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Number 124

2nd Session

34th Legislature

HANSARD

Wednesday, March 13, 2019 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

YUKON LEGISLATIVE ASSEMBLY

2019 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

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| NAME | CONSTITUENCY | PORTFOLIO |
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| Hon. Sandy Silver | Klondike | Premier Minister of the Executive Council Office; Finance |
| Hon. Ranj Pillai | 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 |
| Hon. Tracy-Anne McPhee | Riverdale South | Government House Leader Minister of Education; Justice |
| Hon. John Streicker | Mount Lorne-Southern Lakes | Minister of Community Services; Minister responsible for the French Language Services Directorate; Yukon Liquor Corporation and the Yukon Lottery Commission |
| Hon. Pauline Frost | Vuntut Gwitchin | Minister of Health and Social Services; Environment; Minister responsible for the Yukon Housing Corporation |
| Hon. Richard Mostyn | Whitehorse West | Minister of Highways and Public Works; the Public Service Commission |
| Hon. Jeanie Dendys | 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

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| Ted Adel | Copperbelt North |
| Paolo Gallina | Porter Creek Centre |
| Don Hutton | Mayo-Tatchun |

OFFICIAL OPPOSITION

Yukon Party

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

THIRD PARTY

New Democratic Party

| | |
|-------------------|---|
| Liz Hanson | Leader of the Third Party Whitehorse Centre |
| Kate White | Third Party House Leader Takhini-Kopper King |

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**Yukon Legislative Assembly
Whitehorse, Yukon
Wednesday, March 13, 2019 — 1:00 p.m.**

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

Prayers

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Ms. Dendys: I would like to take this opportunity to introduce some very special guests. I would ask my colleagues to help me in doing so. We have: Darren Bartsch, who is the president of the Yukon Sourdough Rendezvous Society; Miriam Smith; Felicia Bailey-Cashin; Heather Anderson; Heather Grant — first princess, but I'm supposed to do the queen first; Michelle Friesen, this year's 2019 queen. We have the very, very famous Hank and Pam Karr, who are Mr. and Mrs. Yukon for 2019. We have Lynn Bartsch, Mike Bartsch, Jane Haydock, Saskrita Shrestha and Reba Parris. Thank you so much for being here today.

Applause

Hon. Mr. Streicker: I would like to welcome someone to the Legislature who has been stolen by Yukon Regional Chief Kluane Adamek. She has worked in our office and I have had the pleasure to work with her — Ms. Monica Nordling — if we could welcome her, please.

Applause

Speaker: Any further introductions of visitors?
Tributes.

TRIBUTES

In recognition of 55th anniversary of Yukon Sourdough Rendezvous festival

Hon. Ms. Dendys: It is my pleasure to rise today on behalf of the Liberal government to pay tribute to the 55th anniversary of the Yukon Sourdough Rendezvous festival. This year's theme was "Under the emerald lights" in honour of this historic milestone, and of course as Yukoners, we're blessed to have those dancing northern lights above us at this time of year.

Each February, this annual winter event has been a highlight for Yukoners. It is a sure cure for cabin fever and signals the passing of another Yukon winter. It is also a mainstay of Yukon's winter tourism and draws in visitors to come and experience how Yukoners let loose and celebrate our past and the colourful characters of our history.

The festival has evolved through the years. Events come and go and locations change. What remains the same is the festival's emphasis on fun, revelry and community spirit.

Countless Yukoners have dressed up in costumes that include feathers, fur, garters, Victorian style dresses and suits, along with, of course, beards, hairy legs, trappers' gear, traditional regalia and other gold rush era styles.

Each year, it is a treat to see the cancan dancers, the Snowshoe Shufflers, the Rendezvous Queen candidates, the Sourdough Sams and yes, even the Keystone Kops.

The various events draw in crowds to see people test their strength, their agility and their teamwork, and they are always exciting and amusing to watch. Each year, the festival evokes memories and nostalgia that Yukoners have grown up with — Rendezvous meaning different things for them at different times of their lives.

It is so inspiring and important that we observe this link to our history — from young children captivated by all the excitement for the first time, to young parents bringing their children to the same events that they attended when they were children themselves and to long-time residents becoming Mr. and Mrs. Yukon.

The festival provides reassuring continuity in an ever-changing world that we experience today in Yukon. It offers us a moment to reflect on where we have come from, on who and what helps to shape the communities we live in, and perhaps contemplate future generations. It also is a time to be lighthearted and enjoy the amazing place we all love to call home.

Congratulations to all the candidates, participants and winners of the various Rendezvous events. In particular, I would like to congratulate the 2019 Rendezvous Queen, Michelle Friesen, Miss Hvactech Systems and also a member of the Ta'an Kwäch'än Council and her beautiful court; the 2019 Sourdough Sam, Evan Manning; and of course Mr. and Mrs. Yukon, Hank and Pam Karr, who have personally experienced many of the 55 Rendezvous festivals to date.

Members of our team certainly enjoyed our involvement in the 55th anniversary year, from our attendance at prestigious events such as the Queen's Ball, the crowning, the fashion show, the luncheon and the civic dinner to participating as judges in events like the lip sync battle, business decor, emceeding the main stage and, of course, our annual attempt at the community challenge.

In 2017, the Silver's Foxes were the Red Lantern recipients. This is for the last team to finish the competition. Last year, in 2018, we were in first place, and this year we were once again the Red Lantern recipients. I really can't wait to see what 2020 will bring. We will see how that goes.

I offer my sincere thanks to the sponsors, organizers and volunteers of the Yukon Sourdough Rendezvous Society for all of your hard work and enthusiasm and for keeping this Yukon tradition alive and exciting year after year. This festival would not happen without people like all of you who take the time and effort to put together this fun-filled event and for giving Yukoners something to look forward to. I thank you very much for all of your hard work, and I really encourage all Yukoners to continue to participate in Rendezvous and to consider volunteering to ensure that we are

able to celebrate the Sourdough Rendezvous for many more years to come. Thank you so much.

Applause

Ms. Van Bibber: I am pleased to rise on behalf of the Yukon Party Official Opposition to pay tribute to the Yukon Sourdough Rendezvous Society as it celebrates its 55th anniversary.

The Yukon winter carnival has roots that go back to 1945, but Yukon Sourdough Rendezvous Society was registered in 1964 and marked the official start of our annual winter event. Mr. Rolf Hougen was the first chairperson and the template for many passionate individuals who followed throughout the years.

I would bet that most people in the House today have at least one fond memory of Rendezvous from over the years — from flour-packing, the kids fair at Whitehorse Elementary or the colourful dog races on the Yukon River with colourful characters like Alex Van Bibber, Babe Southwick, Wilfred Charlie and Stephen Frost. Perhaps it was the ice palace where the queen was crowned, beard growing or dressing up for the fashion show. Stew and bannock at Skookum Jim's was always a highlight.

As Miss Dawson City, sponsored by Dawson Kiwanis Club in 1969, I had such fun experiencing the wonders from the front row. There were queen candidates from all around Yukon, so the communities had some personal interest in the pageant. One would say it was international as well — there was a Miss Skagway in attendance.

I remember, as kids, we listened to the radio to see who won the pageant. In 1962, Alice Martin, a girl from Dawson City, won, and we were so excited. So seven years later, it was an honour to represent Dawson.

Since the beginning, Rendezvous has always been such a fantastic way to wrap a winter and to shed your cabin fever and your winter blues. You can't beat a Yukon party — a week kicked in for winter sporting events, creative contests and Yukon dances and shenanigans.

I would like to take a moment to say thank you to the board — both current and to those who have served over the years, and to all Yukoners who volunteer their time year after year. Your dedication is what makes Rendezvous so special. It has evolved, and events have changed or are tweaked to make it truly unique.

To a couple of my favourite people, Hank and Pam Karr, Mr. and Mrs. Yukon, the cancan dancers, queen candidates, our Sourdough Sams — and the list goes on and on with too many to mention, but you know who you are — and to all the winners and participants — well done. Thank you, congratulations and keep it up.

Applause

Ms. White: I am pleased to rise on behalf of the Yukon NDP to mark the 55th anniversary of the Yukon Sourdough Rendezvous. It would be impossible for anyone growing up or living in the Yukon in the last 55 years to not have memories of Rendezvous. This February festival really is like swans

signifying the near arrival of spring. It breaks up the winter months and is always something to look forward to.

Over the years, it has changed locations. It has ebbed and flowed but always — through the dedication of the staff, board members, volunteers and community partners — it perseveres. Rendezvous would not be possible without a million different parts: the many sponsors, the Kwanlin Dün Cultural Centre, the visitors, the guests, the queens, the shufflers, the Sams, the competitors, the participants, the singers, the fiddlers, the maple taffy, the dogs, the artisans, the City of Whitehorse and the more than 300 volunteers, but especially the board and the hard-working staff.

My point, Mr. Speaker? There is no way to list everything that makes Rendezvous special. Our memories will be different, but they will always bring a smile to our faces. That's what Rendezvous is all about: celebrating winter and living in the north.

Thank you to all of those who have made Rendezvous possible in the past. A big thank you to all of those who are active in the Rendezvous of the present, and we look forward to seeing and participating in the Rendezvous festivals of the future.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Dendys: I have a legislative return in regard to a written question dated back to November 19, 2018, from Ms. Van Bibber.

Mr. Hassard: I have a letter for tabling to the Hon. Bill Morneau from me regarding Shakwak funding.

Ms. McLeod: I have a letter for tabling that was acquired through ATIPP.

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

Are there any reports of committees?

Are there any petitions?

Are there any bills to be introduced?

INTRODUCTION OF BILLS

Bill No. 30: *Act to Amend the Education Labour Relations Act* — Introduction and First Reading

Hon. Ms. McPhee: I move that Bill No. 30, entitled *Act to Amend the Education Labour Relations Act*, be now introduced and read a first time.

Speaker: It has been moved by the Minister of Education that Bill No. 30, entitled *Act to Amend the Education Labour Relations Act*, be now introduced and read a first time.

Motion for introduction and first reading of Bill No. 30 agreed to

Speaker: Are there any further bills for introduction?

Bill No. 29: *Miscellaneous Statute Law Amendment Act 2019* — Introduction and First Reading

Hon. Ms. McPhee: I move that Bill No. 29, entitled *Miscellaneous Statute Law Amendment Act 2019*, be now introduced and read a first time.

Speaker: It has been moved by the Minister of Justice that Bill No. 29, entitled *Miscellaneous Statute Law Amendment Act 2019*, be now introduced and read a first time.

Motion for introduction and first reading of Bill No. 29 agreed to

Speaker: Are there any further bills for introduction?
Are there any notices of motions?

NOTICES OF MOTIONS

Mr. Adel: I rise today to give notice of the following motion:

THAT this House urges the Government of Yukon to work with the City of Dawson to find a suitable replacement for the community's waste-water treatment facility.

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

THAT this House urges the Government of Yukon to immediately table a copy of the 2019-20 capital and operation and maintenance budget supplementary documents and budget details prepared by departmental officials in preparation for opposition briefings in order to facilitate informed discussion and debate in the Legislative Assembly.

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

THAT this House do issue an order for the return of the Government of Yukon's analysis of the possibility of eliminating daylight saving time, which the Premier referred to during Question Period on March 12, 2019, including any recommendations upon which his decision not to end it was based.

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

THAT this House urges the Government of Yukon to conduct a consultation with Yukoners to gauge public support for the removal of daylight saving time in Yukon.

Speaker: Are there any further notices of motions?
Is there a statement by a minister?

MINISTERIAL STATEMENT

Yukon aviation system

Hon. Mr. Mostyn: Our government is investing in Yukon's aviation system to provide transportation options for communities while supporting economic development and enabling our communities to grow and thrive.

We have embarked on major improvements to Yukon airports. We repaved the Whitehorse airport tarmac and are replacing the aging skybridge and baggage-handling equipment at the Whitehorse International Airport.

Earlier this week, I announced our plan to pave the Dawson City Airport runway as part of this year's budget, and we are proud to be delivering on that commitment. We also built an all-weather garage for the Dawson City Airport last year that will help maintain the new paved runway.

Today, I am pleased to announce that, as outlined in our five-year capital plan, we are also investing in improvements to the Mayo aerodrome to enable our government to apply to Transport Canada to certify it as an airport. This work and approval will allow the airport to support scheduled service on a long-term basis in anticipation of continued resource development in the area. We currently have authorization from Transport Canada to test scheduled air service into Mayo until October 2019.

To certify the Mayo aerodrome for daytime scheduled service, we are upgrading the site to meet Transport Canada standards. We are investing \$5 million in upgrades this summer for daytime use certification so scheduled service can continue beyond the fall of 2019. These upgrades include runway reconstruction, runway lighting and equipment. This is part of more than \$20 million in capital spending we have budgeted for airport projects across the territory in 2019-20.

Certification of the Mayo aerodrome will require on-site and dedicated maintenance staff. We have budgeted a further investment of \$300,000 per year to support ongoing operation and maintenance dedicated staff at the aerodrome in Mayo. Supporting economic development opportunities throughout Yukon is important to this government, and the upcoming work on that Mayo aerodrome is a demonstration of that commitment.

In addition to the roads and bridges that keep our communities connected, our government is proud to be investing in the territory's aviation infrastructure to support our communities and the local businesses that rely on air transportation to provide goods and services across the Yukon.

This is particularly important as our population and economy continue to grow. Through our government's investments in communities and infrastructure, we are building for a strong future for Yukon.

Mr. Hassard: I appreciate the opportunity to respond today. I do believe this is an important infrastructure project, but I certainly have some questions. Last year, the minister stated that the government was spending \$750,000 on the Mayo airport, so can he confirm whether all of that money was spent, and if not, how much of it was lapsed?

The minister mentioned in his remarks today that he has budgeted \$300,000 per year to support ongoing operation and maintenance at the airport after these upgrades take place, so we're curious how much of an increase that is over current O&M at the Mayo airport.

Regarding the \$5 million that's being spent on this project this summer, we are interested in if the minister could tell us when this will be tendered. It appears to be a seasonally dependent contract, so we expect that it will be tabled and out before the end of March.

Further, Mr. Speaker, when will that work be taking place? As you know, earlier this week, we discussed the Dawson airport being shut down for a period of time this summer, and the government had said their plans were to use the Mayo airport as part of a contingency, so I hope the government has planned for that and won't have both airports shut down at the same time.

I would also like to note that this project is just another example of how the five-year capital concept this Liberal government put forward really provides zero certainty to anyone. We have highlighted how there are a bunch of projects that were on the list last year that were removed this year, and now here we have a \$5-million project for this year that just appears to have shown up out of nowhere, as it wasn't in last year's five-year capital concept. I think it just goes to show that contractors can't rely on the information contained in this document at all.

Finally, Mr. Speaker, at the end of the minister's remarks, he mentioned that the roads and bridges that keep our communities connected are important, especially with a growing population, but unfortunately the Liberal government's actions don't align with this statement. They're telling Yukoners who rely on the Shakwak portion of the Alaska Highway that they'll have to get used to a lower standard and gravel roads. Maybe it's just that roads and infrastructure are only a priority for this government if they're in a Liberal riding.

Ms. Hanson: Today the Minister of Highways and Public Works again used the platform of a ministerial statement to announce an investment in the Mayo aerodrome. It would appear that the minister doesn't have confidence in the Budget Address presented by the Premier last week and feels the need to read the latest government press release in this Chamber.

In addition to questioning the parliamentary appropriateness of the use of ministerial statements for non-urgent matters, the minister's statement today undermines the good work Highways and Public Works officials attempt to do in briefing opposition MLAs on departmental budgets.

Mr. Speaker, the tabled budget presents little information other than rollup grand totals by department.

Yesterday, in the Highways and Public Works' departmental briefing, opposition MLAs were told that \$300 would be spent this year on the Mayo airport. That detail was buried somewhere in the \$5.5 million for community airports. That \$5.5 million was, again, part of a rollup of the \$20 million. No detail for this information is provided. As no detailed information of this kind is provided in the tabled budget, MLAs ascertained bits and pieces during the briefing by questioning. It is rather an opaque exercise.

This afternoon, I introduced a motion in which I request that the opposition MLAs be provided with the budget supplementary documents and budget details prepared by department officials in preparation for opposition briefings. This motion is intended to remedy the scenario replayed here today. Had the opposition had those documents, the likelihood of the opposition being taken by surprise, being again offended by this mockery of the parliamentary process, being taken by surprise by the large capital project being announced here — details of which, as I said, are buried in line items — that surprise would be greatly reduced, because the issue, Mr. Speaker, is not whether we support the Mayo aerodrome improvements. The Yukon NDP is happy to see the monies being invested to bring the runway and facility into compliance with Transport Canada regulations allowing for regular daily scheduled flights.

According to Stantec's May 2017 Yukon Aviation System Review provided to the Government of Yukon, the Mayo aerodrome runway replacement and grading was the number one priority for the Yukon when assessing the state of infrastructure at the airport, coupled with expected growth in traffic. In addition to this information, the report also expects Mayo airport traffic to dramatically increase during the construction phase of the Eagle Gold property, then — and I quote: "... slowly decline as the project enters its operational phase."

Considering that airport growth will likely decline after construction, we look forward to potential growth associated with ecotourism that this investment can offer. What we do not support is this government's increased opaqueness and its unwillingness to share pertinent information with all MLAs. If the minister and the Finance minister and this government believe that the parliamentary process should be reduced to soapbox-style daily announcements, then it begs the question of whether they intend to continue to make a mockery of the legislative process or whether they will agree that it is the legitimate business of this House to hold government to account and that this government will commit to providing all members of this House with the information necessary for informed discussion.

Hon. Mr. Mostyn: I am really glad to be responding to the questions of the members opposite this afternoon on an issue of great importance to the Yukon and especially the community of Mayo.

I am a little bit saddened this afternoon that the Official Opposition are continuing to oppose planning in the territory. They had never put in a five-year capital plan. We put one in and all they can do is criticize it. I understand that they don't understand the concept of planning. We do. We are putting it in place. This doesn't mean that new projects won't make it on to a plan as issues are identified, like the Mayo airport. We're flexible enough to put that in, but the contractors can certainly see where we're going. I applaud the work of Highways and Public Works to provide transparency to the people of the territory.

