



Yukon Legislative Assembly

Number 37

2nd Session

34th Legislature

HANSARD

Monday, October 16, 2017 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

YUKON LEGISLATIVE ASSEMBLY

2017 Fall 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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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

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Brad Cathers	Lake Laberge	Patti McLeod	Watson Lake
Wade Istchenko	Kluane	Geraldine Van Bibber	Porter Creek North

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New Democratic Party

Liz Hanson	Leader of the Third Party Whitehorse Centre
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**Yukon Legislative Assembly
Whitehorse, Yukon
Monday, October 16, 2017 — 1:00 p.m.**

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

Prayers

DAILY ROUTINE

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

Tributes.

TRIBUTES

In recognition of WorldSkills Competition

Hon. Ms. McPhee: Thank you very much, Mr. Speaker. I rise this afternoon on behalf of all of the members and parties in this Legislative Assembly today to pay tribute to David Lister and to the WorldSkills Competition.

David is in Abu Dhabi to compete at the WorldSkills Competition in Mechanical CADD, or what's known as "computer-aided design and drafting" at that skills competition.

The first day of the four-day competition was yesterday and he competed then. He will continue today and for the next two days in this very gruelling competition. He is part of 1,300 competitors from 60 countries who will compete in more than 50 skills events over the next number of days.

WorldSkills began in Madrid in 1950 and takes place every two years. Skills Compétences Canada was founded in 1989 and Canada has participated in 14 WorldSkills competitions. Skills Canada Yukon was incorporated in 1998 and the Department of Education has provided funding to Skills Canada Yukon annually since the very beginning.

Two Yukoners have competed in WorldSkills before: one in 2009 and one in 2013. We are proud to have another Yukoner compete as a member of the WorldSkills Canada team. Qualifying for WorldSkills is a remarkable accomplishment and David is an exceptional competitor. David Lister is also the gold medalist in Mechanical CADD at the Skills Canada national competition in Moncton, New Brunswick in 2016. In preparation for WorldSkills, he recently appeared as a guest competitor at the Team UK Selection event and after participating in WorldSkills this year, David's role will change from that of a competitor to a volunteer.

He has been nominated to serve on the national technical committee for the National Skills Canada Competition.

Skills Canada Yukon and Skills Compétences Canada could not operate without the energy and dedication of the volunteers and staff. Their inspiration and support bring talented youth like David Lister to national and international podiums year after year.

The Yukon government is pleased to partner with Skills Canada Yukon to support Yukoners to develop skills and pursue careers in trades and technology.

I would like to recognize Tracy Erman, Skills Canada Yukon's executive director, who is in Abu Dhabi, and Roger Gillies, a teacher at Porter Creek Secondary School, who is also in Abu Dhabi as the world expert for website design competitions. There are also some staff and volunteers here today who I will introduce in a few moments.

I would also like to thank and recognize world expert Jeremy Braithwaite. He lives and works in Bellevue, Ontario, and he has been David's trainer over this last year.

David Lister, when he's not at the WorldSkills Competition, attends Carleton University, where he is now pursuing a bachelor of engineering in engineering physics. We all wish David the best of luck in this event and in his career. The Yukon is very proud and thankful for Skills Canada Yukon.

Thank you, Mr. Speaker.

In recognition of Small Business Week

Hon. Mr. Pillai: It's my honour to rise today on behalf of the Liberal Party to pay tribute to Small Business Week, which is celebrated across Canada from October 15 to 21.

Let me start by thanking each and every small business owner for your contribution to our territory. They help create jobs and circulate wealth, and enable families to put food on tables and to pay the bills. Small businesses create innovative solutions. They work hard every day to provide needed services and products for Yukoners.

It is also worth noting that Yukon has the highest number of small and medium businesses in all of Canada, at 57.3 percent per 1,000. The history of small business in Yukon is vast.

Trade was the beginning of our modern business history. The height of this trade occurred between 1840 and 1870. During this time, the southern interior was virtually an economy colony of the Chilkat Tlingit. By 1890, First Nations had an alternative of going to Alaska commercial company posts on the Yukon River to trade. The Chilkat were beginning to work in canneries and were making handcrafts to sell on the coast, and were less interested in making the long trip into the interior.

Around that same time — and I will quote from Michael Gates' book, *Gold at Fortymile Creek: Early Days in the Yukon*, and this example goes back about 144 years: "McQuesten and his partners realized that the influx of miners was going to grow in future years so, for the first time, they brought fifty tons of miners' supplies, which arrived at Fort Reliance on 10 August. From there, McQuesten travelled upriver to Fort Selkirk to trade with..." First Nation people. This speaks to the pioneering and innovative nature of Yukoners who have made — and continue to see — opportunity, take action and make things happen.

One local success story began in 1984 when Rod Adams took a risk leaving his young family in Alberta to take a job in Yukon operating a gravel crusher. In 1987 he established

Nuway Crushing after buying the same crusher he began operating in 1984. In 1989, Rod moved his family permanently to Yukon. This business, like most, took sacrifice, risk and commitment from the entire family. Rod, Carol and the three kids — Jason, Tara and Travis — all played a part. That entrepreneurial spirit continues today with Travis Adams, now the general manager of Nuway Crushing. Jason branched off with Yukon Yamaha and Tara began a business of her own, Pursuit Coaching.

This January, Nuway Crushing celebrated 30 years in business. During this time, Nuway has grown from seven employees with one crusher to 50 employees with five crushers, running seven crews and crushing 90 percent of the gravel in Yukon, which is no small feat. Nuway also works in northern British Columbia and the Northwest Territories.

