



# Yukon Legislative Assembly

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Number 18

2<sup>nd</sup> Session

34<sup>th</sup> Legislature

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## HANSARD

Tuesday, May 23, 2017 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2017 Spring Sitting

**SPEAKER — Hon. Nils Clarke, MLA, Riverdale North**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North**

### CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
<b>Hon. Sandy Silver</b>	Klondike	Premier Minister of the Executive Council Office; Finance
<b>Hon. Ranj Pillai</b>	Porter Creek South	Deputy Premier Minister of Energy, Mines and Resources; Economic Development; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation
<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Government House Leader Minister of Education; Justice
<b>Hon. John Streicker</b>	Mount Lorne-Southern Lakes	Minister of Community Services; Minister responsible for the French Language Services Directorate; Yukon Liquor Corporation and the Yukon Lottery Commission
<b>Hon. Pauline Frost</b>	Vuntut Gwitchin	Minister of Health and Social Services; Environment; Minister responsible for the Yukon Housing Corporation
<b>Hon. Richard Mostyn</b>	Whitehorse West	Minister of Highways and Public Works; the Public Service Commission
<b>Hon. Jeanie Dendys</b>	Mountainview	Minister of Tourism and Culture; Minister responsible for the Workers' Compensation Health and Safety Board; Women's Directorate

### GOVERNMENT PRIVATE MEMBERS

#### Yukon Liberal Party

<b>Ted Adel</b>	Copperbelt North
<b>Paolo Gallina</b>	Porter Creek Centre
<b>Don Hutton</b>	Mayo-Tatchun

### OFFICIAL OPPOSITION

#### Yukon Party

<b>Stacey Hassard</b>	Leader of the Official Opposition Pelly-Nisutlin	<b>Scott Kent</b>	Official Opposition House Leader Copperbelt South
<b>Brad Cathers</b>	Lake Laberge	<b>Patti McLeod</b>	Watson Lake
<b>Wade Istchenko</b>	Kluane	<b>Geraldine Van Bibber</b>	Porter Creek North

### THIRD PARTY

#### New Democratic Party

<b>Liz Hanson</b>	Leader of the Third Party Whitehorse Centre
<b>Kate White</b>	Third Party House Leader Takhini-Kopper King

### LEGISLATIVE STAFF

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

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Tuesday, May 23, 2017 — 1:00 p.m.**

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

*Prayers*

**Withdrawal of motions**

**Speaker:** The Chair wishes to inform the House of a change which has been made to the Order Paper. Motion No. 14, standing in the name of the Member for Kluane, has been removed from the Order Paper as the action requested in the motion has now been taken.

**DAILY ROUTINE**

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

Tributes.

**TRIBUTES**

**In recognition of Aboriginal Awareness Week**

**Hon. Mr. Silver:** It is an honour to rise today on behalf of the Liberal government to pay tribute to Aboriginal Awareness Week in Canada. It is particularly exciting to celebrate Aboriginal Awareness Week this year. In just under a month, we will celebrate National Aboriginal Day as a statutory holiday for the first time in Yukon.

National Aboriginal Day and Aboriginal Awareness Week are opportunities to recognize and to celebrate the culture, heritage and achievements of indigenous people in Canada. Establishing National Aboriginal Day as a statutory holiday in Yukon was a key commitment of this government and we are pleased that we have made this a reality. By creating a statutory holiday on June 21, we are providing all Yukoners with the opportunity to celebrate the vast and diverse indigenous culture, history, traditions and continuing contributions across Canada and here at home.

Of course, Mr. Speaker, we do not celebrate or recognize the contributions of indigenous peoples on this day alone. Yukon First Nations are huge contributors to Yukon's governance, to its well-being, culture and to the economy. Partnerships and collaboration with First Nation governments and people are critical to the success of this territory. The Yukon government is committed to actively working to advance reconciliation and to build strong relationships with First Nation governments. Our government is committed to honouring and breathing life into the final and self-government agreements, meeting regularly with First Nations and working in a spirit of reconciliation and collaboration to find solutions to common priorities.

At the Yukon Forum in January, the Cabinet ministers, Yukon chiefs, and I signed a declaration that articulates our intention to have solutions-focused Yukon Forum four times a year. This week, we will meet for another Yukon Forum to identify our shared priorities on how we can move these

forward to benefit all Yukoners. In many ways, what has been, and is being, accomplished in Yukon is leading the way in setting an example for communities across Canada.

Yukon First Nations are leaders in Canada in terms of self-government. On May 29, we will celebrate 24 years since the signing of the *Umbrella Final Agreement* and the first four First Nation final and self-government agreements. In February 2018, Yukon will celebrate 45 years since the presentation of *Together Today for Our Children Tomorrow*.

I would like to note that the "Mapping the Way" initiative, which is a collaboration between self-governing First Nations, Council of Yukon First Nations and the territorial and federal governments, has recently launched a Facebook page to help the public learn more about land claims and self-government agreements and the ways that they affect the lives of all Yukoners. There is much to learn about and to celebrate in terms of aboriginal leadership, culture and contributions.

I would also like to note that Shared Wisdom will be hosting a mass blanket exercise outside the Kwanlin Dün Cultural Centre starting at 9:30 a.m. on Thursday, May 25. The event is open to indigenous and non-indigenous people. The blanket exercise is an interactive learning experience that provides a deeper understanding of the history of indigenous peoples in Canada. Blankets are laid out on the ground to represent the land, and the participants will walk in the moccasins of the first people through pre-contact, treaty-making, colonialization and resistance.

This exercise will be led by Kwanlin Dün First Nation youth facilitators Aurora Hardy and Teagyn Vallevand. I would also like to thank all of the aboriginal employees of the Yukon government for their dedication, hard work and perspectives that they bring to their work. I encourage all Yukoners to take some time today, or any day, to learn about aboriginal culture, the history of First Nation people in Canada and in Yukon, the final and self-government agreements that govern our territory, and the language of the First Nation groups in whose traditional territory you live. We all have a responsibility to contribute to reconciliation and to celebrate the diversity of the territory and of the country.

**Ms. Van Bibber:** I rise today on behalf of the Official Opposition to pay tribute to Aboriginal Awareness Week, which this year is celebrated from May 21 to 24. We are so blessed and fortunate to call Yukon our home — a home that has a wonderful and diverse culture.

We take this week to celebrate our 14 First Nations and everyone who identifies as aboriginal, along with our traditions, languages and histories. Like all cultures around the world, First Nations, Inuit and Métis have faced challenges and they continue to work incredibly hard to overcome these many struggles. The effects of residential school have cascaded through generations. I am proud of the distance our territory has moved forward, through education and recognition of the challenges our First Nations face. Understanding is key.

The incredible work being done within each First Nation to preserve culture and the language is to be commended. Children are embracing their heritage and a pride is springing forward. It is visible in dance groups and the sharing of stories. For many years in our education system, cross-cultural activities have been shared with children of all backgrounds. The beautiful and diverse array of cultures that we have in our territory is becoming known across Canada. The displays and artifacts in various cultural centres serve to educate and enlighten visitors and locals alike.

Aboriginal youth have embraced the importance of keeping their languages alive through future generations. In Yukon schools, all students are encouraged to learn our traditional languages. I encourage all members of our community to spend time learning about the history of First Nations. Spend time with an elder or any person willing to share. Try traditional crafts and games. Volunteer your time with youth. Get out on the land and broaden your experience.

This year, I too look forward to our communities gathering on June 21, National Aboriginal Day, to celebrate our local cultures, traditions, histories, governments and language. More students are graduating from high school and post-secondary, and going on to find careers in all fields. Aboriginal youth are striving for change and empowering others, becoming increasingly involved in politics and other aspects of the community.

In Yukon, I see brilliant, energized youth doing things that make me so proud and hopeful for the future. I stand and celebrate with all aboriginal people across our territory and our country.

Thank you.

**Ms. Hanson:** I rise on behalf of the New Democratic Party to tribute Aboriginal Awareness Week. I think I will take a bit of a different tack and reflect about how and when we decided as a country to start looking at establishing a national Aboriginal Awareness Week. It's interesting to note that Aboriginal Awareness Week was first introduced in 1992 with the purpose of increasing awareness of aboriginal peoples within the federal public service. At the outset, Aboriginal Awareness Week largely focused on giving federal public servants an opportunity to learn more about Métis, Inuit and First Nation people. That was 1992.

Given Canada's troubled history with respect to indigenous people, it would be naïve to think that one bright day 25 years ago, a federal minister decided that it was time to recognize the aboriginal employees in his department. The roots of this week of awareness are much deeper and stem from a series of historic events that culminated in the summer of 1990.

Many people remember that in the spring of 1990, Elijah Harper, the Cree MLA from northern Manitoba, made history by standing with his feather in the Legislative Assembly and filibustering against the Meech Lake Accord so it would not be ratified.

On June 30, 1990, the municipality of Oka, Quebec, was granted a court injunction to dismantle a peaceful barricade

erected by the people of Kanesatake in an effort to defend their sacred lands from further encroachment by non-native developers. The territory in question was slotted for development by a golf course, which planned on extending nine holes on to land the Mohawk had been fighting to have recognized as their own for almost 300 years.

Eleven days later, on July 11, 100 heavily armed members of the Sûreté du Québec stormed the community, followed later by the Canadian Army.

In a display of solidarity, the neighbouring Mohawk nation of Kahnawake set up their own barricades, including one that blocked the Mercier Bridge leading into the greater Montreal area — a bridge that carried 60,000 commuters every day. Riots in Châteauguay featuring the burning of Mohawks in effigy were carried across the national media.

In mid-July, indigenous volunteers from across Canada were asked to go to Oka as a sign of solidarity. Jenny Jack and her niece Lucille from the Taku River Tlingit from Atlin, BC, went. The CYI set up a peace fire in Whitehorse that was tended day and night by First Nation and non-First Nation Yukoners until the barricades were down. The image of Jenny Jack jumping from her ATV to de-escalate the confrontation between the army and the warriors has become one of the iconic images of the Oka crisis.

Oka did not end well. It revealed many deep divides and opened historic wounds. Oka was also one of the largest Canadian military operations since the Korean War. In August of 1991, a royal commission was established, with a 16-point mandate to investigate the relationship between aboriginal peoples and the Canadian state.

One can imagine how difficult it was to be a federal aboriginal employee in the early 1990s. So it was in 1992 that Indian and Northern Affairs Canada instituted Aboriginal Awareness Week to begin to foster a better appreciation of the challenges faced by aboriginal employees and to also foster a better understanding of just who it was that the department was supposed to serve — a challenge that continues to this day.

When the 4,000-page report of the Royal Commission on Aboriginal Peoples was released in 1996, it included 440 recommendations that called for a renewed relationship. Since its beginnings, Aboriginal Awareness Week has moved beyond this original mandate in order to provide meaningful events for the general public to explore contemporary indigenous life in Canada.

A starting point for that exploration might be revisiting the four principles proposed by the royal commission as the basis of a renewed relationship. The principle of mutual recognition calls on non-aboriginal Canadians to recognize that aboriginal people are the original inhabitants and caretakers of this land and have distinctive rights and responsibilities flowing from that status. It calls on aboriginal people to accept that non-aboriginal people are also of this land now, by birth and by adoption, with strong ties of love and loyalty. The principle of respect calls on all Canadians to create a climate of positive, mutual regard between and among peoples. Respect provides a protection against attempts by one

partner to dominate or rule over another. The principle of sharing calls for the giving and receiving of benefits in fair measure. It is the basis on which Canada was founded — where if aboriginal peoples had been unwilling to share what they had and what they knew about the land, many of the newcomers would not have lived to prosper. Responsibility is the hallmark of a mature relationship. Partners in such a relationship must be accountable for the promises they have made, accountable for behaving honourably, and accountable for the impact of their actions and the well-being of the other.

Almost 20 years later, the 2015 Truth and Reconciliation Commission summary report on residential schools echoed many of the themes explored by the royal commission. The 94 calls to action challenge organizations and institutions to examine their operations and to identify ways to answer and implement those calls to action.

Mr. Speaker, 27 years after Oka, we would do well to recall the irony of the dispute over the expansion of a golf course. The lessons for us all could not be more important.

Thank you, Mr. Speaker.

### In recognition of Vadzaih Choo Drin, or Caribou Days

**Hon. Ms. Frost:** Mr. Speaker, I rise today on behalf of the Yukon Liberal government and the Official Opposition to pay tribute to a significant annual event for the community and constituents of Vuntut Gwitchin, Old Crow: Vadzaih Choo Drin, which means “Big Caribou Days”.

This time honours the connection between Vuntut Gwitchin people and the Porcupine caribou herd, celebrating the importance of this animal to our culture, our way of life, and who we are as Gwich'in people. Caribou Days began in 2000 and happens each year over the May long weekend to coincide with the herd's return to their summer calving grounds in the north.

The Vuntut Gwitchin Government and Old Crow organizations partner together to host the festivities for the weekend, which include a diverse range of activities, demonstrations, competitions, displays, traditional and non-traditional games for the community and, of course, feasting.

The riverfront turns into a main street of activity. The fun includes races, caribou- and rabbit-skinning, traditional competitions, information displays, live music, jigging, games, meals, storytelling, a talent and fashion show with traditional regalia and, of course, the battle to win the titles of the Gwich'in man and the Gwich'in woman.

This year was the 18<sup>th</sup> celebration and it took place from May 18 to 22. I am so pleased that I was able to join the community this year and so happy to share in the incredible success of another truly enjoyable and important weekend in my home community.

There were many visiting guests, community members and the Porcupine Caribou Management Board who partook in this year's celebration. It is important to acknowledge all those who contributed to put together this year's annual event — the countless hours of organizing and preparing food for everyone to enjoy. Mahsi. A special thank you goes to Teresa

Frost for her commitment and leadership to the coordination and organization of Caribou Days; it was truly remarkable. Also, I would like to say thank you for the contributions and dedication to this event from the community to Teresa.

I would also like to take time to especially acknowledge Harold Frost Sr., Travis Frost and Hal Frost for their contributions to the event. They provided all the caribou meat, the rabbit, the geese, the porcupine and all the traditional foods for the community to share with their guests.

The Government of Yukon is committed to the conservation of the Porcupine caribou herd. We strongly encourage the protection of the herd's calving grounds and the habitat stewardship across the herd's range. This past weekend in Old Crow, I was pleased to share that the Yukon government is continuing to provide the Vuntut Gwitchin with a \$50,000 contribution toward the ongoing work to protect the herd. This contribution is incredibly important to support and provide the necessary means and efforts to protect the critical habitat in times of change, with climate and added pressures with industry and so on.

The Committee on the Status of Endangered Wildlife in Canada is recommending that barren-ground caribou herds be legally listed as threatened on the federal *Species at Risk Act*. This is in response to the dramatic decline among barren-ground caribou herds in jurisdictions across Canada.

While other barren-ground herds across northern Canada and Alaska are showing declines between 54 and 96 percent, both traditional knowledge and available science agree that the Porcupine caribou herd is healthy, which means that the contribution is a proactive effort to address a longer term strategy around protecting the herd in its critical habitat in the event that it should ever fall into this. We have seen that recently, in the last 10 years, there has been a drastic decline — unjustified. They're not sure why that happened, but it happened. Of course, there was quick action to put in place some measures that restricted it to only-bull harvests. We want to be able to be ahead of that and be responsive should the pressure come on the Porcupine caribou herd.

These are exact reasons why the Porcupine caribou herd is showing drastic decline and other Canadian herds are — it's really difficult to define why and science is not really able to qualify that. What is clear is that our unique model of adaptive, proactive and collaborative harvest management that was endorsed by the eight managing partners is linked to the health of the Porcupine caribou herd, our connection to the herd and our attention to the conservation of its habitat. Aspects of this model may be useful for other caribou managers across the north. Yukon government supports COSEWIC and its work to increase awareness and responsible management of endangered wildlife in Canada.

Barren-ground caribou populations across Canada are important to many northerners, and we are proud to stand together with management partners to provide support for continued conservation and responsible use of the Porcupine caribou herd.

Yukon government also recognizes and supports Canada in upholding the 1987 *Agreement Between the Government of*

*Canada and the Government of the United States of America on the Conservation of the Porcupine Caribou Herd.* We do this through our continued participation on the International Porcupine Caribou Board and the Porcupine Caribou Management Board. We recognize that through this agreement, both countries mutually agree to cooperate and take appropriate action to conserve the herd, including consultation where industrial activity may result in long-term adverse impacts to the herd and its habitat. Land parcels on the Arctic National Wildlife Refuge — ANWR — that have been identified for oil development are important calving grounds and calving habitat for the Porcupine caribou. Industrial activities and development in these areas will pose a significant risk to the herd. Significant portions of the herd's habitat located in the Yukon are protected from industrial development through various instruments, including the Ivvavik and Vuntut national parks and other conservation measures in the Inuvialuit and Vuntut Gwitchin final agreements.