Now, the Leader of Third Party talks about — she wants more information, she doesn't want it presented in the House, she wants it here, she wants it there. Well, frankly, Mr. Speaker, the ministerial statements that we are using today are something that, when I was a cub reporter covering the Legislature from 1989 to 1992, I saw used all the time. I also saw them used extensively between 1996 and 2000 as an opportunity to inform the public. I actually respected that approach, and so I am very happy to be providing it today on the floor of the Legislature.

Earlier this week, the Leader of the Official Opposition noted that the Mayo airport was in need of improvements to deal with increased traffic from mining activity in the area. This is true, and our Liberal government is excited to be moving forward with the necessary improvements to ensure that Mayo has the capacity to deal with the increased resource development in the area. These are improvements that were identified in our review of airports and aerodromes, and we have observed a spike in activity in the Mayo area over the past year. Aircraft movements around the aerodrome increased 14 percent from 2017 to 2018.

Investing in the future of the Mayo airport is also responsive to the needs of the community, Mr. Speaker. The Na Cho Nyäk Dun Development Corporation requested infrastructure upgrades at the Mayo aerodrome to accommodate increased activity there. Our Liberal government is proud to work together with the First Nation development corporations to increase economic development opportunities across the territory. I have also been in touch with both Alkan Air and Air North about taking steps to have the Mayo airport certified as an airport in order to accommodate increased air traffic in the area.

As I said, Mr. Speaker, our government is investing in Yukon's aviation system to provide transportation options for communities throughout the territory while supporting economic development and enabling our communities to grow and thrive.

This isn't just in Whitehorse, Mr. Speaker — though we are making improvements there. This isn't just in Dawson City, Mr. Speaker — though we are delivering on our commitment to pave the runway there too, as I announced earlier this week. These improvements to the Mayo aerodrome will enable our government to apply to Transport Canada to certify it as an airport. Provided that the site meets Transport Canada standards and requirements, certification could be granted to allow for scheduled flight service for any carrier wishing to fly into the Mayo aerodrome as early as October 2019. This is more than \$20 million in capital spending that we have budgeted for this year, and I'm proud of the investments we are making in infrastructure.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Health care funding

Mr. Hassard: Here we are on day 4 of the Legislature, and the Minister of Health and Social Services is already off

to a pretty rough start. Yesterday we, along with the Third Party, tabled letters indicating that the Liberal government told NGOs that they will be freezing their funding at 2017-18 levels. The minister has claimed that this isn't true; she claimed that there was a two-percent increase in the budget for health NGOs. The problem for the minister is that the budget doesn't back up her claims.

Let's look at the Yukon Council on Aging, for example: 2017-18 budget, they got \$48,000; 2018-19 budget, they got \$48,000; this year's budget, \$48,000.

So Mr. Speaker, without using Liberal math, can the Minister of Health and Social Services please explain to this House how this is a two-percent increase?

Hon. Ms. Frost: I am pleased to rise today to speak to the commitment of this government to foster healthier, happier lives for Yukoners.

We are looking at services and programs tailored to Yukoners. That is specifically what the objective of the NGO review is intended to do. We have allocated \$250,000 in the budget. As I noted previously, the \$250,000 can be found under the title of "Miscellaneous Items" as defined in the budget.

Mr. Hassard: It looks like the minister is in damage control again now. She wants us to believe that she had two-percent increases for all of these groups in a line item called "Miscellaneous", but even then, the math does not add up. That is certainly not what we are hearing from NGOs.

Yesterday, the minister stood in this House and claimed that there were two-percent increases that were cost-of-living increases. We can't find these reflected in this budget document. As I said yesterday, we tabled letters showing that the Liberals had decided to freeze funding levels for a number of health NGOs at the 2017-18 levels. The minister claimed — and I will quote: "The letter was put out to assist and provide an open dialogue with all of the NGO groups." That is quite the open dialogue: "Hey, we are freezing your funding — hope you enjoyed this open dialogue."

Why did the minister not actually meet with the groups before having her officials send a letter telling them that their funding was frozen?

Hon. Ms. Frost: I would like to respond by saying that I am very pleased with the Department of Health and Social Services and extremely pleased with the staff and the vision that they have to look at better alignments of service delivery models. We are looking at essential services. We are remaining dedicated to the important work of this government. We will ensure that the funds that we have available support the programs and services for our population that may come upon some difficult challenges. We are there to support them, and we will continue to do that.

The \$250,000 that is identified is not hidden in the budget. We are working through a process with our NGO groups to align with their growing requests, and the position that was put forward was to look at ensuring that we had the resources available in the budget. I did not say that every NGO received two percent. I said that the majority of the NGOs received a two-percent increase for cost of living. We

have some NGO groups that are there for profit. They would not receive a two-percent increase. We have some opportunities to work with the NGOs that require more supports, and we have given that resource to them for this fiscal year. There is no funding freeze. Every NGO group that is listed under the Health and Social Services budget has been funded and supported for this fiscal year.

Mr. Hassard: I want to start this question by reminding the minister that we are asking about her actions, not the actions of staff in the department. It is becoming more and more clear that the goal of this Liberal government is to set NGOs up for failure. The minister spent the last two days in this House implying that NGOs are either mispending their money or not following their agreements in good faith.

Also, it is ridiculous that she keeps talking about financial restraints. Take, for example — at the same time the Liberal government is telling the NGOs that their funding is frozen, the senior management for the Department of Health and Social Services was on a spending spree. According to access-to-information documents, the DM and ADMs at Health and Social Services spent over \$20,000 painting their offices and buying new furniture. Imagine if, instead of freezing their funding, the Liberals had given that money to an NGO.

Mr. Speaker, until the funding freeze on all NGOs is lifted, will the Premier agree to also freeze luxury expenditures such as painting and furniture?

Hon. Ms. Frost: I would like to perhaps take a moment for Yukoners to really — they deserve to know the facts. The facts are that we have not frozen any funding. Every NGO that's associated with Health have received continuous funding for this year.

We also are not misleading anyone. We have provided significant supports to those NGO groups. We have given the NGO groups an increase in their funding. We are looking at reflecting that in the future as we look at the reviews. Will that increase this year? Perhaps, Mr. Speaker. That will be done in collaboration and in good faith discussions with our NGO groups. That's how we conduct our business — it is to work in collaboration to enhance appropriate services for Yukon citizens.

Question re: Government support for non-governmental organizations

Ms. McLeod: As we have been talking about, the Liberals have clearly frozen budgets for the Health NGOs at 2017-18 levels. This year's budget shows that to be the case.

Let's look at the Child Development Centre. Their budget last year was \$2.4 million. This year, it is \$2.4 million. That's a zero-percent increase. Meanwhile, the Liberals all voted in favour of giving the Premier a raise. They also increased the budget of their political offices by \$255,000.

Mr. Speaker, budgeting is about priorities. In this case, they have prioritized expanding their own budget over expanding the budget of an NGO like the Child Development Centre.

Mr. Speaker, will the Liberals agree to take that extra money that they are spending on their political offices and give that to NGOs instead?

Hon. Mr. Silver: Mr. Speaker, Yukoners do deserve accurate information out of all of their elected members. MLAs are their communities' voices in the Legislative Assembly, and when they use their time in the House to spread inaccurate information instead of advocating for their constituents, that is a real disappointment for Yukoners.

We have heard this narrative from the Yukon Party before. Consistently, the opposition has had the constant stream of incorrect information. The members talk about a pay raise. The Leader of the Official Opposition saw his pay raise as well last year. The budget went up for his office as well last year. They talk about us increasing the budget for our office. This is the same dollar value that the Yukon Party went over every single time. We just want to make sure that those numbers account for the real costs of running that government, and that, to me, is openness and accountability.

Mr. Speaker, the Yukon Party has spread incorrect information about carbon pricing, about budget documents, issues at Yukon schools, Gateway, medical travel, electoral reform, procurement, and the list goes on and on.

Ms. McLeod: We are in the third year of this government, and blaming others is an attempt to distract from the government's ability to deliver and provide leadership.

The Minister of Health and Social Services has had three budgets to increase the funding of NGOs, and she has frozen the budget. That was her decision and hers alone. If the minister is not willing to be responsible for her actions, then it's time for her to step aside and let someone else take over the job because Yukoners are tired of the blame game.

Speaker: I'm not sure if there was a question, but okay.

Hon. Ms. Frost: I think in that preamble — or whatever that was across there — the member opposite clearly has not characterized the issues properly. This is not about the Minister of Health and Social Services. This is about efficient and effective program services for all Yukoners. The NGO groups are just as responsible as this government to ensure efficiencies and program service delivery to meet the complexities of client needs, and we are continuing to do that.

Yes, this is my third time at reviewing the budgets, and we have also learned a lot in terms of what didn't happen historically to provide the resources to those NGO groups. We will continue to enhance the services and supports, as we have in the last year, and we will continue to do that in the future in collaboration and in good faith with our partnerships.

Ms. McLeod: Last year, the Liberals sent letters to NGOs telling them that their funding was frozen. That's clear. That's not in dispute. Meanwhile, the Liberals spent \$500,000 on a new logo and website that no one was asking for. They spent \$125,000 to spray mist into the air around Dawson City. They have increased the size of their political office budget by \$255,000. In these instances, Yukoners would agree that our taxpayers' money would be better spent supporting important NGOs like the Child Development Centre or Kaushee's Place.

Will the minister agree to a spending freeze in the Cabinet offices until these important NGOs receive adequate funding?

Hon. Ms. Frost: Clearly, the message is not getting across the way. What I spoke about was the cooperation that we are receiving from Yukoners and from our partnerships with the NGO groups. We're clearly not freezing any budgets.

We have given the NGOs an opportunity to work with us so that we can align with the mandate as defined under the Financial Advisory Panel's recommendations. We're working through a process with our NGO groups. There is no funding freeze, Mr. Speaker.

We've made some amendments this year to accommodate the requests for the cost-of-living adjustments, and we will continue to work on the program service needs as they evolve, and we will continue to look at the scope of the budgets and the program areas to better align with the program services under the NGO transfer payment agreement.

Question re: Minimum wage

Ms. White: Last Thursday, the Government of Yukon announced that it accepted the Employment Standards Board's report on minimum wage and that Yukon's minimum wage would be increasing to \$12.71 an hour on April 1. This good news was short-lived.

It appears that rather than implement the full recommendations offered by the Employment Standards Board, this government has decided to cherry-pick a single recommendation from the review and call it a day. The news here is not that this government is increasing minimum wage this year; it's that they are refusing to implement all the recommendations to increasing Yukon's minimum wage in the years thereafter.

Why did this government choose to not accept the full recommendations of the Employment Standards Board to bring minimum wage to \$15 an hour by 2021?

Hon. Mr. Streicker: First of all, I would like to thank the Employment Standards Board for its great work. They did a lot of work last year to develop and look at where they thought the minimum wage should go.

They presented that to us, and they took a balanced approach. They talked to labour organizations, they talked to chambers of commerce, they took a look at it all, and they came up with a suggestion over several years.

Unfortunately, within that, they also put in an estimation of where they thought the consumer price index was going to go, and it was not correct. As a result, when we wrote back to them and asked them for an order, we suggested that they take a look at giving us an order for this year and that we would work with them, for example, to put in place an economic impact analysis that was proposed by the business community to see how things would change over time. We suggested that if they did it that way, they could give us orders in the coming years that would reflect the changes to the consumer price index and by also monitoring and watching what's happening in other jurisdictions.

That's what they did — they gave us an order for this year. I'm happy to work with them. I thank them very much for their work.

Ms. White: On Friday, when asked about the minimum wage increase, the Premier said that his government would increase the minimum wage this year and that they would then work with the business community to review the proposed increases. This government received the employment standards report a little over three months ago, and this government is already talking about reviewing the findings.

An overwhelming majority of the 650 survey respondents, including business owners, described our minimum wage as too low, and the Employment Standards Board recommendations were clear. I guess the experts and the public only get listened to when it's politically convenient.

Why does this government believe that the Employment Standards Board review was inadequate with over 650 respondents, and what questions does it plan to answer with its next round of consultation?

Hon. Mr. Streicker: Maybe there's a bit of a misunderstanding. I'm not sure. It's not us who set the minimum wage — it is the Employment Standards Board. Okay. They gave us an order and we accepted it. Thank you to the Employment Standards Board for that order.

I think we always work with the chambers. We listen to what they say. I think we work with the labour organizations, and we listen to what they say. It is the Employment Standards Board's choice about whether they wish to do more review or not. We suggested that because we could see that the consumer price index had gone up — in fact, the Conference Board of Canada gave us a report where they felt our consumer price index would go up again — and therefore, it might be useful for them to watch those things in how they give orders to us about the minimum wage.

We suggested that they do it in stages. That is what they gave us an order for. I'm happy to say that we accepted that order, and I look forward to working with the Employment Standards Board going forward. I will leave it to them to decide how much more engagement they wish to do.

What I will say is that they were incredibly open in the last year as they did the review. They invited all folks — Yukoners — to come forward, and we provided them all the supports we could to get information to make a balanced perspective for us as Yukoners.

Ms. White: The increase proposed by the Employment Standards Board for the first year was intentionally set to be the lowest raise of the proposed three years. That means that this government is increasing the minimum wage by the bare minimum and calling it a day.

The fact is that this government has missed a huge opportunity by not committing to the proposed increase of the minimum wage going forward. It missed an opportunity to bring us on par with our closest neighbours, and it missed an opportunity to make Yukon a more attractive place for the workers we desperately need. Most importantly, it missed an opportunity to improve the lives of some of the lowest income

earners. I'll point out they are not just young people or people with disabilities.

Mr. Speaker, why doesn't this government recognize the importance of raising the minimum wage into the future?

Hon. Mr. Streicker: In fact, the report that the Employment Standards Board gave us was a projection for what they thought should happen this year. What has actually happened is that it has gone up more because the consumer price index was higher. In fact, what has happened is that we are further ahead than what their first report presented to us — great.

We anticipate steps coming forward. Again, I appreciate that they took a balanced look. We will continue to take a balanced look. I think it is important that we do an economic impact analysis and that it gets prepared. I thank the Minister of Economic Development and the Minister of Finance for saying that it would be a thing that we would supply that would assist the Employment Standards Board.

Mr. Speaker, I am not sure what the concern is. The Employment Standards Board gave us an order to raise the minimum wage. That is what we did. We will continue to work with them.

Question re: Canada Border Services Agency investigation

Mr. Cathers: It has been reported to our office that yesterday the RCMP and Canada Border Services Agency showed up at the offices of the Department of Economic Development with a warrant for files and electronics. Can the Minister of Economic Development confirm if this is indeed the case and provide us an explanation of why the visit was made? Or if the minister believes that any of the information reported to us is not correct, I would offer him the opportunity to correct the record here today.

Hon. Ms. McPhee: It is in fact the case that the Canada Border Services Agency executed a warrant here in the City of Whitehorse yesterday. One of the locations which they attended was in fact the offices of Economic Development. They are conducting an investigation, to which this government and the ministers and the MLAs on this side of the House are not privy. They will continue to do their work, and they shall do that unimpeded by any part of our offices for the purposes of executing the warrant that they had issued by a court and that work was done.

Question re: Shakwak project funding

Mr. Istchenko: Successive US administrations under President Obama, and now under President Trump, have refused to fund additional improvements to the Shakwak portion of the Alaska Highway. The Minister of Highways and Public Works has stated that 85 percent of the traffic on that portion of the highway is from the United States and that the cost to finish the upgrades would be roughly \$340 million.

I have a question for the minister: Can he provide this House with the traffic study and estimates his department used to arrive at those numbers?

Hon. Mr. Silver: Just to clarify the record here, the member opposite has mentioned twice now that the FAST act — I imagine he is talking about the FAST act, which provides billions of dollars for transportation right across the Americas — was somehow directed by the Obama administration. The member opposite knows too well — or should know too well because it happened when his government was in power here — that the FAST act gave all of that control to the governors of Alaska — to the elected officials in Alaska — and there was no requirement from the federal government at that time to earmark funding.

In the past, the member opposite is correct, this funding from 1971 forward has been in different incarnations and different requirements from the federal government, but I just want to make sure the member opposite corrects the record as soon as he can because he should know that the FAST act gave all of that discretionary power to the Alaska government, not to Washington or the Obama administration.

Mr. Istchenko: I believe I had asked about traffic studies and estimates his department used to arrive at those numbers.

Mr. Speaker, now that the money is dried up and it's time for the Government of Yukon to step up, they can't just sit back, throw their hands in the air and say, "Oh well." That's not good enough. Budgeting is about priorities, and the Liberals haven't made the north Alaska Highway and the Yukoners who live along it a priority.

Considering that the US government is no longer interested in funding Shakwak, has the minister asked Canada to step in and provide financial assistance?

Hon. Mr. Mostyn: I am again a little bit shocked by the approach of the members opposite. We have a federal government in Ottawa that funds the Alaska Highway all through BC and into Yukon. They provide us largesse every year with which to maintain our roads and bridges and the Alaska Highway. This road — the Alaska Highway — was built in partnership with our American neighbours to provide access to the State of Alaska, really, and all the facilities and infrastructure that is there. We do a bang-up job maintaining the road, and the federal government does its share in maintaining this road.

But what has happened, Mr. Speaker, is the US government in Washington has made a decision not to fund the Canadian portion of the Alaska Highway anymore, and so we are left with a funding crunch. We in this territory do not have the resources to spend the money that was provided by Washington to maintain the road to the military grade that the Alaskans had wanted. We will continue to maintain a safe road on the north Klondike Highway to a standard that befits the territorial grades of roads, and we will continue to do that to a standard that is consistent with the other roads in the territory. We are happy to do that.

Mr. Istchenko: Mr. Speaker, blaming someone else is not an answer; it's an excuse for not doing your job. The minister has said that the highway may revert to a gravel surface rather than BST. He also says drivers along the north Alaska Highway are going to have to slow down and live with

the bumps. Essentially, it's telling Yukoners along this portion of the highway that he can't afford to support them and ensure the highway is up to the same safety standard. Yet two days ago, he announced a paving project in the Premier's riding at the Dawson City Airport at a cost of \$19.7 million, with ongoing O&M costs of \$1.2 million to support, among other things, tourism.

