past couple of years. We have hosted roundtables with Yukon businesses. We have talked to many individuals and work continues with the Yukon Contractors Association and the Whitehorse Chamber of Commerce.

In our response to the Procurement Advisory Panel, meetings will be held with the Whitehorse Chamber of Commerce, the Yukon Contractors Association, Yukon First Nations Chamber of Commerce and Association of Yukon Communities. Our government continues to engage with the

local contracting community to improve upon the numbers, which are significant, as I mentioned. Again, the final statistic that was in the brochure that I tabled that the Leader of the Third Party — the Leader of the Liberal Party — failed to recognize is that 19 of the 20 largest contracts awarded went to local contractors. That is a 95-percent success rate. Local contractors and local companies can be successful. They are competitive when bidding against Outside contractors, and we are proud of them and the success that they have had.

**Question re: Dog Act application to unincorporated communities**

**Mr. Barr:** Madam Speaker, for years residents in Yukon's rural and unincorporated communities have been raising concerns about the issue of stray dogs. Last Sitting, I raised questions about the lack of supports in Yukon's communities to deal with stray dogs. In many communities, it falls to the local RCMP to deal with violent dog incidents, but the existing laws limit their ability to react to these same incidents. When I raised this last fall, the Minister of Environment indicated that a review of the animal protection officer program was underway.

Madam Speaker, what were the results of that review and what support has this government been offering to Yukon's unincorporated communities in the interim?

**Hon. Mr. Istchenko:** Thank you, Madam Speaker. That is still under review. As we know, Madam Speaker, dog control is the responsibility of the municipality or First Nation governments when there are bylaws in place. RCMP officers typically lead the response to complaints about dog control in the communities and do not have bylaw officers there when public safety is at risk. The primary role of the Yukon government animal protection officer is to investigate allegations of neglect or abuse of animals under the *Animal Protection Act*. Our Yukon government animal protection officer is located in Whitehorse and she will assist the RCMP, municipal officials or First Nations when requested, especially in the control of potentially dangerous dogs.

**Mr. Barr:** Thank you, Madam Speaker. When can we expect this information? One of the issues facing rural Yukon is the *Dog Act*, which is the legislation that governs the response to this issue, does not empower unincorporated communities in the same way as it does for incorporated municipalities. It was last revised in 2002. The legislation limits the possible response for many of Yukon's smaller communities.

We had heard before that the Association of Yukon Communities was considering a resolution at their AGM in Watson Lake this weekend to call for a review of the *Dog Act* and the Yukon NDP has been clear in our support for modernizing this legislation for a number of years.

Madam Speaker, will this government commit to meeting with municipal governments, community stakeholders and First Nation governments to begin the process of modernizing the *Dog Act*?

**Hon. Mr. Dixon:** Thank you very much, Madam Speaker. Typically before, AYC's — the Association

of Yukon Communities — executive shares with us the resolutions that they'll be bringing forward at the AGM. They haven't shared with us any such resolution on the *Dog Act* so it will be a surprise to me if it's brought forward this weekend in Watson Lake; however, that being said, if there is an interest from the Association of Yukon Communities to discuss this issue, we would be more than happy to meet with them and do so.

I should note though that considerable changes and improvements have been made to the animal protection program over the years. Obviously there's the spay and neuter voucher program review that has been underway. As well, we took the animal protection officer program out of the Department of Community Services and put it into the Department of Environment, specifically so that it would have better supports and better programs in place to help communities. Having the animal protection officer housed in the animal health unit of the Department of Environment made a lot of sense, Madam Speaker, and we continue to try to improve that program as we implement it in the Department of Environment.

With regard to the specific act, no piece of legislation will solve all these problems, Madam Speaker. I think it's important that we work collaboratively with communities, whether they be municipalities, LACs, or unincorporated communities, including First Nations, to try to resolve these issues; but, of course, we're willing to work with those communities to do so and we look forward to addressing these problems as they arise.

#### **Question re: Erik Nielsen Whitehorse International Airport maintenance**

**Ms. Moorcroft:** Madam Speaker, earlier this spring on April 6, I asked the Minister of Highways and Public Works about the deficiencies with the apron panels at the Whitehorse airport. The minister said the deficiencies were related to concrete and construction quality. He failed to report what other issues engineering inspections may have identified about soil conditions, underground water sources or freeze-thaw cycles.

Will the Minister of Highways and Public Works tell Yukoners if soil conditions or other factors contributed to the deficiencies in the apron panels?

**Hon. Mr. Kent:** Thank you very much, Madam Speaker. When this issue came up earlier in this Sitting, I mentioned that the Yukon government is now working with the contractor's bonding agency to resolve the issue. It is anticipated that the negotiations on a resolution will continue through the coming weeks. I have nothing further to report to the House on this, other than that I will leave it up to the expert engineers, as well as the individuals who are representing the bonding company to determine the deficiencies and to come up with the remedies, at which time I will be in a better position to report back to the House on issues related to the airport apron panel project.

**Ms. Moorcroft:** Madam Speaker, the government has identified \$824,000 in the 2016-17 budget for further work on

adjacent apron panels. One can safely assume that similar conditions exist in that area — conditions that could affect the construction and materials used. The previous apron panels stood the test of time; this Yukon Party government can't seem to make the new airport apron panels last a year.

What studies have been done to determine the construction conditions for apron 2? What lessons have been learned and are being applied before they begin new construction?

**Hon. Mr. Kent:** Thank you very much, Madam Speaker. I should note for the House that the \$824,000 in this year's budget represents the remaining funds that have been carried over because the contractual dispute has not yet been resolved.

As I mentioned, our government is working with the contractor's bonding agency to resolve the issue. I will leave it to the engineering experts we have in the Transportation Engineering branch to represent the Yukon government's interests. When it comes to this contract and the deficiencies, of course, the bonding company will represent the contractor as well and we hope, in the coming months, to reach a resolution when it comes to the deficiencies that have been reported at the airport apron panel.

Again, as I've done time and time again, in the fall, the Member for Copperbelt South referenced a report from Transport Canada that I believe doesn't exist — she brought this forward in debate. I would appreciate a copy of that report that she referenced or for her to stand on her feet and apologize to members of the House for making an error when it comes to identifying a report that perhaps doesn't exist.

**Ms. Moorcroft:** Madam Speaker, the government has spent close to \$4 million at the Whitehorse airport on apron construction. It does not have any estimate on how much it would cost to fix the apron panels or who is ultimately responsible. The minister has not been clear on whether there are other underlying causes for apron 1 deficiencies — soil, clay, possible water sources, freeze-thaw cycles and other conditions can affect construction.

Can the Minister of Highways and Public Works respond to Yukoners and assert with confidence that there are no underlying factors that may cause deficiencies with the next apron construction project?

**Hon. Mr. Kent:** Thank you very much, Madam Speaker. Of course, the record will reflect that the Member for Copperbelt South refused to answer the question with respect to a Transport Canada report. Again, it's extremely disappointing for those of us on this side of the House. Had I brought forward erroneous information, I would have corrected that information. I would expect members opposite to do the same.

As I mentioned, Madam Speaker, the total value of this original contract was approximately \$3.5 million. It was awarded to a local contractor. Engineering experts within the Department of Highways and Public Works are working with the bonding agency. It's those engineers and those experts who we rely on in government. I certainly am not an engineer and do not hold an engineering degree, but we have very

competent officials who are representing the interests of Yukon taxpayers when it comes to this issue. As soon as we have an answer from those officials, I will be happy to report it to the House. If the House is not sitting, I will report back to Yukoners through the Yukon government media services.

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

### Notice of government private members' business

**Hon. Mr. Cathers:** Pursuant to Standing Order 14.2(7), I would like to identify the items standing in the name of the government private member to be called for debate on Wednesday, May 11, 2016. They are Motion No. 1151, standing in the name of the Member for Vuntut Gwitchin, and Motion No. 1031, standing in the name of the Member for Vuntut Gwitchin.

**Speaker:** We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

### GOVERNMENT BILLS

#### Bill No. 96: *Act to Amend the Income Tax Act, 2016* — Third Reading

**Clerk:** Third reading, Bill No. 96, standing in the name of the Hon. Mr. Pasloski.

**Hon. Mr. Pasloski:** Thank you, Madam Speaker. I move that Bill No. 96, entitled *Act to Amend the Income Tax Act, 2016*, be now read a third time and do pass.

**Speaker:** It has been moved by the Hon. Premier that Bill No. 96, entitled *Act to Amend the Income Tax Act, 2016*, be now read a third time and do pass.

**Hon. Mr. Pasloski:** Thank you, Madam Speaker. It is my pleasure to introduce Bill No. 96, *Act to Amend the Income Tax Act, 2016*, for third reading. This bill accomplishes three tasks, all of which are consequential in nature. First, the relevant parts of section 6 are amended to ensure existing Yukon tax brackets are preserved despite the unintended consequences resulting from the recent federal changes to their *Income Tax Act*. Second is that it modernizes the language with respect to referencing Cabinet, the Minister of Finance for Yukon, and the federal Minister of National Revenue in order to provide the reader of the *Income Tax Act* clarity with respect to responsibilities under the act. Third is that minor errors, such as typographical errors in 1.7 of the act, are corrected.

Madam Speaker, these changes are not a matter of a change in policy, but merely technical in nature. They are required as a response to the federal measures and will preserve the intent of our *Income Tax Act*.

**Ms. Hanson:** Thank you, Madam Speaker. As we have said in previous opportunities to speak to Bill No. 96, *Act to Amend the Income Tax Act, 2016*, we echo what the Minister of Finance has said — that the bill that is before us has no

fiscal impact. It provides clarity of language. We are speaking about making changes that address the new tax bracket that was introduced by the federal government.

We recognize that it modernizes the language and terminology that's used in this act and also provides for the necessary consequential amendments and internal references. There are no problematic aspects of this legislation, Madam Speaker, and the Official Opposition will support it.

**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. Hanson:** Agree.

**Ms. Stick:** Agree.

**Ms. Moorcroft:** Agree.

**Ms. White:** Agree.

**Mr. Tredger:** Agree.

**Mr. Barr:** Agree.

**Mr. Silver:** Agree.

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

**Speaker:** The yeas have it.

*Motion for third reading of Bill No. 96 agreed to*

**Speaker:** I declare that Bill No. 96 has passed this House.

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

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

*Motion agreed to*

*Speaker leaves the Chair*

### COMMITTEE OF THE WHOLE

**Chair (Mr. Elias):** Order, please. Committee of the Whole will now come to order. The matter before the Committee is continuing general debate on Vote 55, Department of Highways and Public Works, in Bill No. 23, entitled *First Appropriation Act, 2016-17*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

**Bill No. 23: First Appropriation Act, 2016-17 — continued**

**Chair:** The matter before the Committee is continuing general debate on Vote 55, Department of Highways and Public Works in Bill No. 23, *First Appropriation Act, 2016-17*.