The Government of Yukon will continue to work with all partners, including the Porcupine Caribou Management Board, the International Porcupine Caribou Board, the Government of Northwest Territories, the Government of Canada, First Nations, Inuvialuit, the State of Alaska and the United States of America to continue to ensure that the herd is healthy and the security of the Porcupine caribou herd is a priority.

We work closely with Alaska on monitoring the herd and trust that the partnerships we build over decades will allow us to continue to meet our mutual interests in the health of this herd. Caribou Days is an opportunity for all generations to engage in the special tradition and non-traditional activities, and to give thanks for this food source that is vital to the existence of the Vuntut Gwitchin people. It also showcases and reminds outsiders to the community that, as Gwich'in people, we take care of the land so that the land takes care of us, and we celebrate this connection. It is who we are.

I would like to encourage all members of the House to attend Caribou Days in the future. It truly is an exciting experience to merge traditional practices with contemporary practices. It highlights the link between management and traditional practices and the need to educate and share in this really special resource. Experiencing this distinctly Yukon festival is something all residents and visitors should do at least once in their lifetime.

**Ms. White:** I rise on behalf of the NDP caucus to pay tribute to and celebrate Caribou Days. If you ever get the chance — or maybe I should say that you should try very hard to make the chance — visiting Old Crow for the May long weekend will change your life. Old Crow knows how to throw a party — not just any party, but one of epic proportions. It is a jam-packed three days of adventure. The community opens its arms to visitors and locals alike. Although you may go as a stranger, you feel like you are leaving as a friend. Caribou Days is unlike any other festival in the Yukon. Not only does it celebrate the caribou, but it also celebrates culture. From

daily feasts and truly northern contests to jigging, laughing and a feeling of welcome, Caribou Days will be sure to leave a mark on your heart.

We were truly lucky when we attended last year's festival and I dream about the next time I get to fly toward the midnight sun for Caribou Days. Congratulations once again to the community — and especially to Teresa Frost, who puts in many, many hours — for another successful festival.

### **In recognition of Dawson International Gold Show**

**Hon. Mr. Pillai:** Thank you, Mr. Speaker. I am pleased to rise today on behalf of the Yukon Liberal government and the Third Party to pay tribute to Dawson City's International Gold Show. The Dawson City Chamber of Commerce organizes this springtime event to highlight placer mining in the Klondike region and to celebrate Dawson's gold rush heritage.

This tradition started 31 years ago when Bill Bowie, who was an active member of the Dawson City community and then-president of the Dawson City Chamber of Commerce, made the decision to hold the trade show for gold miners in the Klondike. The chamber's continued effort is greatly appreciated by Yukon miners, because the gold show is an event where they can spend time with others who experience the challenges and rewards of placer mining.

At the trade show, miners can also easily connect with Yukon government officials from numerous departments. Mr. Speaker, we had a great contingent of individuals there from a series of departments helping out this year. For instance, geologists from the Yukon Geological Survey shared their expertise and encouraged opportunities to visit placer claims so they can provide expert guidance related to the sites' geology and make suggestions about the best areas to explore for gold — and, of course, learn from placer miners who have the hands-on experience working their claims.

Staff of the Compliance Monitoring and Inspections branch and the Yukon Placer Secretariat also attended the gold show to answer questions and share information regarding federal and territorial regulatory requirements for mining in Yukon. Miners can also learn more about the Yukon government's inspections and monitoring programs and get expert guidance on how to operate lawfully. We certainly had individuals from compliance — our lead compliance officer was at the Klondike Placer Miners' Association meeting on Friday, and had an opportunity to speak and meet with people.

Our government looks forward to providing the kind of support needed so that exploration and mining can continue to surge forward. This year, for the first time, the Yukon mineral exploration program had a placer-specific module to help fund exploration work, aimed at discovering new placer resources. There were 21 placer projects that were approved for grants, totalling more than \$670,000. I think about 35 percent of the total spend of the \$1.6 million went toward placer. Then there were 38 hardrock projects that were also approved through funding. We spoke to that and announced it before, and spoke to it at the gold show. These approved projects mean progress

to advance exploration projects, which can then lead to mine development and production over the longer term.

Accordingly, to royalty reporting — last year, placer miners recovered about 69,000 crude ounces of gold, worth an estimated \$95 million Canadian, making it the best year for gold production in the past decade in the placer industry.

I want to also just touch upon the fact that I want to congratulate the Yukon Women in Mining. They had a great week last week. It was the first week for the Yukon Mining Experiential Extravaganza. That concluded in Dawson at the gold show. For anybody who was there — there were a number of us from the Legislative Assembly — they had a great showing. They had prospector tents, where they had over 15 companies and organizations that hosted a variety of events. They also, along the way, stopped in Pelly Crossing and Faro. They were very excited and the organizations that were involved in it were very excited.

Just in closing, my takeaway from what was a great, fantastic weekend is truly the amazing community of Dawson City — what a visionary event — talk about a busy town and an economic driver — and what a sense of community. I think a highlight was having the opportunity on Saturday to spend time in the goldfields with Mike McDougall, the president of the KPMA, the Premier and the Chief of Tr'ondëk Hwëch'in, and hearing and watching the First Nation and the placer mining industry share sort of their different perspectives and all the things they agree on. It was a great experience to witness.

Thank you, Mr. Speaker.

**Mr. Kent:** I rise today on behalf of the Yukon Party Official Opposition to pay tribute to Dawson City's International Gold Show, celebrated this year on May 19 and 20.

This industry and consumer trade show celebrates Klondike gold mining, from the incredible history of Yukon's gold rush to the flourishing mining happening today throughout the Yukon. The gold show is a wonderful way to ring in the season in Dawson and tends to be seen by locals as the true beginning of their busy summer season. It's a time for businesses and individuals to meet and network, buy, sell and celebrate the contemporary mining industry in the territory.

This year, as mentioned by the minister, marks the 31<sup>st</sup> anniversary of the Dawson City International Gold Show, and it was great to see the assortment of local businesses who set up to sell their wares to placer miners and locals alike, giving them the opportunity to do business on the spot before their busy season begins.

Of course, the annual Bill Bowie dinner is a great way to unofficially kick off the gold show. It was a great turnout, and special mention was given to the Mather family for their work over the years in organizing the gold show. Of course, there were some dueling t-shirts at that event as well that may come up at a different point in this Legislative Assembly.

Mr. Speaker, a number of the placer miners conveyed their appreciation to see such a high turnout, both from the Official Opposition and the government, as four of my Yukon

Party colleagues and I were in attendance, along with the Premier and a number of his ministers. I believe we had over half of the members of this Legislative Assembly in attendance.

Noted on our end was the high turnout of miners, businesses, locals and Yukoners coming together to celebrate the beginning of the mining season.

Mr. Speaker, a couple of special notes that I would like to mention — each year, Con Caron and Maureen Caron drive up with a busload of Whitehorse-area seniors. I often run into many of them at different venues, primarily Diamond Tooth Gertie's. I know it has become a great annual event for them. Congratulations and thank you to Con and Maureen for their work.

Also this year, the MLA for Pelly-Nisutlin, the MLA for Kluane and I had the opportunity to stop at a placer mine on our way out of town. Placer mines have often been described as the "family farm of the north", and we were reminded of that strong connection when we visited Marcel Dulac at his placer mine. Mr. Dulac is a long-time friend of the MLA for Kluane. The Dulacs' operation employs about six people, give or take, and whether they are related or not, you get the sense that they are truly a family. The next generation of Dulac placer miners is alive and well as one of Marcel and Melody's sons has grown out of working for his folks and will instead be leasing ground from them this summer as he ventures out on his own. I know that each of the over 100 placer mines throughout the territory has similar stories and a similar family-friendly atmosphere.

Mr. Speaker, in closing, I would like to thank the Dawson City Chamber of Commerce as well as the KPMA and participating businesses for a great event and the locals for their excellent hospitality. I encourage anyone looking for a great way to spend the May long weekend to venture up to Dawson City next year to take in the festivities.

Thank you.

**Speaker:** Introduction of visitors.

Are there any returns or documents for tabling?

## TABLING RETURNS AND DOCUMENTS

**Hon. Mr. Streicker:** Mr. Speaker, I have for tabling two legislative returns in response to questions from the Member for Copperbelt South regarding the implementation of National Aboriginal Day as a statutory holiday.

**Speaker:** Any further returns or documents for tabling?

Are there any reports of committees?

Are there any petitions?

Are there any bills to be introduced?

Are there any notices of motions?

## NOTICES OF MOTIONS

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

THAT this House urges the Government of Yukon to adhere to the 1998 National Accord for the Protection of

Species at Risk, to which Yukon is a signatory, and introduce complementary legislation to provide for effective protection of species at risk in Yukon.

**Speaker:** Are there any further notices of motions?  
Is there a statement by a minister?  
This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Technology and innovation

**Mr. Kent:** Thank you very much, Mr. Speaker.

I have some questions for the Minister of Economic Development about his plans for developing the knowledge economy here in the Yukon. During our time in government, the Yukon Party put an increased focus on growing the knowledge sector and, in their platform, the Liberals committed to strengthening the innovation, IT and science sectors. To do that, they committed to a number of actions — one of those was the creation of the Yukon research fund.

Can the minister tell us where, in the current budget or the long-term plans, we might find this new fund, how much money the government has invested or plans to invest in it, and what types of projects are eligible?

**Hon. Mr. Pillai:** Yes, that is one area certainly within Economic Development that we're quite excited about — sort of the knowledge sector. There was some work done over the last number of years, and there are a vast number of individuals who are working out of here and who make Yukon their home but are offering services abroad. Certainly we think that there is a great opportunity to grow that sector.

Currently, we're working as well with the Cold Climate Innovation centre to support them and the great work they've been doing over the last number of years, but also trying to connect them with the IT sector. I think we'll be able to speak to this on the supplementary questions. It's really about building — like in other jurisdictions — and making sure that you have a hub. That is what we see — that great showcase with the MaRS institute at the University of Toronto or what's happening at the University of Regina. We're trying to take that in and work with all of the players in the innovation sector and the knowledge-based sector to come together to share, but also to have those synergies and build the proper ecosystem. Those are some of the first areas — looking at what they're doing, where they're located, and trying to move that through so that we have the right platform to see this type of growth happen.

**Mr. Kent:** Hopefully we're able to get an update as well from the minister on the Yukon research fund and what the plans for the government are with respect to that.

Mr. Speaker, the Liberals also made a number of promises to the tech industry about planning and procurement. They promised Yukon businesses that they would develop a specific five-year funding plan for technology and innovation projects. Can the minister tell us when this five-year funding plan for tech and innovation projects will be ready?

**Hon. Mr. Mostyn:** I thank the member opposite for the question.

As the member opposite knows, we have an envelope for tech spending in the Yukon government. That envelope exists today just as it did under the member opposite's government, and we are actually putting more money into it starting this year.

**Mr. Kent:** Hopefully we're able to get an update with respect to the five-year funding plan that the Liberals committed to during the election campaign as well.

My final question with respect to the Liberal platform — it also contained a commitment for the Liberal government to create an open-data repository. Can the Minister of Economic Development please explain what steps he has taken to fulfill this promise?

**Hon. Mr. Mostyn:** The open-data repository falls under Highways and Public Works. As of this year, we have put \$100,000 into planning the open-data repository. I have spoken with my officials. They are quite excited to be starting this project this year. That work has begun and it will start to evolve over the five-year mandate of this Liberal government.

### Question re: Internet connectivity

**Mr. Hassard:** Last year, the previous government launched a pilot project to improve broadband connectivity and enhance Internet speeds in three Yukon communities — those communities being Carmacks, Teslin and Watson Lake. The intent of that pilot project was to create benefits to youth and college students, create improvements to health care outcomes for rural Yukoners by connecting health centres, and to foster development opportunities for the local IT sector.

Does the current budget make any new investments to expand this project and extend it to other communities?

**Hon. Mr. Pillai:** Just for clarity — I think I'm on the right track here — I believe it's the community increase for connectivity, and I think it was also the Member for Lake Laberge who touched on this not too long ago.

At this particular time, the biggest spend, I think, out of the trend that was put in place by the previous government is this year. I will get the exact figure for the member opposite, but we will continue to look at the end of that project — the scope of that project, which takes into consideration the last of the communities that were identified by the previous government. There was a question, I think, about some of the other — I guess they would be hamlets or other areas where there is some rural development now, and if there's going to be an opportunity to work there. So I think at this particular time, it's just executing the work that's underway. I believe that relationship has been with Bell Mobility and the end of that contract.

As we finish that work, it's then doing an analysis of where there are population hubs, what the best way forward is, and then looking to see what infrastructure is needed — and also taking into consideration the work that we're undertaking now. We're looking at what's going to happen within fibre — if it's fibre going south or fibre going north, and how that affects this conversation as well — where you have those opportunities with this increased infrastructure.



**Mr. Hassard:** I don't believe the minister understood the question, so we'll try again here. The Liberal election platform promised that a Liberal government would enhance connectivity and bandwidth for all Yukon communities. The previous government's community fibre pilot project is exactly the type of project that will help the Liberals achieve this promise; however, if they want to meet their promise to enhance connectivity for all Yukon communities, they really need to get started soon.

There is capacity in Yukon's contracting community to do this work. Yukon College's community campuses and Yukon schools are ready for the enhanced Internet speeds. Yukon's tech sector is looking for an indication that this government will live up to its promises. So can the minister commit to expanding this community fibre pilot project, starting in next year's budget?

**Hon. Mr. Mostyn:** The member opposite can correct me if I'm wrong, but I believe he's talking about the sole-source contract that was let last year by the previous government that was quite expensive, and it was let to a local firm and then comes with an awful lot of O&M costs, which people within my department have identified. We're trying to come up with this ongoing O&M cost. It has eaten up quite a bit of our budget this year through these O&M costs. We're trying now to find a way forward on this project, to see if we can actually expand it. I would love to expand it, but before I do that, I have to get my head around the costs that we're currently incurring under this project. As soon as that is done, we'll be able to move forward.

It's one of those legacies that we have been dealt, but it is getting connectivity and trying to get the territory's broadband infrastructure up to snuff. Making sure that we have the pieces in place so that we can Skype and send medical information throughout the Yukon is certainly a priority of this government. I know I have been working very closely with my colleague in Economic Development to make this happen. We are quite excited, as is — I think — the tech industry, which we have toured extensively over the last little while in the efforts this government is making in this sector.

**Mr. Hassard:** Mr. Speaker, the community fibre project initiated by the previous government is creating exciting new opportunities in education and in health care. It will create new business opportunities in rural communities. It will also create the opportunity for increased Internet speed for local residents. If the minister won't clearly commit to extending this project to each and every Yukon community, will he please tell Yukoners how this Liberal government intends to live up to its commitment to enhance connectivity and bandwidth to all Yukon communities?

**Hon. Mr. Mostyn:** I would be happy to, Mr. Speaker. Thank you very much for the question from the member opposite. We are going to take a competitive, open bidding process to our contracts. We are going to let them in a publicly open and transparent procurement process. That will hopefully bring some dynamic bidding and have all sorts of best results for the Yukon taxpayer and will ensure that we have the most innovative solutions before us when we are

making our decisions. That is where we are going. We are hoping to have an open and competitive process on projects going forward. Once we have dealt with the ongoing costs of the project that the member opposite has been referring to, we will be more than happy to start expanding this out through the whole territory as we promised in our election documents.

#### **Question re: Community nursing**

**Ms. White:** Mr. Speaker, over the last number of years, Yukon communities have faced increasing difficulties in accessing health care. We have seen a chronic shortage of community nurses, leaving people at risk and nurses over-extended. There are still vacancies in the communities, and there continues to be ongoing recruitment for nurses to fill the flow positions to cover days off or holidays for community nurses. Can the minister tell us the current number of community nursing vacancies and what steps this government is taking to address these shortages?

**Hon. Ms. Frost:** I would like to thank the member opposite for the question. In fact, this morning, I was meeting with the Deputy Minister of Health and Social Services to talk about that very question — about the long-term stability of nursing care in all of our communities. We have had some systemic challenges, I would say, in defining the challenges of security of nurses in our communities. At this time, I can't give you specific numbers, but I can tell the member opposite that we are looking at the broad numbers across the Yukon and we are attempting to stabilize and provide the necessary long-term, transparent and secure health care services to all residents of Yukon. We are working on the strategy.