Why is the minister willing to support tourism in the Klondike yet unwilling to support tourism and economic development in the great riding of Kluane?

Hon. Mr. Mostyn: Let me get this straight, Mr. Speaker. The members opposite want Canada to step in where Washington has vacated. They want us to pick winners and losers. This part is true. They don't support the paving of the Dawson City Airport runway — that's quite clear. I don't understand.

They also don't understand that there are limited resources. They were spending \$1.50 for every dollar that came into the territory. They consistently want to continue to do that. We are not willing to do that. We will support our territory and make responsible planned decisions on our budgeting into the future.

Question re: School replacement

Mr. Kent: I have some questions for the Minister of Education regarding capital projects in her department.

Mr. Speaker, in the five-year capital concept tabled last year in this House, there were three education projects that are no longer listed in this year's documents. Christ the King Elementary School and Holy Family Elementary School are no longer listed, even though they were top priorities last year. The Minister of Highways even told us they were replacing Holy Family Elementary School.

Can the minister tell us why these two schools are no longer part of the capital planning for Education?

Hon. Ms. McPhee: Mr. Speaker, I appreciate the question. The concept of capital planning is new to the territory; certainly the concept of a five-year capital plan that includes Education is in fact new as well.

The Government of Yukon created the five-year capital plan that includes school projects to ensure that all buildings are safe and available for use for many years to come for the Department of Education. The plan is based on current information — I believe, Mr. Speaker, I said that last week when answering a similar question, which I am pleased to do. I am pleased to have the opportunity to speak about schools and the necessity for our planning going forward to meet the needs of our students. These needs change over time, and this plan is designed to be flexible and may be adjusted from time to time should something arise with respect to a particular school.

The capital plan provides more than \$30 million in capital funding this year toward building, maintaining and modernizing schools for the following projects: the French first language secondary school, a new elementary school in the area of Whistle Bend, continued planning and relocation of the Kluane Lake School in portables to address short-term

and medium-term needs, and I will proceed as the questions continue.

Mr. Kent: Mr. Speaker, hopefully the minister can tell us what these miracle cures for Christ the King Elementary School and Holy Family School were that I asked about in the original question and what we can communicate to those school communities about why their facilities are no longer being considered for replacement.

The third project that was included last year that has disappeared is the scalable generic design for schools. Even though we raised concerns with this approach, the minister extolled the virtues of this project, saying it would save the Yukon government \$7 million in design costs over 10 years. The minister claimed on Monday of this week that this project was still happening, even though it has disappeared from the five-year capital concept. So much for certainty and transparency, Mr. Speaker.

Can she tell us if this project has been tendered, how much it will cost, and when it will be finished?

Hon. Ms. McPhee: Thank you very much, Mr. Speaker. Again, I appreciate the question and the opportunity to speak about infrastructure here in the territory, which relates to schools and the needs of our children. We continue to assess and prioritize the needs of Yukon school communities, and the timelines for some of the projects in the capital plan have changed.

The member opposite does not need to worry about speaking to the schools about the changes in the capital plan. The Department of Education is keen and has already done so and continues to engage with school councils, including the two involved and named by the member opposite — Christ the King Elementary School for long-term planning and Hidden Valley and Holy Family as well.

Though Christ the King Elementary School is not currently in the government's five-year capital plan, the school remains a priority for renovation or replacement, as it is among one of the older schools in the territory.

As I've already mentioned earlier this week, there is of course a scalable design plan, which is designed for saving money and to make sure that the planning stages with respect to capital projects involving schools is not as long as it has had to be when a single design is separated and done for every separate school.

Mr. Kent: I guess that if any members of those two school communities approach us, we will tell them that the minister has put them in the sixth year of the five-year capital plan.

On Monday, the minister said that her department is still planning to do a generic school design that will be used in future school replacements. This year's budgets highlights say that there is \$1.6 million identified to begin planning for a school in Whistle Bend.

Can the minister tell us if the Whistle Bend school will use the scalable generic design, or is she currently having her department develop two school designs?

Hon. Ms. McPhee: I think that two school designs, as anticipated by the member opposite, would be beside the

point. The purpose of a scalable design is so that a core design for a school could be reused, adjusted and amended from time to time to meet the needs of a particular school community. The hopes are, of course, that this will play out in savings for the Department of Education on the design phase of future schools to be built pursuant to our five-year — and beyond — capital plan.

Speaker: The time for Question Period has now elapsed.

We will proceed to Orders of the Day.

ORDERS OF THE DAY

OPPOSITION PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Motion No. 272

Clerk: Motion No. 272, standing in the name of Ms. White.

Speaker: It is moved by the Member for Takhini-Kopper King:

THAT this House urges the Government of Yukon to use the protection area provisions provided in the *Territorial Lands (Yukon) Act*, to protect and manage sensitive areas identified since 2012 from off-road vehicle use, before the spring of 2019.

Ms. White: I would like to begin by providing this House with a bit of a disclaimer. When we, the NDP, talk about regulating ORV use in the Yukon, we do not wish to paint all ORV users with a broad brush. The vast majority of ORV users are responsible ones, and they are often some of the most knowledgeable and passionate stewards of the land. However, as the expression goes, one or two bad apples can spoil the bunch.

Before we get to the substance of this motion itself, I would like to provide a bit — or, to be honest, a lot — of context and history to this House. I had a conversation earlier with the minister. I can assure him it is not 27,000 words, but it is a bunch. There are going to be a lot of words. If there was an opportunity for popcorn and a comfortable chair, I would suggest that this is the time.

The history of ORV management in Yukon goes way back to when I was four years old. *Raiders of the Lost Ark* was number 1 at the box office and *Jessie's Girl* was skyrocketing up the *Billboard* top 100 list. It was also the first time that ORV use and concerns over environmental impacts were formally addressed when the Renewable Resources department flagged issues related to their impact. At the time, the Yukon's Department of Renewable Resources conducted its first-ever public opinion poll in which hunters were asked 13 questions on a range of hunting-related matters. The questionnaire was mailed to 4,677 hunters of which 1,800, or 38.5 percent, returned their filled-in forms. The majority, 85.6 percent of resident hunters, were in favour of ATVs being

restricted in some manner with 43 percent of hunters favouring eliminating their use entirely.

In 1986, further evidence for regulation of vehicles, including conventional four-wheel drives, is found in the report of the Legislature's Select Committee on Renewable Resources, "Yukoners' views on managing our renewable resources". The specific recommendation called for a ban on the use of ATVs and four-by-fours in remote areas recently made accessible by new roads and restricting them in areas of sensitive environments.

In 1988, the Yukon Department of Renewable Resources released a report, entitled *Access-Related Impacts of Back Country Roads to Wildlife Management and Approaches to Mitigate Them*. This was an important report in that it was the first time the Yukon government acknowledged that roads into the backcountry in use by all-terrain vehicles may have impacts on wildlife. This report reviewed impacts of motorized hunters on backcountry roads on wildlife and habitat. It discussed vehicle controls in four other jurisdictions in Canada — Manitoba, Saskatchewan, Alberta and British Columbia — and recommended approaches to address this issue in Yukon, including the use of designated trails.

In 1997, the Department of Renewable Resources, now known as the Department of Environment, conducted a survey of sheep hunters residing in Whitehorse and Haines Junction to assess their attitude toward a sheep permit hunt system. Their survey was done by Carey and Tousignant, with the results published in 1997 under the title *Views from the Mountain — what resident Yukon Sheep hunters have to say*. Questionnaires were sent out to 187 sheep hunters residing in Whitehorse and Haines Junction, of which 105 were returned completed. All the questions dealt with aspects of the permit hunt system, but in this context I will focus solely on the ATV access-related matters, even though in 1997 the number of ATVs was much lower than at present, the trail system less elaborate and the machines less powerful.

The authors write — and I quote: "The use of ATVs for sheep hunting, and access in general, were the topics that respondents bought up most." Two of the hunters' quotes cited were as follows: 'I don't like to see four-wheelers or four-wheel drives allowed in sheep country because of potential terrain disturbance and wildlife harassment. Also, to me, it detracts from my ideal of a desirable hunting experience...' 'The use of ATVs for sheep hunting is #1 complaint I currently hear from traditional, ethical sheep hunters. At the same time, I see ATVs as the fastest growing sheep hunting tool. It is time to address ATV use! They are both popular and unpopular, depending on who you talk to.' The authors write under 'Highlights' of their analyses: 'Twenty-six percent of the hunters responding to the questionnaire thought that an outright ban of ATVs would be appropriate under some conditions, and a further 39 percent suggested that ATVs be restricted to designated routes or limited below tree-line.'"

Again, in 1997, the Yukon territorial government's Department of Renewable Resources "... commissioned a background report about ATV management elsewhere in Canada and contracted D. Loeks to do this review. Loeks'

(1997) report, entitled 'Off-road vehicle use in the Yukon: Issue scoping study for the Department of Renewable Resources'...' It was issued by TransNorthern Consulting Ltd., and the document had 48 pages plus appendices. The report "... compared policies and legislation from other selected jurisdictions in Canada with those in the Yukon, discussed salient issues, problems, and opportunities concerning off-road vehicle use in the Yukon, estimated the extent, location, and significance of the problems identified, and analyzed whether problems associated with off-road vehicle use should be further addressed by government..."

In 1998, "... the Yukon Fish and Wildlife Branch passed regulations to restrict the use of ATVs in the southern parts of the Ruby Range..." and they restricted them to designated trails.

The Yukon Fish and Wildlife branch passed regulations to restrict the use of ATVs in the southern parts of the Ruby Range and they restricted them to designated trails. At the time, this was a progressive step that had no precedent in the Yukon. It was successful in that the sheep populations in the area have remained open to hunting and did not have to be put on permit hunts as in other areas where sheep ranges were made accessible to ATVs by trail development. The designated trails in this area follow valleys and do not ascend to alpine elevations.

In the year 2000, the Yukon Fish and Wildlife Management Board established an access management working group, which contracted Loeks again to do a follow-up study that was released in 2000 under the title "Off-road Vehicle Use and Issues in Yukon". This study was more Yukon-specific, focusing on the impacts of ATVs on this territory's wildlife, fish and their habitats, providing case studies and recommending measures to address the problem. After much research, Loeks describes five approaches to handle the topic, ranging from one extreme, the do-nothing approach, to the opposite one, dealing with ATV management in the context of an all-encompassing land use plan. He warned that — and I quote: "... the most important lesson from other jurisdictions was that it is too late once off-road vehicle impacts had been allowed to become serious."

Mr. Speaker, that is a line to remember. The most important lesson from other jurisdictions was that it is too late once off-road vehicle impacts have been allowed to become serious.

Again, in 2000, the Yukon Fish and Wildlife Management Board's access management working group, also commissioned Clayton White to do a survey in five other jurisdictions — Alaska, British Columbia, Alberta, Saskatchewan and Manitoba — and describe their ATV-related experiences and regulations. These were published under the title "Report on ORV Management Strategies, Activities, Successes and Failures in Other jurisdictions."

All jurisdictions had similar experiences in that ATV-related problems came into being quickly and had to be reacted to without a proactive management strategy being in place. Alberta faced more difficulties than other jurisdictions, as much of Alberta was already carved up by the trail

development for oil and gas exploration and production. The provinces used different tools and different legislation to address this issue. In Alberta, the *Forests Act* was the primary legislation applied, and in British Columbia it was the *Wildlife Act*. Zoning, buffer strips, restricted areas, registration of vehicles, prohibition of some types of vehicles and designated trails were some of the methods they imposed. All jurisdictions stressed the need for public consultation.

White made some recommendations about regulation development in the Yukon. He was of the opinion that the *Wildlife Act* could be used, particularly as it was under review at the time and he felt that it could be amended to better address habitat concerns in the access management issue.

Mr. Speaker, yet again in the year 2000 — this is 19 years ago, just in case anyone had missed that; 2000 was 19 years ago — the Government of Yukon, Fish and Wildlife branch Southern Lakes regional program commissioned a report on the status of moose in the Southern Lakes region. At the same time, the Champagne and Aishihik First Nations also counteracted the development of a discussion paper on snowmobiles and ungulates in the Tatshenshini-Asek Provincial Park. The question posed was — and I quote: "Does winter activity of humans, particularly the use of snowmobiles, impact on Dall's sheep and moose in the park?"

The contractor's recommendations for the Tatshenshini-Asek Provincial Park management contain provisions for zoning, regulations, education and moderating. It was suggested that the zoning should reflect the protection of core ungulate winter ranges and movement corridors as well as stipulating which areas should be accessible to snowmobiles. These areas should avoid exposed ridges, and as much as possible, follow cover such as conifer stands. He also suggested that dogs should be restricted and no hunting should be allowed during winter.

In 2003, a letter by the Minister of Environment at the time, dated January 29, 2003, to the Yukon Fish and Wildlife Management Board, in response to the board's recommendations on proposed hunting, fishing and trapping regulation changes included the following paragraph — and I quote: "The department is prepared to continue to work together with the Yukon Fish and Wildlife Management Board in cooperation with stakeholders on the development of a territorial policy or approach for the management of off-road vehicle use in the Yukon."

Mr. Speaker, I'll just point out that was in 2003. The board followed up with this commitment with a proposal to develop a legislative framework for managing access in the Yukon's wilderness areas. They released that report in April of 2003. Its justification was that increased oil, gas and forestry development in this territory had resulted in accelerated hinterland road and trail development with negative impact on wildlife and habitats and that these concerns were shared by a number of communities.

Also in 2003, the Yukon Fish and Wildlife Management Board released a booklet with the title *Down the Road: The Effects of Roads and Trails on Wildlife*, compiled by M. Christie. It is a well-illustrated document written in

non-scientific language for use by the general public. It addresses the impact of vehicles on wildlife in their habitats, both in a road and trail setting, as well as making recommendations on mitigation steps to reduce these impacts. It also discusses the decommissioning of roads and trails if they are no longer needed for their intended purpose or if they are particularly damaging to the environment.

In 2004, the Yukon Fish and Wildlife Management Board's working group on off-road vehicles released a short "what we heard" report about their discussions with organizations. These organizations included First Nations, territorial and local governments, renewable resources councils and the public. Their positions were assessed through a questionnaire. Over 400 filled-in questionnaire forms were returned. The overall conclusion of the working group was that "Opinion was split between those who have no concerns about off-road vehicle use and those who have concerns."

Suggested solutions from participating groups and individuals were as varied and as opposed as their acceptance or rejection of the impacts of ATVs. Some felt that this whole issue could be dealt with by an education program that could start in schools. Here are some of the other ideas proposed: Many people felt that ORVs should stay on existing trails. A common suggestion was that ATVs should not be used above treeline. Licensing and registration of ATVs was brought up, and it was suggested that licensing should be connected to training and that licence plates should be very visible. The use of ATVs in certain areas sensitive to wildlife should be restricted, at least during times when the animals are using that area. ATV owners should switch to quieter four-stroke engine machines to reduce their disturbance impact. Other suggestions included that bridges should be built over stream crossings, that helmets and a minimum age restriction should be imposed. Lastly, they suggested that good quality trails and areas that will have no impact on wildlife should be built. These trails could either be offered as a trade for not using trails in sensitive areas or to just encourage people to use less sensitive areas.

Then we continued advancing through the years.

In 2007, a joint investigation with participation of the Laberge Renewable Resources Council, the Yukon Fish and Wildlife branch and the Ta'an Kwäch'än Council was started in the Miners Range with the title *Assessing possible impacts of increasing use of Off-Road-Vehicles on the Dall's sheep population and their habitat on Pilot Mountain (Miners Range)*.

Mr. Speaker, there's a theme here. The titles of the documents are a mouthful. They're large — they really are.

The project consisted of ground and aerial surveys of wildlife, the conducting of public workshops, the interviewing of local residents by door-to-door contact, estimating the use of the area by ATVs during the hunting season by means of remote cameras and locating a map in key wildlife habitats.

The study was precipitated by frequent complaints by residents that the local wildlife was being overharvested and displaced by the high number of ATVs using the area — a concern shared by the Ta'an Kwäch'än Council. These

concerns were verified by the study. When this study was conducted in 2007-08, there were five trails that ATV drivers could use to get into alpine elevation as well as an unknown number at alpine elevation, which are difficult to count because of their meandering nature and varying quality.

Concurrently, with trail development increasing the number of ATVs, there was an increase in hunting pressure on sheep, and for the duration of one decade between 1989 and 1999, the harvest exceeded the maximum level of four percent as stipulated in the sheep management plan.

In the fall of 2008, the Yukon Fish and Wildlife Management Board launched an initiative titled "Yukon Fish and Wildlife: A 20:20 Vision". This was created as part of their mandate to act in the public interest for the benefit of Yukon fish and wildlife and their habitat. The board, in partnership with the RRCs and the Yukon Salmon Sub-Committee, wanted to provide long range and strategic advice and recommendations to the responsible governments on the management of Yukon's fish and wildlife resources. Over a three-month period, Yukon-wide public meetings were held and questionnaires were distributed dealing with a great range of issues relating to fish and wildlife management as it is currently carried out and how people envisioned its status and management would be 12 years later in 2020.

Of relevance to the use of ATVs, question 14 of the questionnaire read — and I quote: "Should there be controlled access routes and/or elevation restrictions for ATVs to protected habitat?"

Out of the 311 returned questionnaires, 163 people answered this question with yes; 88 percent of those said that there should be some restrictions or controlled access for ATV use in order to protect habitats. Late in 2009 — 10 years ago — we saw the formation of the Trails Only Yukon Association. TOYA based their efforts on the values of responsibility, wise stewardship and the desire to leave a legacy for the next generation of a pristine wilderness environment. They listed their concerns about the unregulated use of ATVs in Yukon's hinterland as: (1) damage to fragile alpine and wetlands; (2) harassment, disturbance and displacement of wildlife; (3) over-harvest in accessed areas; (4) cutting of new trails; and (5) the quality of the wilderness experience.