The Chair recognizes Hon. Minister Kent. Sir, you have 14 minutes, 34 seconds remaining.

**Department of Highways and Public Works — continued**

**Hon. Mr. Kent:** Thank you very much, Mr. Chair and welcome to your new role as Chair of Committee of the Whole.

I would also like to welcome back Highways and Public Works officials to the Legislature today — Scott Milton who has been with us the previous two times that Highways and Public Works has been called — the one full afternoon that we spent as well as a partial afternoon yesterday. Joining us from Transportation Engineering is Mr. Paul Murchison. I would like to welcome Paul and Scott back to the Legislature.

The one thing that came up yesterday that I wanted to draw members' attention to — I did have the information at the time but was unable to locate it in my binder and that is with respect to the YACA agreements. I don't have the value of the YACA agreements, but I can provide the House with a list of those that HPW has been involved with implementing over the past number of years.

Of course, as I mentioned yesterday, there were three First Nations that have negotiated provisions for YACAs into their final agreements: Carcross/Tagish First Nation, Kwanlin Dün First Nation and the Kluane First Nation. The Aboriginal Relations branch of Executive Council Office is the lead in conducting negotiations for all of these agreements, which focus on job creation, contracting opportunities, hiring provisions and other measures.

As I mentioned, to date, HPW is involved with implementing YACAs on the following capital projects: with the Carcross/Tagish First Nation, the Atlin Road upgrade; Kwanlin Dün First Nation, the airport parking lot as well as the Whitehorse airport terminal building extension; with Kwanlin Dün, the following projects — the Whitehorse Correctional Centre, F.H. Collins, upgrades to the Takhini Hot Springs Road, airport water and sewer extension, the emergency response centre, the apron panel rehabilitation at Whitehorse airport, St. Elias adult residence, Tourism and Culture archives vault expansion, Sarah Steele drug and

alcohol treatment building replacement, a 48-unit seniors housing project, the Whistle Bend continuing care facility; and, finally, with the Carcross/Tagish First Nation, we have been involved on the Nares River bridge as well as the Carcross fire hall. HPW is not the lead on all of these projects. Of course, we are with respect to the facilities or the roads that we are in charge of, but other departments are the lead, depending on which project it is. Hopefully that gives members of the House a flavour of what types of projects we have been engaged with at HPW on YACA over the past number of years.

Thank you, Mr. Chair, and I will now turn the floor back over to the Member for Copperbelt South for further questions.

**Ms. Moorcroft:** Thank you, Mr. Chair. Welcome to your position as Chair of Committee of the Whole. I would like to welcome the officials here this afternoon. I thank the minister for the list of the projects that had YACA contributions with Carcross/Tagish First Nation and Kwanlin Dün First Nation. If the minister could let us know whether he would be able to provide the financial amount of those contributions or whether, since that is administered through Aboriginal Relations, another minister should be asked. I would appreciate an answer to that one.

I have one other area that I wanted to ask the minister questions about related to distracted driving. Amendments to the Northwest Territories' *Motor Vehicles Act* mean that tougher distracted driving laws will be coming into effect on May 1, 2016. These new penalties include: administrative driver's licence suspensions for second, third and fourth distracted driving offences in a two-year period, and a \$644 fine and three demerit points for distracted driving in school and construction zones. For the administrative driver's licence suspensions — people who are caught twice in a two-year period for driving while using a restricted electronic device will face a 24-hour driver's licence suspension. Someone caught a third time will face a seven-day driver's licence suspension, and if someone is caught a fourth time, they will face a 30-day driver's licence suspension — note that distracted-driving suspensions are in addition to any monetary penalties. What it means to actually use a restricted electronic device is also being clarified. Using a restricted electronic device would now include such things as touching, operating or holding the device while driving.

Driver safety on the Northwest Territories' highways is a priority for the Department of Transportation. Their message is to leave the cellphone and other electronic devices alone while driving.

In British Columbia, the current penalty of \$167 for distracted driving will increase to \$543 for a first offence. That's a \$368-base fine, plus \$175 in a penalty point premium. The fine for a second offence within a year is \$888 and, for a third offence, the fine will be \$1,600. Drivers caught using cellphones will also see demerit points on their licence increase from three to four points. As well, the superintendent of Motor Vehicles will automatically review a

driver's licence after two tickets and, at his discretion, can impose a driving prohibition of three to 12 months.

In the Yukon, the penalties for distracted driving are a \$250 summary conviction fine and three demerit points. For drivers who are in the graduated driver's licensing program, they will also lose all the hours of driving experience earned and will have to restart the program.

Mr. Chair, I see people driving and talking on the telephone all the time — almost every day. In commuting into Whitehorse, I see drivers who are using the cellphone while they are driving. We understand that the Yukon is unique, that distance plays a role in the communications needs of Yukoners. There are cases where distracted-driving regulations should be stricter, such as use around the City of Whitehorse and within short travel distances. Consideration could be given to having people in the transportation industry use simple two-way radios.

We have two neighbouring jurisdictions that have increased penalties for distracted driving. I would like to ask the minister if the Yukon has plans to engage in public consultation to look at changing penalties. Would the Yukon Party government consider introducing licence suspension for multiple offences within a limited period of time? Even hands-free cellphones require some personal attention, and drivers should be entirely focused on the road ahead and the other drivers, the cyclists, and pedestrians behind, beside and ahead of them. Dialling a number on a cellphone, programming a music player or entering a new GPS address while driving, all require the handling of the device and therefore should be considered illegal.

Would the government consider stricter rules for distracted driving?

**Hon. Mr. Kent:** Thank you very much, Mr. Chair. With respect to the value on the YACA agreements — yes, I would suggest that perhaps the minister responsible for ECO or the minister responsible for Finance, the Premier, would be in a better position to provide the entire picture there. Hopefully that can come up with the Premier when ECO is called for debate. I believe Finance has cleared debate during this current Sitting.

When it comes to distracted driving, obviously the recently introduced legislation in the Northwest Territories — to add stricter penalties to those convicted of multiple distracted-driving offences within a year — is something that our government supports. The efforts of the NWT government to combat distracted driving — as mentioned by the member opposite — continues to be a problem, perhaps not only here in the Yukon, but indeed across the country.

Our own legislation is now five years old, and we remain dedicated to improving safety on Yukon roads, working with our partners in enforcement — of course, the RCMP — and addressing the very real dangers that distracted driving poses. Drivers are prohibited from using cellphones and sending text messages while operating a vehicle, and Yukoners have indicated that they strongly support these types of measures. Legislation cannot be effective, however, by itself, and in the Yukon it's supported by active enforcement and our own

Transportation division, which continues to educate and inform drivers about the dangers of distracted driving. Yukoners will recall a recent ruling where a judge ruled that driving with a phone held between the shoulder and the chin was not covered under our Yukon distracted-driving legislation and we were fortunate to be successful on the appeal of that ruling.

Again, it's interesting for me, Mr. Chair — I was the minister responsible for transportation in 2001 and 2002, and at that time when there were federal, provincial, territorial meetings, the government of Newfoundland was actually leading the charge for banning the use of electronic devices, and I would suggest from the conversation at that time that perhaps people didn't recognize back then how dangerous this practice was. I should commend the Government of Newfoundland and Labrador for sticking with this at that time and, in my recollection, pioneering what has become commonplace across the country today.

We're interested in using different tools that we have at our disposal to address this. We support what the NWT is doing. We'll continue to monitor the situation and make upgrades and changes to legislation, regulation and penalties as deemed necessary.

**Mr. Silver:** I would like to thank the department officials for their time here today. I'm going to be all over the map, as I usually am after coming up after the critic from the NDP, so please bear with me. I'm going to be all over the budget.

I'm going to start with the Swift River highway camp. In the 2015-16 budget, there was \$3.325 million that was set aside to construct living quarters at all three highways camps — at Swift River, Stewart Crossing and the Dempster Highway. In this year's budget, I see that there is an additional \$1.303 million specifically for the Swift River camp living quarters.

The question is: Is this an extra \$1.303 million for the Swift River camp living quarters, or was it for work that wasn't done last year, or was it for an extension to the work or did this funding simply lapse from last year?

**Hon. Mr. Kent:** The work was not tendered or, obviously, completed last year. The tender for the living facilities at Swift River was tendered earlier this year. There's a civil works tender that is currently on the tender management system that will help to prepare the site for the living accommodations at Swift River.

I should mention that since that time, an emergent priority at the Drury Creek camp has taken place, so we've shifted spending priorities to replace the Drury Creek camp and then the camp at Stewart Crossing will be next.

I believe, Mr. Chair, that the living facilities at Drury Creek have been closed due to concerns with the quality of them so that has obviously emerged as a priority and that's why those dollars are in this year's budget. I'll read the member's question in detail when it comes to the two projects. Hopefully I'm able to answer them here. With respect to Vote 55 on capital transportation facilities and equipment budget of just over \$7 million — \$1.3 million is allocated to

Swift River living quarters' replacement. Maintenance camp facilities are aging and major deficiencies are creating health and safety risks for employees. Funds will be used to replace Swift River highway camp accommodations with four portable or modular buildings — more accurately depicted as “mobile homes”. The buildings will each house two occupants, each with his or her own kitchen and washroom. Mechanical room and laundry will be in a shared central space. The budget for this is \$1.303 million.

Mr. Chair, also in this budget is \$1.255 million for Drury Creek living quarters' replacement — replacement of Drury Creek highway camp accommodations with three portable modular buildings. The buildings will each house two occupants and, similar to Swift River, they will have their own kitchen and washrooms and the mechanical and laundry will be in a shared central space. Hopefully that answers questions for the member opposite with respect to replacement of living quarters at our highway camps.

**Mr. Silver:** Just to clarify — so, there was \$3.325 million set aside for the three camps that I mentioned previously, which are Swift River, Stewart Crossing and the Dempster Highway. If we put another \$1.3 million in for the Drury Creek, then we're up to about \$4.6 million. The minister quoted a number of \$7 million. Is there more set aside for other camps? Have we gone overbudget on the three camps that I have been talking about — if the minister can clarify?

**Hon. Mr. Kent:** The Klondike camp bunkhouse was completed last year is my understanding. That work did go forward and was completed. The \$7.046 million for transportation facilities and equipment, as I mentioned; approximately \$1.3 million for Swift River; \$1.255 million for Drury Creek; also included in that number is \$1.5 million for Erik Nielsen Whitehorse International Airport terminal building renovations; \$800,000 for sand storage facility; and \$500,000 for renovations to the Burwash Landing air terminal building — so it all falls under that one line item. That is just where the Swift River living quarters and Drury Creek living quarters replacement landed.