**Ms. White:** Mr. Speaker, Beaver Creek and Destruction Bay are staffed with one community nurse each. These two communities along the Alaska Highway each have one nurse who works 24 hours a day, seven days a week to cover their communities. In the summer, we know that there is increased traffic heading up and down the highway, and an increased workload for these nurses.

A letter of understanding was signed by the department and the union to staff these nursing stations with two nurses from May to September. So far, there is still only one nurse in each community.

Mr. Speaker, when will Beaver Creek and Destruction Bay see two nurses in their nursing stations as per the letter of understanding?

**Hon. Ms. Frost:** Mr. Speaker, that is absolutely correct. The Yukon Employees' Union has worked with Health and Social Services in negotiating a pilot project for Destruction Bay and Beaver Creek. Despite multiple attempts to hire and fill these positions, we've run into some challenges finding successful candidates. In the interim, while recruitment actively continues, when extra staff is available, they are scheduled to these communities. We've met with the Chief of the Kluane First Nation. As well, we've met with the municipality and we are looking at options for ensuring that we have the necessary supports in place. I do believe that we are looking at them and ensuring that we have that security in place for this coming season.

**Ms. White:** Mr. Speaker, leaving nursing stations understaffed and nurses overworked leaves everyone at risk. This is not a new issue and we've brought it up in this House before. Summers are busy times in communities, with tourists and seasonal workers visiting Yukon. Nurses unable to find coverage for days off or having to work on their own are at risk of burnout or even worse. This is an unacceptable situation that has been going on for too long. Creating new positions and signing letters of understanding still hasn't solved the problem.

Is this government doing anything differently from the past government to ensure that Yukoners have access to health care in their communities and that community nurses have the support they deserve?

**Hon. Ms. Frost:** The challenges that we're facing in Destruction Bay and Beaver Creek are no different from any of the other communities. I think, historically, we have had some major challenges with securing health care professionals in our communities. This government is looking at a long-term collaborative care model for Yukon. We are working very hard and diligently to get the data that we require and get the supports. We will work with the union. We will work with Health and Social Services' staff to secure services that are required in the health care centres in the communities.

We will ensure that we have the necessary staff in place for this coming tourist season, but beyond that, we need to certainly do better than we have done in the past and certainly provide long-term security in health care — a collaborative care model in all of our communities. I can assure the member opposite that I will take that recommendation under advisement and we are proceeding on the path to resolve the challenges that we're confronted with.

### Question re: Forestry industry

**Ms. McLeod:** Thank you, Mr. Speaker. Forestry is an important sector in Yukon's economy and it provides a wide variety of job opportunities. The use of biomass offers an environmentally sustainable way to heat homes and businesses in the territory.

During the election, the Yukon Liberal Party committed to investing in and expanding opportunities in the forestry sector, particularly committing to developing a forestry plan for southeast Yukon. This commitment was notably absent from the minister's mandate letter.

Can the minister tell us why this was promised during the election and why this is no longer a priority for the minister now that he is in government?

**Hon. Mr. Pillai:** Just before we start on the southeast plan, I think for many of these things — as you can see — we're undertaking a tremendous number of items. Having them all done in the first six months I don't think was ever the plan, but certainly having the next couple of years to work on them is the plan.

The forest resources management plans provide certainty for the forestry industry — and that's what we're talking about when we're talking about planning in the southeast — while promoting sustainable forestry management practices

and fostering economic opportunities for Yukoners and First Nation partners. The draft southeast Yukon forest resources management plan has a complex and lengthy history — a lengthy history that I'm sure the former government across the way knows well.

First of all, the Liard First Nation, Ross River Dena Council, the Kaska Dena Council — representing all of the Kaska — and the Government of Yukon re-engaged just in 2016 to conclude a forestry resources management plan for southeast Yukon. The collaboration was supported by the framework for a government-to-government agreement between the Kaska and the Government of Yukon. This agreement expired on March 31, 2017. As a result, engagement on the forest resources management plan has ceased at this point.

That doesn't mean that this isn't an important item. I think that some of our biggest opportunities right now are looking at what can happen with biomass, as the member opposite said — great opportunities. We're trying to work with some local players there so they can get up and running, and then we can use those local forest resources.

**Ms. McLeod:** There were two key aspects to the Liberal forestry commitment — one that was included in the minister's mandate letter. There was no mention of their promise of targeting investment to boost small-scale softwood lumber opportunities, nor the development of a forestry plan for southeast Yukon in their budget. The minister did give us a bit of an update as to where that plan is at — and that's the agreement that expired on March 31. Of course the previous government had a number of reconciliation agreements in place with the Liard First Nation, particularly identifying forestry as a key aspect to those agreements. Economic development can be a key driver for reconciliation and helps to build stronger government-to-government relationships.

Can the minister tell us if work is still going forward on the reconciliation agreements with respect to forestry and when we can expect to see this implemented?

**Hon. Mr. Pillai:** I can give you a copy of the mandate letter, if the member opposite would like to look at it, just because there are some items that are there. Maybe, on second glance, she'll be able to see those.

Certainly, when we talk about government-to-government — the conversations that are happening at this point — whether it be my conversations with the Ross River Dena Council two weeks ago, or even the exchange today between our government and members from Liard First Nation — the framework that we're using is just a respectful dialogue between all parties.

Certainly there is a real interest when it comes to the forestry sector by some members of Liard First Nation on the corporate side, trying to work through that to see if there are opportunities even for pellet-making.

I know that the distributor who comes to the Yukon — in discussions out of the Watson Lake area — has said that individuals there in the private business sector have said that there might be a chance to even get into pellet manufacturing. As we see, biomass — which, yes, we are absolutely focused

on — whether here in supporting the Cold Climate Innovation centre with some great new technology that they have garnered from Scandinavia, the work that is being done in Teslin or the work that is potentially going to be done in Haines Junction, as we have seen some projects move forward. Continuing to have positive dialogue with the Liard First Nation, Ross River Dena Council and Kaska Dena Council is paramount. Hopefully that will lead to great work within the resource sector —

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

#### **Question re: Budget estimates and spending**

**Mr. Cathers:** Mr. Speaker, the Premier's financial plan for future years has the government hitting \$216 million in red ink in 2020. We asked the Premier if he would commit not to going further into the hole than \$216 million, and how much new debt he was planning on. He dodged those questions and gave us non-answers. Now that he has had more time to think on it, will the Premier give a simple yes-or-no answer to this question? Will he commit to not taking the Yukon further into the hole than the \$216 million in red ink we see in his 2020 vision?

**Hon. Mr. Silver:** I encourage the member opposite to listen to the answers. We were in general debate on this conversation. It was brought up in Question Period before. The Yukon Party is hedging its bets that, because we are looking at all options and because we have a Financial Advisory Panel, it means doom and gloom — it means certain things. We have seen a whole host of questions from the opposition as far as: "Are you going to do this? Are you going to go in this direction?"

We have been very clear that we have no intention of bringing on more debt. That is not what we want to do. We are taking a look at all options. We don't want to leave some federal money on the table. We have been left in a certain situation where O&M has not been considered in future budgets, and so with all of these things together, we are going to get a Financial Advisory Panel to help us in the analysis of the current situation as well as looking forward. Before the Twitter-sphere from the Yukon Party goes live again with misinformation, we are not considering taking on more debt and we are not considering mortgaging the future of our children with our debts and the crises that we are faced with today.

**Mr. Cathers:** The problem is that we hear different messages coming out of the Premier's mouth. He says he is not planning on taking on new debt, yet, on the other hand, he hints at borrowing money for infrastructure projects. The current plans tabled by the Premier show him taking the Yukon down a path of deficit spending and debt that would see the Yukon saddled with \$216 million in new red ink in his 2020 vision. The Premier has provided no indication in his budget that he is planning to get out of debt, and the 2020 vision is notably lacking any real vision at all. Will the Premier tell Yukoners if he plans on getting out of debt and annual deficit budgets — and, if so, by what year?

**Hon. Mr. Silver:** I think what is really important to note right now is that by having a better look at the forecasts and actually taking a look at the current situation from more of a financial lens, we are seeing that what has changed is the actual identification of the situation we are in. The member opposite has said in this Legislative Assembly so many times that his government has left us in a rosy financial situation. I think he is about the only person who actually believes that. From the last fiscal year, we tabled a budget that looked like there was a surplus. There wasn't. There was lots of money that wasn't accounted for: the collective agreement, increases to staffing and teachers, pension solvency payments for the college and the hospital, and new continuing care beds for Thomson Centre and the hospital.

These are the things that we had to put into our consideration for this budget. Looking forward as well — operation and maintenance considerations were not put in. These are all a lens to show all Yukoners the situation we are currently in.

The member opposite makes it look like some huge Liberal spending has created this problem. That is not true — that is simply not the case, Mr. Speaker. What we have here is identification for Yukon taxpayers, where we are now, and the Financial Advisory Panel is going to help this government have a more fiscal tone when it comes to planning our future. From what I'm hearing from the business community, they are happy we are going in this direction.

**Mr. Cathers:** In fact, anyone who can read the books understands that the Liberal government did inherit the rosier financial situation that any new government ever had on taking office. No one else has inherited \$100 million in the bank.

The Premier should be able to present a vision for responsibly managing Yukon's finances. Six months ago he told voters that he was ready to govern. So far, his go-to answers are to blame the previous government or to blame Ottawa. Yukoners expect the Premier and Cabinet to take responsibility for budgets and to have a vision for responsibly managing the finances of the territory. They should be able to answer questions regarding their own plans, not resorting to blaming someone else or asking to phone a friend.

Does the Premier's 2020 vision include taking responsibility for managing Yukon's finances and spending trajectory, or does he plan to outsource the job of Finance minister to an outside panel on an ongoing basis? If he does accept his responsibility as Finance minister, does he plan on getting the Yukon's financial picture away from his current plan of hundreds of millions of dollars in red ink?

**Hon. Mr. Silver:** As soon as the member opposite stops making it seem like the current situation we are in is different from it really is, that's when I'll stop defending this government's approach to the books. I'm looking forward to turning the page and making sure that Yukoners see that we are financially accountable. That's why we started the Yukon Financial Advisory Panel. The member opposite knows that this is a one-time funding option, yet he presents it in the Legislative Assembly as if he's wondering if this is an

ongoing thing. Again, the way that the Yukon Party provides information on this particular file in the Legislative Assembly is very telling as to their complete picture — this rosy picture that they keep on trying to paint.

We are committing to ensuring that Yukon government's finances are sound in the immediate and in the long-term future while meeting the fundamental needs of all Yukoners. We are establishing the independent Yukon Financial Advisory Panel to provide advice to the Yukon government on appropriate funding, appropriate financial policy and tools. Because we want to hear from all Yukoners on their financial priorities, I have given the panel the direction to engage with Yukon residents, First Nation governments, municipalities, businesses and organizations on how we will make the Yukon government financially stable now and in future generations. It certainly was on a collision course — and that's what we are trying to correct — from the Yukon Party's steering of the last financial ship.

#### **Question re: Financial Advisory Panel**

**Mr. Hassard:** Several weeks ago, we asked the Premier to explain to this Legislature what options this Financial Advisory Panel was considering. The Premier stated very clearly that he knew the options they were looking at. He further stated that he would share with us the terms of reference for the panel. However, weeks have passed and there are still no terms of reference. Can the Premier confirm if there actually are terms of reference for this panel? If so, when were they written?

**Hon. Mr. Silver:** Yes, there are terms of reference. We are going to provide those to the members opposite. I believe the comments that I made on the floor of this Legislative Assembly, as far as knowing the options — it comes to, basically, that anybody who pays attention to finances in the Yukon or finances in any jurisdiction knows there is a raft of options out there.

We're not going to recreate the wheel here; we're going to take a look at a financial panel that will provide for us different options and differing opinions. Those different options and different opinions are going to come from the engagement process that I spoke of already.

I do apologize to the member opposite that the terms of reference have not been prepared yet. They will come very soon. They haven't been ready for putting forth in the Legislative Assembly yet. I will talk with my department directly after Question Period to get an update as to when these will be presented and I will also provide him with the information as far as when they were developed.

**Mr. Hassard:** Mr. Speaker, I appreciate that we will finally be able to see these terms of reference.

Another very simple and straightforward question: Were the terms of reference in place when the Premier appointed the Financial Advisory Panel?

**Hon. Mr. Silver:** I don't have that at my fingertips — the date in which those two things happened. What I will do — I'll commit to the member opposite to give all that information to him as we move forward. The terms of

reference — you start with a terms of reference, and then you move forward to the panel. That's how we decided to go forward in this particular pursuit. Again, once the panel gets up here — and I do apologize, there were some problems with getting some of the members of the panel up here last week — but again, once they're up, that will start the process of engaging with the briefings for the members opposite. I'll find out from our department if that's what they're waiting for — the briefing for the terms of reference. They're ready and available; it's just a matter of procedure in getting them into the Legislative Assembly or waiting for the briefing.

I will commit to the member opposite to getting back to him with all of the questions that he has asked specifically about the terms of reference and the dates in which they were created, compared to the panel itself.

**Mr. Hassard:** The Premier seems to be jumping all over the map here on this one. I wasn't specifically looking for dates; I just was curious of whether the terms of reference were actually in place before the panel was appointed.

Maybe the Premier could provide us with a legislative return on that information when he has time please.

**Hon. Mr. Silver:** No jumping around. I agreed already to have those things presented to the Legislative Assembly so I'll double-down on those commitments. Again, we will get that information ready for the member opposite right after Question Period.

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

#### **Notice of opposition private members' business**

**Ms. White:** Pursuant to Standing Order 14.2(3), I would like to identify the items standing in the name of the Third Party to be called on Wednesday, May 24, 2017. They are Motion No. 50, standing in the name of the Member for Takhini-Kopper King, and Motion No. 79, standing in the name of the Member for Takhini-Kopper King.

**Mr. Kent:** Pursuant to Standing Order 14.2(3), I would like to identify the items standing in the name of the Official Opposition to be called on Wednesday, May 24, 2017. They are Motion No. 78, standing in the name of the Member for Lake Laberge, and Motion No. 15, standing in the name of the Member for Lake Laberge.

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

### **ORDERS OF THE DAY**

#### **GOVERNMENT BILLS**

##### **Bill No. 4: *Act to Amend the Supreme Court Act (2017)* — Second Reading**

**Clerk:** Second reading, Bill No. 4, standing in the name of the Hon. Ms. McPhee.

**Hon. Ms. McPhee:** Mr. Speaker, I move that Bill No. 4, entitled *Act to Amend the Supreme Court Act (2017)* be now read a second time.

**Speaker:** It has been moved by the Minister of Justice that Bill No. 4, entitled *Act to Amend the Supreme Court Act (2017)* be now read a second time.

**Hon. Ms. McPhee:** Mr. Speaker, I moved that Bill No. 4, entitled *Act to Amend the Supreme Court Act (2017)*, be now read a second time, as you have noted. I am proceeding now with the speech to introduce that bill. This government is pleased to bring forward legislation that increases the accessibility of Yukon's justice system. The proposed amendments to the *Supreme Court Act* will allow for an increase in the judicial complement of the Supreme Court of Yukon from two to three judges, and will allow for future additions to the bench by regulation, should judicial capacity become an issue in future years.

In February of 2016, the Supreme Court of Yukon requested that the federal Minister of Justice increase the judicial complement of the court, effectively starting the process of assessing Yukon's need for that judge. That would be a third judge. Over the last several years, a number of factors have contributed to increased issues surrounding court capacity. Because Yukon's population has grown nearly 20 percent in the last decade, court filings have increased steadily and Yukon's crime severity index has remained markedly higher than the Canadian average.

Legislative changes such as the introduction of the *Yukon Environmental and Socio-economic Assessment Act*, First Nation land claims and the devolution of land and resources to Yukon have all played a part in an increased Supreme Court caseload. Pairing these factors with increased rates of civil and family court matters, and an increase in self-representing litigants, judgment times have been impacted and Yukon has had to rely increasingly upon deputy judges. The use of deputy judges has been a common practice, but has not been without challenges. Unless a deputy judge is retired, they come to the Yukon during their judgment-writing weeks, taking time away from their own courts. As such, they often cannot be assigned long, complex cases that may require more time than they have.

Once a judge is seized with a case, they must complete it, making the scheduling of such cases often very difficult, and on some occasions, it requires special leave of another Canadian court. The senior judge bears the administrative burden of court, as well as maintaining the calendar of a full-time sitting justice. All of these realities leave little capacity to address such matters as emergency applications, appeals from Yukon's Territorial Court, judicial judgment writing and Yukon Court of Appeal sittings.