TOYA has consistently advocated for four specific initiatives regarding the issue of ATVs in Yukon: (1) that ATVs should be restricted to designated trails in Yukon wilderness; (2) off-road vehicle legislation and regulations need to be created; (3) effective enforcement is essential, including identification of ATVs; and — Mr. Speaker, you might not be surprised to know — (4) education.

On November 18, 2009, the Yukon Legislative Assembly made the commitment to establish an all-party Select Committee on the Safe Operation and Use of Off-road Vehicles. That was 2009 — 10 long years ago.

In 2010, TOYA organized a public meeting on the ATV issue with over 200 citizens in attendance. In early May 2010, TOYA circulated a petition in Whitehorse and vicinity for residents to sign — appealing to government to bring about

control of the unregulated use of ATVs to stop their impact on wildlife and wilderness through relevant legislation, effective enforcement and education.

The petition was submitted to the Yukon Legislative Assembly by the Liberal Party on May 17, 2010. It was tabled by a Liberal member. However, it was not discussed in the House since the then-minister, on behalf of government, stated that this topic would soon be dealt with by the recently established Select Committee on the Safe Operation and Use of Off-Road Vehicles. In May 2010, the Yukon Off-Road Riders Association was formed to represent the riders' needs and interest to examine the feasibility of creating summer riding infrastructure in the Yukon.

So Mr. Speaker, I'm at 2011. I'm getting closer to the present date. Like I said, it was a good time for a comfortable chair and maybe some popcorn because this might feel like a trilogy you have already seen.

In March 2011, the report of the select committee was tabled for the 32nd Yukon Legislative Assembly. In the spring of 2011, the Yukon Conservation Society received funding from the Yukon Fish and Wildlife Enhancement Trust and the Yukon environmental awareness fund to coordinate a project to contribute to the protection of Yukon fish and wildlife through the management of off-road vehicle activity.

As one component of the project Yukon Conservation Society, brought together a working group of stakeholders interested in environmentally responsible ORV use. This working group consisted of representatives from seven organizations: the Klondike Snowmobile Association, Trails Only Yukon Association, Wilderness Tourism Association of the Yukon, Yukon Conservation Society, Yukon Fish and Game Association and the Yukon Off-Road Riders Association. The Yukon Fish and Wildlife Management Board was involved with observer status.

Between the spring of 2011 and the winter of 2012, this ORV working group met three times to discuss ORV management recommendations. A central document in these discussions was the 2011 report of the Select Committee on the Safe Operation and Use of Off-road Vehicles. The committee supported recommendation 3, which said that the government should undertake an extensive advertising educational campaign to raise public awareness of any and all existing restrictions on off-road vehicle use, along with penalties and a means of enforcement.

They supported recommendation 4 — that government undertake an educational campaign that, in addition to existing laws and regulations, focuses on the safe, responsible and respectful operation of off-road vehicles as well as environmental stewardship. They supported recommendation 10 — that the government encourage and support voluntary driver training on the safe and environmentally responsible operation of ATVs and snow machines — and recommendation 14 — that off-road vehicle legislation and regulations provide for the ability to mitigate environmental damage and cumulative negative impacts to sensitive wildlife and fish habitats and ensure that legislation and/or regulations provide for the ability to restrict the growth of trail networks

in sensitive areas, to close trails or overused areas as necessary, to exclude off-road vehicles from specific types of land or habitats and to have certain areas designated as access-route-only.

These four recommendations were supported by all stakeholders in the working group. Mr. Speaker, I think it's important to point out that those seven stakeholders come from very different backgrounds, and the fact that they could unanimously support four of those recommendations was important.

In 2011, prior to the October election, letters were sent out to all candidates running asking them four ATV-specific questions and informing them that their answers would be published in the papers. The four questions were the following: (1) Should ATV use be managed in order to protect Yukon wilderness? (2) Should new legislation and regulations be put in place to manage ATV use in the Yukon wilderness? (3) Will you make new legislation and/or regulations to manage ATVs in Yukon's wilderness a priority, if elected? and (4) If elected, will you bring forward legislation and/or regulatory changes to manage ATV use in the Yukon wilderness within your first mandate?

It is of interest to note that all candidates from all four parties answered yes. It's interesting to note that some of those candidates are in this Legislative Assembly here today. All members in this House answered yes.

Also in 2011, an opinion paper on off-road vehicles was produced jointly by YG departments of Environment, Highways and Public Works and Community Services. It was a follow-up to the Select Committee on the Safe Operation and Use of Off-road Vehicles report tabled in the House in March 2011.

As a result of the 2011 select committee report, the Government of Yukon of the day — it's important to say "the Government of Yukon of the day" — again initiated a public engagement period that began on April 24, 2015. I wasn't four anymore, Mr. Speaker. I was decidedly not four anymore. The engagement included the Yukon public, the Yukon First Nations, as well as consultation with the renewable resources councils and the Yukon Fish and Wildlife Management Board.

To summarize, Mr. Speaker, ORV regulation and management in the Yukon has seen close to 40 years of debate, analysis, review, consultation, investigation, surveys, petitions, and most of all, government and political commitment to action.

I would like to once again thank Manfred Hoefs for his comprehensive history of the issue. For anyone who wants to read more about it, there are many more words in the debate from 2013.

Mr. Speaker, I have brought this issue up steadily since I was first elected in 2011. I have been to those consultations; I have been to those public meetings; I have filled out consultations online; I have filled them out in person; and I have most recently attended the meetings that were being held. I would just like to take a moment to thank the staff of Environment and of Energy, Mines and Resources who were

just recently at the Kwanlin Dün Cultural Centre this week. By the time I got there at 6:00 p.m., they had already seen 60 people. They were great. They were having conversations with individuals as required. They talked about the successful meetings that they had already had in Watson Lake and Teslin, and they just talked about how they were happy to be there to answer questions.

To those Members of the Legislative Assembly and to the listeners who have been around awhile, it may sound as though I am repeating myself, and that's because I am. I really am. I have said this before — once as extensively, but I have talked about this issue a lot.

Mr. Speaker, it's sad to say that it's a testament to the inaction regarding the management of off-road vehicles in the Yukon when I can stand up in this House six years later — after the first time I brought it up for debate — using pretty much the same speaking notes and addressing the exact same problem.

The Yukon NDP is not against the current steps being taken by the Government of Yukon to create regulations for ORVs, and we look forward to those coming into force. We look forward to being able to identify areas across Yukon to remove them from access. We look forward to registration and licensing, because I have said before that it's pretty hard to say that there was a black machine with a yellow jacket and a red helmet that almost ran me over. I'm looking forward to all these things that this consultation is doing.

Mr. Speaker, we simply believe — we simply hope — that this government can take the steps to protect Yukon's most sensitive areas from yet another shoulder season of unencumbered ORV usage.

This problem is, I am sure, not lost on anyone in this House because we have all been in places where we have seen that destruction.

I want to highlight the language in the ORV consultation that is out right now. This is what the government has said in their regulating off-road vehicles in Yukon:

“Off-road vehicles... are used by Yukoners for subsistence activities, recreation, hunting, industrial activities... and tourism and, in some communities, as a main mode of transportation. ORVs provide access to parts of Yukon that are not otherwise easily accessible.

“As useful as ORVs are, they can also adversely impact the environment, especially when driven ‘off-road’, and especially in sensitive ecosystems. ORV use in the backcountry can result in: the proliferation of trails into pristine and fragile areas, increasing access into previously inaccessible areas; damaged soil and vegetation, which may negatively impact wildlife and fish habitat; increased hunting pressure in remote areas; and increased incidence of stressed, harassed and/or displaced wildlife.

“The environmental impact of ORV use in Yukon has been increasing. Yukoners have been calling on government to regulate ORVs, as is done in other jurisdictions. Regulating ORV use in Yukon will help ensure safe, responsible ORV use and protection for our environment.”

I believe that the language contained in the preamble accurately reflects the potential of the environmental impact of unregulated ORV use, yet the work being conducted by the government does not reflect the urgency required to protect our sensitive ecological areas as we head into yet another shoulder season — a shoulder season, I might add, that feels as though it has already arrived because of the warmth in these past days when we have seen the melting. It is not as though this government does not have the tools, because I was here when we debated those changes in 2013 to the *Territorial Lands (Yukon) Act* when it was amended to allow the minister to identify sensitive spaces and, as required, protect them from ORV use.

I know it is a big ask. It is March 13; really, spring is March 21. It is just around the corner. The reason why we have tabled this motion — or we are debating this motion with the date — is because this is not a new issue. It has been going on, like I said, since *Raiders of the Lost Ark* was the top movie at the movie theatre. I was four years old.

I look forward to hearing from others. I hope that government realizes that it is with hope and optimism that I bring this forward — mostly with hope that those places that are vulnerable will be protected this shoulder season.

Mr. Cathers: I was expecting that the government would speak to this first, but I am pleased to weigh in at this point. I am likely going to be the only speaker on behalf of the Official Opposition caucus today. While we appreciate the intent of the motion brought forward by the Member for Takhini-Kopper King, we are not able to support it as worded. That is in large part due to a few things that I will outline here.

First and foremost, while we do appreciate the importance of this issue and respect the concerns of those who are concerned about environmental impacts caused by off-road vehicle use, we cannot support the concept of the Yukon Liberal government unilaterally making a decision behind closed doors about what areas would be identified. We do believe that it's important to respect the strong views of Yukoners on this issue — who are on both sides or perhaps all sides of the issue, since there are many different opinions and variations of opinion.

We believe it's appropriate in this area for government to be open and transparent and to listen to the people. I also want to note —

Some Hon. Member: (Inaudible)

Point of order

Speaker: The Hon. Premier, on a point of order.

Hon. Mr. Silver: It's just a volume issue. It's really hard to hear the member opposite over here, so if he could speak up some, that would be great.

Speaker: Would it be of any value for a one- or two-minute recess to review the audio control?

Some Hon. Member: (Inaudible)

Speaker's ruling

Speaker: Okay, so we have the Member for Lake Laberge, and yes, please, all members speak so that you can be heard, but I'm certainly cognizant of the fact that we do appear to have some audio issues in the Chamber.

Mr. Cathers: I will attempt to speak a little louder than normal without actually raising my voice too loudly, since I understand some members are having difficulty hearing due to the sound issues. I will just briefly recap what I was saying, in case it was not heard by all.

I would note on this that we do appreciate the importance of this issue. We appreciate the strong views that Yukoners have on this from a variety of perspectives. We do not agree with the motion brought forward by the Member for Takhini-Kopper King because in picking sensitive areas to use the provisions under the act that were intended as emergency powers under that legislation — to some extent — we can't support the idea of the Liberal government making a unilateral decision behind closed doors about what those areas are.

We believe that it's appropriate to consult with the public, especially anyone directly affected, before implementing restrictions on any specific area. Again, I want to clarify that we're not indicating that government should take longer on this issue. We are simply saying that government should actually be clear about the options that are being considered with Yukoners — if specific areas are being talked about for restrictions, then they should be transparent with Yukoners about that and give Yukoners, especially anyone directly affected, the opportunity to weigh in with their views on this issue.

I want to note that I had the opportunity to serve on the all-party committee dealing with this matter back in 2010 and 2011. At the time, it was quite clear that Yukoners are very passionate about this issue and have strong and differing opinions on it. It should be noted that the public consultation conducted by the all-party Select Committee on the Safe Operation and Use of Off-road Vehicles had one of the highest participation levels in Yukon history. The committee heard directly from over 2,500 Yukoners, and we reached unanimous agreement on our final report to the Legislative Assembly.

I should also note that, in contrast to how government has structured the surveys currently, while we did not release people's names publicly, we did ask people to fill out their form and identify who was commenting. That helps to eliminate the possibility — which is definitely occurring in the government's current survey structure — where, with anonymous surveys, someone can quite literally fill out the surveys multiple times.

The government, in the past, has talked about screening that out through the use of IP addresses, but attempting to screen out multiple comments through the use of IP addresses is not an effective method because of a few issues, including the fact that, if you have multiple people in a family who are using the same computer to comment, they may have similar views and there might be five members of a family

hypothetically living in the same area who have similar views, but perhaps their views would be filtered out if the IP screening was being used. Also, of course, there are many people who have multiple devices, including in the case of ministers, for example. I think it is fair to say that all of them seem to have a tablet, a smartphone and a computer, plus whatever they have at home. I am not suggesting they are filling it out multiple times. I am simply pointing out an example in our own lives that any one of us who has multiple devices can fill it out multiple times from a unique IP address.

That is certainly a flaw in the methodology. That is a concern that is not just coming from the Official Opposition. I had that concern mentioned to me when I attended the government's open house on off-road vehicles on Monday night here in Whitehorse. I have been contacted directly by Yukoners who are concerned and share our view that some of the survey questions appear to be biased and appear to be — in their view and ours — somewhat steering people toward giving the answer the government wants to hear on specific questions.

Additionally, we have heard concerns from people about that ability to fill something out multiple times anonymously and the fact that it really renders the information around supposed public participation via survey meaningless when those numbers could be artificially inflated by someone filling it out multiple times.

I have pointed out in the past, but I do have to take this opportunity to remind government, that now there is a simple solution to this: Go back to what used to be the approach; ask people to fill out their name, and if they choose not to provide a name, accept the survey, but accept it anonymously. Most people, in the past, would happily provide their name, and it does allow the easy ability for those reviewing the survey to identify what appears to be duplication.

In the area of the work done by the all-party committee, we had access to the data and the information from the surveys attached to people's names. It in fact was quite helpful to understand, in some cases, where someone was coming from and where specific concerns were having a direct impact on their livelihood, their use of the land, their hunting practices and so on. It provided us with very useful information about the real-world impacts on Yukoners of any measures that were being considered by the all-party committee.

A couple of things I need to point out are that we are concerned with the approach that the Liberal government is taking in their current consultation. It appears to be straying away from some of the unanimous recommendations made by the committee.

Notably, recommendation 1 from the unanimous all-party committee report was — quote: "THAT, legislation and regulations governing the use of off-road vehicles are inclusive of all and do not exclude anyone to the advantage of another."

The report also states, "In our recommendations we attempt to be fair and balanced to all user groups and citizens,

and acknowledge the importance of appropriately protecting environment and wildlife.”

In its current approach, the Liberal government appears to be straying off onto a different trail.

Mr. Speaker, I want to also briefly quote from some parts of the recommendations from the all-party committee report simply so that Yukoners who are listening understand the context of this and understand that this is an issue that is very important to Yukoners. There are diverse views on it, and the primary point that we are making as the Official Opposition is that whatever government is doing or looking at doing with off-road vehicles, it's important to be open and transparent with Yukoners to give the public, especially people who are directly affected by any proposed measure, the opportunity to comment and have their views fairly considered and simply to be fair and respectful of Yukoners.

I'm going to quote from a few excerpts from the all-party committee report which, for the reference of Hansard and anyone listening, you'll find beginning on page 10 of the final report.

“In addition to the legislation that must be analyzed and considered, the variety of users and uses including, but not limited to, recreation, hunting, trapping, outfitting, resource industries, and tourism, must also be considered.”

I'll further quote from the recommendation section: “With regard to trails, environmental concerns and restrictions on where off-road vehicles should be able to travel, this is a complex matter on which we heard differing points of view. While it is clear there are strong arguments to be made for further restrictions on off-road vehicle access to some areas, the Committee does not have sufficient knowledge or expertise to determine which areas should be restricted. The Committee also heard from many people who regard the ability to travel in the backcountry by ATV and snowmobile as a very important personal freedom. In our recommendations, we attempt to be fair and balanced to all user groups and citizens, and acknowledge the importance of appropriately protecting environment and wildlife.”

Further, from the recommendation section of the report: “The Select Committee on the Safe Operation and Use of Off-road Vehicles recommends the following: 1. THAT, legislation and regulations governing the use of off-road vehicles are inclusive of all and do not exclude anyone to the advantage of another.”

Moving down to recommendation 14 in the all-party committee report — and it is an important one because it's the one that has the most direct bearing on the government's current consultations. I want to read it just to remind members of the context and the way in which the committee carefully framed it, and with extensive debate about the wording, to try to be reflective of the issue and also respectful of the diverse views of Yukoners in attempting to take a balanced approach.

Recommendation 14 states:

“THAT, off-road vehicle legislation and regulations provide for the ability to mitigate environmental damage and cumulative negative impacts to sensitive wildlife and fish habitats. Ensure that legislation and/or regulations provide for

the ability to restrict the growth of trail networks in sensitive areas, to close trails or overused areas as necessary, to exclude off-road vehicles from specific types of land or habitats, and to have certain areas designated as access routes only;

“THAT, environmental and access restrictions be implemented in areas where problems exist or are developing and, when not required for wildlife or environmental protection, efforts be made not to reduce access to existing use areas;

“THAT, government review penalties for environmental damage caused by any method, motorized or non-motorized means, to ensure penalties are appropriate. The Committee further recommends that government take steps to improve public awareness of these penalties; and

“THAT, government consider separate environmental protection legislation that targets and penalizes environmental damage rather than restricting specific users.”

Going on to the conclusions section of the recommendations of the report, the committee made a point of stating the following: “All users, motorized and non-motorized alike, and the scale of environmental impact must be considered when developing operational, safety and environmental standards. Our approach must not only be responsible and progressive, it must be respectful of all Yukon citizens.”

Again, Mr. Speaker, what I am attempting to lay out on behalf of the Official Opposition caucus is to clarify not only our view on this, but to also make clear that we are saying that when government is acting in this area, it's important to be open and transparent about what government is considering and to give the public, especially members of the public who may be impacted by any proposed change or any proposed restriction, the opportunity to be aware of the fine print on what the government is considering and to have the opportunity to have their views and their concerns fairly considered by government. The use of any of the tools government is considering or the section of the *Territorial Lands (Yukon) Act* that the Member for Takhini-Kopper King referenced — any use of the legislative tools that were put in place under the amendments we made to that act in 2013 do have a real-world impact if they're put into place. It's important that if government is taking action in those areas, anybody who is directly affected — whether by activities that are occurring now that they would like to see stopped or by something that would impact their life or their livelihood — has an opportunity to be heard on the issue and to have their views given fair consideration when government determines what actions should occur.