Again, as I mentioned, emerging issues at Drury Creek have forced us to reprioritize and Swift and Drury will be the first two to proceed and Stewart Crossing will follow in a subsequent budget year, hopefully as early as next year.

**Mr. Silver:** I do appreciate the additional information. I am still left wondering if the original \$3.325 million that was set aside for the three camps is now including any cost overruns, because we do have \$1.03 million set aside for the Swift River camp. So if the minister can confirm that the \$3.325 still stands as the total for Swift River, Stewart Crossing and Dempster Highway camp maintenance and repairs, I guess.

**Hon. Mr. Kent:** I'll have officials provide me with a breakdown. Obviously there are some aspects from the 2015-16 budget that I would like to clarify with respect to that number. If we can get that number today, I'll provide it on the floor of the House. If we can't, I'll send a letter to the Member for Klondike as well as the Member for Copperbelt South

including that information and other outstanding requests that have been made through debate so far. I would just like to be accurate, obviously, with the numbers and any revotes or budgetary implications, so I'll get back to the members opposite.

**Mr. Silver:** Thank you to the minister for that commitment. We did talk a lot about Shakwak. I believe the minister already spoke to the existing banked Shakwak funds and when they will run out. I believe he has also confirmed funding will start to decline after this year. I'm not sure if the minister has confirmed whether or not we are still paying a US lobbyist to work on this file and if so, where we would find that budgetary item in this department or if we would find it in this department at all.

**Hon. Mr. Kent:** It bears repeating — obviously, the Shakwak agreement that has been used to fund capital reconstruction on the north Alaska highway as well as the Haines Road over the past number of years has been very successful, not only from an economic standpoint in putting Yukoners and Yukon companies to work, but also from a highway improvement standpoint, it bears repeating that the governments of Canada and Yukon have done their part with respect to other portions of the Alaska Highway from Haines Junction east and south to Dawson Creek. All of those capital upgrades that have taken place to date on that portion of the highway have been funded by the Government of Canada and subsequently by the Government of Yukon after the Alaska Highway was devolved to the Government of Yukon.

Unfortunately, decision-makers in Washington have removed Shakwak funding from recent transportation funding bills. We continue to work with our friends in Alaska, as I mentioned. A significant percentage of the traffic on that portion of the Alaska Highway and Haines Road is US-based, whether it's commercial or visitors or resident traffic. We certainly recognize the importance of it.

As I mentioned as well, I think the maintenance figures on the permafrost portions of the highways are substantially larger than highway maintenance on non-permafrost. We want to continue to make upgrades to this portion of road. If we have to carry on by ourselves, we certainly need to make adjustments. We were able to successfully lobby Canada to protect the Alaska Highway as part of the national highway system. Perhaps there is an opportunity to partner with the federal government, as this is our key trade and export corridor, I would suggest, followed, of course, by the Dempster-Klondike corridor and the Campbell-Cassiar corridor, which help to move goods away from the Yukon. I do have a phone call set up for, I believe, later this week with the parliamentary secretary responsible for Industry. I look forward to updating that individual on the importance of these trade routes.

We continue to try different ways to convince the US government — again, as I mentioned, we have had good support from the State of Alaska as well as the business community in Alaska and the Yukon on trying to get this funding re-established. When it comes to the lobbyist that we employed for a few years in Washington, the firm that he



represents is no longer under contract with the Yukon government. I believe that this line item lies with Executive Council Office, if I am not mistaken. If it does lie somewhere else, I can certainly point that out to the member. Again, it's an important piece of infrastructure from a number of different aspects that I have outlined and we would like to see the funding restored so that we can finish the work on that portion of the Haines Road and north Alaska Highway. Cost estimates are anywhere from \$280 million to \$340 million, which are largely attributable to the unique challenges of constructing a highway on destabilized and deteriorating permafrost, as anyone can attest to who has travelled that portion of the Alaska Highway north, particularly north of Destruction Bay and Burwash Landing. Hopefully that answers the questions that the member opposite raised.

**Mr. Silver:** I am going to ask a question about the Nisutlin River bridge. I am not sure that we received an answer on this or not. We know that the project that was previously announced was pulled. Does the minister — and if he has already spoken to this, I apologize — but is there a scheduled reprocess for this repair?

**Hon. Mr. Kent:** This is an important project for us. The Nisutlin Bay bridge upgrades obviously are an essential part of the Alaska Highway, which I've spoken of as being important for trade and commerce and a key corridor for individual residents. We did cancel the proposed project upgrades to the Nisutlin bridge in April 2014 because of concerns expressed by both the Village of Teslin and the Teslin Tlingit Council. We delayed the planned project to rehabilitate and re-deck the bridge until we can complete further engagement with the local community regarding the concerns raised. I should update the House as well that yesterday, the ADM of Transportation as well as the director of Transportation Engineering, Mr. Paul Murchison, were in Teslin to meet with local governments to talk about the project. Currently we are scheduled to proceed with construction in fiscal years 2018-19 and 2019-20. We have included this as part of our Building Canada ask and, again, this was funding, I believe, identified under the previous Building Canada. It's not included in the new infrastructure funding pots that the new Government of Canada is working on putting together, so this is essentially Building Canada money that was left over from the previous government. We have a number of bridges that are obviously critical infrastructure that we want to replace and have included in that ask of Canada.

Work continues with the two governments and local stakeholders. Obviously it's a project that's very important to the MLA for Pelly-Nisutlin, so I'm able to provide him with regular updates as well on this project. That's what I have to report back to the House as far as details right now with respect to this particular project.

**Mr. Silver:** Thank you for that response from the minister.

I'll move on to the Faro RCMP station. Now, this is probably a better question to be asked in Justice, but just in case, I was wondering if there are any contributions to this

project from Highways and Public Works — if there's any involvement or any financial contributions to the RCMP station in Faro?

**Hon. Mr. Kent:** Apologies for the delays. As the member opposite mentioned at the outset, there are questions that come across different — I don't want to say "all over the place" but I think those were his words.

Anyway, the Faro RCMP station — I know that the Minister of Justice does have up-to-date briefing material on this, so perhaps it would be a question better asked of him. I will follow up with members opposite as to exactly what role the Department of Highways and Public Works will take. In normal situations, we would tender and manage these projects on behalf of our client departments. I'm not exactly sure what the case is with respect to the Faro RCMP station, as the RCMP will be involved. This is something that still has to make its way for a Cabinet decision as well. Once that is done, I'll be in a better position to answer questions and I will commit to get back to members opposite with a bit of an update on the Faro RCMP station at a later date, but as I mentioned, the Minister of Justice, as the lead department on this, has a full briefing package on it as well.

**Mr. Silver:** Thank you for that response and for the commitment to get back to me. I'm going to move on again to the new francophone school. There was a meeting that all three parties were invited to from the francophone school board. At that meeting, we were told that the new school was going to be built where the old F.H. Collins school is. I'm not sure if this government has actually made that a public statement yet or not, so I guess we're going to ask a few questions on an update for the new francophone school. Has a location been decided for the new francophone school? These are questions that we're going to ask to different departments as well. Is there a construction budget yet for the new school? Or are we not that far down the road? Will construction begin next summer? Are there any timelines as far as when?

All of these questions may or may not be able to be answered today on the floor of the Legislative Assembly, but we do want to know how much money has been spent to date on this project.

**Hon. Mr. Kent:** Thank you very much. Again, when it comes to this particular project, Highways and Public Works is playing a supportive role for the Department of Education, as well as Commission scolaire francophone du Yukon or CSFY. Our initial involvement was to undertake functional space planning for a new French secondary school in Whitehorse. The school project is being planned for a capacity of approximately 200 students; the planning elements include the school facility, a community centre with a theatre for 250 persons, and an office complex for the commission. The Department of Education has — to my understanding — submitted a proposal to Heritage Canada for capital funding for the community centre element of the project. The planning team is looking at site options within the Riverdale education reserve; by that, I mean the reserve that houses the new F.H. Collins, Selkirk, Teen Parent Centre, the trade wing facility, as well as the Gadzoosdaa residence.

When it comes to communications on this important project, I know there has been an agreement between the Department of Education and CSFY to issue joint communications.

I would expect something to come out shortly. Obviously the member opposite referenced a meeting that all three parties — or that he and his New Democratic colleagues — attended, and I know there have been meetings with other key stakeholders. I would expect an announcement extremely soon, but again, this is being led by the Department of Education with CSFY co-leading, so I think it would be more appropriate for the Minister of Education or representatives of CSFY to comment further on the project itself.

**Mr. Silver:** Yes, we will be asking that question in the Department of Education as well and, for the record, all three parties were invited to that, so I don't think I'm speaking out of turn as far as the information that was shared. The NDP did show up, as well as the Liberal Party, but there was no representation there from the Yukon Party.

This question may also be a question for the Department of Education as well. This is on F.H. Collins and we do know that there is \$4.3 million more added into the budget for the F.H. Collins project. We have asked this question a couple of times in the Legislature. We're still wondering about the necessity of this money — specifically, what is the increase being spent on and also what the total budget of the project, including what was spent on the scrapped design. Also, when will the tech wing renovations be completed? I appreciate that if the questions can't be answered in the Department of Highways and Public Works, then it will be a question we'll ask in the Department of Education.

**Hon. Mr. Kent:** I can assure both parties opposite that our government has been extremely engaged with CSFY and the francophone community. Although we didn't attend the meeting that the member opposite referenced, we certainly are very engaged with the francophone community on this and other projects, particularly other initiatives that are being led by the francophone community.

Again, this is probably a question better asked of the Minister of Education. Highways and Public Works is playing a support role with respect to the F.H. Collins tech wing. There has been a contract awarded to Clark Builders for renovations and upgrades to the existing tech wing. They were, of course, the contractor for the new main F.H. Collins Secondary School construction project. The upgrades to the tech ed wing include a new stand-alone heating plant, new barrier-free access and washroom renovations, selected seismic, electrical and other building service systems and improvements to the building envelope itself, including insulation and cladding. Coordination is underway between the tech wing work and planned decommissioning and demolition of the old school. A separate tender, as we mentioned yesterday during debate, will be issued for the demolition work on the old school and will be part of a YACA agreement with the Kwanlin Dün First Nation.

The tech wing upgrades will be phased and carried out in coordination with ongoing school operations through the

current semester. Just a few details: the project costs are within the total target project cost estimate of \$4.3 million, which the member opposite referenced as the increase. I think this is where those dollars are attributed to, if I understand correctly from my colleague, the Minister of Education. Similar to the new main school construction, there are opportunities for local subcontracts and employment being provided. Some of the subcontractors working on this project are: Mobile Maintenance Services, providing structural miscellaneous steel; Superior Roofing; Northerm is providing the windows; Duncan's Ltd. is doing the work on the mechanical; and Dynamic Systems is doing work on the electrical.