Nuway Crushing is a true example of how important small businesses are to the success of our territory and our country. The corporate social responsibility they exhibit is a testament to the commitment this company has to the Yukon and our local economy — and to its people. Donations in the last 20 years from Nuway Crushing are well over \$1.5 million and positively affect many Yukoners — commitments to the Yukon Hospital Foundation or to sporting groups such as Whitehorse minor hockey, the Klondike Road Relay or the Special Olympics are just a few examples.

As the Minister of Economic Development, I support Small Business Week and I'm proud to be associated with this national initiative. This week sees two events associated with Small Business Week taking place in Whitehorse. On October 18, Canada Post, in conjunction with the Whitehorse chamber, is hosting an event on growing e-commerce business at the High Country Inn from 8:00 to 11:45 a.m. On October 19, Dāna Nāye Ventures is hosting a Business After Hours event at their office from 5:00 to 7:00 p.m. I encourage everybody to take advantage of these opportunities. Also, please just help me in welcoming Travis and Tara — his sister who I spoke about — here with us today.

Applause

Mr. Hassard: I rise today on behalf of the Yukon Party Official Opposition to recognize and pay tribute to Small Business Week here in the Yukon as well.

Small Business Week was officially launched in 1981 by the Business Development Bank of Canada. BDC supports entrepreneurs across Canada and all industries through financing, capital and advisory services to help guide them through the many obstacles faced in business to become successful business owners.

Locally, we are fortunate to have the opportunity to access this national business development giant, but also to have the support available to the Yukon entrepreneurs through local sources. Dāna Nāye Ventures, a Yukon aboriginal organization, has been providing business development services and financing to Yukon and northern BC since 1985. From October 15 to 21, we will celebrate Yukon entrepreneurs who go the extra mile to make their dreams and goals a reality. We celebrate the Yukon artisans who furnish

our year-round markets with crafts, fairs and their goods. We celebrate those who operate the eateries and pubs and restaurants to cater to Yukoners' tastes and bring us together. We celebrate the salon owners who started out with a chair and a sink and pair of scissors and have grown into successful business owners. We celebrate those who decided that running equipment wasn't enough, so they invested in their own iron and made a name for themselves in the construction sector. There are so many flourishing small businesses here in the Yukon of which we should be so proud. Not only did these small-business owners take a leap of great faith in order to get their start, but many continue to work long hours with little reward but knowing that the hard work is the foundation of success.

So many go without to ensure that their employees and businesses are put first. It is these businesses that we as a community need to support. "Buy local" campaigns are about just that: supporting the small businesses that support our communities. I would like to encourage Yukoners to take the time this coming week to explore some of the small businesses you may not have noticed before. Bring your business to local shops and say hello to the people who bring variety, competition, quality and wholesome customer service to our territory every day.

Ms. Hanson: Thank you, Mr. Speaker. On behalf of the Yukon New Democratic Party, I am also pleased to have an opportunity to speak to the vital importance of the over 1,700 small Yukon businesses. You know, the definition of "small" is not a one-size-fits-all. In fact, within that definition, there are the micro businesses that employ one to four people, and then there are the big small businesses that employ up to 99 people.

As the MLA for Whitehorse Centre, I am proud of the many micro and small businesses that are located between the south access and the Marwell light industrial area. On a walk to work, I may go by the unlikeliest small business pairing anywhere — a bicycle shop and a coffee roaster — both successful and both contributors to our community. Further along, there's a hairdresser, a divine bakery, a picture-framing business, an architect, a high-end restaurant, a seasonal taco place, a glass-blowing studio that's fast becoming the heart of the waterfront, a dog-grooming business, several clothing stores — one of which, Climate Clothing, celebrated its 10th anniversary on Friday, defying the odds for small businesses — and a tiny cheese shop, a French deli, a knitting shop, an art gallery, a bra shop, a medical supply shop, and a café that has, over the years, been the scene of poetry readings, art shows and many other community events, including the highly entertaining, if dubiously named, "Drunken Lectures". That is just a sight — some of the small businesses along one avenue in downtown Whitehorse, Mr. Speaker.

Whitehorse and Yukon has an abundance of entrepreneurial folk doing business and forming an important part of Yukon's economy and this is especially amazing when one considers that starting a business anywhere is a daunting undertaking.

Quite frankly, the odds are not on the entrepreneur's side. Stats Canada keeps track of the number of businesses that appear and disappear each year. The technical phrase is "births and deaths". In one recent year, the total number of small-business births in Canada was about 78,400, compared to 82,200 deaths — a decrease of over 4,800 businesses. In many cases — in fact, in over 80 percent of start-up small businesses — the person with that idea lacks both the credit history and the collateral needed to secure a loan so they have to use personal financing to get their new business going.

There is no one-size-fits-all to what is helpful to someone with a new business idea or a plan. Some small businesses just want government to get out of the way. Some may want a hand up, not a handout. Expansion of small-business investment tax credits, along with tax cuts for small businesses, are all welcome. The reality is that many small businesses struggle in those first few years. More creative and proactive approaches to assisting start-ups and micro businesses deserve to be explored, to help bridge those difficult first years.

Mr. Speaker, we salute the spirit and the tenacity of the people in our communities who choose to put themselves literally out there to join the over-70 percent of the Canadian labour force who have the courage to create and make their businesses — small and micro — succeed.