With that, Mr. Speaker, I will conclude my remarks and would just encourage the government — again, as they are acting in this area, we would encourage them to provide more information. That is something that we have heard from Yukoners. Some are frustrated by the lack of information about the fine print of what government is considering. They want to know what areas government is considering applying restrictions in that are outlined in their current proposal for regulating off-road vehicles in the Yukon. A number of people

have expressed concern that this appears to be unclear and to be not only asking in some cases leading questions, but questions where they're not clear on what the government is actually asking, and they really don't know exactly what the government is proposing to do and where.

That's something Yukoners want to hear. Again, I note that I have constituents on all sides of this issue who have very strong viewpoints — strongly and sincerely held viewpoints on this matter.

I know that my colleagues are in a similar situation. What I would encourage the government to do is remember their election campaign slogan "Be Heard" and be open and transparent with Yukoners about what they are considering and give them an opportunity to provide their input while understanding the fine print of what they are being asked to comment on. Government should not act unilaterally on this issue without giving fair consideration to the views of the Yukon public.

Speaker: I would remind all members going forward in debate on this motion that all members have 20 minutes, including the Minister of Energy, Mines and Resources.

Hon. Mr. Pillai: Mr. Speaker, I am happy to rise to speak to Motion No. 272 brought forth by the Member for Takhini-Kopper King today.

As my colleagues are aware, the Government of Yukon is currently undertaking engagement for regulating off-road vehicles in the Yukon. It is a matter that has been before Yukoners a number of times over the course of many, many years — actually decades. There have been many forms of engagement and a great deal of discussion on the topic of off-road vehicles — studies, surveys, a select committee report, public consultation processes and workshops.

It has been seven years since the report of the Select Committee on the Safe Operation and Use of Off-road Vehicles recommended ORVs to be regulated for the purpose of environmental protection. That report included 14 recommendations which have been touched on by both members across the way.

Now I've had the opportunity to briefly review some of the past debate on the topic of ORVs in this very House, and I would like to highlight a few pieces.

In April 2013, a motion to debate the implementation of the select committee recommendations was called by the Member for Takhini-Kopper King. It was quite a lengthy discussion, and I would like to draw some attention to past commitments made at that time. During the debate, the former Minister of Environment referenced a meeting that took place between him, the former Minister of Energy, Mines and Resources and TOYA. He also made mention of a letter in follow-up to that meeting where they outlined the formation of the interdepartmental working group to look at how to move forward with these recommendations. The minister of the day, Mr. Dixon, went on to say that the working group made a determination: "So they came up with the potential of making either a strategic amendment to the *Territorial Lands*

(*Yukon*) Act to allow the creation of regulatory powers — pursuant to that, we would also probably want to make a change to the *Summary Convictions Act* to add the possibility of fines or financial penalties associated with this particular issue. That is our plan, as of late, to move forward with it.

"There are a number of different ways that could happen but, essentially, if we had a regulation in place, pursuant to the *Territorial Lands (Yukon) Act*, we could identify specific areas in the territory to provide specific restrictions around ATV use."

This was reiterated again throughout the debate by the Member for Lake Laberge, with the promise that it would be completed by the end of the mandate.

I'll just go back here as well to another quote from that day, which also was the Minister of Energy, Mines and Resources at the time, who we just had an opportunity to hear from: "Much of that work in fact has been done by departments already, but I would point out again that the committee, which was a four-member committee with one clerk, took roughly 16 months to come up with the document that was tabled in this House."

That was the report that had come forward, Mr. Speaker. At that point, the Member for Takhini-Kopper King had put a motion on the floor, and the challenge was that at that point within the Sitting, it was past the five-day mark where you would have the opportunity to table the potential of new business, and therefore, both ministers were just talking about the fact that it would get done later but couldn't be done in that session.

Back to the quote: "A lot more people in government departments, as well as the entire caucus of 11 members, have been involved in considering what the options might be for fulfilling the commitments made by us in the 2011 election campaign, including implementing the recommendations of the select committee report. A significant amount of work within a number of government departments has been involved in determining, first of all, that Highways and Public Works will lead the implementation of the safety-related recommendations to be dealt with through the *Motor Vehicles Act* and that the Department of Environment and Department of Energy, Mines and Resources will collaborate to address the recommendations relating to environmental concerns."

What is fantastic is that the baseline that we've been able to come to today is that you have a great summary from the Member for Takhini-Kopper King, we have heard from the Official Opposition that there are some concerns about the process that's underway — and I will speak to that in a second — but what we do know is that for the 14 recommendations that were worked on, there was complete support by the opposition for that work, and really, it was part of the election promise in 2011. It was reiterated in 2013.

In 2013, the Yukon Party followed through on part of this and amended the *Territorial Lands (Yukon) Act* to address one of the 14 recommendations — a step in the right direction and a step toward fulfilling a campaign commitment during the 2011 election — but the challenge was that there was no follow-up in the development of the regulations or on the

amendment to the summary convictions regulations, so there was no means of enforcement of the amendments made to the *Territorial Lands (Yukon) Act*.

Once again, what I'm happy about is that we do have alignment from all three parties. We're looking to hear from Yukoners, which is the process that's underway.

We have the motion that has been put forward, and we also have the fact that the opposition fully supports and had committed to getting, in their last mandate, those recommendations put in place. So that is good.

The key would be that the work from that previous mandate would be in the GEDP file — or the didn't "get 'er done" but we will "get 'er done pile". Another example of — we will get a chance to work together. We will get to collaborate together to get this work done.

While it is great that we have the ability, of course, to create ORV management areas and to issue 90-day protection orders, the tools in the form of regulations and the ability to enforce them simply do not exist.

Over the past two-and-a-half years, we have engaged with a number of ORV organizations and user groups. We have heard that there is a great deal of interest in implementing temporary closures or ORV management areas, and we have examined the possibility of testing the waters in one such area. While there is support for this particular closure, the feedback from some particular groups was that the inability to enforce will still remain problematic and therefore not worthwhile.

Let me explain. Last year, the Department of Energy, Mines and Resources and the Department of Environment worked at looking at temporary closure. The Member for Takhini-Kopper King — a little bit of humour aside from earlier — has been a constant champion for this and had asked me in the Legislative Assembly if we would look at temporary closure. I think the first time it was asked — and I apologize. I didn't go back to look in Hansard, but I think it was in the spring of 2017. It was new to me. We went back in 2018, and we were moving through and started to build the language that we would need to do the temporary closure. We went and spoke with groups that we have all discussed today — who have been champions of this — and tried to get some feedback. The feedback from some of the people who have been the loudest supporters of making sure this regulation is to not move forward at this particular time.

I can be scoffed at from across the way, but please feel free to make phone calls to the people who have worked on this and have been champions after we are done our session today. This is factual information. We were told that doing one particular area was going to put massive pressure on other areas, specifically those close to Whitehorse. Areas in the Lake Laberge area — it was touched upon by the Member for Takhini-Kopper King — where there is a lot of trail area into the alpine — doing something like at Trout Lake would then push the pressure to somewhere else. To not do this work unless you had a full-scale strategy to implement across the Yukon — that is the advice. Our senior officials have had that discussion.

To be fair, and for the record, those particular groups, because of the history of this particular situation and file, were concerned that one temporary closure would be put in place, and that would be the end of the discussion for another five or six years. There was a lot of concern around it. Again, we had chances to meet with some of these groups in the fall.

I think what has changed as well — and is important and part of the reason that I am very happy that we are having this discussion — different groups that I was not — and many of the members of the opposition were here and went through that process. It has been interesting to see who has come to speak with us about this work.

I will bring it back and I will table it, but I have received a letter as well from the Yukon Outfitters Association. It was sent to our department in full support of a temporary closure for this summer. It was around the Trout Lake area. Now we have heard from the Yukon Outfitters Association, and there has also been some representation from the Yukon Outfitters Association that has moved some of the members — primarily the members that are Yukon-owned businesses and long-time Yukoners who sort of have their own organization. They have come to meet with us. Many do not use ORVs as much as others in their operations and have said that this needs to be dealt with. They fully support the move that we have to do to have the regulation put in place and the tools to be able to enforce.

I am glad that we have the support from the Member for Lake Laberge as per his comments in 2013, because I have to say for the record — and it is out of respect to them — that the loudest voices have come from the renewable resources council at Lake Laberge. They are feeling the greatest of impact, most likely because of the large concentration of population next to the area that they oversee. I have heard that from the representation of that renewable resources council as both people who are appointed through a process with Yukon government and also, I believe, through the Council of Yukon First Nations.

When I sit in those meetings — there have been a couple times when I have been with the Minister of Environment, and I was on my own in the last one with one of our key representatives on this file, our leader on this file, Mr. Mike Draper. In that meeting, it was clearly stated that this has to be done. We made some light commitments to try to figure out if there was a way to pilot some work there with them as well. I know that the Member for Lake Laberge probably has an opportunity to sit with those individuals. He did allude to the fact that there are people on both sides of the argument who are very passionate in his riding. I know there are a lot of passionate people there, and I am sure he has had the opportunity to sit with them and discuss their concerns over the impacts. The best part about it is that many of those — at least a couple of those individuals' livelihoods have been around being able to access backcountry and generational activities in that area, hunting and working around that. It has been very important to hear from those individuals. We have committed to work with them.

I also agree with the fact that I do not think that in the middle of a public consultation on something — although it is easy for members across the way to say you can just do it right now, going in eight days' time in the middle of a public consultation and going through a number of closures while I am getting feedback — I am sure the same individuals would let me hear about it quickly afterwards.

I will point out that — and I will touch on it again — what I have said to the department in our discussions is “let’s make sure that we get a chance to hear from all those who want to share.” I know that in Whitehorse there was a good representation of individuals, but some people have also voiced the fact that it was spring break and it could have been a time where parents were away and people wanted to be there. I don’t want to take from that opportunity for people. This is something that we have committed to work on, and I state that here in the Assembly. It’s not something that we are going to shy away from. As the Member for Watson Lake said earlier in Question Period — and that one line resonated with me, and I say it respectfully — we need to have some leadership on this file. That’s what Energy, Mines and Resources and my colleagues have been tasked with. We know there are going to be lots of tough conversations, but I can say that we do have the support, and I can see the support for this conversation — at least the support for the work that was done previously seems to be there, so I am looking forward to hearing what Yukoners have to say.

Mr. Speaker, I am going to move to amend — I guess I can’t call it “friendly” — an amendment — a kind of friendly amendment. We had a discussion about it — maybe not fully supported, but an amendment.

Amendment proposed

Hon. Mr. Pillai: I move:

THAT Motion No. 272 be amended by

(1) adding the phrase “to develop regulations needed” between the phrases “Government of Yukon” and “to use the protection area provisions”;

(2) deleting the phrase after “identified since 2012”; and

(3) deleting the phrase “before the spring of 2019” and substituting for it the phrase “as informed by the current public engagement on ORVs”.

Speaker: I have had an opportunity to review the amendment proposed by the Minister of Energy, Mines and Resources with Mr. Clerk and can advise that the amendment is procedurally in order.

It has been moved by the Minister of Energy, Mines and Resources:

THAT Motion No. 272 be amended by:

(1) adding the phrase “to develop regulations needed” between the phrases “Government of Yukon” and “to use the protection areas provisions”;

(2) deleting the phrase “identified since 2012”; and

(3) deleting the phrase “before the spring of 2019” and substituting for it the phrase “as informed by the current public engagement on ORVs.”

So the proposed amended motion would read:

THAT this House urges the Government of Yukon to develop regulations needed to use the protection area provisions provided in the *Territorial Lands (Yukon) Act* to protect and manage sensitive areas from off-road vehicle use as informed by the current public engagement on ORVs.

Minister of Energy, Mines and Resources, on the proposed amendment — I’m advised that you have two minutes and 16 seconds to speak on the amendment.

Hon. Mr. Pillai: All right, here we go real quick, Mr. Speaker. I’m hoping that we can agree to the importance of having regulations in place to ensure that we are able to effectively manage ORV use in public lands in the territory. Our government is keen to utilize the protection area provisions to protect and manage sensitive areas, and we recognize this is the only valuable tool if the means are available to enforce it. We are in the midst of public engagement for the development of such regulations, and we look forward to compiling the feedback to determine the best course of action.

First of all, I want to just quickly thank the Yukon Party staff who have been kind. There have been some individuals who wanted to fill out hard copies of the survey. I know that their staff has assisted with that and we have also then passed it on, and same with the Yukon NDP as well.

I think we in the Assembly all need to thank Mike Draper; this is an extremely tough file to work on. Yukoners can, of course, continue to fill out the questionnaire on the engageyukon.ca website, or they can contact Mr. Mike Draper with the Department of Energy, Mines and Resources. He has done fantastic work on this. I know that we had the opportunity to travel to some of these meetings and also met with the renewable resources councils last year in Pelly and really had an opportunity to see the passion around this file.

I know I’m pressed for time, Mr. Speaker, so to the Member for Takhini-Kopper King I would say that we had a good discussion today. I understand — because of her time spent around this file and her desire and conviction to get these regulations in place — why she wouldn’t support this, and I completely understand and respect that — absolutely. I respect that — thank you for the advice, Leader of the Third Party. I do respect that, and I also respect the fact, as the Member for Lake Laberge had said, that this isn’t about slowing government down. That is not what he meant in his comments. It’s about doing it right, so I also understand that the Official Opposition may also feel that they want to get this all done very quickly as well, so they may also vote against this because everyone has the conviction to get this work finally completed.

Ms. White: The highlight that I have right now is the one that when I was given the opportunity to talk to the minister earlier today when he came to see me — there’s no timeline included. It’s like revisionist history here for me. I don’t want to have the same debate that I did in 2013, citing the same examples of the studies and things that happened

since 2013, but I am, because although this consultation is happening right now — and I do think it's important — my concern is that we don't have any kind of deadline. For example, if the minister would take a look at the note that I just sent across, that's pretty important. What I'm going to try to do is — I'm going to actually try to amend the motion when I lose right now, because I think it's important that we include a timeline. I'm not saying a timeline has to be — I accept spring of 2019 is not acceptable, but I believe a timeline, even if it's in the future, says there's a commitment. That's what I'm looking for: a commitment.

Right now, with the changes that have just been proposed, it's very open. I'm going to try to close that a little bit. The effort is happening right now behind the scenes. The minister is right in the conversations that we had. I can't accept this proposed amendment because it's open-ended and it doesn't allow for a closure. It doesn't say that we'll have it done by the end of the mandate — perfect.

Mr. Speaker, Hansard and those people who aren't in the Assembly, I have just had an affirmation from the minister that when we get through this motion that I will not be supporting, I will be proposing an amendment. I thank the minister for the quick thinking there, and I thank the government caucus for flowing with this. I maybe should have gotten a copy of that earlier so I could have had mine ready, but I think it's really important that we have a deadline.

Without a deadline, I will be voting against this motion.

Mr. Cathers: The proposed amendment doesn't do anything to address the concerns that I outlined on behalf of our caucus regarding the public engagement, including the concerns we have heard from Yukoners about questions that appear to be slanted or biased. Secondly, I would also have to note that the minister, earlier in his speech, gave an example of a specific area that had been requested by the Yukon Outfitters Association as having trail restrictions put in place. What I would say — and this is an example of the flaw in the way the government is approaching this — is if government is considering implementing restrictions at that specific location, why not tell people that during this public engagement? Why not have that at the open houses, give them an opportunity to provide their input and be transparent, rather than hearing only from some affected parties and making a decision behind closed doors?

Again, we will not be supporting the amendment to the motion or to the main motion because we do not agree with the approach government has taken. We are again calling for the government to be open and transparent with the public, to ask fair questions and to give people — especially those directly affected by any proposed regulations being implemented by government — the opportunity to be informed about what government is considering and to have their views on it given fair consideration before government makes any decisions that affect their rights or an area that relates to their lives.

Mr. Hutton: This motion touches on an important issue that has been around for decades. In fact, I had the honour and privilege of being co-chairman of the first renewable resources council established in this territory in 1989, and it was an issue that came up then.

I appreciate the history from the member opposite, even though it felt a bit like getting salt rubbed into a raw wound. This is something that I have been frustrated with from governments of every stripe in this territory. This file has been mishandled for 30-plus years. I'm very happy today that we are finally going to get around to dealing with this issue.

It's an important issue for the people of Mayo-Tatchun. Many of my constituents use off-road vehicles — or ORVs — for a variety of reasons, including work, recreation, hunting, transportation —

Some Hon. Member: (Inaudible)

Point of order

Speaker: The Member for Copperbelt South, on a point of order.

Mr. Kent: I just wanted to ensure that the Member for Mayo-Tatchun is speaking to the amendment. I believe that's what we're dealing with now, or is he speaking to the main motion or what would be the main motion as amended?

Speaker's ruling

Speaker: The Member for Mayo-Tatchun will know that, generally speaking — and I can refer to the Standing Orders — when we are speaking to amendments, we should be on topic. I'm not sure whether I heard him being — you have provided some introductory comments, but if you could begin to focus your comments on the proposed amendment, it would be appreciated.

Member for Mayo-Tatchun, please.

Mr. Hutton: Thank you, Mr. Speaker. As we engage with Yukoners about how best to regulate the use of ORVs, we need to make sure we balance the many interests of different groups. As my colleague the Minister of Energy, Mines and Resources has said, our government will work with all Yukoners to develop regulations that will protect the landscape and continue to allow people to use their off-road vehicles responsibly for work and recreation.

Responsible use is key, Mr. Speaker. I would like to take this opportunity to remind ORV users out there: using ORVs in the Yukon wilderness is a privilege; it's not a right. There seems to be some mistake about that.

The people of Mayo-Tatchun have seen a dramatic increase in ORV use over the past 35 years that has allowed individuals to reach more and more remote areas of the pristine wilderness that makes Mayo-Tatchun such a wonderful place to live. When we talk about sensitive areas that need to be protected and managed, we need to include areas in Mayo-Tatchun.

The Ddhaw Ghro Habitat Protection Area is just one example. We need to ensure that the adverse environmental

impacts of ORV use on public land are reduced, mitigated, and in some cases, prevented altogether.