I believe that the estimated completion date is either July or — sorry, August 1, 2016. The reasons for the change from the February 2016 initial estimated completion date are that there was additional time to complete detailed design and issue for tender documentation that resulted in revised tender dates. We found conditions during excavation for new foundations and previously unidentified hazardous building material as well.

Mr. Chair, two of the methods that we use for contracting projects — one is the design/bid/build, which is the project delivery method used for the tech ed wing. Essentially that means that the design work has to be finished prior to any tendering — companies tender off of that. There are advantages and disadvantages to that type of tender, usually for smaller projects. Obviously subcontractors don't have to hitch their wagon to one star as they would with a design/build project, but sometimes there are delays as you wait for the final design documents. That is one of the delays that we ran into.

When we talk about a design/build project, we can start the work before the substantive design is complete. It also shifts some of the risk to the contractor away from the client — in this case, the government — so there are advantages and disadvantages to both methods. The design/bid/build was the one that we used here.

I think that is all that I have by way of update. Any further information can be acquired from the Department of Education. I should mention though that the original designs for F.H. Collins — the tech ed wing was always contemplated to be retained and upgraded because it was deemed to be a useful facility in fairly good condition. The cost to replace the tech wing was estimated at over \$10 million in initial design and planning work, which is, of course, significantly beyond this project budget. Renovation and upgrade work is scheduled for completion during this summer as I mentioned.

That hopefully provides members with an update on the facility that is housing and will continue to house tech ed training at F.H. Collins.

**Mr. Silver:** Just one final question on that before I turn over the questions to my colleagues here. The minister just referenced change orders when referencing the tender and the causation, I guess, of a substantial delay in that contract being a change order and he referenced specifically hazardous materials that weren't previously identified. Was that the only

change order to that tender or were there other extenuating circumstances as well? It seems like a long time. I wonder if the only change order was the hazardous materials.

**Hon. Mr. Kent:** The information that I have before me is that — just to provide a current status update — EBA did a non-intrusive hazardous assessment in January 2016, which identified lead paint on the walls and asbestos in heating pipe insulation, floor tile and ceiling tile. In March, additional hazardous materials were found in the interior block walls. There was asbestos-containing vermiculite, and additional hazardous materials were also found under the slab in the washrooms. That is an update on the hazardous materials that were found.

As mentioned, the only other delay was with respect to the detailed design. The detailed design was not completed in time for us to get the tenders out. That is what resulted in the revised tender dates and can be attributed to some of these delays. I don't have a detailed list of change orders for the project, but those are the two main ones that have led to the delay — the additional time to complete the detailed design as well as the hazardous materials that I identified earlier on in my answer.

**Mr. Tredger:** I welcome the officials to the Legislature. I do have a number of questions for the minister. Just to follow up on what the Member for Klondike was raising, has the minister decided what the heating source for the tech wing will be? Will it include renewable energies?

**Hon. Mr. Kent:** The primary heat source will be propane. That's what is being installed at this time. That is not to say that we have abandoned the opportunity and ideas for bringing in a different heat source at another time.

As was referenced in the document that I tabled with the Procurement Advisory Panel document, Property Management Division has put together a sustainable energy management team. It's a three-year pilot project. We will be launching an energy unit within the division, guided by a multi-year sustainable energy management plan. The plan includes projects and other action items focused on the implementation of energy efficiency and conservation measures. We at Property Management Division are uniquely positioned to implement the sustainable energy management strategies in our own buildings portfolio to reduce operating costs. It is also as important to cut our greenhouse gas emissions and to contribute to the government's commitments identified in the *Climate Change Action Plan* and our energy strategy. With more than 65 percent of all annual YG greenhouse gas emissions stemming from buildings in the portfolio, PMD aims to leverage its facility and project management expertise to drive meaningful and measureable climate action. The main administration building upgrades that members are well aware of are estimated to reduce costs by more than \$225,000 while reducing greenhouse gas emissions by more than 400 tonnes per year. This is but one building in the portfolio that we are looking at under this energy management team.

Again, I should applaud the efforts of the leaders in Property Management Division for moving forward on this important initiative.

As I mentioned yesterday to the Member for Copperbelt South, we're looking at other opportunities for renewables as well, particularly with biomass and the recently released biomass strategy. We're targeting government buildings in Watson Lake, Teslin and Haines Junction as well as a cluster of buildings in Whitehorse, at Yukon College, to hook up to biomass heat. If these are successful, then we can look at other opportunities as well for biomass heating. I know the member opposite will be curious about the geothermal energy that was identified as an opportunity to heat the building — the F.H. Collins school. We moved away from that option when the school was moved because of — my understanding is — what would have been the drop in heating capability from where the well is located to where the school is. That's not to say that we've abandoned the geothermal opportunities completely. Perhaps there are other opportunities to heat buildings such as the tech ed wing. All of these options are being considered by departmental staff, and I can get back to members of the House when we have a better idea of how we will proceed with renewable options at this facility and other facilities within the portfolio.

**Mr. Tredger:** Unfortunately it sounds like the minister has decided to go with carbon-based fossil fuels to heat the building. Can he tell me the cost if he has kept the options open? I have always found in my studies that if you design renewable energy into the building of a facility, the costs are considerably less than having to go back into the facility and re-design it to meet a different heating source.

Can the minister tell me what the costs to transition from fossil fuel and its carbon footprint to geothermal would be? The reason that the minister has been giving for moving away from geothermal was the distance from where the original new school was going to be built to where the current new school is. I believe the tech wing was part of that and so therefore would have been served by geothermal, but what I'm looking for is what the minister estimates the cost to transition from fossil fuels to a renewable source like geothermal, should, as he said, the door be open.

**Hon. Mr. Kent:** I don't have the costs — nor do officials — on upgrading facilities. With new facilities, obviously you want to make sure that the systems put in place are easily transferrable between heating sources. It's important to note that we would always require some sort of fossil fuel heating system as a backup or for redundancy. In the case of the F.H. Collins tech wing, it is the primary source and there are options, as I mentioned, to convert — to leave that door open — and to switch to a renewable source, whether it's biomass or geothermal or other opportunities going forward.

I'll have to get back to the member opposite with respect to some of our newer builds. We want to make sure that they are easily convertible from one energy source to another, but we'll always require that redundancy just as we have with backup power here in Whitehorse at the LNG plant. We'll certainly require redundancy so that the schools can be

maintained at a comfortable heating level and a safe heating level, no matter what the temperature or no matter what is happening with the renewable source. The propane option has been chosen for the tech ed wing in this case.

**Mr. Tredger:** If there is a need for redundancy and a backup source, what is the plan for the backup source for the tech wing now?

**Hon. Mr. Kent:** As I mentioned, the redundancy lies around the fossil fuel aspects. In this case, fossil fuel is the primary source at F.H. Collins tech ed wing. We'll be heating the facility with propane, unless or until a renewable option is identified.

**Mr. Tredger:** What I heard the minister saying is that there is no redundancy now. I would remind him that the beauty of geothermal is that it is not intermittent, like some other renewable sources. Geothermal is constant and it is a source of energy that would replace the need for fossil fuels. The other advantage to geothermal is that it is very easily used for district heating and, as we are looking at new schools in the area as well as new educational facilities, I still maintain this would be the opportunity as you are designing the building, to step into the 21<sup>st</sup> century and look at geothermal.

The second question for the minister is: We have drilled a test well and done a number of studies that were done for the original F.H. Collins school. The payback was less than 10 years. Can the minister tell me how much his government has spent on the studies, on the test well and on the preparation for geothermal, only to discard it?

**Hon. Mr. Kent:** I know this is an important issue to the member opposite. It comes up obviously at not only debate for Highways and Public Works, but also Energy, Mines and Resources. As I mentioned, we have not discarded the option for geothermal at this location.

When it came to the new location of the school and the increased distance from the well location, more research was required to determine the viability of geothermal heating for the school.

HPW is working with the Energy Solutions Centre to develop a tool to assess various heating sources to ensure the appropriate primary and secondary heat source for any government building. Most government buildings have a primary heat source that is fossil-fuel based. At this time, as I mentioned, we do have the work underway of the energy management team in Property Management. It's a three-year pilot project that will identify other opportunities.

As I have mentioned time and time again, we have not abandoned the geothermal opportunities at the F.H. Collins site. Obviously there is a cost-benefit analysis that needs to be done. Perhaps when the Department of Energy, Mines and Resources is called for debate, I'll bring forward some of the information that I have with respect to the cost for drilling these wells. I don't have that information with me right now, but I will be able to provide it at a later time.

Again, fossil fuels — as many homeowners know and others who are perhaps heating with that type of source, it's certainly a reliable source of energy. That's not to say, though, that we don't want to find renewable sources as well, whether

it's electric heat — provided we are able to provide the renewable energy through our existing generation — or biomass, heat pumps or other things that individuals are trying. It is incumbent upon all of us to step up to address climate change. I think the Yukon government is doing our part when it comes to renovations on buildings like this and the implementation of electric vehicles into the fleet and supporting the Transportation Museum with their electric vehicle pilot and the work that they are doing. There is an awful lot of work underway, but obviously health and safety is a major concern and we need to make sure that Yukoners — whether they are students, employees or other individuals who use our facilities — are able to have reliable heating sources when it comes to those facilities.

**Mr. Tredger:** I didn't hear an answer as to how much has already been invested in the F.H. Collins site in terms of studies, cost-benefit analyses, which were done originally, the test well that was drilled, and, finally, the cost to convert the fossil fuel system that the minister is putting in place — how much it would cost to convert that to a renewable, green energy option.

**Hon. Mr. Kent:** I don't have that information.

**Mr. Tredger:** Would the minister be willing to table the amount that we have spent on promoting geothermal? I remember the Yukon Party talking about all of the benefits that were going to accrue from geothermal. There were publications on the benefits accruing from geothermal for the F.H. Collins facility. How much did we spend in terms of cost-benefit analyses, in terms of reports and in terms of the test well that was dug? Would the minister be willing to table that?

**Hon. Mr. Kent:** I will table it if it is indeed available from officials.

**Mr. Tredger:** I would appreciate that. The Yukon public also has invested a considerable amount energy, time and, obviously, money into the promotion of renewable energies. As a territory and as a country, we have signed agreements that say we are going to move from fossil fuels to renewable energies. I appreciate what the government is doing but I think that, as citizens, we need to do more and we need to work harder at it. Heating is one of the primary sources and, as my colleague from Takhini-Kopper King has mentioned several times, we should be incorporating the renewable technologies into all of our buildings, and especially our educational buildings so our students, future students and future employees may take advantage of learning the new technologies.

I have another question. I'll move on from the renewable energy at F.H. Collins. I am concerned that it is an opportunity lost and I'm quite disappointed in that because I heard members opposite extol the virtues of geothermal — the fact that it is a constant source, it's not intermittent, many jurisdictions around the world have used it and used it very successfully, and it's proven.