Speaker: Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Ms. McPhee: I would like to introduce some visitors from Skills Canada Yukon who are here with us today. They are Natalie Thivierge, who is the president of the organization, Gerry Quarton, who is a director of the organization and Marie Furman, who is the program coordinator.

I would like to mention that this morning I spoke with David Lister's mom — and actually previously to today — and they were going to try to be here but are very proud and happy that we have done this tribute today — so thank you to our visitors.

Applause

Mr. Hassard: I would ask all members to join me — I know the minister previously mentioned these two folks today, Travis and Tara. I just wanted to say thanks for being here, as I was part of that organization when it began in 1987.

Applause

Hon. Mr. Silver: We are joined in the Legislative Assembly today by some political celebrity, actually. We have Greg MacEachern from *CTV News* here joining us.

Applause

Ms. White: Last but not least, of course — I just want to take a moment to thank Travis personally, because when we talk about small businesses donating money — and we can talk about \$1.5 million over 20 years, but what that includes is that recently Nuway Crushing donated when I was trying to

fundraise for a wheelchair-accessible van. Travis — Nuway Crushing was one of the first businesses to say, "Yes, this isn't as crazy as it might feel, Kate, and we support that." So Travis and Tara, your parents started off something fantastic and you guys are both continuing on. I thank you because we got the van — in great part because you told me that it wasn't as crazy as it felt. Thank you so much for what you do in the community.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

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

Pursuant to section 9 of the *Public Service Group Insurance Benefit Plan Act*, I have for tabling a report, entitled financial accounting report, 2016-17, which is a report on the financial results of the Government of Yukon's group insurance plan for the last fiscal year.

Mr. Hassard: I have for tabling a letter dated October 11, 2017 to the Minister of Highways and Public Works and copied to the Premier from the Northern Air Transport Association regarding concerns with the Yukon *Public Airports Act*.

Hon. Mr. Streicker: I have for tabling a legislative return in response to a question posed here in the House from the Member for Kluane.

Mr. Kent: I have three documents for tabling, all on the same issue, and that is the proposed infill lot development by the City of Whitehorse. The first is a letter from me to the Minister of Energy, Mines and Resources and the Minister of Community Services. The second is a response to that letter from the Minister of Energy, Mines and Resources. The third document is a written question regarding this same topic.

Ms. White: I have for tabling the 2016 Whitehorse PIT count report.

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

Are there any reports of committees?

Petitions.

PETITIONS

Petition No. 1 — received

Clerk: Mr. Speaker and honourable members of the Assembly: I have had the honour to review a petition, being Petition No. 1 of the Second Session of the 34th Legislative Assembly, as presented by the Member for Takhini-Kopper King on October 12, 2017.

The petition presented by the Member for Takhini-Kopper King appears in three versions. One version of Petition No. 1, that which was read to the House by the Member for Takhini-Kopper King, meets the requirements as

to form of the Standing Orders of the Yukon Legislative Assembly. That is the version that will be entered into the working papers of the Legislative Assembly and is the version to which the Executive Council shall respond.

The other two versions do not meet the requirements as to form and will be returned to the Member for Takhini-Kopper King.

Speaker: Thank you. Accordingly, I declare Petition No. 1 read and received. Pursuant to Standing Order 67, the Executive Council shall provide a response to a petition which has been deemed read and received within eight sitting days of its presentation. Therefore, the Executive Council response to Petition No. 1 shall be provided on or before Thursday, October 26, 2017.

Are there any further petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

NOTICES OF MOTIONS

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

THAT this House urges the Yukon Liberal government to live up to its campaign promise that Yukoners would “Be Heard”, and withdraw the *Public Airports Act* until there has been full and meaningful public, community and stakeholder consultation on the proposed legislation.

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

THAT this House urges the Government of Yukon to regulate and fund midwifery within the Yukon’s health care system.

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

THAT this House endorses reconciliation among indigenous and non-indigenous people as fundamental to redressing the legacy of residential schools and other historic wrongs and as crucial to building a stronger Yukon in which the world views of First Nation and non-First Nation people of the territory are understood, respected and valued.

I also give notice of the following motion:

THAT this House endorses incorporating First Nation culture into the Standing Orders, customs and practices of the Legislature.

Mr. Kent: I give notice of the following motion:

THAT this House urges the Minister of Highways and Public Works to:

- (1) apologize for telling this House that he consulted with aviation stakeholders and companies of the draft *Public Airports Act*;
- (2) apologize to aviation companies and stakeholders who say the minister misrepresented consultation with them; and
- (3) withdraw the proposed legislation.

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

THAT this House urges the government to review the social assistance regulation that diminishes the amount allocated for utilities over summer months when these costs are already included in the clients’ rent.

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

THAT this House urges the Yukon Liberal government to recognize that the importance of consulting with tourism stakeholders on the *Public Airports Act* by withdrawing the bill, and holding meaningful public, community and stakeholder consultation on the proposed legislation.

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

THAT this House urges the Premier to recognize the importance of consulting with aviation companies and other stakeholders on the *Public Airports Act* by:

- (1) doing the right thing and withdrawing the legislation;
- (2) requiring the Minister of Highways and Public Works to formally and publicly apologize to aviation companies and organizations for claiming he consulted with them; and
- (3) doing his job as Premier by standing up to the Minister of Highways and Public Works and not allowing that minister to dismiss the legitimate concerns of aviation companies and stakeholders by ramming through his flawed *Public Airports Act*.

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

THAT this House urges the Yukon Liberal government to recognize the importance of consulting with all municipalities and rural Yukoners on the *Public Airports Act* by withdrawing the bill, and holding meaningful public, community and stakeholder consultation on the proposed legislation.