This will come, in part, from legal mechanisms like regulations and the designation of protected areas, but it will also come from greater awareness and education of Yukoners and visitors about the responsible use of off-road vehicles, whether it is for recreation or employment.

The current public engagement on ORVs is a great opportunity to share the message of responsible ORV use, while hearing from Yukoners about our government's proposed approach for regulating ORVs.

I encourage all Yukoners to take part in this engagement and provide their feedback. I am happy to provide my support for this motion, as amended, and I look forward to further discussion about this issue in the near future. As I said, this issue is important to my constituents in Mayo-Tatchun, and addressing it is long overdue.

Speaker: Is there further debate on the proposed amendment?

Amendment to Motion No. 272 agreed to

Speaker: Is there any debate on the main motion, as amended?

Some Hon. Member: (Inaudible)

Point of order

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

Ms. White: Mr. Speaker, could I request a five-minute recess as I try to get the paperwork that I need to proceed in the debate today?

Speaker: Do we have consent for a five-minute recess?

All Hon. Members: Agreed.

Speaker: The House will recess for five minutes.

Recess

Speaker: Order, please.

Is there any further debate on the main motion as amended?

Ms. Hanson: Mr. Speaker, I thank the House — you and all of the members here — for their indulgence as we try to move on from the informal conversation that was going on before this break.

As I understand, the minister who had moved the amendment to Motion No. 272, introduced by the Member for Takhini-Kopper King, has indicated his and his party's willingness to consider an amendment to that amended motion, which would signify not just to all Members of the Legislative Assembly, but to Yukoners that all of us, when we campaigned in this last election campaign, were in fact conscious about what we were saying and were conscious about the kinds of commitments we made when we said to various groups and organizations that we would or would not do certain things.

This particular issue is one that, as my colleague has identified, has been front-of-mind for so many Yukoners — generations, actually, since at least the early 1980s — that we indicate that we're going to bring it to a closure.

Amendment proposed

Ms. Hanson: I move:

THAT Motion No. 272, as amended, be further amended by adding the words "before the end of this government's mandate" after the words "engagement on ORVs".

Speaker: Thank you. We have a proposed amendment. If the amendment could be distributed to all members of the Assembly, please.

This seems to be a relatively straightforward amendment. Do members need more time to review, or are we prepared to debate further?

I have had an opportunity to review the proposed amendment to Motion No. 272, as previously amended, with Mr. Clerk and can advise that it is procedurally in order.

It has been moved by the Leader of the Third Party:

THAT Motion No. 272, as amended, be further amended by adding the words "before the end of this government's mandate" after "engagement on ORVs".

The proposed amendment to the amended main motion would then be:

THAT this House urges the Government of Yukon to develop regulations needed to use the protection area provisions provided in the *Territorial Lands (Yukon) Act* to protect and manage sensitive areas from off-road vehicle use as informed by the current public engagement on ORVs before the end of this government's mandate.

Ms. Hanson: The amendment to Motion No. 272, as amended, is what I am going to speak to, I believe, Mr. Speaker.

Speaker: You are proposing a further amendment to the motion as amended, but I think we have it clearly on the record.

Ms. Hanson: I will acknowledge that I think we are on the same page here. I am not intending to speak long to this. I think the intention is clear here. From what I have been hearing over the course of the last couple of hours, members in this Legislative Assembly are seized by the fact that there has been extensive debate, many years of studies, consultation and a committee of this Legislative Assembly to deal with issues related to aspects — in particular, the ones we are talking about here — most relevant and of concern with respect to those environmentally sensitive areas of our territory.

The reason why it seemed so important to me was the comment that my colleague cited from one of the many reports that was done, that the longer we delay on this matter, we realize — as we have seen over the last 38 years — we are not talking about minor incursions into remote hinterland by small vehicles. We are talking about vehicles that look like

vehicles that would be used in war. It is a war on the environment if we allow some of those to go there.

As was quoted earlier and I'm quoting again: "The most important lesson from other jurisdictions was that it is too late once off-road vehicle impacts have been allowed to become serious."

With that in mind, Mr. Speaker, and by all of us in this House — and the government members in particular — committing this government that they would work toward the objective set out in this motion before the end of their government's mandate. That to me is a significant signal to all Yukoners that, for once in the last 38 years, it will be taken seriously and we will come to a closure on this matter, and people will have a common set of rules that we can all work with in terms of working toward ensuring the enjoyment of the use of off-road vehicles at the same time as we are ensuring that we are not ultimately causing damage to an environment that cannot be replaced.

I really urge others in this House to simply support the motion that was amended by the Minister of Energy, Mines and Resources — and that we move on.

Hon. Mr. Pillai: The current two-month engagement process began on February 8 and is set to wrap up on April 8. I'm just going to speak to the process very briefly that will be parallel to the amendment, which is to ensure that this work is completed in the current mandate.

I encourage all Yukoners to participate in whatever way suits them best. ORVs are widely used by Yukoners, and we all have a shared stake in the development of ORV regulations.

Yukoners, as I stated earlier, can fill out a questionnaire or go on the www.engageyukon.ca website. They can contact Mr. Mike Draper, the Department of Energy, Mines and Resources, or participate in one of the open-house sessions taking place across the Yukon. Paper copies of the survey are also available to those without access to the online survey.

The third party will know that it's not a delay tool when I say that I did speak with our leadership in the departments, and I said, "Let's ensure that whatever side of the conversation you are on, you have a chance to provide your input." If people are with their families on March break and they still want to have this discussion or if a community in the Yukon feels there needs to be a visitation to their community that we haven't set up — let's make sure we get that done.

I want to support Mr. Draper to have as broad a conversation as possible. He has been very good at passing out his contact information at every session.

Our proposal is to develop a three-part approach to developing regulation for ORV use under Yukon's public land legislation. This would be done through the development of an ORV regulation that would apply to ORV use on public land, incorporate ticketing and fines as additional enforcement tools by amending the summary convictions regulation and require the regulation of ORVs for use in the backcountry.

As stated in the engagement documentation, our goal is to provide a complete and effective land-based regulatory regime

to prevent or mitigate the environmental impacts of ORV use on public land while recognizing the needs of responsible ORV users.

Our government recognizes the importance of creating ORV management as soon as possible in order to protect ecologically sensitive areas.

It is important to have the necessary regulatory and enforcement tools in place. This will be achieved through the creation of a regulatory framework. As we move closer to the finalization of the regulations, we will review the sensitive areas that have been forwarded to the department over the last while, taking into consideration other potential ORV management areas that may be identified during the consultation and engagement process.

Mr. Speaker, this topic is one that has been at the forefront of many Yukoners' minds for decades. There has been tremendous effort put forth by the public servants tasked with reviewing ORV use and management. Our government is committed to finally bringing forward regulations developed based on the feedback from the public and the various organizations that will allow for the creation of ORV management areas that ensure proper management of ORVs while protecting ecologically sensitive areas and finally putting this issue to rest.

Mr. Kent: I am going to be brief. While we appreciate the sentiment of the amendment put forward by the Member for Whitehorse Centre, it doesn't address those concerns that my colleague from Lake Laberge identified with respect to the process for the engagement on the ORVs, so we won't be supporting it.

Just one other thing that I would like to add as well — and I believe it was a motion from one of the Third Party members that we debated, if memory serves, I think it was last year — to talk about a commission on electoral reform and some action moving forward. That may or may not include fixed election dates, so we are not really sure when this government's mandate will end.

I know there have been a number of motions that we voted on in the past two-and-a-half years — and that we passed unanimously — and action hasn't been taken on them. We are a little skeptical with respect to that. That said, we won't be supporting this amendment based on concerns that I have briefly touched on and that were outlined earlier by my colleague the Member for Lake Laberge.

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 yeas, six nays.

Speaker: The yeas have it.

Amendment to Motion No. 272, as amended, agreed to

Speaker: Is there any debate on Motion No. 272 as twice amended?

Mr. Gallina: I won't be long in my remarks to this motion. I am encouraged to see this motion in debate here on the floor of the Legislative Assembly today. I want to thank the Member for Takhini-Kopper King for her thorough background. I think she did a great job in helping members appreciate and understand the importance of this issue — providing history on where past governments stood and where we are today.

I am just going to touch briefly on the engagement process that is currently in place and how that engagement will include cross-jurisdictional scans, as well as look at historical data and engagements that have taken place. I will touch briefly on how ORV use has impacted my constituency in the riding of Porter Creek Centre specifically.

There is a consistent message that I hear in my riding and when I am talking with Yukoners broadly. It is one that I support, and it's finding balance between environmental protection and responsible use of ORVs. As we heard from the Minister of Energy, Mines and Resources earlier this afternoon, there is a consultative phase underway whereby a proposed off-road vehicle regulatory framework is being worked on and developed. To address concerns from members opposite — one objective the Minister of Energy, Mines and Resources reiterated is that this is a territory-wide strategy and not a strategy for specific locations — again, a territory-wide strategy.

I am really happy to see this work underway, as the issues and concerns surrounding ORV use here in the territory have been ongoing for 40 years, as the Member for Takhini-Kopper King alluded to earlier today. That is a long time. We have seen an evolution with these machines as time has progressed. Year after year ORVs are becoming faster and more powerful. They are becoming popular not only in utilitarian use, but for recreation and for tourism. With that, it really does make sense to ensure that we are implementing effective and

responsible regulations around the use of ORVs within the Yukon. I am encouraged today to see that will be in place by the end of this mandate.

The engagement process, which I mentioned, is currently underway and will continue until April 8, 2019. Again, there is specific engagement that people can take part in, and the complete engagement will include a cross-jurisdictional scan of other areas and how they are regulating the use of ORVs, as well as look at historical data and engagements to be included when decisions are being made so this particular engagement is not done in isolation.

I'll just mention quickly for any folks listening today who are interested in participating in this survey that questionnaire is available at engageyukon.ca.

I'm going to quickly touch on the City of Whitehorse trail designation, which became an important topic in my riding, specifically in the Whistle Bend area, when discussions around the designation of the Whistle Bend perimeter trail and inner loop were taking place. There was a lot of discussion, and it was very important for the constituents of Porter Creek Centre to weigh in and be heard, if you will, and discuss the benefits of off-road vehicles accessing trails — both motorized and non-motorized vehicles.

We saw a real mix of feedback as to whether or not residents were for or against having trails designated as motorized or non-motorized trails in that area. The feedback was from both sides and, I think, fair. Both sides had valuable insight. Ultimately, a decision was made to designate the perimeter trail around the Whistle Bend neighbourhood as non-motorized, and the inner loop trail of Casca Boulevard was designated as a motorized multi-use trail. This was seen as a compromise that accommodated the needs of all parties and was a very good exercise that I was proud to be part of.

The allowance of having the inner loop trail accommodate ORVs was to ensure a route was provided for riders to get out of the neighbourhood to more open areas for riding. This is a benefit that I have heard echoed recently at the Porter Creek Community Association meetings, where members of the association, as well as the Friends of McIntyre Creek association, have expressed their understanding of the value of having these access points for residents so they can depart directly from their home and access open areas for riding. This is one of the things that make Yukon a great place to call home. For many, especially in the communities, this is a way of life. There are a lot of families and individuals who are responsible ORV users who enjoy the ability, and in many cases, it's a necessity to drive their ORV right from their property out into the wilderness.

In closing, I'm encouraged to see this House support this motion, as amended. Seeing ORV regulations in place by the end of this government's mandate is encouraging. The engagement phase is currently open for those residents who want to participate in this important debate. These regulations and this topic have far-reaching implications — I know it does in my riding. I know that it's an important topic to the constituents of Porter Creek Centre.

With that, I will conclude my remarks.

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

Does any other member wish to be heard on the main motion as twice amended?

Ms. White: Despite the fact that we came in today with a different motion, we have left with something that is at this point, in my mind, the biggest change to the protection of sensitive habitat areas by the use of off-road vehicles in at least my eight years, easily — I would suggest — and further. The fact that this could get traced back to when I was four — the willingness of the government to put a deadline on it is huge. It goes from being something that is just talked about into the future — and by adding a deadline and saying, “This is important. We will do it.” I want to acknowledge that because that is a really big difference. It means that the Minister of Energy, Mines and Resources will not be asked the question by me between now and at least a good couple of years about what’s going to happen next.

I appreciate very much the willingness of the Chamber to go along with adding a deadline, and Mr. Speaker, I feel like this is the most movement that this has had since I started talking about the issue in 2012. With that, I thank members for their participation and I look forward to a vote.

Mr. Speaker, may I introduce two visitors while I’m up?

Speaker: Introduction of visitors outside of the usual time provided for introduction of visitors.

INTRODUCTION OF VISITORS

Ms. White: I would like to take this opportunity to introduce someone who is no stranger to this Chamber. Jan Stick is currently a member of city council, and with her is Marlee Stick. Marlee is our newest office administrator. He is eager to please and happy to be here. So if you could welcome both Jan and Marlee, please.

Applause

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 yeas, six nays.

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

Motion No. 272, as amended, agreed to

Motion No. 413

Clerk: Motion No. 413, standing in the name of Ms. McLeod.

Speaker: It is moved by the Member for Watson Lake:

THAT this House urges the Government of Yukon to recognize the value of services provided by non-governmental organizations funded by the Department of Health and Social Services by immediately ending the funding freeze and providing them with appropriate increased resources through multi-year funding agreements.

Ms. McLeod: The Minister of Health and Social Services confirmed yesterday in this House that the government funds a total of 862 non-governmental organizations across the Yukon. Among these 862 non-governmental organizations are critical service providers that fill a broad range of gaps in service not provided by government. Asking the government to recognize the value of services provided by non-governmental organizations funded by the Department of Health and Social Services goes beyond the government paying lip service to these organizations. This requires solid action by the government in evaluating the funding provided and ensuring that it is increased appropriately. We have seen this in the 2019-20 budget, but the government has not changed its tune over the last few years and they continue to grow the public service.

They gave the Premier a raise, they increased budgets for political offices and they continue to squeeze out the private sector and NGO economy. Make no mistake, Mr. Speaker — the NGO economy is a very important segment to Yukon’s economic makeup, especially in rural Yukon. Freezing the funding for non-governmental organizations does not provide them with the opportunity to grow, let alone keep up with increasing costs and increasing demands. Inflation is a real concept that tends to affect the bottom line of not only small businesses but also NGOs, and it often results in service changes and increased costs. Government might not feel the hit of inflation in quite the same way, and perhaps that is why the government has not taken NGOs seriously during this round of budget deliberations.

Pair inflation with the incoming Liberal carbon tax, and NGOs are faced with an increasingly difficult financial situation. The unfortunate reality resulting from the choices

made by this government is that it is Yukoners who feel the hit. Not taken seriously, funding requests by essential NGOs hurt Yukoners. There is more pressure on the private sector and NGOs than ever before, and it is simply not the time to grow government and freeze funding where it matters most.

The minister has claimed that she was increasing the majority of budgets for NGOs by two percent, but this is clearly not the case. The budget documents clearly show that this is not the case. We have questioned the minister on this claim and have yet to be provided with a clear answer as to why she would misrepresent the budget. The government's decision to freeze the funding for NGOs at the 2017-18 levels is clear.

A letter sent from an ADM at Health and Social Services to a local NGO clearly states that the government has made the decision to maintain funding to NGOs at the 2017-18 levels and to enter into one-year agreements. Nowhere in this letter does it state that there will be a two-percent increase. It was also confirmed by the minister that this letter was in fact sent out to all NGOs in May 2018.

Perhaps the minister could provide the House with an explanation as to why this government thinks freezing funding levels and entering into one-year agreements could possibly be a good idea and explain what it will achieve other than inadequate funding and uncertainty.

Mr. Speaker, in addition to addressing the issue of the funding freeze for NGOs, this motion goes further to ask the Government of Yukon to provide NGOs with appropriate increased resources through multi-year funding agreements. This is an important ask. Not only would it address those added cost increases due to inflation, but it would also provide certainty that NGOs will continue to have access to certain funding levels, thus allowing them to plan beyond the scope of one year. By offering NGOs one-year funding agreements, the government in turn costs them more money on administration. It reflects a mistrust in NGOs and frankly does not recognize the value of the services provided by these NGOs, as I mentioned previously.

I would encourage the government to own up to their mistake and take the steps necessary to repair the damage done in this budget, recognize the importance of our NGOs and provide them with adequate funding and support.

Hon. Ms. Frost: I appreciate the opportunity to rise in this House today to speak to Motion No. 413, the motion that reads:

THAT this House urges the Government of Yukon to recognize the value of services provided by non-governmental organizations funded by the Department of Health and Social Services by immediately ending the funding freeze and providing them with appropriate increased resources through multi-year funding agreements.

I would like to take this opportunity to thank the member opposite for bringing this motion forward today. It gives us an opportunity to speak about the great work that the government is doing with respect to the NGOs. NGOs, or non-governmental organizations, exist to fill gaps in services left

by the private sector and public sector. There have always been long-term social goals that outstrip government's finite resources. Yukon will always need program support envisioned from groups that operate outside of the framework of government.

NGOs provide a service that cannot always be provided by the private sector. They provide support and services of the community that could not and should not always be monetized. Many times, this means that NGOs in our communities stand up and defend the rights and interests of the most vulnerable sector of society and those who do not have the voice or the agencies to stand up for themselves.

NGOs are non-profit entities independent of government influence. This distinction is critical to their integrity. They provide essential services and often ensure public authorities act in the public interest. In short, NGOs help democracy work properly. NGOs help us to educate the public, assuring accountability and accuracy. NGOs help us hear the public. NGOs are often the direct conduit for public opinion to reach government.

When many people speak with one voice, it is easier to be heard. Our society is under increasing financial pressures. Today, that increased pressure has led to the trend to bring together NGOs and for-profit organizations, leveraging each to maximize the services that each is able to provide.

This has led to a need for increased transparency from both within government and from NGOs. We provide funding to NGOs to provide services that we cannot or should not provide. As government, we act in the interest of all members of the public. By supporting NGOs, we ensure the broader needs of individuals are still met. NGOs are critical to helping us adequately meet the diverse health needs of Yukoners that span a broad spectrum of our society.