A number of years ago, the Yukon Party government moved oversight of janitorial staff in Education buildings to Property Management in Highways and Public Works from

the Department of Education. This was despite many concerns expressed by educators, by school councils and by many involved in the education community. Janitors, as adults in the buildings, were an important part of the team and they influenced students' development. Janitors often took pride in their schools. They add to the school environment by being willing role models who listen to the students and interact with the students, and they do odd jobs around the school. Often they would fill in where and when was needed.

I've heard many concerns about that transition and I'm hearing again, over the last year or two, increasing concerns about how that is working. My question for the minister is: Has the department with the Department of Education evaluated the impact of moving management and oversight of school custodians from the Department of Education and school administration to Property Management in the Department of Energy, Mines and Resources?

**Hon. Mr. Kent:** Just to step back to the earlier comment — as I mentioned, in a number of educational facilities across the Yukon — the southern Yukon in particular — for starters, in Haines Junction at the St. Elias Community School, the Teslin school, Johnson Elementary School in Watson Lake, as well as Yukon College — Energy, Mines and Resources, in partnership with Highways and Public Works, is embarking on requests for qualifications opportunities for biomass opportunities, a renewable source that will provide jobs up and down the supply chain — whether it's the harvesting of the fibre or the burning and energy use that we can get from that.

As I mentioned a number of times today — the member opposite isn't characterizing what I've said properly — we have not abandoned the geothermal opportunities at F.H. Collins. We're continuing to look at opportunities there. That education reserve is — if it's not the largest one in Whitehorse, it's close to it. There are numerous buildings housed on that reserve, including Selkirk Elementary School, the Teen Parent Centre, the tech ed wing, Gadzoosdaa residence, as well as the new F.H. Collins school.

We'll look at opportunities for renewable sources along there, whether it's additional biomass opportunities that will be done in consultation with the appropriate stakeholders — which have concerns, among other things, about air emissions from those types of facilities — or geothermal or other heating sources.

We continue to look for opportunities to heat our buildings with renewable energy. We recognize that we're doing very well on electricity generation, as far as fossil fuels. Between 95 and 99.5 percent of our electricity is generated with renewable sources, far and above what some of our southern provincial neighbours, like Alberta and Saskatchewan, are even striving to get to as far as targets for electricity generation.

We have to focus on the transportation sector and the space-heating sector, and projects like the one we're undertaking right now at the main administration building are a good example of green jobs that are helping Yukoners. The windows were manufactured locally by Northern Windows.

It's a labour-intensive project that is providing jobs for locals and training for locals as well on things like scaffolding and other opportunities. We're proud of what this project will accomplish, not only on those green jobs, but also the cost-savings and emission-savings we'll look for.

It's my understanding that, during Education debate, the Minister of Education said to the member opposite that we are in negotiations to return the janitorial services to Education. Highways and Public Works Property Management Division and the Department of Education are having those discussions right now.

Another thing that I think is important to mention is that Property Management has formed a new client service unit that will be utilizing a data-driven and evidence-based approach to enhance our service delivery. The evolution of this division within Yukon government is definitely a familiar story to long-time government employees. It was previously housed within Government Services more than 15 years ago, then reorganized as the Property Management Agency through the end of 2008. Today PMD remains a unique service organization within YG in that nearly all its clients are government employees and departments, and we recognize that we need to do a better job of servicing them.

These are the types of initiatives that are currently underway in the Property Management Division. I'm excited about the opportunities that will emerge from them. Again, as I mentioned, the custodian and janitorial issue is now being negotiated between Education and Highways and Public Works PMD, as mentioned by the Minister of Education during his time on his feet.

**Mr. Tredger:** Janitors are familiar faces in our schools. I remember, as a principal — and many other principals would know their janitor. They would do a morning routine, perform safety checks for potential hazards like ice on the walkways, gym safety — especially in light of the joint use agreement that many of our schools have with their respective municipalities.

Lately Property Management has been rotating janitors from school to school, so they don't belong to one school or they don't have one school in particular that they go to. Has the minister looked at that practice and would he reconsider the moving? That familiarity is quite important.

The other question is: I've heard tell that there are a number of schools that don't have janitors when the children are in the school. Sometimes the janitors don't even come in during the day. I guess one can only imagine what happens. There are problems in terms of children getting sick; toilet facilities that overflow; possible floods; or changes in conditions throughout the day. I guess I would be very concerned about the safety of all involved if indeed there were no janitors on duty. Can the minister tell me how many schools do not have janitors in their school during the day? Sometimes there are up to — whether it's a smaller school of 30 to 40 kids or a larger school of 500 or 600, the presence of those janitors or custodians is critical to the safety and well-being of the children and of the staff. Can the minister

give me an update from Property Management how many schools do not have that service?

**Hon. Mr. Kent:** As I mentioned, negotiations are underway to return the management of these individuals to the Department of Education. That's all I can mention. That's all the information that I have on this particular issue at this time. I'm not familiar with which schools would have full-time, part-time, day-time or only evening-time personnel on-site. It's something that perhaps I could look into with my colleague, the Minister of Education, and report back to the House.

**Mr. Tredger:** I would appreciate that. I know it's an increasing concern and it is a safety issue. I look forward to those answers as does many of the staff in our schools as well as school councils.

I'll move on to another area. Every year, there is patching and quick repairs on the Klondike Highway. The highway crews are working hard. They're fully occupied, I guess, but the repairs don't last a long time as increased industrial traffic brings heavier, more frequent truck traffic down the road. How is the government managing that increased burden? Are there plans and timelines to rebuild portions of the highway, especially areas that seem to be, on an annual basis, unstable? I know there are a number of areas around Łútsáw Lake in the Pelly Crossing area. I realize that the Department of Highways and Public Works did rebuild some of the road along Fox Lake. There are other areas. Does the minister have an overall plan with timelines that I can share with the users of the Klondike Highway?

**Hon. Mr. Kent:** We recently completed a functional planning exercise for the Klondike Highway, as I mentioned earlier. We have identified, through the *Canada Transportation Act* review that was completed by David Emerson and presented to the federal Minister of Transport, that one of our key trade corridors and transportation corridors is the Dempster-Klondike highway system. What we have put together with respect to the functional plan is to help inform improvements that we want to make over the next while. Obviously, members know that we are responsible for close to 5,000 kilometres of roads, so we have to spread the dollars out among different projects.

The Klondike Highway this year will be receiving, in primary highway construction and rehabilitation, \$1.25 million. There will be work done on Hunker Creek culvert replacement and grade raise at kilometre 700.6 and 701.7 of the north Klondike Highway — that is \$250,000. We have \$500,000 for Klondike Highway, south Klondike rock scaling from kilometres 58 to 64. That would be, of course, as I mentioned, on the south Klondike Highway. The long-term implementation plan for the Klondike Highway will receive \$100,000 this year and major highway rehabilitation of \$400,000. This number doesn't include pavement rehabilitation. I stand to be corrected, but I think we are at \$1.25 million for that. As well, we are conducting a study on a pedestrian walkway across the Takhini River bridge just as the north Klondike Highway begins. Members are familiar, obviously, with that piece of infrastructure. There are a

number of things we are spending money on for the Klondike Highway as well as our other highway infrastructure.

**Mr. Tredger:** Is there a long-term plan that the minister can point to for residents to look at and say: "In this year, we can expect this area to be upgraded so that we are not dealing with the same problem every spring." I realize that the department and the work crews — the road crews — respond to emergencies, but what I am looking for is a long-term plan to rebuild sections of the road, like what was done along Fox Lake last summer — I hope, successfully. It seemed to be holding when I drove over it last week. Residents can look at that and say: "Okay, we are going to deal with the heaves and the hoes for the next two years, but then we can expect it to be finished." I am looking for a long-term strategic plan that way.

It also allows local residents and local businesses to plan around that, so they know there might be repairs so, one, if they're running a tourism outfit, they can make allowances for that and, two, if they happen to be in the construction business or a contractor, they can prepare to get involved as it comes into their area. Certainly First Nations in the area would like that opportunity to know what, when and how the rebuilds are going to take place so they can participate.

**Hon. Mr. Kent:** As I mentioned in the previous response, we have \$100,000 that's set aside in this year's budget for the implementation plan of the functional plan we looked at. What we're anticipating is to have a five-year estimate of construction that individuals will be able to understand and look at when it comes to upgrades to our major highways.

One of the things that we worked on from last year to this year is with respect to communications and informing Yukoners about the different construction projects that will be taking place in various areas of the Yukon. In the coming weeks, we will make the BST and brushing schedule for this upcoming year available to the public. I would assume we would post it on 511yukon.ca, where the public can also find, among other things, road conditions and warnings, and also a regularly updated capital construction schedule on that website.

The other direction I've given to the Department of Highways and Public Works — to my deputy minister — is to have an ongoing dialogue with the Department of Tourism and Culture, particularly those individuals who are on the frontlines in our VICs, so they're aware of important things within their area, whether it's road construction or, in the case of Dawson City, the *George Black* ferry going in or being removed, and the status of the Top of the World Highway. Those are important things that we, as a department, need to do a better job of communicating to our stakeholders. I've given direction to the Deputy Minister of HPW to find better ways for us to communicate what activities will be undertaken in any given year so we can bring the amount of surprises for individuals to a minimum. That's obviously the goal of our department and we want to make sure we provide accurate, timely information to Yukoners and those individuals who are dealing with our commercial and visitor traffic.

**Mr. Tredger:** That's certainly something that will be appreciated by residents and users of our highway system. It's something they've been asking for — and the NDP has been asking for — for some time — that transparency. It allows a number of things to happen. One is that tourism operators and business operators along the highways can make plans accordingly, but also, again, it allows First Nations, as well as contractors and businesses to know what's coming in advance.

I would hope that it would be done a year in advance so that people can make plans and order equipment as necessary and prepare their bids.

I thank the minister for that.

It's something that is much appreciated, and I'm sure the municipalities and the First Nations will look forward to that information.

I have a question. Spring came early and a number of my constituents asked me questions about road bans being put on in the spring. How is that determined? When is that determined? Does it take into account the deteriorating conditions of early spring, the frost heaves — in particular, in areas of the highway that are suffering from the traffic? I notice that the ore-hauling trucks are increasingly big. I know the LNG trucks are now — instead of single trucks, they are double tanks and they are heavy. I would ask the minister: How is that determined? How effective have the road bans been? Finally, what is the number of infractions that have been issued to companies or individuals who have exceeded the road ban in an average year and perhaps the last couple of years? I would appreciate that.

**Hon. Mr. Kent:** When the road ban is determined to come on, or the weight restrictions are determined to come on, is a technical process that is connected by officials. There are sensors that are located in the roads that help to inform their decision, and we certainly rely on and trust the experts to make sure that we do as much as we can to protect the public infrastructure when it comes to the condition of our highways. My understanding is that there has only been one issue this year that was dealt with, with respect to weight restrictions. I'm not sure where it was or the specifics, but it was dealt with.