Further pressures to expedite court matters have been introduced through ever-evolving common law. In *R v. Jordan*, the fairly recent Supreme Court of Canada case, it established an updated framework that determines if an accused has been tried within a reasonable time frame. The decision has established what is known as a "presumptive ceiling" for the length of criminal cases in superior courts at 30 months from the charge being laid to the end of the trial. When the presumptive ceiling is exceeded, it is automatically

presumed that the delay is unreasonable and that prejudice has occurred. The onus lies on the Crown to prove that the delay was in fact reasonable; otherwise, a stay of proceedings will and has, in other jurisdictions, been granted.

While the *Jordan* timeline is consistently met in the Supreme Court of Yukon, that promptness on criminal matters comes at the expense of civil cases, which have increasingly longer timelines. In order to ensure that the Supreme Court of Yukon can effectively administer court activities to meet the time frame established in *R. v. Jordan*, and to promote access to justice in the Yukon, it is critical that another judge be added to the court's judicial complement. That determination has been made by the federal government and the Supreme Court of Yukon, and there are discussions with them.

With the proposed amendment, we are removing barriers and Yukon is facilitating that an appointment can be made by the Government of Canada. In March 2017, the Government of Canada announced that it will be appointing a third Supreme Court Judge for the Yukon and, more recently, the Honourable Jody Wilson-Raybould, the federal Minister of Justice and Attorney General for Canada, announced that appointments to the Yukon's Judicial Advisory Committee had been made. Judicial advisory committees are independent bodies, mandated to provide non-binding, merit-based recommendations to the Minister of Justice on federal judicial appointments. All individuals seeking appointment to the bench must apply under the new judicial appointment process that was recently announced in January of this year by the federal government.

The changes to the federal appointment process for Supreme Court justices reinforce accountability and transparency in selecting candidates who reflect Canada's diversity and a gender balance. Diversity training for all committee members will be provided by the Chief Justice of Canada, the Right Honourable Beverley McLachlin, by means of a videotaped lecture. This lecture will assist committee members in assessing the qualities that make a good judge, understanding the challenges of judging in a multicultural society and comprehending the importance of diversity on the bench.

The committee has already been tasked with reviewing judicial applications. They will then provide lists of recommended and highly recommended candidates for the federal Minister of Justice's consideration.

Yukon's Judicial Advisory Committee is comprised of the senior judge, a nominee from the Canadian Bar Association, a nominee from the Law Society of Yukon, a nominee of the Attorney General of the Yukon, and three public member nominees.

Mr. Speaker, Yukon's judicial complement has not seen an increase since 1993 — some 24 years. Many changes to Yukon's legislative and judicial landscape have occurred since that time. Changes to the court's judicial complement were contemplated in 2005, as the *Supreme Court Act* was amended, but not proclaimed. Those amendments, which would have re-named the senior judge to the chief justice and expanded the judicial complement to a chief justice — at least

one judge, but not more than two judges appointed by the Governor in Council. That change would have required amendments to the federal *Judges Act* that were not expected to be contemplated in the near term and in fact were not done since 2005, necessitating us to bring forward this change.

As such, the Yukon is not pursuing that change in nomenclature at this time, and the judge who was first appointed to the Supreme Court of Yukon will remain as the senior judge here in the territory.

Although Canada pays the salary and the benefits of the Supreme Court judges, there are some minor operational costs related to securing bench books and supplies for an incoming judge. Those will be borne by the territory. There could also be some capital costs associated with office space and furniture in the law courts building and these will likely be contemplated in a future supplementary budget.

In conclusion, Mr. Speaker, this amendment to the *Supreme Court Act* will allow for an increase in the court's judicial complement, pending a federal appointment, and provides a mechanism for a future increase without further amendments to the *Supreme Court Act* or the federal *Judges Act* if court capacity becomes an issue in future due to either further population growth or increases in court filings.

This government is pleased to bring forward the amended legislation that will allow for the timely administration of the rule of law under the framework required by *R. v. Jordan* and positively impact access to justice for Yukoners.

**Mr. Cathers:** As the Justice critic for the Official Opposition, I will be rising to speak against this legislation. Recapping debate that occurred during general debate on the budget on May 15, I asked the Minister of Justice a number of questions that were not answered. Some of the questions which I did ask her and the Premier as Finance minister at that time — the answers have now changed. I would note that, quoting Hansard from May 15, the minister said on that date that there will be no requirements to change any courtroom configurations or anything else in the courthouse that she was aware of at that point. She went on to reference and downplay any capital costs as being a matter of simply another chair and a desk. Mr. Speaker, as we've seen today, the minister is forced to acknowledge that is not the case. For a government that claims to pride itself on evidence-based decision-making, we've seen a number of decisions made without having proper evidence at all or, if the evidence does exist, with an unwillingness to disclose it to the public.

As I noted during debate on that day, the addition of a third judge was recommended against by department officials to me and to my predecessor as Minister of Justice, due to the fact that they felt that the court system was doing just fine with deputy judges, which were a significantly cheaper option.

Questions that I asked the minister on May 15 — and asked the Premier — to which I did not receive an actual answer include: What is the full operational cost of adding the third judge position, and what is the full capital cost of making renovations to that building that department staff previously told me and my predecessor would be necessary? I asked what

those costs would be. The Premier and the minister both claimed to have answered it, but anyone looking at Hansard from May 15, beginning on page 422, will see quite clearly that those answers were not given.

Mr. Speaker, again, based on the information we had from officials during our time in government, we understood that the full operational cost that would be added on an ongoing basis would be upwards of a half-million dollars. The minister claimed that was not the case yet refused to actually provide the details on what those costs would be.

Notwithstanding the fact that the salary is being covered by the federal government, there are additional costs borne by the territorial government and additional things that, had the Yukon government, instead of choosing to support this request, chose to ask the federal government to spend that \$300,000-some per year in other areas — we believe that it would have done more good to the system.

Again, I acknowledge the fact that the request for a third judge is not a new one from the senior presiding justice of the Supreme Court, and while acknowledging and respecting where that concern comes from and the fact that the use of deputy judges does require more administrative time by the senior presiding justice, we had consistently believed and had consistently heard recommendations of the Department of Justice that if the territorial government were to spend a half-million dollars in investments in the system, there was a long list of other areas where it would do more good than in staffing one of the most expensive possessions within the Yukon government framework — and within the federal government, I should say — or within the territory — because that \$300,000-some salary of a justice in the Supreme Court is not a cheap one. If that money were directed toward areas such as mental health or addictions counselling, or toward, for example, expanding the capacity of the prolific offender management program within Justice, which manages about 20 of the most prolific offenders within our system — we believe that supporting the expansion of this successful program would do far more good for reducing recidivism and reducing reoffending, than spending that half-million dollars a year on hiring a new judge to deal with the problem once it gets to the stage that crimes have already been committed.

The staff in that area in the Department of Justice do an excellent job. They have been successful in reducing the reoffences of the roughly 20 people who are managed within the prolific offender management program, but the department staff have to prioritize which prolific offenders can be managed due to the limited resources in that area. Again, I believe — and note on behalf of the Official Opposition that we believe a half-million dollars a year in operational costs would do more if it were invested in the prolific offender management program.

Another area I will move on to is the fact that, while there have been significant investments in expanding victim services and adult probations, there is always a demand for services, especially in rural Yukon, and added pressures on services due to limited staff there, and to staff turnover. We believe that the government would do far better to invest in

expanding victim services and probation services, instead of spending a half-million dollars a year on hiring a new judge.

We were pleased to see and have recognized that, while we are waiting for some details on the 11 mental health and addictions workers who government says they are hiring for rural Yukon, we do see that as a positive step forward, subject to seeing more details on those positions, but there is also a need for increased mental health services in Whitehorse for adults and youth.

We understand that a significant amount of the current wait-list in Whitehorse could probably be addressed by adding three clinicians in the field of mental health. Again, comparing the cost of hiring three clinicians due to a half-million dollars invested in a new judge — we believe those expenditures would be better spent on mental health.

There is a key need to expand mental health support in communities, including for those who have been released from Whitehorse Correctional Centre to reduce the likelihood of reoffending. The interest in expanding after-care is something we hear, not only from health professionals, but also consistently from First Nations and from municipalities when we have travelled through rural Yukon and during the most recent budget tour. The interest in seeing increased after-care in communities was something that I, along with others of my colleagues, heard from a number of First Nations and municipalities that they would like to see. We believe this half-million dollars a year that is the most recent price tag we have seen would be far better invested in those areas than in dealing with the problems once they get to the acute stage and have already reached the stage where there have been police resources invested in prosecuting offenders.

We also heard from First Nations, including from the Na Cho Nyäk Dun First Nation and the Little Salmon Carmacks First Nation, at meetings that I personally attended, that they would like to see more support for recreational programs. The Na Cho Nyäk Dun First Nation indicated an interest in seeing government put funding toward helping them rebuild First Nation historic sites. They believe — in view of what we heard from chief and council at the time — that they thought that it would be a helpful step in partnering with them to target people who had been released from Whitehorse Correctional Centre to reduce the risk of them committing offences and likely reoffending by getting them involved in a meaningful work project that sees them contributing something of value to their community. We believe that profiling the half-million dollars a year on a new judge toward areas like that would do more good.

I will move on to a few other areas that we believe would be more worthy of investment than hiring one of the single-most expensive possessions within the territorial government and court framework. The Kwanlin Dün First Nation land-based treatment program at Jackson Lake has been showing great signs of success. We know that there are other First Nations interested in developing land-based treatment programs, and the government has paid lip service to that. We believe that the half-million dollars a year spent on hiring a new judge would instead be better put to use across the

territory in investing in expanding land-based healing programs and creating others targeted at individual First Nations.

The need for recreational programming is something that we have heard from First Nations and municipalities as well as community groups. We believe that investments of a half-million dollars in recreational programming and after-school programming would be more useful and would help reduce the volume in the court system instead of seeing government wait until problems have reached the acute stage.

Past governments, and previously the Liberal Party when in opposition along with the NDP, have supported generally the concept of upstream investments aimed at reducing the volume in the criminal system and in the court system. We again feel, as we did in government, that those investments in a wide range of areas — some of which I have listed and some of which I have not — would do more good than spending over \$300,000 a year on the salary of one person and on investing in the administrative supports associated with that cost.

The minister has attempted to characterize this — her indication is that the determination was made by the federal government. While I understand that this is technically true, what we've heard consistently in the past when we were in government and what happened consistently in the past is that the federal government would not make the decision to add a third judge without a request and the support of the territorial government for doing so. Again, I acknowledge that there are pressures on the court system. I acknowledge the concerns of the senior presiding justice in terms of some the management that has to be done with deputy judges. We do agree that there are some pressures in that area, but there are other options available for reducing the volume within the court system — that includes through some administrative measures, such as, for example, the child support administration recalculation process that was changed through legislation under the previous government to reduce volume in the court system. Another example of that type of area includes the establishment of the residential landlord and tenant office — again, aimed at reducing the volume that ends up in the court system.

I believe that government would be better off looking at other ways to reduce volume within both the Territorial Court and the Supreme Court, rather than spending a half-million dollars a year on adding a new judge, with most of that money going to a very expensive salary of a justice of the Supreme Court.

Mr. Speaker, we have also heard from people in the Whitehorse area, including downtown business and property owners, about increases in crime, including property crime. The previous government supported increased police presence and the re-establishment of Crime Stoppers, but additional police forces toward property crime, narcotics and other areas, such as expanding the sexualized response unit within the RCMP, would be useful in targeting crime in Whitehorse and surrounding areas and in improving the police's ability to handle and respond to those needs in a timely manner.

Mr. Speaker, I'm not going to stand here all day and list a long list of areas where we believe these investments would be better off, but suffice it to say that I could easily stand here for another hour listing off other areas within the government system, both social and economic, where we believe this \$500,000 a year would be better spent.

We believe as well that a few examples of work done during our time in government that have been better approaches than adding another judge have been things like the investment in the Community Wellness Court and the domestic violence treatment option. Those programs have been successful at reducing volume within the court system and reducing reoffending. We also note that the increase in use of family conferencing involving pre-trial conferencing, both at the Supreme Court level and at the Territorial Court level, have been useful in reducing the volume that end within trials.

We do note that the minister now contradicted what she said on May 15 and acknowledged that the capital costs are more than purchasing a chair and a desk. We had understood from Department of Justice staff that, prior to the election when the request for adding a judge was considered on several occasions, the renovation costs would be significant. We believe that this, coupled with the administrative costs and the high salary costs is simply allocating funds in an area that is not the best choice. We believe that those monies would be better spent in other areas of the system aimed at improving supports for everything from mental health, addictions counselling, reducing recidivism, improving programming at Whitehorse Correctional Centre and improving after-care programming, both there and for the Sarah Steele centre.

So for that reason, Mr. Speaker, I will not be supporting this legislation and would encourage the Minister of Justice to recognize the error of her ways and pull the bill.

**Ms. Hanson:** The Yukon NDP will be supporting the *Act to Amend the Supreme Court Act*. I had thought this would be a rather standard discussion about this fairly straightforward act. I have to say at the outset that what we have just heard for the last number of minutes is a fairly devastating indictment of the previous 14 years of Yukon Party rule — an indictment brought about by the Justice critic of the Official Opposition. One would think that if the Official Opposition, as government, had been as concerned about this issue during their tenure, we wouldn't have seen the continuous series of court cases before the Supreme Court — court cases that involved fundamental matters of aboriginal rights and title that have gone to the Supreme Court of Canada. I mean, this is a government that clearly didn't get it.

Also, it's a clear example of why the NDP, unlike the Official Opposition, believes that politicians shouldn't design health care facilities, nor should they second-guess the needs of the judiciary. There is a reason why, in our parliamentary democracy, we have a separation of the functions of the judiciary and the executive. We don't meddle in the determination of how justice is to be delivered, if it is to be just.

What we heard here was a classic example of would have, should have, could have. "We would have built a recreational facility in Carmacks. In fact, we should have built a recreational facility in Carmacks. We could have, if we had the political will. We would have done a whole bunch of things." Perhaps they should have listened to the people who were telling them these things over the last 14 years. Then we could have had a better outcome for Yukoners.

For the reasons set out by the Minister, and for the importance of maintaining the distinction of the impartiality of our judicial arm, and particularly in reference to the case law that the Minister referenced — it makes no sense to go and tell the RCMP to charge more people with crimes, and then say "Guess what? Now you are going to be in violation of the presumptive ceiling" because of this longer timeline of more people being piled up, trying to get into court.

There are real dangers when politicians start thinking that they should be interfering with arm's-length entities, and particularly when they think that they should be interfering with our judicial system.

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

#### Point of order

**Speaker:** The Member for Lake Laberge, on a point of order.

**Mr. Cathers:** In suggesting that the previous government or I wanted to interfere with the independence of the judiciary, the Leader of the NDP is clearly in contravention of Standing Order 19(g) — imputing false and unavowed motives to another member. She knows very well we were talking about financial resources and spending priorities, not independence of decision-making.

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

**Ms. White:** Thank you, Mr. Speaker. I think that you will find that this is a dispute among members. This goes back to the retelling of facts and history. We feel that this is a dispute among members.

**Speaker:** Are there any other submissions on the point of order?

#### Speaker's ruling

**Speaker:** I don't believe that the Leader of the Third Party's submissions had much to do with any prior government because it was specific to the current submissions of the Member for Lake Laberge, but I would say that I would avoid those comments as they pertain specifically to the Member for Lake Laberge. I do not find that it references any prior government's actions.

**Ms. Hanson:** Thank you, Mr. Speaker. Just in summation — as I said at the outset, the NDP does support an *Act to Amend the Supreme Court Act (2017)*, and we look forward to Committee of the Whole.

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



**Hon. Ms. McPhee:** Thank you very much, Mr. Speaker. I appreciate the comments with respect to this piece of legislation. It is, in my view, somewhat administrative in facilitating a third Supreme Court Judge should the federal government choose to appoint one.

I should just make a couple of comments in closing because there are some corrections that need to be made. The Member for Lake Laberge made several references to “in the past”. I am going to assume that because he has also stated that he has much respect for the Department of Justice and the officials in that department, I am going to assume he is not questioning the advice that is being provided by the Department of Justice officials to me, even if it is different from the advice that he received. I don’t know if the honourable member is deliberately misstating what I have said — or the facts in this situation — I don’t know, as I have said —

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

### Point of order

**Speaker:** Member for Lake Laberge, on a point of order.

**Mr. Cathers:** Thank you, Mr. Speaker. Pursuant to Standing Order 19(h), I believe that in the past, it has been ruled for a member to stand and in fact accuse or suggest that a member is deliberately misstating things would effectively be the same as standing up and saying, “I don’t know if the Minister of Justice is lying or not.” It would clearly be out of order.