Mr. Istchenko: I rise in this House today to give notice of the following motion:

THAT this House urges the Yukon Liberal government to recognize the importance of consulting with big game outfitters, prospectors and aviation operators on the *Public Airports Act* by withdrawing the bill, and holding meaningful public, community and stakeholder consultation on the proposed legislation.

Speaker: Are there any further notices of motions?

Is there a statement by a minister?

This then brings us to Question Period.

QUESTION PERIOD

Question re: Public airports legislation

Mr. Hassard: Mr. Speaker, on the morning of October 11, the Minister of Highways and Public Works and the Premier received a letter from the Northern Air Transport

Association saying that they were very concerned with the government's press release announcing the *Public Airports Act*. I'll quote from that letter, Mr. Speaker: "NATA is listed in the Press Release as have been consulted on this proposed legislation. That is incorrect."

On the afternoon of October 11, the Official Opposition asked the minister if he was confident if everyone listed in this press release was consulted. The minister at that point said yes.

So, Mr. Speaker, my question is simple: Did the minister misspeak?

Hon. Mr. Mostyn: This is an important question that the member opposite raises. I take it very seriously. Mr. Speaker, I stand by my statements last week in the House. However, I can understand that the Northern Air Transport Association feels it was not fully consulted on this legislation. I have spoken with them; I have heard what they had to say.

That said, it is important to note that the advice the association provided to the department about the Northwest Territories act, which we were asking about — for advice about — was excellent and it led to improvements to the bill that you now see before you, especially with regard to the advisory committee. I appreciate the contribution that the Northern Air Transport Association made and do not feel it was insignificant in any way. It was substantial and important, and the bill is better for it.

Mr. Hassard: It appears that the minister is changing his tune slightly today but, to carry on, the press release lists the Northern Air Transport Association as having been consulted. The letter from the Northern Air Transport Association that was sent to the minister and the Premier is quite clear, and it says — and I quote: "This short conversation in no way can be construed as 'consultation' and the reference to NATA in the Press Release needs to be removed." That letter, Mr. Speaker, was sent on October 11.

The minister and the Premier have known since at least October 11 that the government has been misrepresenting the Northern Air Transport Association. In fact, as of this afternoon, the government's website still lists NATA as having been consulted.

Mr. Speaker, why is the minister continuing to misrepresent the views of this industry association?

Hon. Mr. Mostyn: Again, this is an important issue, and I take the member's comment in the spirit in which it was intended. They're doing their job, representing the constituents who have come forward to them, and I thank them for that.

It is important that we hear from people on a whole variety of matters; this act is just one of them. I think that is a serious process. The feedback we get makes — regardless of the material we receive is, it will lead to a better product. Whatever consultation — and hearing from people is very important.

As I said, with the Northern Air Transport Association — it did provide valuable input to this government. I know it feels like its input wasn't substantial. I totally understand how

they feel and, as a matter of fact, we are reviewing that news release as we speak.

Mr. Hassard: The Northern Air Transport Association did an interview on October 13 with CBC. This was two days after the minister received a letter from them, asking for their name to be removed from the press release. In that interview, they said that they still stand by their request to have their name removed from the press release.

That the minister would even let a press release go out that falsely claims an organization was consulted raises a lot of red flags. But here we are, five days after the minister has been asked to stop misrepresenting industry, and he still hasn't updated this press release. The minister has serious credibility issues here. If he's going to send a press release that misstates the facts about something as simple as who was consulted, how can Yukoners trust this minister on anything else?

Hon. Mr. Mostyn: I thank the member opposite for the question. The Northern Airport Transport Association did provide us with information in a telephone conversation. The information it provided was excellent. That information was worked into the legislation, and we are very grateful for their voice. I'm very grateful to be able to work that information into our draft bill — the draft bill that is before you.

It's a very important piece of legislation. It's important to the people of the territory. It's very important to the industry. It is imperative that the Yukon government improve the industry because, quite frankly, it is not working well and we have to take measures to make sure it's working better, and we're in the process of doing that. We're in the process of doing that today.

I thank the member opposite for his concerns. I have heard it. To his point, the news release in question is now under review. It's under review, so we will see where it goes from there.

Question re: Public airports legislation

Mr. Kent: Regarding the government's so-called consultations on the *Public Airports Act*, last week, the minister told the Legislature — and I quote: "We staged targeted consultation on this piece of legislation, this bill. We spoke with the Yukon Aviation Advisory Group, the Northern Air Transport Association, Transport Canada, the City of Whitehorse, local air carriers and the aviation community." The minister then goes on say — and I again quote: "We are listening to industry and we shared the draft act."

From this answer, the minister seems to be suggesting that the Northern Air Transport Association was given draft legislation, while NATA's letter from October 11 says that they were never given draft legislation. Why did the minister suggest NATA had draft legislation when the opposite is true?

Hon. Mr. Mostyn: I thank the member opposite for his question. I want to be very clear: I have said that the Yukon government, our government, has shared the draft legislation, and we have. We have shared the draft legislation with a variety of people.

On September 11, we sent the draft legislation out for comment to 36 recipients, including local and national

aviation businesses and individuals. The e-mail was received by Air Canada, WestJet, Air North, Alkan, COPA, Fireweed Helicopters, Horizon Helicopters, and many, many others — 36 in all.