This is something that our commercial carriers certainly have knowledge of. The weight restrictions and anticipated weight restrictions are posted on the 511yukon.ca website, and anyone who knows truck drivers will know that there is certainly an unofficial communications network that happens for them up and down the Alaska Highway and throughout the Yukon when it comes to the road bans — when they're going to come on, if they're going to come on early, and how long they will last.

It is something that is important to our commercial carriers, and it is important to our contractors as well. That's why we try to get contracts out earlier — so that, if equipment does have to be moved or mobilized into a specific site, they can do so before the road bans or the road restrictions come on and there are challenges with the road.

Again, we leave it up to the officials to determine when they come on. There's a technical process in place involving

sensors in the roads. Hopefully that answers the questions for the member opposite.

**Mr. Tredger:** Perhaps I'm a little outdated, but I recall roads having signs up when the bans came on. If indeed there is only one infraction that happened, one of the things that some of my constituents mentioned is that they don't know for themselves when the bans come on. I can direct them to the 511, but unless they are a commercial truck driver or something, they may not be aware of that.

Part of enforcement is knowledge. Has the minister given any thought to using signs so that all people know when the bans are on and know that it is looked after?

I will stop there.

**Hon. Mr. Kent:** Just to be clear, everyone has access to 511yukon.ca for road conditions and bans. There's no login and it's not only available for commercial carriers. I just want to make sure that people understand that it's an open website for public information with respect to road conditions and projects such as I mentioned.

When it comes to communicating — something that at Highways and Public Works we're striving to do a better job of. As I mentioned, we'll be posting the BST schedule. We're unable to do that too far in advance due to technical considerations that have been identified to me by officials with respect to deterioration and which sites require attention, but we endeavour to get that schedule up as soon as we can.

We obviously have to use a variety of communication tools to speak to Yukoners, whether it is on social media or website traffic or — I think there's still a brochure put together by the Department of Highways and Public Works, talking about construction jobs in the Yukon, on our Yukon roads. Anything that helps to inform the conversation and helps to inform Yukoners is something that we want to consider. We want to be very adaptable and nimble with how we communicate in a digital and social media age while also respecting and recognizing that some individuals aren't as engaged in that media and may require more traditional tools of communication.

**Chair:** Order, please. Before debate continues on Vote 55, Department of Highways and Public Works, do members wish a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

**Chair:** Order, please. Committee of the Whole will now come to order. We will resume debate on Vote 55. Mr. Tredger, you have 20 minutes.

**Mr. Tredger:** Thank you, Mr. Chair. The Silver Trail from Stewart Crossing to Keno has been an ongoing issue for road users for a number of years. Increased tourist traffic, mining — placer as well as quartz — in the area, as well as the now regular water haul from Mayo have to deal with sometimes deteriorating road conditions. Has the minister identified any additional monies to upgrade that road between

Mayo and Keno, as well as given consideration to keeping the Duncan Creek alternate route maintained and in good repair so that when there are times when the Keno road is impassable, the Duncan Creek Road can be used?

**Hon. Mr. Kent:** I believe we've done work the past couple of seasons on the Duncan Creek Road using the rural road upgrading program. I can get more details for the member opposite at a later time.

In this year's capital budget for the Silver Trail, there is \$555,000 allocated. \$300,000 is allocated for a culvert replacement at kilometre 94.7. Work for 2016-17 on this involves culvert replacement at the kilometre I mentioned. The inlet is buried and the culvert is coming apart. It's no longer functional and will fail in the long term, causing the road to wash out due to embankment saturation.

A further \$250,000 is earmarked for Silver Trail rehabilitation. This project is aimed at restoring the highway's condition to support the safe and efficient passage of traffic. Work will include restoration and rehabilitation of the highway's infrastructure, including the driving surface, road subgrade, safety barriers and adjacent drainage structures by crushing, hauling and placing aggregate, removing existing surface treatments, subgrade repairs, replacing drainage structures and channels, replacing and installing guide rails and jersey barrier and by applying dust inhibitors and BST treatments.

As I mentioned, we'll be coming out soon with the BST schedule. At that time we'll be able to identify if any of the BST work will be done on the Silver Trail. I think there is some bridge painting as well that is being undertaken on the Silver Trail and around Mayo. If I'm not mistaken, I think it's at the Mayo River and the Minto bridge as well. So those are two projects that I believe have already been tendered and perhaps awarded. I stand to be corrected, but those are two projects that are underway right now on the Silver Trail. Obviously we recognize the importance of that as well. I believe there was a functional plan done on that road in last year's budget. I'll await information from HPW officials on the results of that planning and the prioritization of work.

I should mention as well, just to go back to an earlier question, that the Government of Yukon and the Yukon francophone school board's joint construction subcommittee has recommended the site of the old F.H. Collins Secondary School as the new proposed location for the francophone high school.

The Riverdale skateboard park was also considered as a possible location for the new school; however, after evaluating this site, it was determined that it did not meet the minimum requirements for a new school. The proposed location in the area between the new F.H. Collins Secondary School and Selkirk Elementary School offers advantages such as simplified sitework needs, more space and flexibility for the design of the school and the community spaces and proximity to existing busing, through traffic and parking. A traffic impact study will be conducted for this location to address traffic and safety concerns.

Negotiations between the Yukon government and the francophone school board are ongoing, as will be stakeholder engagement. I can inform the House that the Minister of Education and I met with the City of Whitehorse mayor and some of the councillors who were available and officials followed up with a meeting with the chair or the president of the Riverdale Community Association as well. Work will continue and that news release has just gone out. I think it went out at 3:30 p.m. while we were in debate, so I wanted to update the House on that as well.

**Mr. Tredger:** That is indeed good news. Given the proximity to the geothermal test well, I'm sure that the minister will be able to proceed with geothermal for the new buildings being designed in that area.

I do want to jump back. I apologize — I did have one more question on the regular roads and major highways. Given the increasing size of trucks — the LNG trucks going north to Inuvik — as well as the amount of truck traffic on the Alaska Highway, I know that Highways and Public Works has an ore haulage where companies are charged for the amount of tonnage that is driven over the roads. The increased industrial traffic will take some toll on the roads.

Can the minister update the House on the amount that was paid to Highways and Public Works for ore-hauling capacity? Has any consideration been given to working with the State of Alaska, given the fact that much of their traffic goes over our highway — a tonnage charge since the Shawkak agreement is expiring — that there be a tonnage charge that would affect and in some way repay some of the damage being done to the roads, or the upkeep of the roads, for Alaska and the Northwest Territories?

**Hon. Mr. Kent:** I don't have the numbers that we have received from the bulk haul agreements, but we can certainly endeavour to supply those numbers to the member opposite. Those are for exceeding any haul agreements where legal limits are exceeded. This would apply, obviously, to any of the loads going into the Northwest Territories, up the Klondike and Dempster and Alaska Highway as well as those coming through for Alaska.

To the best of my knowledge, I don't think any of those loads exceed the legal limits at the time, but I could stand corrected.

I know one of the important things that takes place at the Pacific North West Economic Region meetings is with respect to transportation as well — coordinating transportation requirements and those types of things between the jurisdictions. Obviously, Yukon and Alaska are two important jurisdictions where goods travel from southern provinces and the Lower 48 to get to the market up here. We will continue to work through the Department of Economic Development on PNWER and other initiatives to ensure that we harmonize to the best of our ability the transportation sector and the requirements for trucks that are moving goods and services through our territory and into Alaska or the Northwest Territories.

**Mr. Tredger:** Can the minister tell me where the weigh scales in the Yukon are located? I know there is one in



Whitehorse on the Alaska Highway to the east. Where else would there be weigh scales?

**Hon. Mr. Kent:** The weigh scales that are active on a day-to-day basis are located in Whitehorse and Watson Lake.

**Mr. Tredger:** Those weigh scales would not capture any traffic coming from Alaska, other than Skagway, down the Alaska Highway and going up the Klondike Highway.

**Hon. Mr. Kent:** Any commercial traffic has to report to the weigh scales.

**Mr. Tredger:** Commercial traffic coming from Alaska down the Alaska Highway wouldn't have to drive through Whitehorse to the weigh scales, get weighed, turn around and go back?

**Hon. Mr. Kent:** Yes, that's correct.

**Mr. Tredger:** I thank the minister for that answer. Is it Highways and Public Works' responsibility to maintain the signage along the highways? I'm thinking of the big, blue signs. I've raised the issue in the Legislature before — the signs that indicate attractions, services and amenities and where they're available. I know I've raised the issue that a number of them are no longer updated and some of them have fallen over. They're important to tourists coming to the area as well as to local residents.

**Hon. Mr. Kent:** Some of the signs that are along the highway are the responsibility of Highways and Public Works; others are the responsibility of other departments or private entities.

In Highways and Public Works, we permit all the signs that are located within the highway right-of-way. The primary ones we're responsible for in HPW are the distance signs, the green ones that have the highway markers on them. We're also responsible for safety and directional signage and that type of thing, but the responsibility for other signage, including the blue campground and community signs, lies in other departments. We're checking on that right now, but that's my understanding of who owns those.

Again, there are the commercial owners as well who have the stanchions — along the Alaska Highway and the Whitehorse corridor is a good example. I think those stanchions are managed by the Whitehorse Chamber of Commerce. The stanchions were put in place a number of years ago by Highways and Public Works.

**Mr. Tredger:** I was thinking in particular — and this is for any department that's relevant and is listening — of the signage along the Silver Trail. It has been a concern for some time. It's outdated and there are a number of operations in Keno, Mayo and Moose Creek that are looking for those signs to be updated. I would thank the minister for looking into that.

The other concern that has been brought to my attention is around lighting — street lights in our communities. I thank the minister and the Department of Highways and Public Works for the solar radar signs at the entrance to Carmacks and into Pelly. They are very effective and, in talking to residents, it has slowed down traffic coming in.

As everyone is aware, our winters are long and dark and sometimes our roads are pretty empty. I've raised the issue of street lights along the highway in Carmacks, Pelly and, in

particular, Stewart Crossing. It's the first thing I heard five years ago when I stopped in Stewart Crossing — we need street lights. People are coming off the highway or along the highway late at night, and there is virtually little warning there.

I'm asking the minister if consideration in this year's budget has been given to providing street lights — particularly for Stewart, but I know there are areas in both Pelly and Carmacks as well — that will warn oncoming traffic. Would the Department of Highways and Public Works also consider putting a radar sign on the entrance to Stewart Crossing? Thank you very much. It has been effective in Pelly and Carmacks.