**Speaker:** Are there any other submissions from any members on the point of order?

### Speaker’s ruling

**Speaker:** I would caution all members that you cannot in the hypothetical do what you could not do in the positive. In some respects, in my view — and I can review Hansard and come back with a further ruling if required — but it seems to me that the Minister of Justice was using a hypothetical, which if postulated in a direct comment, would have imputed some sort of false motives.

I would caution both the Minister of Justice and all members to not make comments in the hypothetical, which you could not make otherwise.

**Hon. Ms. McPhee:** Thank you, Mr. Speaker. I will then unfortunately need to assume that the honourable member has misunderstood my submission here today. He has repeated — I counted about eight occasions, but I think there were a number more — that the Yukon will be spending a half-million dollars a year in the addition of a Supreme Court Judge. That is inaccurate.

Well, specifically what I said here today was that there are some minor operational costs related to securing bench books and supplies for an incoming judge. As far as I have been told at the moment, there are no operational costs with respect to additional staff because they are not needed at this time. There would be some likely capital cost increases with

respect to an office and the supplies required for an office and possibly some renovations to an office. I said that the other day; I said it again here today.

I think it is very disingenuous — I probably can’t say that either — but the difficulties are this: the member opposite has stood here and said at least eight — and maybe more times — that the government will be spending a half-million dollars on this increase if the bench is so increased to a third judge. It is simply inaccurate. That is not the figure that I have been provided with. There will be minor, if any, operational costs and there certainly will not be a half-million dollars.

I think I have made my point. I have to say that I have difficulty with the ability for that to have been the basis of the submission made here by the Official Opposition.

I urge the other members and all members of this House to vote in favour of this bill so that the federal government can be facilitated in appointing a third Supreme Court Judge, if they so choose — at their expense.

**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. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Mr. Pillai:** Agree.

**Hon. Ms. Dendys:** Agree.

**Hon. Ms. Frost:** Agree.

**Mr. Gallina:** Agree.

**Mr. Adel:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Hon. Mr. Streicker:** Agree.

**Mr. Hutton:** Agree.

**Mr. Hassard:** Disagree.

**Mr. Kent:** Disagree.

**Ms. Van Bibber:** Disagree.

**Mr. Cathers:** Disagree.

**Ms. McLeod:** Disagree.

**Mr. Istchenko:** Disagree.

**Ms. Hanson:** Agree.

**Ms. White:** Agree.

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

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

*Motion for second reading of Bill No. 4 agreed to*

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

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

*Motion agreed to*

*Speaker leaves the Chair*

## COMMITTEE OF THE WHOLE

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

The matter before the Committee is general debate on Vote 2, Executive Council Office, in Bill No. 201, entitled *First Appropriation Act, 2017-18*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

### Bill No. 201: *First Appropriation Act, 2017-18* — continued

**Chair:** The matter before the Committee is general debate on Vote 2, Executive Council Office, in Bill No. 201, entitled *First Appropriation Act, 2017-18*.

#### Executive Council Office

**Hon. Mr. Silver:** Thank you very much, Mr. Chair. I'm very pleased to introduce the budget highlights for the Executive Council Office for 2017-18. I would like to thank the officials from the department for being here today.

This budget supports the important work of ECO, which, in turn, supports the priorities of this government. Before I explain the details of the budget, I would like to begin by telling you a bit about what the Executive Council Office does. ECO is a central agency for the Yukon government. It provides support to departments across government and also to the Cabinet office. In doing so, the department ensures that government runs smoothly in order to effectively serve the public. It also takes a lead role in advancing reconciliation with Yukon First Nations through its Aboriginal Relations division. In addition, the department builds relationships with other governments, stakeholders and citizens through its Intergovernmental Relations division.

It represents the needs of Yukoners and the needs of our communities by bringing a strong voice to regional, national and international affairs. ECO also administers the Office of the Science Advisor, the Water Board Secretariat, the Development Assessment branch, Government Audit Services, the Office of the Commissioner, and the Youth Directorate. ECO is responsible for effective and timely communications with the public as well.

While much of ECO's work is concerned with the effective running of a government, the budget that I am about to share with you has Yukoners at its core. This budget is about supporting the needs of Yukoners and fulfilling the commitments that we have made to the public.

The 2017-18 ECO budget forecasts overall operation and maintenance spending of \$24.1 million. This represents a net decrease of \$2.1 million from the 2016-17 year. The decrease is a result of several key factors, including completion of the Council of the Federation meeting last summer and the winding down of federal northern strategy projects as well. The reductions are offset by proposed increases that will better support this government's mandate.

In this budget, we are using funds to increase capacity within two of our divisions to help foster lasting reconciliation with Yukon First Nations to benefit all Yukoners.

This budget also contains more funding to the Youth Directorate in order to support front-line local organizations that provide young people with the services that they need. We are planning initiatives that represent the voice of Yukoners on the regional, national and international stage, while we also build local capacity in our communities here at home.

I'm going to go into these initiatives in more detail by providing a brief overview of the Executive Council Office divisions and their activities for the coming year. The Strategic Corporate Services division — I'll start there — helps coordinate and align government's strategic initiatives and priorities. It provides policy and communications advice to Cabinet, its committees and to me as the Premier. As we have outlined in our mandate, this government is committed to openness, transparency and the highest standard of conduct in our decision-making.

My government recognizes that there is much more we could be doing in terms of asking for feedback from the public in order to make fair, balanced and evidence-based decisions. The Strategic Corporate Services division is supporting our efforts to be a more open and transparent government with the public. We are developing a new approach for public engagement that will help us better involve citizens in decision-making, and our first major move under this initiative will be the public consultation managed by the Yukon Financial Advisory Panel later this spring.

This division will also provide corporate leadership and support to Yukon government departments on how to fulfill our responsibilities under the *Yukon Environmental and Socio-economic Assessment Act* through the Development Assessment branch.

The operation and maintenance budget for Strategic Corporate Services is \$4.8 million, which represents a net increase of \$23,000 from the previous year. This increase is due to changes in the operation and maintenance budget, primarily due to salaries and shifting full-time positions.

The next division is the Aboriginal Relations division. This area of government leads negotiations and discussions with First Nations on behalf of the Government of Yukon and supports the spirit and the intent of the final and self-government agreements. We have made government-wide commitments to building a strong relationship with First Nations, based on reconciliation and collaboration. The Aboriginal Relations division plays an important role in

supporting this commitment. The operation and maintenance budget in Aboriginal Relations is \$9.4 million this year.

Mr. Chair, we have directed available funds to support our government priorities — \$2.4 million goes toward the salaries of Aboriginal Relations staff. We have added one full-time permanent senior consultation adviser position to support government's capacity to effectively consult First Nations, which is an important aspect of reconciliation. The Aboriginal Relations division flows \$5.5 million of its budget to First Nations and other organizations for initiatives including ongoing negotiations, consultations and capacity building. Of this amount, \$3.1 million supports various boards and committees established in the final and self-government agreements, including the Yukon Fish and Wildlife Management Board, the Yukon Land Use Planning Council, the Yukon Heritage Resources Board, the Yukon Geographical Place Names Board and renewable resources councils.

The budget for Aboriginal Relations represents approximately 38 percent of the total operation and maintenance budget for the Executive Council Office. First Nation governments and the Government of Yukon want the same things. We want a better way of life for our people and we want to bring positive improvements to our communities. Our government believes that collaboration with First Nations on shared goals is the best way to achieve these goals and to advance Yukon's economic and social development. This is why so much of the budget focuses on the important work of the Aboriginal Relations division. The efforts reflected in this budget will help this government fulfill our commitments, which will translate into benefits for all Yukoners.

The Corporate Programs and Intergovernmental Relations division has three branches: the Office of the Science Advisor, the Youth Directorate and Intergovernmental Relations. This year's operation and maintenance budget for this division is \$4.08 million. This represents a net increase of \$199,000 over the previous year's estimate. This division has an important role to play in forging strong partnerships with other governments while building healthy, vibrant communities here at home. Its activities this coming year will support these objectives.

To support reconciliation, the budget includes \$130,000 toward the creation of one temporary, full-time position in the Office of the Science Advisor to develop government policies to support the respectful use of traditional knowledge in government actions and decisions.

The budget also provides increased funding to the Youth Directorate. I am pleased to announce that the Singletrack to Success program will receive \$60,000 to continue funding to expand youth-built mountain bike trails into two additional communities beyond Carcross. Youth organizations and initiatives will also receive additional support of \$220,000 from this budget to continue their important work building skills, confidence and capacity among our young people.

The department provides more than \$1.5 million in transfer payments to community-based organizations to support youth initiatives in addition to organizing youth

activities and training programs. This increased funding will allow the Boys and Girls Club of Yukon to continue running its drop-in centre and the Weekday Warriors club. It will also enable BYTE — the empowering youth society — to continue its valuable outreach to youth in Yukon's rural communities.

This budget also provides funding to allow the Heart of Riverdale community centre to expand its space and to cover their operational expenses and to the Youth of Today Society to support additional educational workshops and extended hours. These are investments in our young people. My government recognizes that providing support and services to Yukon youth is an investment in the future, a future with flourishing, sustainable communities and active healthy citizens.

The Intergovernmental Relations branch coordinates and leads the Government of Yukon's relationship and interests with provincial, territorial, federal and international governments. This year's budget for Intergovernmental Relations is \$1.6 million, which represents a net decrease of \$245,000 from the 2016-17 year. This decrease is largely due to one-time funding associated with this past summer's Council of the Federation meeting.

This year's budget will also support us assuming the role of chair of the Western Premiers' Conference for the next year. I am very pleased to announce that this year's budget contains one-time funding to host a consular event in Dawson City later this year. This event will bring more than 30 ambassadors, councils, consul generals and other foreign missions to Yukon to learn more about our economy, our governance and priorities as a territory. We're looking forward to using this opportunity to build partnerships with regional, national and international governments and to give Yukoners the opportunity to showcase our territory.

The budget of the Office of the Commissioner is also contained within the ECO budget. This budget contains \$279,000 to support the operations for the Commissioner's Office. The budget for Cabinet office is also included in the ECO budget, and this year's budget is consistent with last year's budget estimates at \$2.875 million. This funding is primarily for staff within the Cabinet office and for travel within and outside the territory.

The ECO operation and maintenance also includes \$2 million for the operations of the Water Board Secretariat, which supports the Yukon Water Board, an independent administrative tribunal established under the *Waters Act* that operates at arm's length of the government. The majority of these funds are allocated to the board expenses, including staff, operations of the board and also public hearings.

The ECO budget also includes close to \$600,000 to support the operations of government's internal audit services. This branch provides independent and objective audits and advisory services to strengthen government performance and accountability.

Finally, I would like to outline our capital budget for 2017-18. ECO has a relatively small capital budget compared to other departments. We have requested \$352,000 for our Strategic Corporate Services division. Of this, \$52,000 will go

toward our department's need for new printers, computers and photocopiers as per the government-wide replacement schedule.

The remaining \$300,000 is for this year's installment of a \$2.7-million commitment to the Vuntut Gwitchin First Nation government to support the construction of a community centre in Old Crow, should the Vuntut Gwitchin First Nation government choose to proceed with the project in the next year. This is an important effort in part of building strong communities — by placing a much-needed recreational and community space for the people of Old Crow.

With these comments, I do look forward to answering any questions that the members opposite would have on the 2017-18 budget for the Executive Council Office.

**Ms. Van Bibber:** I thank the Minister responsible for ECO for his comments. He did answer quite a few of my questions already.

In the O&M budget, there was a drop from 2015 to 2016 of \$9.989 million to this current budget of \$9.418 million. That's a drop of \$571,000. Can the minister tell us what programs were cut from the budget?

**Hon. Mr. Silver:** No programs or services were cut. The decrease is reflected by end-of-COF funding from last year — as the member opposite knows, there was a conference up in Dawson — but the end of First Nation agreements as well would be the result of the changes from mains to mains.

**Ms. Van Bibber:** We know that boards and councils comprise a large portion of our economy and our balance between governments to assist us in making informed decisions. With regard to the \$6.3 million set aside for implementation and reconciliation, can the minister tell us if the \$3.125 million that he had mentioned allotted for boards and councils is out of this line item?

**Hon. Mr. Silver:** Yes, it is. We believe that we're very committed to building those strong relationships with the First Nation governments based upon that collaborative approach, and we are taking a whole-of-government approach when it comes to working across all government departments to advance reconciliation with First Nations and we believe in working together with the First Nations to develop cooperative solutions that bring real solutions to all Yukoners, not just First Nations — but yes, that's the line item that she speaks of.

**Ms. Van Bibber:** Can the minister also provide a list as to what projects and programs encompass the \$1.365 million under First Nation relations and capacity development?

**Hon. Mr. Silver:** Yes, under amounts included in the appropriation for operation and maintenance, First Nation relations and capacity development 2017-18, the estimate is \$1.365 million. Funds are distributed based upon "personnel", "other" and then "transfer payments". Under "personnel", it would be \$383,000, "other" is \$32,000, and "transfer payment" is just under \$1 million at \$950,000. There are three positions that are in the First Nations relations and capacity development area.

There is a director, a senior advisor and a project liaison coordinator. The branch acts primarily as a liaison and advisor in working with First Nation governments, Government of Yukon departments and also the Government of Canada on First Nation relations, governance capacity and development initiatives. That would include representing the Yukon government on the Yukon Forum and the intergovernmental forum that we just had; federal/provincial/territorial/indigenous senior official committees; leading the development of First Nation government-to-government agreements and accords; in response to the truth and reconciliation calls to action; and other intergovernmental meetings and processes.

The branch is also responsible for three northern strategy projects in respect to partnerships with First Nations that are nearing completion. In 2007, Yukon government — in partnership with Kwanlin Dün First Nation, Carcross/Tagish First Nation and the Vuntut Gwitchin government — received \$950,000 from the northern strategy to develop individual and First Nation joint capacity projects for First Nation land and natural resources management. In 2007, Yukon government and Champagne and Aishihik First Nations received \$1.05 million to support the development of the First Nation Governance and Public Administration certificate at Yukon College. In 2009, the First Nation of Na Cho Nyäk Dun received \$300,000 to develop a series of governance manuals. The original planned phases of these projects will all be completed by the end of 2017-18.

The branch is leading Yukon government's support for the truth and reconciliation, as I mentioned before, calls to action and participating in the Canadian Inquiry into Missing and Murdered Indigenous Women and Girls.

Through the work of the First Nation accord, Mr. Chair, the Yukon Forum and also the intergovernmental forum branch — this branch supports the building of those strong government-to-government relations.

**Ms. Van Bibber:** With regard to the new senior consultation advisor, you did mention that it was sort of a science advisor incorporating traditional knowledge. Is there anything more this position will entail and can you give a timeline as to when the position will be filled?

**Hon. Mr. Silver:** We recognize that traditional knowledge plays a very important role in helping to shape Yukon's future. I remember being on the campaign trail and seeing a University of Guelph truck in Kluane traditional territory and then meeting up with the folks who are up here from Guelph and learning that they spend a lot of their time trying to get their heads wrapped around what elders can give to them through this pursuit of traditional knowledge.

It's not lost on us that a lot of time is taken up when people come up to study the north and they rely on communications happening with our elders. That traditional knowledge piece takes so much time to relay to these individuals. So we recognize our obligations and the importance of incorporating traditional knowledge in the decision-making process and we talk about the department of

science or the science advisory — to me, it makes sense that this is where we want to put our traditional knowledge.

We're working on a collaborative approach with Yukon First Nations to develop a government-wide policy to support the respectful use of that traditional knowledge in decision-making for our government.

With regard to Executive Council Office directly, there are actually two positions. Aboriginal Relations has already filled a senior consultation officer, so that position has already been filled. On the science advisory side of things and the traditional knowledge officer, we are in the process right now of hiring. Within the next three weeks to a month we should be finished that process. We're in that process right now, going through interviews and those types of things.

**Ms. Van Bibber:** A declaration entitled *Working Together* was signed on January 13 of this year between First Nation chiefs and all of the Government of Yukon ministers. Clause 5 states — and I quote: “By the next Yukon Forum, create a joint five-year action plan that identifies common priorities and ensures a clear plan for implementation options that are collaborative and transparent. The plan may be refined or updated as needed.”

Can you tell us if, since the signing of the declaration — and you did tell us the next forum is this week — that joint action plan is close to completion?