On September 13, we followed up that e-mail to another seven people and companies. The package included the draft airports act — and the Northwest Territories act was provided for reference — the *Financial Administration Act* regulations and the Yukon regulatory code of conduct. Officials also outlined the changes that we had made as a result of the important feedback we had received from the community on the NWT legislation and on our legislation, pointing out the differences between the two acts.

Mr. Kent: Regarding the government's so-called consultations on the *Public Airports Act*, last week, the minister told this House — and I quote: "I have met with industry a number of different times." He then goes on to say, "We have met with the Northern Air Transport Association. We have met with COPA." We know NATA disputes that they were consulted, and now we're hearing that COPA is challenging claims made by the minister about their level of consultation. They say they have not met with the minister to discuss this airports act.

So Mr. Speaker, could the minister tell us what day he met with the Canadian Owners and Pilots Association, or COPA, to discuss the *Public Airports Act*?

Hon. Mr. Mostyn: I thank the member opposite for the question. This is a very important issue on a critical piece of transportation infrastructure — our international airport — indeed, all our airports. They are the only ones in the country without legislation. This has gone on for almost 22 years, and it is far too long and I'm not holding it up any longer.

The member opposite is also making a serious allegation about my statements in this House. I take it very seriously. I want to assure this Legislature that I stand by my statements.

I am somewhat perplexed by statements from COPA that I did not meet with its members. I have in fact met with them in an official capacity on this bill. I met with COPA and Alkan Air at the Erik Nielsen International Airport boardroom. I met with them on July 25 between 10:00 a.m. and 11:00 a.m. I met with them to discuss the coming *Public Airports Act*, which mirrors the NWT legislation. The attendees received the NWT legislation for reference and saw a very preliminary draft of our legislation.

Members agreed on the need for processes to facilitate the use, development and management of airports as well as to strengthen their clarity of rules and processes in order to avoid inconsistent interpretations. They also wanted to be involved in the drafting of the regulations. We committed to do that, Mr. Speaker.

We have also told them the new act —

Speaker: Order, please.

Mr. Kent: This side of the House and the stakeholders we have spoken to want the government to take the time to get this legislation right. They want proper consultations done with respect to this legislation, and it's clear — with what we've heard and what has been stated publicly by a number of

organizations — that those consultations just weren't adequate.

Again, as I mentioned, this morning COPA came out with a news release. The minister, in his previous response, identified when the meeting was. Can he please tell us the feedback that he received from the Canadian Owners and Pilots Association with respect to the *Public Airports Act* at that meeting and since?

Hon. Mr. Mostyn: I did outline some of the comments that we received at that meeting. I would be happy to do so again. Members agreed on the need for processes to facilitate the use, development and management of airports as well as to strengthen clarity of rules and processes in order to avoid inconsistent interpretations of the laws.

They also wanted to be involved with the drafting of regulations. We committed to bringing the regulations back to the Yukon Aviation Advisory Group for review and input, and we will do that, Mr. Speaker. We will do that and we will listen to whoever else wants to engage on this very important regulatory process.

We also told them the act will be introduced in the fall, and we have now done so, Mr. Speaker. So that's it. I have the minutes from that meeting here. I will be happy to bring them back as a legislative return.

Question re: Sexual assault victims

Ms. Hanson: This weekend, many Yukoners, along with Canadians across the country, were disturbed by media coverage of the deep and far-ranging impact of sexual abuse by a former school principal and foster parent in the Yukon. Most of the victims are indigenous, many of whom are intergenerational victims of residential schools or of the Sixties Scoop. What the media coverage highlighted is the way in which the survivors are re-victimized by the legal system, including how the Yukon government has acted in the legal proceedings.

Over a decade ago, it was suggested that the Yukon government consider a different, non-adversarial approach to allow survivors to come forward without being re-victimized. Does the Minister of Justice acknowledge that survivors of childhood sexual abuse have been, and are, failed by the current process?

Hon. Ms. McPhee: I thank the member opposite for the question. There is no way in which I can or should answer for what may have been brought to the government over a decade ago or their inaction with respect to protecting victims at that time.

In my answer to this question, I want to make sure that I am clear that the victimization of children at any time, for any reason, in any context is reprehensible and cannot be permitted to continue. It just isn't something that society can permit and it must be something that we address.

Victims of all ages must be able to come forward in confidence and they must be able to come forward to seek help in whatever form they need. They must be believed, they must be met with compassion and understanding, and they

must be able to deal with the system, however they need to, for their own personal healing.

In some cases, that will mean pursuing criminal charges or a civil case, and, in some cases, it will mean not pursuing any portion of retribution through the criminal justice system or the legal system at all. We have to respect both paths taken by victims —

Speaker: Order, please.

Ms. Hanson: What this media story has put in plain sight is the impact of past actions and their consequences, but it also raises the question of what is different today. If, as a society, we have learned anything from the Truth and Reconciliation Commission, surely it is that we must acknowledge that survivors are not being served by the current legal process.

To force a victim of sexual violence to a settlement or face the threat of having their own legal history used against them doesn't recognize the long-term and intergenerational impacts of abuse. It serves neither the public's nor the victim's interests. The Yukon government must take the next step on the path of reconciliation.

Has the minister given consideration to establishing a non-adversarial process through which victims can seek the compensation they deserve while maintaining their dignity?

Hon. Ms. McPhee: Thank you again for this question. I do take issue with some of the foundations upon which the question is brought but I don't want to quibble about those or about the facts that are relayed here today, because the important part is to answer the concept of what is different and also about the concept of resolving matters in a different way.