**Hon. Mr. Kent:** Thank you very much. Yes, those solar-powered radar signs are indeed effective. The ones at Carcross and Tagish in particular are the ones that come to mind, as well as vehicles approaching the lower speed, the 50-kilometre speed zones, in those communities. I'm hoping that they can continue to educate Yukon drivers about the need to slow down and be aware of the different speed limits, particularly as they approach our communities.

Street lights — absolutely and obviously important. We installed new street lights near Upper Liard last year and there's money in this year's budget for planning street lights in Watson Lake, up two and a half miles from the Alaska Highway, so up that southern portion of the Robert Campbell Highway. There has also been a request put in from the community of Teslin to have street lights put in from the Nisutlin Bay bridge out to, I think, the Fox Point subdivision. If the member opposite wishes to forward requests to me from Stewart Crossing and the other communities that he represents, I would take a look at the need for street lights. Obviously they're important and provide safety aspects. Often the RCMP in communities, such as the case in Watson Lake, have joined in the request to have street lights placed there. Again, any requests from communities, I'm happy to entertain.

**Mr. Tredger:** I appreciate the minister's answer. I have raised it in the House numerous times in particular with regard to Stewart Crossing. I have sent letters to previous ministers of Highways and Public Works and I will follow up with a letter of request. As I say, the radar and the street lights would go a long way there.

Does the government have a plan to improve and maintain secondary Yukon roads, like the road into Ethel Lake or Tatchun Lake, particularly to campgrounds and community use areas along a secondary road?

Also, I do want to thank the Department of Highways and Public Works for the upgrade to three bridges — actually new bridges; they weren't upgraded; they were put in new — along the Pelly River Ranch Road last year. That road is a key artery for tourists and people going to Fort Selkirk. I know it has been increasingly used by placer miners as well as a number of agricultural operations, and residents use that as a jumping off point up and down the river.

Are there plans? There were times last year when that road was nearly impassable. My home is down from there, so

I'm fairly familiar with the road. Are there plans to upgrade and improve secondary roads, in particular the Pelly River Ranch road, this summer?

**Hon. Mr. Kent:** There are capital expenditures and maintenance expenditures in this budget for some of our secondary roads. Obviously, as members know, they wouldn't be improved to the same service level as the primary or major highways but, that said, there's still money being spent. For instance, in Transportation Maintenance, there's \$300,000 for the small culvert program. With an aging highway infrastructure, assessments, repairs or replacements are required on culverts across the territory. Small culvert inventory data assessments and repairs or replacements are required to avoid drainage control structure failures.

There's \$200,000 allotted for secondary roads rehabilitation and transportation maintenance. This project will restore and rehabilitate secondary roads such as surface repairs and drainage control to prevent failures that are of a recurring nature. Where secondary roads are already gravel, there's an opportunity to resurface or potentially apply BST where traffic volumes and subgrade conditions warrant.

Also in Transportation Maintenance branch, we have \$150,000 allocated to rest-stop improvement to a new standard. This work involves wheelchair accessibility and rest-stop entrance improvements. The object is to upgrade rest stops on our highways to the new standard, including accessibility, and to improve site access by ensuring adequate site distance and signing for the larger commercial vehicles or recreational vehicles.

A multi-year program to improve rest stops on our highways allows for improvements to take place in the areas of highest use, progressing until the entire corridor of the Yukon highway system is at the same standard.

Those are a few highlights from this year's budget. Recently in Whitehorse, there was a meeting of the foremen from the different highway camps. I should take the opportunity to thank those individuals for their work throughout the winter and the summer in keeping our roads up to a great standard. Obviously we have a significant amount of roads to look after for a small jurisdiction, and we do an exemplary job, I believe, of doing that. This is sort of my opportunity for a shout-out to all the staff in Transportation Maintenance and Transportation Engineering who work hard to ensure our roads are as safe as possible, given how vast the area is and the road network we have to look after.

**Mr. Tredger:** I understand that many of the secondary roads wouldn't be upgraded to the primary road standards, and outhouses and rest stops have shorter roads, but they are vital arteries into some of our areas and are well-used by local people.

I have one final question, I think. The current Carmacks highway maintenance camp is an industrial workplace that is in violation of current Village of Carmacks zoning regulations. There is a long-standing request from the Village of Carmacks and from Little Salmon Carmacks First Nation that the camp be moved. A site has been identified and, I think, agreed to by Highways and Public Works as well as the

local jurisdictions. When I asked last year, the minister didn't have a time frame for the removal from and restoration of that land and the building of a new highway maintenance camp.

Does the government now have a plan to move that camp to address the local concerns and the camp's zoning infractions, as well as a time frame when that would occur?

**Hon. Mr. Kent:** Some exciting progressions from Highways and Public Works in the community of Carmacks — of course, last year was the asphalt pavement that was installed through town. I've heard quite a few compliments about that installation of asphalt through the community of Carmacks.

In this year's budget, there are a couple of important things that we're looking at. The first is to finish a generic grader station design. We'll be tendering for a design for grader stations that we can use in most of the highway maintenance camps throughout the territory. Obviously there are some bigger ones in Whitehorse and other areas that it won't fit for, but we want to have a generic grader station design completed this year and then look to put together a replacement plan. It's my understanding that the top of the list for the replacement plan would be the one in Carmacks. We'll work with the community to relocate that facility outside of where it sits currently in the town — out toward, I believe, the airport is where the opportunity is.

Before we leave the community of Carmacks, I also wanted to speak briefly about some work that we're doing through the YESAA process to take that through environmental assessment and that's the Carmacks bypass. I know it's something that residents of Carmacks have been asking about for some time — to divert the industrial traffic out of the main residential area along the waterfront in Carmacks and move it around the town. It's something that, again, we will be going to YESAA with this year to get the necessary environmental assessment and then we'll follow up with the necessary licences. It includes the road bypass around the community of Carmacks as well as a new bridge across the Nordenskiöld River. Those are some of the exciting opportunities and activities that Highways and Public Works is conducting in the community of Carmacks.

**Mr. Tredger:** I thank the minister for his answers this afternoon and officials for being here — much appreciated.

**Ms. White:** Can the Minister of Highways and Public Works tell us how many apprentices he has working within the department please?

**Hon. Mr. Kent:** When this question was raised in Question Period, I spoke to the Minister of Education and his officials have informed us that there are four apprentices working for Highways and Public Works.

**Ms. White:** Can the minister tell me how many journeyperson tradespeople he has within the department?

**Hon. Mr. Kent:** I am not sure of the exact number, but, obviously, Property Management would have a significant number as well as Transportation Maintenance, with heavy duty mechanics, welders and others like that. I don't know the exact number, but I can see if we can get that.

**Ms. White:** I appreciate what the minister has just said, but even when I was doing a quick calculation, there are probably within Property Management no less than 10 ticketed trades, including, I would guess, millwrights, on top of everything else. The reason why I am asking how many journeypersons we have within the department or how many journeypersons there are within the Department of Highways and Public Works is because of the importance of what an apprenticeship is — which is a learning opportunity and how the trades continue on. We learn a portion of the knowledge in school, but where we really learn is the hands-on. If the minister could just — he said that he would try, but if he could commit to getting back to me with those numbers, that would be fantastic.

**Hon. Mr. Kent:** I am making the assumption that those numbers are easily attainable and, if so, I will certainly get them over to the member opposite. I should mention as well that, in Transportation Engineering, there are three engineers in training. There is an engineer-in-training program that they have there as well. There are three individuals in the four-year program that is accessed by — I am assuming — engineering students. That is another training opportunity that we provide within the Department of Highways and Public Works.

When it comes to the different types of trades, I think it is important that we recognize opportunities for apprentices. I did have a conversation with the Minister of Education about this and talked to senior officials in Highways and Public Works as well just to see if there are additional opportunities where we can add additional apprentices, and also try to get the information from the major projects that we have about how many apprentices are working for the companies that we have on contract. Obviously, I don't believe we make apprenticeships mandatory in those contracts, but it is nice to know. I am sure many of them — especially many of the subcontractors — have apprentices with them. I think that is reinforced by the success of Skills Canada Yukon in the national competitions — everything from electricians to heavy duty mechanics and others. There have been apprentices from the Yukon government who have competed at those national events and have done very well at those national events as well. Of course, the private sector also hires a number of apprentices across a whole host of trades.

**Ms. Moorcroft:** Highways and Public Works uses a large number of auxiliary-on-call workers on its highways crews. If the minister has the information with him, I would like to know how many that is. At this time of year, many of the auxiliary-on-call workers are anxiously waiting to know whether they will have a job this summer or if they need to be out pounding the pavement with their resumé, looking for other work.

Given that the main estimates we are debating in Highways and Public Works has over \$62 million in capital for the Transportation division and that the department prepares detailed estimates, knowing what road projects they plan to work on this season, can the minister tell us when department officials will be contacting auxiliary-on-call

workers and letting them know when and where they will have a job or whether they have a job?

**Hon. Mr. Kent:** I don't have those numbers with me today or the details the member opposite is looking for, but I will provide them to her by way of an e-mail. I know this is obviously something that's more of an urgent nature, so rather than wait to put together the broader package of responses, I'll flip an e-mail over to her as well as to the Member for Klondike on the auxiliaries-on-call issue that she has raised here today.

**Ms. Moorcroft:** I would like to thank the minister for that commitment and I look forward to getting that information; I've been contacted by a lot of people across the Yukon about that.

I have one question each in statistics, revenues, recoveries and government transfers. I'm going to give the minister notice of each of those questions and hopefully he's able to respond, and if not, I would appreciate a legislative return before the end of this Sitting.

On the statistics — on page 14-17, the forecast number of snowmachine and ATV registrations under motor vehicle registrations is 1,657 — that's about 400 more than the estimate. It's still voluntary to register, but we see almost 400 more than what was anticipated. The registration of snowmachines and ATVs can be a useful tool in enforcing safety and for the protection and management of wilderness. The question I have for the minister is whether or not he has a breakdown on how many of those registrations are snowmachines and how many of them are ATVs?

The next question on revenues, on page 14-20, is that there is, under Property Management, \$12,000 for land use fees. The actual for last year was zero and the estimate for this year was zero. I'm looking for what the source of the land use fee revenues are.

On page 14-21, third-party recoveries, under airports, there is a recovery of \$1.808 million and there is a recovery of \$339,000 for recoverable services. I'm looking for the details on that.

On page 14-24 — I think I did ask about this earlier in Highways and Public Works debate — there is a Kaska Nation agreement under government transfers — capital for \$100,000. We had asked for a copy of that agreement. I recall from the briefing that this is a three-year agreement and so the \$100,000 would be given in each of the next three years, under that Kaska Nation Agreement. I would like to ask the minister if he is able to provide us with a copy.

**Hon. Mr. Kent:** Some of the information I do have here. On 14-20, the \$12,000 for land use fees is an agreement for the Bell cell tower. This is revenue that is accrued from the location of that tower at the Yukon Transportation Museum and the money will be through an agreement signed with the Transportation Museum and will be forwarded to that organization for their use.