**Hon. Mr. Silver:** There are a lot of updates here on that. I believe it was on May 4 when senior officials met and discussed shared priorities to make up that five-year action plan. There was a timeline there that goes forth right through to now as far as the Yukon Forum senior officials meeting to discuss the forum's agenda, joint priority development document being received by the Cabinet Committee on Priorities and Planning. A lot of work has gone back and forth between governments for the joint priority document to be signed off at the Yukon Forum coming up, and we still expect that to happen.

We're definitely committed to having those open and frank discussions with First Nations at the Yukon Forum and working on solutions that bring real benefit to all Yukoners and all communities, and we think this five-year action plan is extremely important in that pursuit.

The *Working Together* declaration, as the member opposite brought up, was signed at the Yukon Forum in January, and it sets a framework for a renewed relationship built on reconciliation and collaboration. We are committed to meeting up to four times a year to make sure that we advance the shared priorities identified in the joint action plan.

That work is extremely important to Yukon's social, cultural and economic development and in advancing our efforts of reconciliation. January 13 was the first of our four forums scheduled for 2017. The next forum is being set — as the member opposite said, we are having one on May 26 and also again in the fall and the winter. I am very pleased with the progress that has been made moving forward on the *Working Together* declaration that will bring us a five-year action plan that will be discussed and, hopefully, signed off at the Yukon Forum this week.

**Ms. Van Bibber:** Since it was located in the Executive Council Office budget, the Old Crow Community Learning Centre — and I think you gave me an explanation. If I understand it, it is now up to the community to make a decision on whether they want to access that funding and move forward. Is that correct?

**Hon. Mr. Silver:** Yes, that is correct.

**Ms. Hanson:** I thank the minister for answering the questions from the member of the Official Opposition. There were some questions that I was also going to ask. I also welcome the officials to the Legislative Assembly, and thank all of the officials from Executive Council Office who participated in the briefing for opposition members.

I am just going to go through the Executive Council Office in the order that the various branches of that department appear. I would like to go back to a comment that the minister made with respect to the importance of making sure that Executive Council Office, like all Yukon government departments, is able to demonstrate the ethos of transparency and evidence-based decision-making that the government aspires to. I have tried to ask each of the departments, as we have gone through the budget briefings, whether or not — and in the Department of Finance budget debate, there was significant discussion around the whole issue of strategic and operational planning. My question to the minister is: Is it his intention that the Executive Council Office, through the Strategic Corporate Services branch, will be ensuring that strategic and operational plans will be published and posted on the website so that citizens and members of the Legislative Assembly can actually have a sense of what these various aspirational statements in each branch — to provide effective government communications by doing what and by when? How is it going to be assessed? What I am looking for is: Does the minister have an expectation that his ministers, he as a minister and his senior management will be conveying what their strategic approach to getting the job done is and how that will be operationalized, and then making it available to the citizens of Yukon?

This is not a unique suggestion. It has happened. It happens in governments across Canada, so I would refer him to — the informative one is the recent updating of the work that has been done in Alberta. It really helps anybody to get a snapshot of what they are doing and when they say they are going to get it done by. It would certainly go a long way to get away from some of the challenges that we have faced over the last 15 or so years where we just seem to have things ad hoc, as opposed to a planned approach to government.

**Hon. Mr. Silver:** I appreciate the question from the Leader of the Third Party. I would appreciate further conversations as far as suggestions and best practices across the nation.

For me, hearing from the member opposite gives me an opportunity to talk a little bit more about our business plans. I will give a little bit of an explanation as to what we're going to do there and then I welcome an opportunity to discuss it further if this accomplishes the goals of what the member opposite is speaking about.

In our throne speech, Mr. Chair, it's worth noting as well that we established very clear priorities over the next five years. We're focusing on delivering results that improve people's lives and we are reporting to Yukon citizens on the progress that we made. Basically that is what the member opposite is talking about. We made this commitment, so we will be looking for feedback on that progress as well and best practices.

I think this year a really important initiative is that the government is going to share business plans for each department with the public. These plans are going to identify goals and the actions for the department based upon the priorities that we established in the mandate letters earlier this year. That plan will also include performance measures to help determine whether we are making progress in the right areas and if we're making the progress that we set out to achieve by our priorities.

Each year we will report publicly on the progress on items in our business plans. We are currently setting up that process on how we will track and report our commitments. We expect to produce a regular report card, basically, on where we're making progress and where we're not — also, how we're going to eliminate some of those roadblocks that we see to success. I think we have a responsibility to account for what we said we were going to do and I'm actively seeking through the Executive Council Office to come up with those decisions. These business plans are, I believe, a good way of doing that.

It is anticipated that we're going to basically do a report card or report our progress two main ways through the department business plans and also through regular ongoing reporting on key initiatives with government priorities. There will also be opportunities to report on progress and to gather feedback from Yukoners as well, so I welcome the opportunity to speak with the member opposite as far as best case practice in other jurisdictions in Canada to achieve those goals if the business plan and the model that we're going to roll out from the mandate letters — from the platform — if that is not sufficient.

**Ms. Hanson:** I would imagine that yes it makes sense when you speak about the cascading effect from mandate letters to business plans. Certainly, one would hope that in the cycle of gathering evidence, if it appears that something that was in a political platform isn't exactly what citizens need or want, we are not faced with the situation where we have been in this territory in the past where we end up having to do needs assessments after we build hospitals — so that it is not just the political statement that drives what we ask our public servants to do.

The notion of having publicly available business plans that talk and set out clearly — what will be a very good move and progress would be public statements of performance measures. I raised that question because I had heard the minister, in the context of talking about Strategic Corporate Services, he had used the phrase “management of communication with Yukoners” and that was sort of like explaining the role of the Financial Advisory Panel. In my

view, it is a very different thing about management of communications. That is managing the government's message, and that is not necessarily communicating what is actually going on. I think citizens have had it with governments telling them and managing and massaging the communications. They want to know what is actually going on because their lived experience dealing with government informs them that oftentimes it is not the same. We will look forward to that, and I would ask the minister when he has the floor next to let us know if it will be this fiscal year or if this is an approach that will be implemented in the next fiscal year.

One of the statements under Strategic Corporate Services is — and I quote: “To represent the Government of Yukon on matters relating to the *Yukon Environmental and Socio-economic Assessment Act*.” Can the minister confirm what actual functions are carried out under that? Does that include the legislative review or is it operational in nature?

**Hon. Mr. Silver:** To answer the first question, as far as the business case and the plans, that definitely is this fiscal year. Actually, we are looking at this summer for implementation. Seeing as this is new, it is not going to be perfect starting out, but the intent is — back in my teaching days, the best personal development day I ever had was the assessment as, of and for learning. That is kind of the model as we go. We have to make sure that we are assessing and that we are committing to the process.

I will speak a little bit about the comment from the member opposite as far as communicating the message. I agree with that statement. What we are trying to do our best inside caucus is make sure that the message that is being relayed by my department in ECO to the government is matched with the message that we are communicating with our caucus office.

Lack of surprises makes consistency and lack of surprises makes sure that the messages are as succinct as possible. That was great advice given to me by Executive Council Office and we're going to try our best as far as that goes. You have mandate letters making sure that your decisions are always based upon those mandate letters. It is key for that communications piece.

As far as the Development Assessment branch-specific mandates — it's providing that corporate knowledge or leadership and facilitation to Yukon government departments in the administration of the development assessment regime. It provides the policy advice to Yukon government departments on how to fulfill their responsibilities under the *Yukon Environmental and Socio-economic Assessment Act*. Also, it represents the Yukon government on matters that are related to YESAA and also responds to assessment recommendations by YESAB for major projects submitted to YESAB Executive Committee.

I think that answers the member opposite's questions. Otherwise, I will let her have a supplemental.

**Ms. Hanson:** I thank the minister for his response and I look forward to seeing those plans this summer and perhaps having a conversation about them.

Another area that Strategic Corporate Services is charged with is the management, personnel, financial and operational support, as the minister said, for the department's Cabinet and ministers. I understand from the briefing that there is currently 110 full-time equivalent employees — 84 in ECO, 24 in Cabinet and two in communications. When I asked the question about the number of communications employees, I was told, in fact, that corporately, there are 10. That includes our two lovely people who we get to greet every morning upstairs and a couple of people online.

Can the minister give us a comparative breakdown in terms of Cabinet staff for this fiscal year versus the previous year — just overall the number of FTEs for Executive Council Office, including Cabinet and ECO staff?

**Hon. Mr. Silver:** Nothing changed in the order of council other than the two hires that we talked about previously. That remains unchanged as far as ECO.

As far as a breakdown of the Cabinet office operation and maintenance — ministers compared to Cabinet personnel — the personnel allotment is budgeted at \$2,563,000 for 24 FTEs, which represent all of the support personnel in the Cabinet office. The other allotment that I spoke about the other day, \$64,000, is for various administrative costs, advertising, non-consumable assets, program materials, contract services, repair, maintenance, entertainment, supplies and printing that are required by Cabinet staff. We haven't had any entertainment yet, but I'm looking forward to that.

As far as the branch organization breakdown of the 24 FTEs in the Cabinet office and the 1.0 FTE funded for the caucus budget, we have seven administrative positions, which would be five administrative assistants, we have a receptionist, we also have various assistants — and that is those seven executive assistants under that title — also the executive assistant to the Premier, two communications advisers, a director of communications, a director of strategic initiatives, a boards and committees analyst, and caucus and constituency support. We have three executive positions — the executive position is vacant, but we also have chief of staff and principal secretary. We also have one director of research and planning.

Again, the Cabinet office personnel total estimate for 2017-18 is \$2.625 million. The actuals from 2015-16, as you can see in your documents, is \$2.869 million in comparison.

**Ms. Hanson:** I appreciate the comprehensive nature of the answer. The bottom line question I was asking also was whether this represents more people or less people in those offices — under that Cabinet offices line item?

**Hon. Mr. Silver:** It is the same amount that is budgeted. It would reflect the same, not an increase or a decrease.

**Ms. Hanson:** To go back then to Aboriginal Relations — I understand the new FTE there. During Question Period today, in various discussions and in his response earlier, there were the discussions that have occurred over almost two years with respect to the southeast Yukon and the provision of resources to fund the reconciliation process with the various Kaska entities in southeast Yukon.

Can the minister provide some clarity as to what in fact is budgeted this fiscal year for that process and what product is expected to be achieved? I'm trying to find my notes, Mr. Chair, but I thought I heard at some point some discussion of a framework agreement. In my understanding of process in the distant past, framework agreements basically lay out what you are going to talk about. We've had quite a long time and a fair amount of money to outline what subject matters are going to be negotiated. Do we have a framework agreement with the Kaska entities? Is that framework agreement publicly available? When does the government intend or expect to get into an agreement in principle on subject matters that might be contained in a framework agreement?

**Hon. Mr. Silver:** I appreciate the question from the member opposite. These reconciliation agreements expired on March 31 of this year, so there isn't one in place now. We have budgeted \$300,000 Kaska funding for reconciliation agreements and, depending upon how successful that is, it will identify future pressures in this budget item.

The background on that — the reconciliation agreements are intended to improve those relationships to find the solutions to matters of mutual priorities and concerns. Consultation on an engagement process is capacity development, collaborative resources management and resource revenue sharing, for example. Exploratory discussions with the Kaska regarding reconciliation agreements began in 2015. All Kaska First Nation entities are at the reconciliation table — Ross River Dena Council, the Liard First Nation, also KDC — the latter on behalf of British Columbia Kaska as well.

In January 2016, Yukon government and Kaska signed the framework agreements that set forth the scope of land and resource matters to be negotiated as part of that reconciliation. As I mentioned, lots of things expired in March, including these agreements or these negotiations.

We're working on moving forward in that capacity but, like I said, for this particular budget, \$300,000 is set aside specifically for Kaska funding for reconciliation agreements.

**Ms. Hanson:** I just want to ask a couple more questions on this because, as the minister knows, when the reconciliation agreements were signed at the Roundup in January 2015, there was a significant amount of concern expressed by many people in the communities — particularly Watson Lake. That was roughly \$3.5 million that was committed to a process that seems to happen — and perhaps the minister has more information than I have access to, but certainly from the concerns that have been expressed to me repeatedly since January 2015 — that is why I asked the questions about what is contained in the framework agreement because there seems to be little on-the-ground understanding of what is in these agreements. Who is negotiating? What are the means of communicating to the citizens of the Liard First Nation in particular? I don't assume — and I hope he can correct me — that the framework agreement itself has not expired but the time frame for funding — so there is the time frame and what might be in a framework agreement, and also what kind of expectations the Government of Yukon has. One

portion of that funding that was provided by the Government of Yukon — \$500,000 — was ostensibly — at least the way its stated purpose was with reconciliation activities in the community. Again, because of concerns raised by members of the Liard First Nation community, I am asking the question: Are there any reports of how that \$500,000 was used in the communities of the Liard First Nation to move the yardstick on reconciliation forward?

**Hon. Mr. Silver:** I will start with the \$500,000. There is no reporting requirement from a previous government to our government as far as the breakdown there. If you want, talk to your colleagues on that side of the fence for the breakdown of those dollars.

Back to the agreements — the agreements have expired. They expired on March 31 of this year. We are currently in negotiations and we are trying to come up with a new agreement. I want to say to the leadership of the Kaska — I want to send out a thank you for their patience and understanding of us coming into this mandate with these things set to expire, and also for their willingness to have conversations leader-to-leader.

We're looking forward to whoever wins the next election in Liard, for example, and making sure that we get into the community. For me, it's about speaking with chief and council. It's also about speaking with elders councils and we all know that every single First Nation has different ways of representing the elders council, but I think those conversations are key. When moving into any community, you need to speak with the elders.

To the leadership of the Kaska First Nations, it's wonderful to see a commitment on behalf of these governments to do a lot more in the conversations, making sure that the leaders are directing the conversations when it comes to reconciliation.

Under the framework agreement, our government committed those funds to the Kaska, which includes Ross River Dena Council as well as Liard First Nation and the Kaska Dena Council, representing the Daylu Dena Council and Dease River First Nation among others. That was \$3.55 million, and that's going to include \$1.125 million for capacity development and participation in consultation and engagement processes. That was \$375,000 for 2015-16, and \$700,000 for 2016-17. \$1.125 million is for participation in negotiations — that was \$375,000 for 2015-16 and then \$750,000 for 2016-17. There is a half-million dollars to Liard First Nation for community wellness and capacity development, as we spoke of. Other breakdowns — \$500,000 for projects and initiatives to address social and cultural impacts of land and resource development. So that was \$100,000 in 2015-16 and then \$400,000 in 2016-17, and also \$300,000 to conclude the forest resource management plan for southeast Yukon and consultation on other forestry-related matters.

The member opposite also questioned about providing funding for the Liard First Nation specifically for the community wellness consideration and accommodation fund and to whom that money was paid. Under the framework

agreement, the Liard First Nation was provided funds for community wellness and capacity development and, as I understand it, that payment was made in accordance with the government's processes and according to the terms of the agreement.

In terms of the specific arrangement that was done under the previous government, there was no requirement for the First Nations to report on how that money was spent. I do not have the details with me, but I can also check with the department and get back to the member if there is any other information to share on that file.

**Ms. Hanson:** I appreciate the minister's provision of that information. I raise the questions because they are real concerns, particularly in the Liard First Nation community in Watson Lake.

I would just like to ask — one of the functions under Aboriginal Relations is to provide strategic leadership, interpretation and training across government. Can the minister explain or provide — I'll step back one second.

I understand there was a curriculum developed some time ago — a couple of years ago, maybe — that looked at historical context of aboriginal history first of all in the Yukon and then how that marries with the negotiation and implementation of final and self-government agreements in Yukon.

How is that done? Is there established or set training that is provided as a matter of course for all new employees — all new hires — so that they have an appreciation of the context within which the Government of Yukon operates in its relationship with First Nations? Basically, I am trying to figure out how this statement is operationalized — this statement under Aboriginal Relations?

**Hon. Mr. Silver:** There are a range of courses that are available government-wide — nothing specific to new hires or trainees, but specifically to aboriginal relationships, they participate through the Public Service Commission in training and different types of opportunities for that engagement, education piece and curriculum development. We spoke earlier about things like the blanket exercises. This would be an example of the type of education that would be provided through Aboriginal Relations. Aboriginal Relations specifically does training in departments periodically through the First Nation and self-government agreements as well.

I could speak about education only from my experiences and different opportunities that I want to get back on the table as far as training, but that is a conversation for another day with the Minister of Education and me. If the different departments want to talk about their specific departments and what they do, I would ask the member opposite to bring that up in Committee of the Whole for each of the other departments as well.

**Ms. Hanson:** I appreciate that. I do think there is a difference between opportunities for getting understanding and having an expectation as a Government of Yukon employee that you understand, as the second point under Aboriginal Relations — to promote effective implementation



of final and self-government agreements and so they have to go hand in hand.