Settlements in these kinds of cases are always pursued as a method of having the parties involved in the matter resolve the case. It's important to seek settlement to avoid a court process. It's important to seek settlement to avoid any kind of process through the court that requires a victim to testify to do so in public, to do so when they may very well not be interested in pursuing that avenue because of the testimony in public. For that reason, settlements are encouraged and dealt with in almost all civil cases, but certainly in cases of this nature. Settlement is pursued for the benefit of the parties, and in particular for the benefit of the victims.

There are a number of things that have changed but I take your point that we must always be trying to avoid further harm for victims in these kinds of cases.

Ms. Hanson: Fifteen years ago, former Chief Justice Barry Stuart said — and I quote: “Unless we change what we do — we as families, communities, professionals — there will be many more ‘next cases’. How many...” more “... do we need before we appreciate that if we always do what we have always done, we will always face... the next case to sentence, the next victim to heal?”

It is unfortunate that the Yukon government continues to repeat failed approaches of the past. The government's requirement for confidentiality agreements that prevent victims from telling their story is not just. The very least government can do is give survivors the choice to use their

voice. Gag orders do not serve the public interest, nor do they help victims. Survivors should be in control of what is publicly known.

Will the government stop demanding confidentiality agreements when settling with victims of sexual abuse, so that survivors' voices are not silent?

Hon. Ms. McPhee: Thank you for the question. I think it's important to know that the government doesn't insist in all cases on either a publication ban — which is something that is put in place in a courtroom by a judge almost always to protect the identity of victims — or a confidentiality clause in a settlement agreement, because victims may well want their personal information and their personal circumstances to be confidential.

The situation in which settlement agreements come — by virtue of settlement agreements — are an agreement. All of the terms in that agreement are agreed upon by both parties. I would say that in the vast majority of cases, a confidentiality clause is sought by victims and sought by individuals who, rightly so, don't want their personal information or the details of a case that is traumatic for them and maybe for other members of their family to be public. That is certainly their prerogative and is respected by the government.

In this weekend's media coverage, you'll see — I have seen — another story where an individual did come forward. An individual does not have, in that case, a confidentiality clause because they chose not to and we must respect either decision by a victim.

Question re: Social inclusion and poverty reduction

Ms. White: Thank you, Mr. Speaker. It is poverty reduction week in Yukon. We don't need to look far to see the impacts of poverty on Yukoners. Whether it's the opening of the new Salvation Army built to accommodate many more homeless individuals or the ever-increasing number of families and individuals seeking the assistance and the support of the Whitehorse Food Bank, poverty continues to rise. The point-in-time count from 2016 showed that there were 45 individuals without shelter, 22 in emergency shelters and 137 at risk of homelessness in Whitehorse alone.

Mr. Speaker, can the minister tell us if these figures of people living with or facing homelessness have increased or decreased over the last year?

Hon. Ms. Frost: Thank you, Mr. Speaker. I would like to thank the member opposite for the question. It is a very specific question with respect to data that I cannot respond to at this point in time, but what I can say is that the Department of Health and Social Services, along with our NGO groups, the City of Whitehorse, Kwanlin Dün and Yukon Housing Corporation are all working together very effectively to address poverty reduction strategies.

The previous government, in collaboration with NGO groups in our communities, established an initiative — the housing action plan — that all Yukoners participated in, and in that process, highlighted the need for poverty reduction strategies in rural Yukon as well as in the City of Whitehorse.

So we are taking a very broad stroke at poverty-reduction approaches in an attempt at ending homelessness.

Clearly, we want to ensure and enhance the well-being of all Yukoners, particularly our more vulnerable citizens, to have opportunities that perhaps they wouldn't have had prior to this — and that's the implementation of our Housing First model with our partners. Thank you, Mr. Speaker.

Ms. White: I think the minister may find that her department does not actually collect the information on homelessness. Every year, the department adjusts the amount of money that an individual on social assistance may receive by adjusting it to the consumer price index. It has been 10 years since the government has reviewed whether the SA base rate is appropriate. In the meantime, prices continue to rise. The median rent for a one-bedroom apartment is \$950 — well above what social assistance will pay. The cost of food continues to rise and the numbers of individuals, families and seniors using the food bank and soup kitchens are ever-increasing. Current social assistance rates do not meet the basic needs of most individuals receiving it.

Mr. Speaker, when will this government be reviewing the social assistance rates and making the appropriate increases to reflect the real costs of living in our communities?

Hon. Ms. Frost: Thank you, Mr. Speaker. The first question with respect to data and the collection of data and the poverty reduction strategies, and the numbers that have been revealed through the really great work that was done by the committees were focused on the urban approach to poverty reduction — so what is happening in our city. It has clearly not taken a broad look at what is happening in rural Yukon, so we aim to do that. We aim to look at reaching out into our communities and helping to enact a process that will address poverty and homelessness in our communities. That is where our department is going. That is where our government is going — to look at rural Yukon and look at opportunities to partner and address some of the challenges, recognizing that Poverty and Homelessness Action Week is really to hear Yukoners, to seek input from Yukoners and reach broadly into a process that we perhaps have never done before. It is to find the solutions that we need that Yukoners will direct us in, which is supporting Yukoners in need, recognizing that addressing some of the issues is sometimes challenging, but collaboration is, I believe, where we need to go with that and seek the input and really great feedback that is required.