The Transportation division recoverable services and airports — I will have to get back to the member opposite about that. Perhaps hang on a second; I might have something in my line-by-line activity. The numbers were \$339,000 and

\$1.808 million. Just while I'm looking for that, I can get a breakdown of which of those vehicles are RVs and which are snowmachines. I think they just lumped them together on the statistics piece. If we were going through line by line, I'm sure I would have been able to find it, but I can't access it right now — the numbers that the member opposite is looking for — so I will get back to her before the end of this Sitting with answers on those two lines — the \$339,000 and \$1.808 million.

Hold on a second, got it — the \$339,000 recoverable services — this recovery is for labour, materials and equipment usage for work performed — e.g. snow removal or BST or mechanical repairs — and of the \$1.808 million in airports is: \$1.743 million, community airports — the community radio station or CARS program; \$37,000 — Whitehorse airport, third party electrical use by Nav Canada operations; \$16,000 — Whitehorse airport industry recovery — the electrical costs; \$10,000 — community airports medevac services provided by CARS; and \$2,000 for the Whitehorse airport water and sewage cost for the restaurant operation. I'm assuming it's in the lease for the restaurant and that's why it's in there as a third-party recoverable.

On the Campbell Highway and the Liard First Nation issues, I apologize to the member opposite. I just need to make sure there are no proprietary aspects to that agreement. I'm assuming that I can release it and I will do so, once I have officials check with Justice and the Liard First Nation.

Highways and Public Works has and will continue to engage with LFN on the upgrading and reconstruction of the Campbell Highway. There were a number of aspects — and I know we did talk about this — with respect to granular pit clearing and development activities on the highway. There's reconstruction work scheduled for this year, so we're endeavouring to work with the Kaska First Nation. What this agreement does is commit HPW to funding capacity development for consultation on proposed and ongoing road reconstruction activities for a total of \$300,000 over three years; right-of-way and pit development, clearing contracts for reconstruction work to a total of \$600,000 over three years; and \$450,000 in funding for brush and weed contracts over three years.

That's a bit of a background of what the agreement spells out. I think that was it, aside from the statistics question where the member asked about RVs versus snowmobiles. I'm again making an assumption that data is readily available and, if it is, I'll be certain to provide it to members opposite.

**Chair:** Is there any further debate on Vote 55, Department of Highways and Public Works?

Seeing none, we will proceed to line-by-line, beginning on page 14-6.

**Ms. Moorcroft:** Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all lines in Vote 55, Department of Highways and Public Works, cleared or carried, as required.

**Unanimous consent re deeming all lines in Vote 55, Department of Highways and Public Works, cleared or carried**

**Chair:** Ms. Moorcroft has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all lines in Vote 55, Department of Highways and Public Works, cleared or carried, as required.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Chair:** Unanimous consent has been granted.

*On Operation and Maintenance Expenditures*

*Total Operation and Maintenance Expenditures in the amount of \$134,199,000 agreed to*

*On Capital Expenditures*

*Total Capital Expenditures in the amount of \$78,737,000 agreed to*

*Total Expenditures in the amount of \$212,936,000 agreed to*

*Department of Highways and Public Works agreed to*

**Chair:** The matter before Committee of the Whole is continuing general debate on Vote 53, Department of Energy, Mines and Resources, in Bill No. 23, entitled *First Appropriation Act, 2016-17*.

Do members wish a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

The matter before the Committee is continuing general debate on Vote 53, Department of Energy, Mines and Resources, in Bill No. 23, entitled *First Appropriation Act, 2016-17*.

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

**Hon. Mr. Kent:** I am just going to complete opening remarks and address activities in the Strategic Initiatives branch. There is a budget of \$1.22 million required for Strategic Initiatives, a new time-limited program that is receiving the bulk of its funding in 2016-17. There are a number of major initiatives for the division, including the mineral development strategy, the mine licensing improvement initiative and the devolution transfer agreement protocol.

Work on the mineral development strategy will continue. We will be undertaking a collaborative implementation process later this year with First Nations, industry and other stakeholders. Out of this process, a mineral development strategy implementation plan will be finalized. The strategy will include both current and new initiatives. For example, some of the key improvements anticipated under the mine

licensing improvement initiative will be included in this mineral development strategy document.

The mineral development strategy will be a comprehensive, long-term strategy to guide the responsible management of our mineral resources, help to build a sustainable industry that adheres to high environmental standards and is engaged with First Nations and communities. For the mine licensing improvement initiative, we are leading a cooperative effort with assessors, regulators, First Nations and industry to improve the timeliness, clarity, transparency and effectiveness of the mine licensing system. This work will establish common standards, simplify processes and clarify the roles of regulatory agencies to provide certainty for companies that want to do business in the Yukon.

We're engaging with self-governing Yukon First Nations to discuss how they want to be involved in decisions regarding mining activity and on how they derive benefits from mining. The proposed changes improve the regulatory system to ensure that environmental standards are met. Clear and simpler processes will mean that licences will be easier to access, interpret and enforce, and more time can be spent on carrying out mining operations, ensuring that licence conditions are respected and complied with, and protecting our lands and waters.

Mr. Chair, just to wrap opening remarks on EMR, what you've heard today and the previous time we were up in EMR debate are a number of initiatives that are important in the upcoming year but are far from all the initiatives that EMR undertakes. More importantly, what I've described illustrates our role in responsibly building a strong and diversified economy that benefits all Yukoners.

I would like to take a moment to recognize all of the staff at Energy, Mines and Resources for their professionalism, expertise and advice. As this is the final Sitting before an election, I would like to thank them. When I came into the portfolio in August 2013, there was a tremendous learning curve and learning opportunity, even though I had experience in the portfolio previously, prior to devolution. Again, I would like to thank all the staff, the deputy minister, the senior management team, and everyone for all of their help and assistance over the past number of years.

It has been a great opportunity for me to learn more about EMR's role in the Yukon government and how important of a department it is — so a big thank you to all those officials, including Shirley Abercrombie, who is a long-time ADM in EMR and a regular visitor to these legislative chambers.

**Mr. Tredger:** Welcome back to the House, Ms. Abercrombie.

Seeing the time, I do have a question that I would like to get on the record. Last week, the minister, in his opening remarks said — and I will quote: “The Land Planning branch assists communities in developing local area plans and zoning regulations to ensure orderly development and resolve competing land issues. They do this work by providing residents and First Nations with the opportunity to develop balanced land use policies that provide certainty over future land use.”

Unfortunately, it seems that some of this process was missed in the recent rural residential agricultural development near Five Mile Lake in Mayo. I think it is laudable that the minister and the department's lands branch are looking at agricultural lands. I have a couple of questions on that, and the country residential lands are maybe in demand.

The proposed lot now encroaches on a major local recreational area. I know there are two main ski trails that are maintained by the Mayo ski club, one of which is signed and there are pamphlets going out throughout the community. It's also used by skidoos and ATVs. It's a berry-picking area. It's a highly prized, local, close-to-Mayo recreation area. However, it seems there was no public consultation with the community members of Mayo.

This development and the lack of consultation has the potential to be very divisive in setting Mayo residents one against another, and it could have been avoided had proper consultation and information been gathered before the plans were drafted. Now it appears that the consultation will happen with YESAB, but YESAB was not intended to resolve land use disputes — especially in competing cases. That is required usually of the proponent, and it's expected of mining companies and other proponents that this research and work would be carried out ahead of time.

I'll just read a little bit from one of the submissions from a Mayo resident to YESAB — and it is online: “Regularly in the spring and fall we see Lynx on this road... Brown bears are frequent visitors in the area, and in the last two years, there has been regular sightings of deer...”

“The area is heavily used for recreational purposes. We have outlined just some of the recreational activities that take place in the proposed subdivision area, throughout all four seasons.

“Skiing, skjoring and snowshoeing: During the winter this is the main cross-country ski area. Ski trails are set along the access road to the interpretive trail as well as on Janet Lake Road and Wilf Tuck's Road. With the proposed subdivision 1/3 of our interpretive trail would automatically be lost, and our assumption is that access to lots 4 & 5 would also be through the entrance road. As such, this full road would be plowed each winter, taking away a heavily used ski trail...”

“Every day during the winter there is at least one vehicle if not more parked at the junction of Wareham Dam Road and the Silver Trail highway starting at 6:00 a.m. and going until 8:00 or 9:00. These are vehicles of the recreational trail users.”

As far as walking — “This area is heavily used by walkers especially to walk their dogs. This is one of the few areas that is close to town but individuals do not worry about traps. Although it is part of the community line Elders are able to use, it rarely is used for trapping as everyone respects this area and knows it is used for dog walking.

“Snowmobile, ATV and dirt bike: individuals recreating using motorized vehicles heavily use this area, especially for access to the trails and fields...”

“If this area” — and I will go on later — “is to become a residential and agricultural subdivision one of the main recreational hubs which is readily accessible to all sectors of the community will be lost (many elders, families, adults, and teenagers come out to bike, walk, ATV, dirt-bike, snowmobile, etc.)

“It would be greatly appreciated if proper consultation could take place so members of the community could work together with the lands branch to outline a more appropriate spot, or development of this area that would not wreak such havoc on a community’s main recreational trail system.”

That area is also used extensively for berry-picking and traditional use.

My questions for the minister are: Why was this consultation not done prior to the lots being put together? Has the minister heard the concerns regarding it and the subsequent proposal? Will the minister withdraw the request for development until local residents have had the opportunity for input and to determine if a solution that better represents the various interests is found?

As we’ve seen, there are competing interests. There is a need for agricultural land; there is a need for multi-purpose use of the area; and there’s also a need for country residential. The whole idea of land use planning and local land use planning is to allow for competing interests to work together to come up with a reasonable solution that best meets the needs of all parties involved.

Seeing the time, Mr. Chair, I move that you report progress.

**Chair:** It has been moved by the Member for Mayo-Tatchun, Mr. Tredger, that the Chair report progress.

*Motion agreed to*

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

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

*Motion agreed to*

*Speaker resumes the Chair*

**Speaker:** I will now call the House to order. May the House have a report from the Chair of Committee of the Whole?

### Chair’s report

**Mr. Elias:** Madam Speaker, Committee of the Whole has considered Bill No. 23, entitled *First Appropriation Act, 2016-17*, and directed me to report progress.

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

**Some Hon. Members:** Agreed.

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

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

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

*Motion agreed to*

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

*The House adjourned at 5:30 p.m.*

### The following sessional paper was tabled May 10, 2016:

33-1-199

Resignation as Speaker, letter re (May 10, 2016) from Hon. David Laxton, Speaker of the Yukon Legislative Assembly, to Floyd McCormick, Clerk of the Yukon Legislative Assembly (Clerk)