I would suggest, Mr. Chair, if you don't have an expectation of that part of the culture and of the training that is provided to public servants as a matter of course, this is the work environment you work in, and those chapters and the 400-plus pages that are in the final agreement and much smaller numbers in the self-government agreement inform the work you do, not the other way around. It is so that we don't see attempts to shoehorn — "Well, this is the way we do it" as opposed to "How do we give effect or breathe life into this relationship?" It was just a comment, but I think there is a distinct difference between opportunity and expectation. If it's not provided through the strategic leadership of Aboriginal Relations, I guess we will wait and see what happens in PSC when we see whether or not there is an expectation that they are delivering this for employees.

Just before I cede the floor again, I will ask the minister if he can update this House on the functions of Corporate Programs and Intergovernmental Relations. Which areas is the Government of Yukon currently actively involved in with respect to trade agreements? Which agreements, as a subnational government, are we at the table for or are we at the table on any? What is the status of those discussions in terms of — again, I am presuming that when we are there that we are going to report back in terms of what the impacts are or could be for Yukon? For example, when we have raised it in the past in this Legislative Assembly, echoing the concerns of the Federation of Canadian Municipalities and others, the impact of CETA on local contracting and municipal governments — the new incarnation of the *Agreement on Internal Trade* — I would be interested in knowing what roles we are playing. Do we have representatives at those tables? Do we have a means of conveying to stakeholder groups — for example, the chambers of commerce or the various contracting groups or First Nation governments? We heard the Minister of Energy, Mines and Resources and the Premier expressing great interest in the potential for re-engaging with state investment companies in China. We have also seen real concerns being expressed across this country about the previous attempt by the previous government under FIPA — the *Canada-China Foreign Investment Promotion and Protection Agreement* with China — and First Nation governments being very alarmed by the potential provisions of that. It is important that those conversations are not sort of at an abstract level, but they are actually brought down to what the concrete implications are for us in this territory as a government and all levels of governments. First Nation governments need to be apprised also as they affect or potentially affect their treaty rights.

**Hon. Mr. Silver:** I appreciate the question from the member opposite. We don't have a specific breakdown right now. All the negotiations that are going on currently — we could talk about the department of intergovernmental relations pan-Canadian framework conversations, health negotiations that we've had, as well as offshore Arctic oil and gas. Also, we're heading down to be at the Western Premiers'

Conference so there are also conversations in Washington with specific topics that affect the Yukon comparative to other jurisdictions. Having the role of chair with the Council of the Federation helps so that our concerns, like Shakwak or ANWR, hit those negotiation tables. But again, when you're dealing with Canada determining the agenda, it's always an interesting conversation as to what finally gets to the end of the negotiations in those discussions. Again, sleeping with the elephant of America, things that are happening on a monthly basis — on a weekly basis there — determine what's going to hit in those conversations as well.

As far as intergovernmental relations specifically, the relation activities allow us to work with other territories but also on an international basis. Working on significant files that affect Yukoners, not only on an international basis, but a national basis — things that people wouldn't necessarily understand would be under the purview of this particular department would be the northern circumstances that are being considered with regard to the National Inquiry into Missing and Murdered Indigenous Women and Girls. There are also fiscal arrangements or trade agreements that recognize Yukon's growing potential and developing economy.

We could look to the department to see if there are the specific negotiations. We can get that back to the member opposite, but basically, as I'm going through all of these lists of things that we've done already, the member opposite is quite aware of all these conversations and all of these meetings on a national and international basis. Our conversation, as she mentioned, of meeting with the Chinese Consul General — some fantastic conversations that we can have there. As we have those conversations, we will definitely report back to the Legislative Assembly to make sure that the members opposite are kept aware of these continuing conversations.

**Chair:** Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

The matter before the Committee is general debate on Vote 2, Executive Council Office, in Bill No. 201, entitled *First Appropriation Act, 2017-18*.

**Ms. Hanson:** I have a question with respect to boards and committees, which comes under Executive Council Office. Other than those that emanate from the *Umbrella Final Agreement* or First Nation final agreements, there are, in addition to those, dozens of boards and committees listed. Does this government plan to review the mandates of any of those boards and committees with respect to their currency of the mandates, the best-before dates of some of these? Are they appropriate?

We know there are a number of other regulatory bodies and boards that need to be established here to regulate various “professions” that provide services in the territory, but there are many other boards here that I question — whether or not their mandates operate.

Is the government undertaking a review of those, with a view — other than those that are constitutionally entrenched — saying, “Do we need this any more?” I could give examples. I’m sure the minister knows.

**Hon. Mr. Silver:** Thank you very much, Mr. Chair. I guess the simple answer is yes. We’re looking at an inventory and best practices, as far as boards and committees. One example, without talking about specific boards and committees, is revotes. If you notice in our orders-in-council, we wait until the position is fulfilled to do the revote. That sometimes causes a lot of problems. Sometimes members are deceased, and they are still considered officially on a board or committee. Without getting into it, we are looking at taking an inventory as to the process.

Working with CYFN as well, we’ve had some great conversations with the executive director there, as to how boards get populated. It has been an education for me as well — just the massive amount of different boards and committees and how the process works — being in opposition and being on the Standing Committee on Appointments to Major Government Boards and Committees and now being in government and seeing how that process actually all works.

Yes, we will share that information as we go, with the members opposite, as far as what we intend to do for any changes in the process of hiring to boards and committees.

**Ms. Hanson:** I would like to move on to government internal audit services. During the Department of Finance debate, we touched on this and the Minister of Finance suggested the Minister responsible for ECO would be interested in discussing this matter, and so I’m glad he puts words in his mouth.

The government and the minister have indicated that they will be developing business plans that will be establishing performance measures. When we look at the kinds of internal audits that are carried out by Government Audit Services, they are performance audits, compliance audits, operational audits and information technology audits. These are all really important because they assist not just the government, but the public service and the public, knowing that this is what you said you were going to do and then this is where, under the performance audit, it is supposed to be a systematic assessment of how well government is managing its activities, responsibilities and resources. They look at the management practices, the controls and the reporting system. There is: a compliance audit, which reviews and determines the degree of adherence with laws, regulations, standards, policies and procedures; and the operational audit — the use of resources, procedures and practices are reviewed to determine if goals and objectives are being met, and again it goes back to routing those in what the plans are — and then information technology audits, which evaluate the internal controls related to the management of information technology environments

and the required infrastructure applications of data to help us make sure that we are current and that we’re using what we have properly.

Mr. Chair, I think this is an important area for focus for not just government management, but for the Legislative Assembly. The last audit that is on the website is from June 2015. It was a report on Information and Communications Technology Division, the IT security audit. Prior to that, I think it had been a couple of years.

My question is: Is there an audit plan for this fiscal year? Given that there is a clear correlation between what the minister is suggesting as their expectations around business plans, what and how does he see these internal audits being most productively used — the information that is contained in those, where he sees identification of systemic issues here? I just think back to the really serious issues that were identified in the PSC audit. Unless there is a debate or time made for debate within the Legislative Assembly, public servants and those charged with ensuring that there is a merit-based public service and not a perception that it is not merit-based — that this doesn’t get perpetuated — so that people hear their legislators committing to taking action on the work that has been done — it is the same as when the Auditor General of Canada does a performance audit on a department every once in a while.

Unless we have a systematic approach and an audit plan for how internal audits are being carried out, I would suggest that we’re underperforming. I’m curious as to what the audit plan is and does this government — what is its intention? Will there be one of each kind of audit carried out each year? How will the government determine what audits will be — well, they won’t determine it, but is there an expectation that the internal audit services will do audits?

**Hon. Mr. Silver:** I appreciate the question and I appreciate the Minister of Finance telling you to have this conversation here.

A little bit of background — the member opposite spoke about the specific types of government internal audit services, GIAS — performance audits, compliance, operational and information and technology audits. They are performed by the chief audit executive, which is the director of GIAS and approved by the audit committee and authorized by Management Board while reviews, which are different, are requested by the department and may have a smaller scale and are generally undertaken to explore how to improve processes, procedures and results. I’ll start right there. This House would work well for audits, not reviews, I would say. It’s a fine suggestion to start taking a look at our audits and what we do with them as far as the legislative oversight in this Legislative Assembly.

Audit reports are public; however, the review reports are shared only with the auditee and the audit committee. GIAS has completed a review of Yukon government’s budget systems, which is expected to be approved soon, if not already approved. We’re finalizing the review of Wildland Fire Management operations and also the compliance audit of the

privacy management policy. We're also doing a performance audit of the *Environment Act*.

The member opposite mentioned that there was lack of information and I agree, so beginning in April 2016, the government internal audit services, GIAS, policy established a process to post those reports on how the department had implemented internal audits recommended on the government website. Now posting was postponed during the recent election, but it is expected to continue with approval from audit committee and that process should continue.

The member opposite already spoke of 2015 and then there was a gap. It was a serious gap between the information technology security audit and the reporting of the audit of staffing — a two-year delay between those two. Again, just to speak based upon policy and procedure as far as GIAS policy, the deputy minister and ministers review committee provides input to the government internal audit services of their annual plan. Management Board provides strategic direction to the audit committee and the audit committee provides oversight to the government internal audit services by reviewing and approving all of their products.

As part of the follow-up process to audits, the deputy ministers are responsible to ensure their management responses are also being implemented. Finally, I would just add that the government internal audit services coordinates audit projects with the Office of the Auditor General. That reason is to avoid duplication.

**Ms. Hanson:** A couple of things here then. As I understand it, audits and reports are publicly listed on the website. There are a few older reviews currently on the website. I would just ask him to clarify: Is there a new compliance audit under the Yukon *Environment Act*? How would that differ from what was posted for the final audit report of 2012-13 for the Yukon *Environment Act*?

Two more: The audit plan for 2017-18 — is there a focus or listing of what we can expect to see? I appreciate and think it's eminently reasonable that deputy ministers are accountable for ensuring that the findings of audits and reports, because we're speaking about the performance of the department he or she is responsible for, in terms of making sure — operationalizing what was mandated.

Does the Minister responsible for Executive Council Office — also in his role as Minister of Finance — believe that deputy ministers' accountability should translate into performance pay assessment? So there's a weighting of accountability with respect to performance pay equals measurable performance outcomes?

**Hon. Mr. Silver:** I would say at this time that we are not looking to review that process the member talked about. I will go back to the original ask about the *Environment Act* performance audit. That act is different. Those two, and that particular act, goes through a semi-regular audit system. I think the last one was done about three years ago, roughly. I don't have that number in front of me.

It is different, and this is more of a semi-regular process for particular acts, including the *Environment Act*.

**Ms. Hanson:** The last piece of that was an audit plan for 2017-18.

**Hon. Mr. Silver:** It is just being finalized, so it needs to go through Management Board for final signoff after that. To answer the member opposite's question, Mr. Chair — yes.

**Ms. Hanson:** No doubt we will come back to these audit issues again, because it is an important element of what government does. I just have a question with respect to the Office of the Commissioner. What is the term of the Office of the Commissioner? Is it a five-year term? How long is an appointee in that office?

**Hon. Mr. Silver:** I am not going to take the temptation to talk about the Commissioner's Ball in Dawson coming up on June 10.

I will say that normally it is a five-year term, but the current Commissioner has been extended to January of the next year. It was a one-year or 1.5-year extension. The typical is a five-year term. For the record, that Commissioner's Ball is in the beautiful town of Dawson City.

**Ms. Hanson:** I didn't get the note that the Commissioner's Ball was on June 10 in Dawson City. I will have to check that one on the website.

I just have one more question and then I will leave it to others. I am sure that there are many others. I note that we had discussions on the Kaska framework agreement and how that was all playing out. There was an itemization of the devolution transfer agreement, protocol mining matters, which is under Aboriginal Relations for about \$750,000. This is a table that appears to have gone from \$200,000 in 2015-16 to about \$770,000 to \$750,000. The question I have is: What product does the minister anticipate seeing as a result of this? Will that product fulfill the objectives set out in both the DTA and the annex to the DTA, which is modern resource legislation to fulfill the obligations that both Kaska and Yukon agreed to when the devolution transfer agreement came into effect in 2003? When it was negotiated with First Nations — not party to the negotiations per se, but certainly influencing — and that was one of the influencing aspects to ensure that the resource legislation regime that we have in the Yukon reflects the realities negotiated in the First Nation final agreements as well as a modern resource regime — resource extraction, particularly. Is it the intention that the devolution transfer agreement, protocol mining matters, will produce a product? Will that product fulfill the objectives set out in both the devolution transfer agreement, per se, plus the annex to that agreement? When does he anticipate these discussions being complete?

**Hon. Mr. Silver:** I would say just that, before getting into ECO's responsibilities in this file, this is definitely a question that you want to bring up in Energy, Mines and Resources as well. As the member opposite knows, ECO's role is more on a policy basis where we make sure that these unsigned First Nations have the opportunity to be at these meetings, to be at the consultation, so we provide funding therein.

To start with the answer to the question, I think this important work will — what's the goal? The goal is to build a

stronger mining sector that provides the socio-economic benefits while also protecting the environment and respecting First Nation rights and interests. I will acknowledge as well that the Yukon Party — the previous government — and most Yukon First Nations with final agreements were successful in establishing the devolution transfer agreement protocol process to work together on finding practical solutions to those mining-related issues. While there was some progress, we didn't see any outcomes per se. A number of factors, including a large number of priorities and processes and maybe a lack of mandate, combined with a slow progress and maybe challenges in capacity as well — ultimately frustrating the parties, when it came to the devolution transfer agreement protocol and the working groups there. I've witnessed those frustrations first-hand as well.

In January, I was pleased to join with the chiefs of the self-governing Yukon First Nations and the Council of Yukon First Nations to sign that mining memorandum of understanding that reset these discussions and we'll address the goals, priorities and processes to map out a new, collaborative pathway forward. I know the Minister of Energy, Mines and Resources has reached out to the Official Opposition House Leader to have conversations in those capacities, and I hope that they will continue to engage and speak directly and frankly about those frustrations.

ECO's mandate and our department's policy when it comes to the devolution transfer agreement is to make sure that the First Nation governments can have the capacity and the ability to show up to these negotiations and meetings.

**Ms. Hanson:** I guess I raise this question as the minister also has been party and witness to numerous meetings, and I will just reflect back on the Council of Yukon First Nations general assembly last year at Airport Lake where it was abundantly clear that First Nations had had it up to here and beyond with process discussions and felt, quite frankly, that they had been pulled along, circled around and ignored, ultimately, by the previous government on these very matters, because when it came to dealing with the substance, it was all process. There was a series of quite animated conversations. That event wasn't the only one.

I raised it because it's great. I hear the speaking points, but the issue is: Is it the objective of the territorial government to fulfill the obligations that it has, as a Government of Yukon, as a signatory to the devolution transfer agreement, which says we are prepared to move into a modern era and deal with the difficult issues that this will require? Will the outcome, the product, be something that will fulfill the objectives set out in the devolution transfer agreement?

**Hon. Mr. Silver:** I would just say that the general answer to that question is yes, but I can kind of see where the member opposite is leaning toward. I would say that the ways in which the Liberal government would accomplish these goals might differ from the way the NDP government would approach this topic. If the question is, "Do we intend to?", the answer is that, yes, we do intend to.

**Ms. Hanson:** There was one area I forgot when I was asking the minister about the strategic work of Aboriginal

Relations. There have again been 30,000-foot discussions at various times about Canada, Yukon and Yukon First Nations — all three levels of government — implementing the *United Nations Declaration on the Rights of Indigenous Peoples*. I am wondering what analysis the Executive Council Office has done and how it incorporates this as part of its framework, or does it incorporate it as part of its framework for reconciliation? What analysis have they done as they move forward in discussions, or in talking about using the language of implementing in a way that would protect all the provisions that are contained in First Nation final and self-government agreements? Is there an analytical framework that has been carried out?

It comes up very clearly in the TRC recommendations and the summary report. The challenges it poses to common law are not insignificant. What analysis has ECO done as part of its strategic role for the whole of government with respect to indigenous matters?

**Hon. Mr. Silver:** A little bit of background: as the member opposite knows, the United Nations General Assembly adopted the United Nations declaration, which speaks to the individual and collective rights of indigenous people globally. During the 61<sup>st</sup> regular session of the United Nations Assembly of 2007, 144 countries voted in favour of adopting this declaration. At that time, Canada, along with Australia, the United States and New Zealand voted against it. In 2010, Canada conditionally endorsed the declaration through a statement of support. As far as the Yukon government, we have determined that the best approach was to support and endorse Canada's position on the United Nations' declaration. Under the statement of the declaration is an aspirational document and we are now confident that Canada can interpret the principles expressed in the declaration in a manner that is consistent with our constitutional and legal framework.