Ms. White: Although the minister looped back to statistics, my previous question was about reviewing social assistance rates. Social assistance rates in the regulations are not meeting the needs of people in our communities. A case in point, an individual who pays rent inclusive of heating, rent that is averaged out over the year, sees the department decrease the rent money in the summer, even though their rent remains the same. This has led to the eviction of individuals from safe housing. In response, that same department is prepared to pay more per month to house that same person in a hotel — a room with no kitchen facilities and nowhere for their belongings. This makes no sense, Mr. Speaker. These are

not new situations. We have raised this issue many times over the last four years.

Mr. Speaker, what is this government doing to ensure that the social assistance rates and regulations actually assist individuals and do not put them at risk of homelessness?

Hon. Ms. Frost: The response to the specific question about whether the supports for income support clients are sufficient — this has and will continue to be reviewed. The supports are there. I think that we are finding that there are small amounts of contributions made during the winter compared to the summer, and they are adjusted accordingly in particular circumstances. When an individual is confronted with a hardship where they are not able to make the contribution based on perhaps the elevation of rent based on the heat associated with it, this is adjusted accordingly based on client services.

The clients work with their income support officers.

Some Hon. Member: (Inaudible)

Hon. Ms. Frost: Do you have a second question you would like to ask? That is where we are. We work with the clients. Each individual client is assigned a case manager if they are confronted with a challenge in their communities or with an agency or a landlord. We do work with the landlord and provide opportunities for the client of social income support to be heard and be given opportunities to address some of the financial shortfalls spoken of here.

Question re: Public airports legislation

Mr. Cathers: With respect to the Minister of Highways and Public Works' claims that the Northern Air Transport Association was consulted on the *Public Airports Act*, the association has demanded the minister correct the record to make it clear they weren't consulted.

The minister responded by telling CBC — and I quote: "My officials' and Mr. Priestly's version of events do match." Mr. Speaker, this organization has joined the growing list of people contradicting the minister's version of events and saying they have not been consulted. The minister's response tends to basically be that everyone is wrong but him and he has continued to misrepresent the views of industry.

Will the minister admit he was wrong, apologize and pull this piece of legislation and take it back out for proper consultation?

Hon. Mr. Mostyn: I thank the member opposite for the question. I know he is representing his constituents and I appreciate that. As I stated in the House earlier today, I understand that the Northern Air Transport Association feels it was not fully consulted on the legislation. That said, that association did provide us with valuable information — information that was worked into our legislation. While I understand the association feels it was not consulted, they did provide valuable information for this bill and I value their contribution — I really do.

Mr. Cathers: It's disappointing. It didn't take long for the Minister of Highways and Public Works to pick a fight with the private sector and he's developing a growing credibility problem on this issue where he continues to

effectively say that everyone is wrong but him and dismiss legitimate concerns with his father-knows-best attitude.

With respect to the government's so-called consultations, the minister said he held open houses with industry on August 3 and August 7. Can the minister tell us how many people attended these open houses and was draft legislation presented at them, and will he table in this House what information, if any, was actually presented at those meetings?

Hon. Mr. Mostyn: Since this legislation was introduced in the House — indeed well before it was introduced in the House — we heard from industry. People are still commenting on this legislation and we appreciate that — we sincerely do. We welcome their feedback, we will continue to take it and we're going to continue to refine this process. We're in the first stages of the process, which is going to resolve over many months to come. We are listening and we are addressing their specific concerns.

For example, industry was very nervous about a possible airport improvement fee. We heard that concern and we addressed it in writing. There will be no such fee imposed by this government.

It's important for us to hear specific concerns and we will address them as they come to our attention. This process is only just beginning, this is the legislative framework, it is just a skeleton — they're bare bones, Mr. Speaker. There is still a lot of room for discussion and advice and improvement as we do the much larger job of drafting the regulations that accompany this bill. We have learned from the previous engagement. We want to improve it and we will improve it. As we have committed, an advisory committee will be struck as outlined in the legislation to help with the drafting of the regulations.

Mr. Cathers: What we're hearing from Yukoners is they're not comforted by the minister's letter saying they won't impose an airport tax because this is the same government that also put in writing that Yukoners would be heard and we have seen that the opposite is true.

We're hearing a father-knows-best attitude continually from the Minister of Highways and Public Works and it's apparent that he wants to see the government use its majority to ram the *Public Airports Act* through the Legislative Assembly without doing proper consultations, which a growing list of stakeholders are calling for.

Can the minister provide a reason why the Liberals did not want to consult with Yukon communities and municipalities? Why does the minister not care that the Yukon's largest aviation companies are calling for proper consultation on his *Public Airports Act*?

Hon. Mr. Mostyn: I thank the member opposite for the question. I too am hearing the concerns of the industry and I am continuing to reach out and work with the industry. I will be doing so in the future. I don't have all the answers, Mr. Speaker. I know there are a lot of people in this industry with a lot of experience, and I take their experience, their advice and their suggestions to heart — I always will. This process is just the very beginning. It is going to continue to go

on. We have an industry group that will be providing very important advice as we draft the regulations.

In the past, regulations have been drafted without any public input. We don't feel that is a good way to go. We want to actually have industry input into the fees we levy on this industry.

The important thing for me is that industry flourishes, that it does better, and that it has modern legislation in which to go forward and grow. I am very happy to be part of the process that will deliver that.

Speaker: The time for Question Period has now elapsed.

We will now proceed to Orders of the Day.

ORDERS OF THE DAY

GOVERNMENT BILLS

Bill No. 6: *Public Airports Act* — Second Reading

Clerk: Second reading, Bill No. 6, standing in the name of the Hon. Mr. Mostyn.

Hon. Mr. Mostyn: I move that Bill No. 6, entitled *Public Airports Act*, be now read a second time.