This government recognizes that NGOs, especially within the health and social services field, provide critical services to Yukoners. We have supported and will continue to support those organizations. We are funding the Dawson City Women's Shelter Society on a three-year funding agreement, taking their funding from \$342,000 to \$442,000 per year. This important organization provides beds and outreach services to those in need.

We are providing the Help and Hope for Families Society in Watson Lake with a three-year funding agreement. With a two-percent cost-of-living increase, this program provides housing supports and emergency shelter services for those in Watson Lake.

We are entering into a three-year agreement with the Skookum Jim Friendship Centre, increasing their funding and adding a two-percent cost-of-living increase. This program provides advocacy and education services to Yukoners.

We have increased funding to Autism Yukon, adding a two-percent cost-of-living increase, and entered into a three-year agreement with this organization.

We have increased funding to Teegatha'Oh Zeh and included a cost-of-living increase. This organization also received a three-year funding agreement with this government.

In fact, out of the 33 NGOs that have fallen under the Health and Social Services comprehensive review, 22 of them received a two-percent cost-of-living increase. These, once again, are Yukon Women's Transition Home Society, Yukon Association of Community Living, Child Development Centre, Fetal Alcohol Syndrome Society, Dawson City Women's Shelter Society, Help and Hope for Families Society in Watson Lake, Skookum Jim Friendship Centre, Teegatha'Oh Zeh, Learning Disabilities Association of Yukon, Autism Yukon, Yukon Anti-Poverty Coalition, Teen Parent Centre, Signpost Seniors (Watson Lake), St. Elias Seniors Society, Hospice Yukon Society, Blood Ties Four Directions, Mental Health Association of Yukon, kids recreation fund, Food for Learning, Line of Life Association of Yukon and Yukon Council on Aging.

Out of these 33 NGOs, 18 of them received a three-year funding agreement. We are fulfilling our commitment that we made to Yukoners to foster healthier, happier lives for all of Yukon through the programs and services we provide funds to.

We are also following through on our commitment to be accountable and make evidence-based decisions. We are looking for ways to address the financial issues and concerns that NGOs have raised and that improve client outcomes while making the best use of the financial resources.

The comprehensive health review has not resulted in a funding freeze for NGOs. It is an ongoing process in which we will continue to engage with NGOs to ensure together that we best meet the needs of Yukoners. We are taking a collaborative approach to achieve that goal.

Amendment proposed

Hon. Ms. Frost: I move:

THAT Motion No. 413 be amended by deleting all the words after the phrase "Department of Health and Social Services" and substituting them for the phrase "and continue to work with them to ensure those services are appropriately resourced and delivered effectively."

Speaker: If the proposed amendment could be distributed to all members, please. I will review the proposed amendment.

I have had an opportunity to review the proposed amendment with Mr. Clerk and can advise that the amendment is procedurally in order.

It has been moved by the Minister of Health and Social Services:

THAT Motion No. 413 be amended by deleting all the words after the phrase "Department of Health and Social Services" and substituting for them the phrase "and continue to work with them to ensure those services are appropriately resourced and delivered effectively."

The proposed amended motion would read as follows:

THAT this House urges the Government of Yukon to recognize the value of services provided by non-governmental organizations funded by the Department of Health and Social

Services and continue to work with them to ensure those services are appropriately resourced and delivered effectively.

Minister of Health and Social Services, you have 20 minutes.

Hon. Ms. Frost: I rise in this House to speak to the amendment, as presented. This government is committed to several key tenets that guide our decision-making practices on a day-to-day basis. We are committed to fostering healthy, happier lives for Yukoners. We are also committed to increasing transparency and government accountability so Yukoners understand the where and the why of where their taxpayers' dollars are spent.

The Yukon Financial Advisory Panel recommended that the Department of Health and Social Services conduct a comprehensive health review. It also recommended that Health and Social Services review all of the NGOs that receive funding from the department. The scope of this included reviewing Health and Social Services' current agreements with non-governmental organizations to assess patient-client needs and gaps, performance outcomes, client volumes, costs and relationships with other non-governmental organizations serving similar clients. In brief, this review is about addressing the financial issues and concerns that NGOs experience and working with them to provide client outcomes while making the best use of the financial resources. This review is ultimately about working toward a sustainable long-term health system that delivers the absolute best programming for Yukoners.

We have assessed 33 not-for-profit organizations and two for-profit organizations that receive a total of \$15 million annually. The main services provided by Health and Social Services-funded NGOs are housing supports, supports for children and adults with cognitive disabilities, services for seniors, and advocacy and education. This review that our Health and Social Services department undertook looked at organizational alignments with client needs, their organization mandate and performance, their potential to increase programming and scope, and their ability to help other NGOs develop capacity.

This past May, a letter was sent by the ADM of Corporate Services to those NGOs informing them of the intent of the review and that the department would maintain funding to NGOs at the 2017-18 level. As part of the ongoing management of agreements, the staff at Health and Social Services had regular conversations with many NGOs.

In early March, the Department of Health and Social Services notified NGOs by telephone of the length of their funding agreement and cost-of-living increases, if applicable, for 2019-20. I am happy to say that the majority of the NGOs reviewed will receive a three-year funding agreement. That is to say, 27 NGOs will receive three-year funding agreements — 20 of which will receive two-percent cost-of-living increases. We are entering into four one-year agreements with NGOs. This will enable Health and Social Services to work with these organizations to understand their financial concerns, the pressures they face and how the services they

provide align in a changing landscape of programming and services in this territory.

There are new services and new programming coming online with our government. We need to look at what we are doing and how the services our government and those NGOs we work with fit into that. This is an opportunity for our government and the Department of Health and Social Services to work more closely with NGOs.

The NGO review is not a static, prescriptive approach; it is an opportunity to engage with NGOs, discuss their client needs, their cost drivers, their growth and the pressures they face. It is also an opportunity to hear what we as a government need to do to support them properly in these changing landscapes. This is about better serving the needs of our clients — Yukoners. This is about supporting NGOs so that they can be successful. It is not about cutting funding — it is about an opportunity to have conversations and dialogue about how we care for Yukoners. That is my number one priority.

The work NGOs do in the Yukon enriches all of us. It provides support to Yukoners where we, as a government, cannot. NGOs protect and support many people within our society — those without voices and those who are marginalized. NGOs help us better understand our community — the people who make up the fabric of our territory and know what those needs are.

Yukoners know about the importance of NGOs. Many of us have sat on the board of directors of NGOs — some of us, more than one. I have made a list of many. I have over 20 that I have sat on throughout the Yukon throughout the course of my life and volunteering in various aspects of our communities across the Yukon.

From this perspective, we can speak from a place of knowledge about the amount of dedicated volunteer time it takes to run a board, about how hard their employees work and how important the work they do is for our society. As a government, we have a responsibility to listen to that and to be dynamic in our ability to respond to those needs while always keeping an eye on the future of what we want our territory to look like. I would like to take a moment to hold my hands up and acknowledge the NGO workers in the territory — the people who work on the front lines of issues, the people who advocate, support and ensure government is held accountable and that we are a society moving forward in the right direction together.

Mr. Cathers: Speaking to the amendment here today, I would like to thank my colleague the Member for Watson Lake for bringing forward this motion as well as for her comments in introducing it.

I am not able to support the amendment to the motion because it is factually incorrect. Most of the content of the statement made by the government — in the minister's proposed amendment — is itself not a statement that we disagree with. We agree that government should do what the latter part of amendment says: "... work with them to ensure those services are appropriately resourced and delivered effectively." We do agree that they should be working with

NGOs, but to say "continue to" when the evidence would suggest that you have not started working collaboratively with NGOs is something that does have to be pointed out and that does cause me to say that the proposal made by the Minister of Health and Social Services is an effort at damage control and attempting to dig the government out of the hole that they dug themselves in the relationship with NGOs. They have damaged the relationship with NGOs funded by Health and Social Services significantly. We have heard publicly a very different version of events from NGO service providers and from the minister in this government about what the relationship has been, what the government is doing and what the government has said to them, both in this fiscal year and in previous fiscal years.

This is year 3 of the Liberal government. They cannot keep pretending that they need more time or keep blaming funding levels on anyone else. They are making the decisions. They have had time to understand the NGOs that are service providers for the government.

I would ask the minister, when she gets up again, to answer this question: Did the minister even visit Kaushee's Place or the Child Development Centre prior to freezing their funding? How many of the NGOs whose funding was frozen by this government did the minister actually go visit to understand the situation they were dealing with? Did she sit down with any of them before in what they claim was a collaborative method? As my colleague the Leader of the Official Opposition noted during Question Period today, the government claims to be working collaboratively in having a dialogue, but the dialogue amounted to: "Hey, we are freezing your funding — hope you enjoyed this open dialogue."

I am going to be relatively brief in speaking to the amendment, but I do have to point out that as we see with the government in the case of their takeover of the former Salvation Army Centre of Hope, the government would rather hire 40 more government employees than find a way to work with an NGO.

Mr. Speaker, the relationship that the government has embarked on with NGOs is troublesome. We hope that they are now starting to see the light and will correct their ways, but we cannot support an amendment that says "continue to" when in fact the amendment should say "begin". It also does water down the important point made by my colleague, the Member for Watson Lake and our critic for Health and Social Services, which urges the government to immediately end the funding freeze and provide NGOs with appropriate, increased resources through multi-year funding agreements.

Hon. Mr. Streicker: Thanks, Mr. Speaker, and I listened to the introduction of the motion; I listened to the minister responding; I now listen to the Member for Lake Laberge talk about why the Official Opposition won't support the amendment — it seems to rest on this word: "continue". Well, even today we have heard that there were meetings with Kaushee's. They were talked about here in this Legislature yesterday. I know that the minister has met with NGOs over time, I know that her DM has, I know that her ADMs have

and I know that those meetings go on. I know from my own department that we meet with many organizations all the time; for example, the Association of Yukon Communities, library groups, sports groups — I think each of us as ministers meets with non-governmental organizations.

To echo a comment that came across from the Member for Watson Lake, they are an important part of our economy; I think they are an important part of our society. So I do believe that we are continuing to work with them.

Then the Member for Lake Laberge raised the Salvation Army. My gosh, there were many meetings. I know of them because they came to the Cabinet table for discussion at some point about the concerns. In fact, I believe it was that organization that stated it could not deliver the services. To use that as an analogy is a strange analogy for me because it would suggest that we should just keep funding them. No, I don't think so, Mr. Speaker. What we should do is make sure that the service that they were supposed to be delivering is being delivered to the community.

That is what's at issue here; it's how we serve the community. Whether it is the NGOs or us, it's all of us together. It's important that this service is upheld. That's why it is so important that we continue to work with our non-governmental organizations and work with them to see how that service delivery is happening.

Frankly, I think it is a great thing that the Financial Advisory Panel said we should be reviewing this work with our NGOs. It's not meant to be an attack on them; it's meant to be working with them. I'll say that I think it's important that we continue to work with them.

Ms. Hanson: Mr. Speaker, you know, I have to say that I was initially going to stand to commend the minister because the message that she delivered at the outset in her response to the motion that was put forward by the Member for Watson Lake was exactly the message that you would expect from a Minister of Health and Social Services and a responsible government.

Unfortunately, it has been delivered about three months too late — about a year too late.

The reality is that the community perception — and the NGO community in particular — is that this government somehow doesn't trust those of us who have been involved — are involved — in volunteer boards of NGOs and the staff of those NGOs to achieve exactly what the Minister of Community Services just outlined — the services that we all want to see delivered in this community.

I am reminded of some comments made by the Premier last year and that were repeated several times. He said that it's not what we say, but it's how we do our job. Quite frankly, how this government has communicated to the public at large — and in particular to that, at one time, very large body of people in this community who got actively involved as volunteers — whether it was a volunteer on an NGO board or various societies throughout this territory or volunteered in various society-type activities — the message has been to undermine the trust this government has in those people. It's

to say, "We don't think you know how to run your own business. You defined what your society is. You defined the functions and the objects of this society." Then I actually heard it being said in this House: "We'll tell you how to be more efficient and more effective."

Well, no — not if it's a cooperative and collaborative approach.

I heard the Premier in his Budget Address this week talking about "Our government's approach has been methodical. We have examined, discussed and tested our ideas." My question to myself, as I was listening to that address, was: With whom? The evidence to date, Mr. Speaker, has been within the walls of government. It's great to have ideas and to come in with, "This is the problem and this is how we can solve it." But if it is truly collaborative, it's actually being open to hearing what is out in the atmosphere — what is actually going on in there.

The Premier went on to say that we make those decisions. "We know good ideas come from all corners of the territory — all of that without prejudging the outcome."

I was with the minister until the comment was that they've made a decision that there will be a two-percent increase for some of the NGOs this year — a couple of aspects of that. I think the Minister of Community Services alluded to that with respect to the issues around the recommendations around minimum wage. We know that inflation actually isn't static and we know that inflation has exceeded two percent this last fiscal year — calendar year, sorry — if you look at the Bureau of Statistics.

So we are saying, "Good. That's what you're going to get going forward." The Minister of Health and Social Services will be familiar with the phrase "catch-up, keep-up". How stagnant were the funding levels of those non-governmental organizations when this government came into power? When was the last increase for some of them? We have heard from some NGOs that they had no material increases since 2011. That's a negative. Try running any business — let alone a non-governmental organization — losing money every single year. The power bills don't go down. The cost of food doesn't go down if you're providing a service that includes provision of food and accommodation. Wages don't go down unless — well, I don't know what you are, but you're going to be constantly churning your staff then. What continuity of services does that achieve?

Then it goes back to the issue of what we are provided as members of this Legislative Assembly. We have to take it on faith that the information we are provided when the budget is tabled is accurate and correct. When I look at the information that has been provided to me, it does not tell me anywhere, in any of the documentation — scant as it is. I have been trying to encourage government to reconsider the types of information it does provide so that all members of this Legislative Assembly can participate in effective debate and discussion about matters that are so important to all of us.

The information provided does not corroborate the Minister of Health and Social Services' statements. I looked at this and each area, with few exceptions — I have been

focusing on Health and Social Services today — and in 2017 and 2019, those funding levels are exactly the same. When we do our calculations — I understand that the minister has a little line in there that talks about how there will be this incidental something or other. That is not explained in any budget document. How on god's green earth are we supposed to draw the conclusion that somehow there is a little pocket of money that has been set aside because it is all about saying what you mean and meaning what you say? How are we supposed to guess? How are NGOs supposed to guess that at some point there is going to be largesse falling from the sky and they are going to get two percent going forward? How do they catch up and keep up with the costs of running their organizations that they have incurred to date?

We are in a situation across Canada and in this territory as well where we are seeing a decline in the number of people who are willing to get involved as volunteers and who are willing to be involved on non-government boards. To give the message that somehow they are not performing as well as somebody's standards would suggest — standards that haven't been shared with the public, nor have the terms of reference for the NGO review been shared, nor have the objectives of this NGO review been shared with the public or this Legislative Assembly. We are responsible, Mr. Speaker, for understanding how the financial decisions are being made and holding government to account on the basis of that, but if we don't have the information, then it is very difficult to conclude other than what we have seen so far.

The conclusion has been that this government doesn't trust those people who volunteer to serve on NGO boards, nor that they trust the staff. Now, I want to say I will be right blunt. I will be totally blunt about the fact that we have a fiasco and a debacle going on with one major NGO in this territory, and we have watched this government — three ministers across the board — ignore what has gone on with Many Rivers, with the result that hundreds of clients and staff have been left in the cold. So we are selective about how we do this. Other NGOs — too bad, so sad.

Speaker's statement

Speaker: Order, please — if everyone can sit in their seats, please.

A gentle reminder to all members — and I am certainly not singling out the Leader of the Third Party. I would refer all members to Standing Order 17(1), which most members know is: "Every member desiring to speak shall rise in his or her place and address the Speaker."

There is obviously some latitude here. I understand that you wish to address your friends and your colleagues in the House from time to time, but I would suggest that the best approach probably is to pivot from time to time. You address the Chair, and then you can certainly address your colleagues from time to time. I have been mindful, and I have listened carefully for the last 25 minutes or 30 minutes. It seems that a preponderant amount of time in this instance has been where that has not occurred. This is a good opportunity, in my view, to provide a gentle reminder to all members, and of course, I

am mindful of your time, Leader of the Third Party. I can just read on the record: "... one of the basic principles of procedure in the House is that the proceedings be conducted in terms of a free and civil discourse, Members are less apt to engage in direct heated exchanges and personal attacks when their comments are directed to the Chair rather than to another Member. If a Member directs remarks toward another Member and not the Speaker, he or she will be called to order and may be asked to rephrase the remarks." That is from the *House of Commons Procedure and Practice*, second edition, pages 604 to 605.

As I preface my remarks, what I would say is that I am not singling out the Leader of the Third Party. Of course, she will feel singled out right now; I get that. All members please be mindful of that. It is a little static to just be speaking to me all the time. I get it, but I would suggest that the pivot might be a good process as a compromise. Thank you for your time.

Ms. Hanson: I do thank you for your interjection. I think it is timely, and I accept it. Obviously I accept it because it is your statement, but I am saying that because I genuinely think that we, including myself, get caught up. These are issues that make us passionate. I am not trying to make an excuse; I am just telling you that is where I am coming from.

When I said earlier that the issue of indexing or increasing funds is not something that — just suddenly saying that we are going to give the people two percent. When I look at some of these organizations, it goes back, as I identified with one in particular that we had heard from last week and had indicated that their funding had been static since 2011. In fact, when I go back and look at previous budgets, there are a number of these organizations. I do not have the figures all the way back to 2011, but I certainly have them back to 2013-14, and I can tell you that some of them are exactly the same.

I've heard members opposite talk about serving on boards, and I know that they then share with me the knowledge of how very frustrating it is to try to figure out how to make ends meet when you see the declining value — real value — of the budget that you have to operate within.

I have no problems with the initial part of the motion that the Minister of Health and Social Services has provided as an amendment to the motion from the Member for Watson Lake, but unfortunately, it all hinges on the word "appropriately".