As the member opposite knows, it is a tricky conversation when it comes to free informed consent, but I guess overall to her question on an analytical framework as per the truth and reconciliation, we are supportive in general, but again it does get tricky. Our reconciliation negotiations — they are in lockstep, I guess, with the Canadian Charter. We're looking at these issues that the member opposite talked about, whether it's the common law interpretations — these are ongoing negotiations currently.

We are supportive of Canada's position of the UN declaration and I don't have much more to add to the conversation at this point, but we are looking at the issues brought up by the member opposite, including common law interpretations, but, tricky conversations ahead — that is for sure.

**Ms. Hanson:** I thank the minister for that. It is and I think that is the reason why we raised it. Certainly when this House was debating the truth and reconciliation calls to action — when you get beyond the ones that people like to talk about in terms of programmatic approaches, there are some fundamental issues the TRC identified and the common law is getting ahead of where governments are.

So we have free, prior and informed consent. The courts are talking about that. I guess it will be a subject or discussion, I hope, in this Legislative Assembly because there are connections. When we talk about a whole-of-government approach, the issues that are being discussed and need to be discussed emanating from the devolution transfer agreement actually do relate very clearly to both what the TRC calls for action are as they relate to UNDRIP. My goodness, it goes right back to the Catholic Church and the Doctrine of Discovery, for God's sake. There is a whole bunch of stuff in here that when we start unpacking it — it has some profound implications. That's why I raised the question with respect to what work is being done in terms of the analytical framework to ensure that First Nations that have concluded agreements — whatever evolves or morphs along that other continuum doesn't affect those rights. Certainly there is a different environment with respect to the other negotiations yet to be concluded.

With that, Mr. Chair, I realize and I appreciate what the minister is saying in that this is complicated — complex — and we will as legislators have numerous opportunities over the next couple of years to debate and discuss them and maybe learn from each other.

I thank the minister and I thank the officials for their forbearance this afternoon and the minister's actual engagement, which is a nice switch from past experience — not the current government.

**Hon. Mr. Silver:** I will take the compliment; thank you very much to the member opposite. It's worth saying at this point that these are tricky conversations. It has been a wonderful learning opportunity for me and I thank my colleagues over here in the Liberal Party for the education that I have been receiving from the individual ministers and members.

We are currently working, when it comes to the truth and reconciliation calls to action, on the 22 outlined themes, including education, health, justice and child welfare. We are working on an implementation process with the Yukon First Nations. I am very pleased with the amount of progress that has happened — it is worth mentioning that — in such a short time. Even though my statement that this is a tricky subject — it really is — I believe that, nationally, Yukon is taking a leading role in working collaboratively on the path of reconciliation. We want to continue to actively have that engagement and working relationship with Yukon First Nations on our shared goals. I am specifically very proud of the work done with Yukon First Nations toward reconciliation on the declaration *Working Together* with all Yukon First Nations at the January Yukon Forum, making the commitment to fully participate in the National Inquiry into Missing and Murdered Indigenous Women and Girls, as well as working closely with Yukon aboriginal women's organizations and First Nation governments.

I thank the member opposite and I agree that we will have a lot more informed conversations and we will learn from each other. I really felt that it was worth noting. There have been some hard conversations, for sure, and I'm really proud

of the team and the progress I have seen in the last few months.

Thank you to the member opposite and thank you to the Chair.

**Ms. White:** I have questions about the Youth Directorate. They are questions I have been asking for probably the better part of the last five years. One of the concerns we have heard in communities about the youth investment fund is that the application is quite onerous. One of the questions I have asked, and I will ask again, is: What kind of uptake have we had in accessing that funding? Not so much for the \$500-and-below level, but for the \$2,500 and above, or the \$501 to the \$5,000? It's just a concern that not all communities are able to access it because of the application process.

**Hon. Mr. Silver:** I would be very willing to have a conversation with the member opposite as far as the unique challenges that certain organizations have had accessing this fund. We know that it has a lot of people looking to access it and we have to take a look at a whole-of-government approach when it comes to youth programming. I look forward to having that conversation as we get past this budget — but specific to the youth investment fund, annually, just over \$100,000 is allocated to the Youth Directorate budget. It has two different tiers that the member opposite was talking about — \$500 and under and \$501 to \$5,000 — and deadlines for applications requesting \$501 to \$5,000 are in April and October of each year. Applications for \$500 or less can be received at any time. Maybe there is a problem with the uptake as far as the dates. I look forward to having that conversation with the member opposite.

As far as specific questions of the process, I'm not really sure that our department has flagged the application process as being overly onerous. I haven't had that conversation with the department yet, but now that it's flagged for me from the Member for Takhini-Kopper King, I will have that conversation.

We have seen more money allocated this year for the Heart of Riverdale community centre. BYTE, Boys and Girls Club of Yukon and the Youth of Today Society have all been provided money under this funding allocation. I'm looking at the difference and levels of requests for each year. There is always a chance that we can do more as far as funding for youth programming. I think we need to wrap our heads around all the different departments and where they get their money — I shouldn't say "where they get their money", but how they allocate their money to different organizations. I know that certain organizations are a lot better at going through that process. They know the system well and therefore have an easier time allocating funds, not just in ECO but all across the government.

I'm anxious myself to take a look at how we allocate funding for youth programming, not just in ECO but in other departments as well, and once I get down that road with my department, I will absolutely share my concerns with the member opposite, if the member opposite is willing to come to us and have a conversation about the problems that she has

seen with different NGOs allocating the funds and going through that application process.

**Ms. White:** It's not so much my concerns with the NGOs, but I will put a big plug in there that any organization that has to spend their time chasing money through grant applications becomes very proficient at it. What we've done in the territory is we've made these — not just youth organizations but other organizations — very proficient at grant applications because they never have enough funding to do the programming that they're trying to do, so I appreciated the minister's answers.

The question is more specifically around the community access. The investment fund allows communities to bring up special workshops or organizations to do programming within the communities. Part of the reason why is that we have communities that struggle in just having the people to be able to write the application to be able to access the money to be able to hire the organizations to come and give the programs. So the one question I always want to know is: Has every community accessed? Has everyone applied?

When they haven't applied and we see that in some communities, maybe they haven't applied ever — is the director reaching out? Are we contacting recreation programmers? Do we know if communities have recreation programmers? Are we looking into the communities to find out if there is any way the government can help? If you have a small community and it's the same volunteers for everything, at a certain point in time exhaustion hits in, and what falls to the side is everything that is on top of it. What are some of the most important programs — the things that are on top of those other programs?

The questions are whether the communities are accessing it, how we track whether communities are making applications, what we do if they are not applying, and do we keep track of that.

**Hon. Mr. Silver:** I really do appreciate this question coming from the Member for Takhini-Kopper King. I don't think there is anybody in this room who hasn't volunteered for an NGO and hasn't felt the frustration — I shouldn't say frustration, but knows the concern that comes with applying for funds. I can talk about my experience with Dawson City Music Festival, for example. It is a full-time job sometimes just trying to allocate the money, especially when it is on a yearly basis, knowing that this funding is something that they require every year.

I do appreciate that there is a concern out there for the NGOs. I have heard it personally from my community and other communities as well. We can do better. We can always do better when it comes to how this process works, and I will take it under advisement and talk to the department.

Specifically, though, about communities that do access that fund, I have a list here of the spring 2017 allocations. Dawson has had money allocated for a community dance project, which is the North Klondyke Highway Music Society. The Village of Teslin has gotten funding for the Teslin youth summer camps. There are some from Whitehorse as well and also Yukon-wide. There is Arts in the Park for Music Yukon.

We heard from the arts community in Whitehorse that their programming is designed for all of Yukon; it just so happens that it happens in Whitehorse — it's worth saying. Ross River Recreation Society for Celebrate Canada Day — they have received money as well, \$2,000 there; the Town of Faro, summer 2017 youth programming. We have Flatwater Paddling Yukon — I'm not sure what community that is. I'm sure I'll find out. The First Nation of Na Cho Nyäk Dun also got some money from this fund; Kwanlin Dün here in Whitehorse, Skookum Jim Friendship Centre here in Whitehorse, BYTE — which is Yukon-wide, as the member opposite obviously knows. We have Breakdancing Yukon Society, Yukon First Nations Culture and Tourism Association, Yukon College, Champagne and Aishihik First Nations for Summer Fun Days, also Augusto! Children's Festival, and Lorne Mountain Community Association for music exploration camps for youth.

To answer the member opposite's question, there is funding for communities. I did skip some of the other ones that were specific to Whitehorse, so there is funding there as well through Whitehorse, including Skate For Life Alliance Canada Day skate competitions.

There is funding that is being allocated to the communities. I do take the member opposite's concerns and I will speak with the department as far as how that data is collected and how we can maybe take a look at doing things a little bit differently.

**Ms. White:** I thank the minister for that list, especially targeting the outside-of-Whitehorse organizations. It just seems to me — and like I have said, I have asked the questions multiple times in the last five years: How do we make sure that the kids in Beaver Creek have access to recreation if someone in Beaver Creek doesn't have the time, energy or the ability to make the application?

It's trying to make sure that the communities have access. I know that some organizations, including, for example, Boréale Explorers, were actually helped with the application process because it's too much for the person who wants to bring people in.

The point is that, if this is available to communities, how are we making sure they are accessing the funding, and how are we making sure that we're making it easier for them to access the funding?

One way I might suggest is that, right now online, if I go underneath the guidelines and applications, they don't actually go anywhere. It goes to a server error, so that might be something we could look at.

I also know that the evaluation forms are the same for both under \$500 and the \$501 and above. One of the things I have definitely heard about us that, once you access the funding, the evaluation is sometimes even more daunting than actually running the program. On the website, it has the "improve your youth programs" and it has an entire document about evaluation forms.

To give you an idea of why this process is so daunting, in the introduction there are some useful evaluation terms, including: indicators, formative evaluation, logic models,

outcome evaluations and summative evaluations. This is language that — they go through the definitions — is used to fill out evaluation forms after the programming. I know that evaluation forms are often challenging. It is not quite as basic as, “How many children participated? Did they have a good time? Would they do it again?” It is a bit more involved than that.

The reason why I always bring this up is that I want to make sure that the communities have access. Whether they are bringing up the breakdancers from Leaping Feats, bringing out mountain bikers, or Tennis Yukon or whatever interests — maybe Beaver Creek would really love to have Tennis Yukon out — the point is that if the communities aren’t applying, and we have seen that they haven’t applied or they haven’t applied for a number of years, what is the limitation? Do they have a recreation director? Do they understand? I am just making sure that there is outreach. I know that, in talking to my friends in these organizations, they have nothing but nice things to say about the office, but I just want to make sure that we are not leaving anyone behind just by the fact that they haven’t applied. I will just leave that out there and hope that next year I will find out about all of the outreach that was done to all of these communities and how this funding was applied for.

With that, I will just thank the minister and thank the officials for their magic, because what people don’t see in the Chamber is how quick those papers come out of the binders and they get shuffled over. Of course, I always appreciate the work of the officials, and I thank the minister for the engagement.

**Hon. Mr. Silver:** Just for the record, the only papers that are coming — they just keep sending papers saying, “You’re doing a great job. Keep up the good work.” It’s more moral support. I wish that were true.

I do also thank the department officials.

I just want to comment on the outreach — it is key. It really is. We do outreach by the departments, by our community visits, but you are right that there is more we can do to make sure that outreach is hitting the right places because otherwise we might be just rewarding. We might run the risk of rewarding just those organizations that are really good with the application process as opposed to that needs-based decision-making that we’ve promised. I understand the concerns.

I want to thank the member opposite for also bringing to our attention a broken link on the website. We will deal with that as well, and I will cede the floor to the Official Opposition.

**Mr. Hassard:** I too would like to thank the officials for being here but I will just leave it at that after the Premier’s last comment.

I have a couple of questions. First, are there any monies allotted in this year’s budget to continue on with the previous government’s work on a reconciliation agreement with the White River First Nation? Can I get an update on that if there is?

**Hon. Mr. Silver:** I appreciate the question from the member opposite. For a little bit of background, in two different areas you have interim protected lands and you also have the White River First Nation’s asserted territory.

The member opposite is keenly aware of these issues. In March 2016, the protective orders, which were in place since 1989, were extended for the White River First Nation’s interim protected lands, IPLs, under the *Quartz Mining Act* and the *Placer Mining Act*, the *Lands Act*, the territory’s *Yukon Act* and the *Oil and Gas Act*. For the IPLs in the Kluane First Nation’s core area, this protection was extended until March 31, 2017, and was recently extended again to September 30, 2017.

With the word “interim” in there, this has been extended quite a lot, and it’s not lost on us. When we went for another extension, we wanted to commit to a shorter extension to try to deal with the issues under reconciliation and agreements with the White River First Nation.

As far as specific dollar values — before I get there, the reconciliation agreements were aimed to address the reconciliation with the First Nations by improving the government-to-government relationships. As the member opposite knows, the agreement negotiations are confidential, but we will be making joint announcements as we make more progress in our discussions.

The Yukon government has an obligation to notify and/or to consult with other First Nation governments on matters that will affect them. I have talked about transboundary issues — so that would be an example of that duty and obligation to negotiate.

We don’t have a breakdown of specific dollar values for the White River First Nation’s reconciliation agreement and negotiations other than the extension as we spoke about. However, there is \$750,000 set aside in Aboriginal Relations under capacity and negotiation support and that funding is to anticipate supporting negotiations and capacities for all First Nations, but also for the various First Nations there is a fund as well under Aboriginal Relations — various First Nations — and that’s for \$483,000 and that again is to help advance collaborative work in the area of capacity development within certain First Nations as well.

**Mr. Hassard:** For that \$750,000 or for any other dollar amount, will the government have requirements for reporting by the First Nations for how that money is spent?

**Hon. Mr. Silver:** The answer is yes.

**Mr. Hassard:** A couple of questions on the Council of the Federation — of course the Premier will be handing over the chair position this summer, I believe it is July 17 in Edmonton. Can the Premier update us on how preparations are going for that meeting?

**Hon. Mr. Silver:** I guess the short answer is no. There is a meeting before that in Washington. The meeting in Washington is more focused of course on trade and partnerships with the international community — of course, with the United States — and so it’s pretty obvious what specifics we are going to bring to that table. Again, it’s dealing with Ottawa, which is then dealing with Washington.

There are a lot of moving targets on dates and a lot of moving targets on topics, so the same thing would happen as well with the Edmonton meetings, which are a little bit less formal when the reins are being turned over. I don't have anything new to report as far as the agenda for Edmonton right now.

If there is a specific topic that the member opposite would like to put on the table today, then we can always take it into consideration for those meetings.

**Mr. Hassard:** No, I was just curious. I mean last year, I think the big thing was the internal trade agreement, so I was just curious. Are there are any big issues that you foresee going into this meeting?

**Hon. Mr. Silver:** Thank you, Mr. Chair. Nothing official, but my own point of view — the whole Washington meeting kind of came up for the same reason. Canada-United States relationships will probably be a hot topic in Edmonton. At one point, the discussion was we were going to Europe. We were supposed to go to Europe for one of the COP meetings.

It changed after the federal elections — after the swearing-in of the new president — when the provinces and territories figured that this is more of a pressing issue for these types of conversations. I would assume — and of course I don't like to speculate too much in the Legislative Assembly — that these are going to be issues that are going to resonate past one meeting in Washington. I would say off the top of my head that US-Canada relations are probably a hot topic in Ottawa — and in Edmonton as well.

**Mr. Hassard:** Could the Premier also update us on the work of the health care innovation working group? Is there a plan to continue with that group?

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

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

*Motion agreed to*

**Hon. Ms. McPhee:** I move that the Speaker do now resume the Chair.

**Chair:** It has been moved by Ms. McPhee 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. Hutton:** Mr. Speaker, Committee of the Whole has considered Bill No. 201, entitled *First Appropriation Act, 2017-18*, 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.

The time being 5:30 p.m., this House now stands adjourned until 1:00 p.m. tomorrow.

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

### The following legislative returns were tabled May 23, 2017:

34-2-16

Relating to matter outstanding from discussion with Mr. Kent re: implementing National Aboriginal Day as a statutory holiday in Yukon (Appointments — Visiting Specialists' Clinic) (Streicker)

34-2-17

Relating to matter outstanding from discussion with Mr. Kent re: implementing National Aboriginal Day as a statutory holiday in Yukon (British Columbia Provincial Exam Schedule — Impacts on Yukon Students on June 21) (Streicker)