What is "appropriate"? We have heard today that "appropriate" is two percent over last year, but if there is no catch-up in terms of dealing with the real costs of running an organization, how is that accurate? What is "appropriate", Mr. Speaker? I find, without explanation — then one conclusion would be that it's disingenuous. I hope that's not the case, but I've looked to the government to explain exactly what they mean, and that means sharing information with members of this House.

What are the terms of this NGO review? What's the objective of this NGO review? When will it be complete? Is the objective to provide two percent this year, and then that's it? I've heard, "three-year funding agreements". Those are not new. They've been in place before. Then we went into, "No,

we're not doing three-year funding agreements; we're going to spend a year." That was a year ago, and then on the eve of the fiscal year ending — again, when you're an NGO and you don't know for sure what's happening on April 1, it's difficult to keep staff. All sorts of practical things come into play.

Mr. Speaker, I'm torn and I'm not really sure where I would stand on an actual vote at this moment because of the lack of willingness of the government to be forthcoming about what their end game is with respect to NGOs.

I heard references toward the latter part of the opening comments that I have heard before with respect to the notion of bringing NGOs together. Well, that's not a new concept. There have been ideas floated out there by NGO communities and by others, for different reasons — the front-of-house activities for a number of NGOs could be housed together. But that ultimately is the decision of the board of directors of those NGOs, Mr. Speaker. It's not something that I would hope to see dictated by a government as a condition of funding. But then, if that's a decision of this government, as the Minister of Finance said, their approach would be methodical. They would examine, discuss and test their ideas. Most of all, they would engage with Yukoners, and we would not pre-judge outcomes. I'm looking for evidence of that, Mr. Speaker. I'm not getting it. It's the message.

I understand the premise and the passion with which the Minister of Health and Social Services and the Minister of Community Services spoke about the importance of NGOs in our community, but the message is mixed with the method. As I said, the Premier has said, "It's not what we say; it's how we do our job." Right now, I would say that they are not doing a very good job of communicating what the intentions are here, and that leaves us with a great sense of dis-ease — unease. There is not dis-ease perhaps about us, but there is unease.

Speaker: Is there further debate on the amendment?
Are you agreed?

Some Hon. Members: Agreed.

Some Hon. Members: Disagreed.

Speaker: In my opinion, the yeas have it. The amendment is carried.

Amendment to Motion No. 413 agreed to

Speaker: Is there any debate on the main motion as amended?

Mr. Cathers: In rising to speak to the main motion, I do again have to note that the —

Some Hon. Member: (Inaudible)

Point of order

Speaker: The Minister of Community Services, on a point of order.

Hon. Mr. Streicker: The member opposite just referred to it as the main motion. I'm thinking it should be the main motion as amended.

Speaker's ruling

Speaker: Yes, the Member for Lake Laberge isn't the ultimate decider on the process. That would go through the Clerk's office, but I take your point.

The Member for Lake Laberge, on the main motion as amended.

Mr. Cathers: Yes, I'm aware of how the House operates.

In speaking to the main motion as amended — I'll note that to keep all the members of the House happy — I have to point out that this is an important issue that we're dealing with. This is more important than semantic debate or arguments over points of order. This is something that does touch the lives of Yukon citizens who elected all members of this Assembly with an expectation that we would treat the needs of Yukon citizens seriously. That includes in the area of NGOs that this Liberal government — and the current Minister of Health and Social Services — has given the indication so far in this term that they do not appreciate the importance of the NGO partners and that they do not seem to see them as true partners.

There are some NGOs funded by Health and Social Services — including the Yukon Women's Transition Home Society and the Child Development Centre, as examples — that provide very important services to Yukoners. That's certainly not an exhaustive list. Others like the Help and Hope for Families in Watson Lake, which is a women's shelter there, or the Fetal Alcohol Syndrome Society are just a few of the other organizations that provide very important services, and government needs to recognize the value that these NGOs provide, see them as partners — I'm trying not to contravene the parliamentary language, Mr. Speaker — rather than seeing them as someone to talk down to or to offer a few crumbs to when they see an issue that is making them look bad publicly.

As I stated earlier in this House during debate on the budget, the government doesn't seem to understand the services these NGO partners provide. They don't seem to believe that these NGOs operate efficiently, based on the Minister of Health and Social Services' comments in this House, and they don't seem to recognize that if government does not provide them with increased resources, those important services that are provided will simply not be available.

Again, I would note that, in the context of the review, as we have heard from the executive director of Kaushee's Place, we have seen a situation where the questions that the government is asking some NGOs, including Kaushee's Place, are patently ridiculous in the first place.

Again, as I noted earlier in speaking to the amendment, I do have to ask the question about whether the Minister of Health and Social Services, before deciding to freeze funding for the NGOs, actually went to visit any of these facilities or sat down with the NGOs, and how many of them actually got the opportunity to talk to the minister and help her understand what their services are. There does not seem to be a sense of real partnership on the part of the government. We do see that

the Liberal government seems to be in damage control now and perhaps relenting on their hard line on NGOs, but the choice to freeze NGO funding was not a reasonable decision.

I should note again that there are other matters where government is actively taking steps to increase the cost for NGOs through the Liberal carbon tax. The cost of living is going up as well, and government has found money to increase the number of government employees every single year that this Liberal government has been in office, with an increase of 160 new full-time equivalent employee positions, according to the Premier's own statements — many of them across government providing services that are far less essential than those offered, for example, by Kaushee's Place or the Child Development Centre.

We see that government has also found \$255,000 — over one-quarter million dollars — to increase funding for the Cabinet office, money to give the Premier a raise, \$120,000 — infamously — for spraying water in the air, hoping for ice at Dawson City, but they don't seem to be understanding the valuable services provided by NGOs in the territory and have been paying them lip service so far.

Again, I want to emphasize, as I did during my speech at second reading on the budget, that I am certainly not suggesting for a moment that any NGO should simply have a cheque cut to it without due diligence, but I have been in the minister's shoes as Minister of Health and Social Services. I know the level of detail that has been provided in the past by NGOs and I assume that level of detail is being provided today. I know that in the past, any time additional information was needed by senior officials or me during my time as Minister of Health and Social Services, we received that information in a timely manner and were able to make an informed decision about whether there was a need to increase an NGO's funding. During the time that I was minister, there was a long list that we determined did need an increase. Certainly of the NGOs that are speaking publicly today, it is evident that some of them do need resources beyond a two-percent cost-of-living increase.

We have heard the minister's version of what government has been doing and has said to NGOs, which has conflicted dramatically with what NGOs have told us and have told the public.

I should note and remind everyone that the resources coming from the federal government have gone up this year by more than the government originally expected. We are seeing an increase of some \$53 million in a major federal transfer. The government, despite that \$53.4-million increase in the federal transfer payment, has managed to find a way to increase their costs and squander a disturbing amount of it on non-essential spending, as well as, across government, increasing the number of employees, bringing the total increase in employees added under this Liberal government's watch to almost a 15-percent increase in the total number of government employees, many of them in non-essential areas of the government.

So those remain the concerns. We will support the motion, as amended, rather than not seeing it proceed, but it

has watered it down, it has changed the intent, and it does — in fact, the suggestion of continuing to work with them is a mis-reflection of what has been occurring. We recognize that there are needs in the NGO community. This is year 3 of this Liberal government. It's time to take off the training wheels and actually start responding to demonstrated needs where they exist, rather than perpetually delaying.

I would note again, in the context of the requests that have been made of some of the NGOs for information in some cases, including those mentioned publicly by the executive director of Kaushee's Place — or properly, I should say the Yukon Women's Transition Home Society — that the questions that they've been asked, in some cases, would compromise their client privacy and do stand the risk of even dissuading women fleeing an abusive domestic situation — may dissuade them or discourage them from seeking help in the first place.

That is something that should not be occurring. For a government to even suggest or muse that the women's shelters in the territory are providing services that are a duplication of services simply shows a lack of understanding about what the NGOs that are operating in the territory are doing, because where there is only one NGO providing a certain service, they're certainly not competing with other NGOs.

I would also note that, even in the areas in which there may be some duplication of services provided to clients of NGOs, what we've seen a complete lack of understanding on the part of the minister and the Liberal government is the fact that there may be a logical reason for providing some services that are also provided by another NGO. They may be responding to their individual clients and making it more convenient for them. Even if there is some duplication, it's fair to say that, in stark contrast to the increases to non-essential services in government and the wasteful spending in a number of areas that have occurred under this Liberal government's watch, the suggestion of finding efficiencies in NGOs as being a solution to reducing costs is looking in the wrong area to find efficiencies.

The government should begin by showing leadership starting at home, cancelling the \$255,000-increase to the Cabinet office budget, cancelling the Premier's raise and in the future, avoiding the kind of reckless and wasteful spending that we've seen, like the \$120,000 spent to spray water in the air, hoping for ice in Dawson City.

Meanwhile, the Yukon Women's Transition Home Society, the Child Development Centre and other NGOs have been trying desperately to get this government's attention while their funding was frozen.

The government managed to freeze NGO funding, but it still hasn't managed to freeze an ice bridge that they can use in the Premier's riding at Dawson City. I would encourage them to recognize the importance of this issue and stop merely treating it as a political problem and actually work with NGO service providers to determine their needs and resource them appropriately to provide services that are necessary to Yukon citizens and Yukon families.

Hon. Mr. Streicker: I will just begin by saying I certainly didn't mean anything disrespectful when I stood up on my point of order. I was really just trying to make sure that the comments that I was going to hear — or that we were hearing or that we're hearing spoken to you, were about the — I just needed to know where those comments were landing.

I thank the members opposite for this motion. I think it's an important motion. Let me start off by saying that I believe that everyone in this Legislature thinks that non-governmental organizations are incredibly important. They're important to the fabric of our territory, they're important for volunteerism and they're important for our social economy. They're just flat out important. I would say their services are critical in many instances — not every non-governmental organization, but many of them provide services that are critical.

I agree with the Leader of the Third Party — and the Member for Lake Laberge — that we need to be true partners with non-governmental organizations and that we need to be collaborative and cooperative in working with them.

My understanding of how the review work was happening was exactly about this notion of how to — well, I'll use the phrase that the Leader of the Third Party used, which is “catch-up, keep-up”. That is part of the question: What are the appropriate funding levels for them? I don't think that it should be done in a blank cheque.

The Member for Lake Laberge said that this wasn't meant to be a blank cheque, but when I read the motion as it was originally designed, it sounds like it. It sounds like the idea is, “Hey, these guys are good; just give them more money; don't bother to look to see whether there are other NGOs that are providing similar services; don't bother to look to see whether there is work that the department is doing.”

Part of it, in my understanding of trying to make it effective and efficient, isn't just whether the NGO — to understand what they're doing — it's to understand what we're doing in support of them in order to ensure that we're working well together.

When I think about the level of volunteerism here in the territory, I still think it's there. My gosh, I don't know how to compare it to previous eras or decades or even years. I don't know how that — maybe I'll talk to the Volunteer Bénévoles Yukon and ask them whether they have some measure of this, but what I can tell you is that the number of societies is increasing.

I went to the department and I asked them how many societies we had registered, and they told me 825 — no, sorry, 826 — a new one registered today. That was a couple of days ago when I asked them — 826 — that is more than one for every 50 Yukoners. So we have to be volunteering. I am sure there are people who are on many boards, but that is a lot of volunteerism. I would never talk about what we are offering to these NGOs as crumbs. I think that the dollars that we are talking about are significant dollars.

I will come back to that at some point, but I just want to start off with this notion that we do respect NGOs. I hope we all do here in this Legislature. Now, I am going to have to go check my math, Mr. Speaker — maybe it is one for every 500

people. I will thank the Member for Mayo-Tatchun. If I have got my math wrong, I will come back and check it. It is a large number of NGOs, regardless.

However, we are talking here about the dollars that we give through transfer payment agreements to our NGOs. It is significant; it is not crumbs. I challenge that. Of course it is different for different groups, and we should always be looking to evaluate it. I think that is how we make it better, actually. I don't think we should perceive it as a negative just from the get-go.

If we want to look at one of the ways to describe whether we value the non-governmental organizations, the societies, the social enterprises, all of them — the charities — as we look at them, it is just to say that we could add up how much of the budget goes toward them overall. I think we ought to do things like that. I think it's good to assess their value to society in that way, but I think it is more than that. I think we need to acknowledge their volunteerism. I think it is important that we stand up as elected officials, as leaders, to say how important they are to us.

I doubt that we could find anyone in this room who — I don't know; I haven't had a chance to meet our young pages yet. My suspicion is that all of us have, at some time or another, been volunteering with several NGOs over the years. I know that all of us will have particular NGOs that we have given our time to and that might be near and dear to our hearts, but I think that is because, as Yukoners, we are diverse. I think that there are a lot of ways in which the many societies out there contribute to the fabric of the Yukon. There are so many ways that people can be connecting with them and volunteering.

There are many non-governmental organizations that have existed for decades and ones that — as I have just noted — have existed for a day or two. The latest one that I heard of was the Yukon science and technology advisory society.

Okay, great. I love that Yukoners find different ways to get engaged and participate in our broad community. I think that, while all of us implicitly and at face value trust that Yukoners are stepping forward and volunteering and being part of non-governmental organizations, and we may know some of them intimately because of our involvement over many years, it remains important that there be objective accountability for their status as a society and any delivery of services for which they are compensated. Eventually, I think that's where we have to get to in this debate — around the services that these societies provide.

So societies have responsibilities — just to be a society. Like any professional designation, there are annual requirements. Whether you're a professional engineer or whether you are a midwife, whether you are a journeyman plumber or a pharmacist, we all need to demonstrate our ongoing training and experience to maintain our relevant designations. For societies, it's no different.

We ask that, every year, they give us annual financial reporting so that they can stay in compliance; we ask that they share their constitutions and bylaws, that they make that transparent to the communities so people can see, so people

can engage. We ask them that they list who's in charge of their societies so that we know who it is who's taking those responsibilities, and it is not a light responsibility. It takes a lot of effort — we all know that because we've all been on that side of the table.

Beyond this, I think that societies generally also strive to be open and progressive and to serve their communities — our communities. I mentioned Volunteer Bénévoles Yukon a moment ago. As an NGO, they provide information and best practices for other societies. They offer tools to societies in relation to financial reporting, privacy protection, human resources management, partnership building and all kinds of topics around effective operation. By the way, I met with Volunteer Yukon. They came in, sat down and talked to me about levels of funding and the work they're trying to achieve and what they're trying to do. That conversation continues over time.

I said earlier that I wanted to focus a little bit on services. Nowadays, you can have a group of people who form and pull together to deal with a book club, but most of the societies that we're talking about here in this Legislature today have a purpose to deliver a particular service. I happen to work with societies, for example, that deliver services under sports, under libraries, la langue française, the arts, first responders — all of them are important. The organization that I work most closely with — and I spoke about this briefly when I stood up to speak to the amendment that was before us — is the Association of Yukon Communities. I try to attend every meeting that I can of the Association of Yukon Communities. I set up quarterly meetings with the president of the association and the executive director.

Each of us, as ministers, and probably each of us as MLAs, will work with many different societies. Of course, the Minister of Health and Social Services will work with those groups that contribute to our wellness. There is a large number of non-governmental organizations that contribute to our wellness.

What I would like to point out, Mr. Speaker, is that all organizations — non-governmental organizations, governmental — all of these organizations benefit from regular reviews of their efficiency and effectiveness. What I don't want to do, as the Leader of the Third Party pointed out, is have us acting in some sort of patronizing way to those societies. I think it needs to be — as has been discussed here in this Legislature — a partnership, recognizing what those societies bring. I certainly believe in that in our role as government. But I think we should not be afraid of that type of review from government. In fact, I think it's essential. I think that, done properly, government oversight can build trust.

As I said earlier, I wouldn't be interested in a blank-cheque type of model. I'm just not interested in it. I'm not interested. I think everything that comes in front of us as ministers — and we're asked to sign about what's happening with that funding and then how it builds into a budget and how it goes out over time — my gosh, we are responsible and accountable to the public about that. We will be judged if that

society does well and we didn't support them enough. We will be judged if that society does not do well and we gave them funds that we didn't have some sort of oversight on. I think it's always a requirement. I think that's why we have these transfer payment agreements. That's essentially the point.

Those organizations that are funded by government have increased public trust and legitimacy due in part to their relationship with us where that oversight exists. That oversight is one of those things that elevates them and says, "You know what? We have worked with them. We know they are doing good work. Here you go." I think that helps them. This benefits funded agencies in their ability to seek further funds. We are often asked to write letters of support for those agencies to seek from other federal bodies — even international, at times — that relationship that we have with them matters. It is, of course, difficult when we disagree. We will disagree at times. There are 826 of them. My gosh, give me three Yukoners and I'll show you disagreements. As soon as we have that many, there are times when those societies will really be striving to do more and much more. We have to decide how to get resources to them in a way that balances everything out.

Some Hon. Member: (Inaudible)

Hon. Mr. Streicker: No, we don't fund 826, Mr. Speaker. I agree. We do fund many of the organizations. For example, I heard the Minister of Health and Social Services stand up today and talk about 33 different wellness organizations that her department funds. She also listed for us 22 of them that she has given a two-percent increase to for this year while we are in this process of working with them to do a deeper review. By the way, that's less than the increase that we have in our budget this year. Our O&M went up by 1.9 percent. So is it enough? I don't think it may be enough, but that's the whole point of doing a review with them, Mr. Speaker. Is it saying that we will work with them respectfully? Absolutely. There was a comment from members opposite about us freezing them and not having long-term agreements, but she stood up and told us that 18 of the 33 now have three-year agreements.

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

Debate on Motion No. 413, as amended, accordingly adjourned

The House adjourned at 5:30 p.m.

The following legislative return was tabled March 13, 2019:

34-2-183

Response to Written Question No. 33 re: economic contribution of tourism in Yukon (Dendys)

The following document was filed March 13, 2019:

34-2-62

Alaska Highway Shakwak Project, letter re (dated February 27, 2019) from Stacey Hassard, Leader of the Official Opposition, to Hon. Bill Morneau, Minister of Finance, Government of Canada (Hassard)