Speaker: It has been moved by the Minister of Highways and Public Works that Bill No. 6, entitled *Public Airports Act*, be now read a second time.

Hon. Mr. Mostyn: I rise in this House today to present Bill No. 6, entitled *Public Airports Act*. This is important legislation. It is important legislation for the aviation industry, which is frustrated by the seemingly arbitrary decisions of government at the airport. Often they very likely are arbitrary decisions, or inconsistent or both, because the rules are spread across so many different acts, regulations, directives and other legislative patches and workarounds that it would confound any but the most adept legislative sleuth. It is, frankly, a mess.

This is also an important piece of legislation for the public.

As many have no doubt noticed, the aviation industry is a lot more complicated and global these days. Our current legislative framework for airports simply doesn't exist. There is no law governing our international airport or any of our airports — there hasn't been for almost 22 years. Is this any way to run a critical, modern transportation system? I would argue no, and I would challenge anyone to say otherwise.

In 1990, the federal government devolved the authority for smaller airports in Yukon, also referred to Arctic B airports to the territorial government. A similar process transferred the two larger airports at the time — Whitehorse and Watson Lake — or Arctic A airports, in 1996. Since then, the Government of Yukon has been operating these public airports through the powers granted by the airport devolution agreements, the *Lands Act*, the *Territorial Lands (Yukon) Act*, the *Motor Vehicles Act*, and the *Financial Administration Act*, and any or all other regulations or acts that the Aviation branch crew could make work. This piecemeal approach was intended to be temporary until such time as the *Public*

Airports Act was developed. They waited and waited through successive governments.

Government after government after government, of all stripes, has failed to provide this legislation. I have to say that this act is long overdue, and I am delighted to have it before you today for consideration. The new *Public Airports Act* clearly outlines the responsibilities of the Minister of Highways and Public Works as they apply to public airports. The act will provide much-needed transparency and clarity with respect to airport operations.

The proposed act addresses the following areas. The act provides for the designation by the Commissioner in Executive Council and Cabinet of pre-existing Yukon airports as public airports under the act. Currently that is not laid out anywhere, except in obtuse ways. It sets out the minister's authority to build, maintain and improve public airports. It sets out the minister's authority to manage, control and operate airports. The act also establishes the minister's authority to grant and administer leases, licences and other agreements and permissions in respect of public airports. Currently that is not clear. It permits commercial or business activity on a public airport through the issuance of lease, licence or other agreements or permissions granted under the *Public Airports Act*. Currently, that is not clear and causes all sorts of problems. The *Public Airports Act* clarifies that the *Subdivision Act* applies in respect to the subdivision of airport lands, whether or not the airport is located within the boundaries of a municipality.

The act gives the minister the authority to establish a committee to act in an advisory capacity in respect of any matter related to the matter of the administration of the *Public Airports Act*, which I intend to do. I intend to bring a committee to act in an advisory capacity in respect to any matter in relation to the administration of this act. Finally, the act summarized the development of regulations necessary for carrying out the provisions of the act for things like authorizing the rates and fees charged for the use of public airports or services.

This is not a "want to do", Mr. Speaker; this is a "need to do". This is required under the *Financial Administration Act*. It is currently temporarily legal by a transitional regulation imposed on the fly by the previous government in December 2014, but it really needs to be established properly in legislation. This act is the natural place for it. It will provide clarity and reduce red tape.

This act also puts some parameters around the leasing and licensing of public airport property. Currently, there are a lot of questions around that. It's not neat and tidy; it's confusing. This is important because when the *Financial Administration Act* was amended by the previous government in 2014, it started a cascade of unintended consequences — unintended consequences, problems — that include stripping the Highways and Public Works minister of the authority to manage airports on titled and untitled land.

I'm sure the members opposite remember those days. I can't imagine how uncomfortable it would have been to learn that.

Caught out, the government needed an immediate fix so it cobbled together the public property regulation and a legal delegation under the *Government Organisation Act* to do what needed to be done — delegations, regulations, this act, that act and other acts, this, that. I know this sounds really confusing and that's because it is. It's really confusing and complicated. This is where we remain today. In fact, it may be even worse. The government amended the *Land Titles Act* in 2015, which negatively impacted airport land. Leases could no longer be registered until the lots were individually surveyed and leasehold titles established. I have heard from industry for months about how they want to lease land. They want to lease land across the territory. There's lots of demand; they can't do it. We cannot, at this time, lease land to them, as much as we would like to, because of this — because of this amended *Land Titles Act, 2015*.

It really hurt our aviation industry, Mr. Speaker. They couldn't get financing; they couldn't expand their operations. I'm working really hard right now to try to get that land surveyed and before the industry that needs it.

This is where we remain today, two years later. The industry is really angry about this, I can tell you. We've heard about it again and again and again. As I said, we're trying to fix it as fast as we can. If we had proper airport legislation in place at the time, this might have been avoided. But we didn't; here we are.

We need this legislation. It will provide for clear administration of our airports. It builds the need for the government to work with the aviation industry through an advisory group, and it will reduce red tape and create efficiencies. Throughout the development of the proposed airports act, we sought advice and information from a range of people associated with the Yukon aviation industry. We spoke with representatives from industry and other groups. I welcome feedback from people. It is essential, as I said earlier today, to any government in the making of sound decisions.

I have an open door policy. I will meet with anyone, any time, to discuss their concerns. It is essential to have good information from as broad a range of sources as you possibly can if you're going to make good decisions.

I can report that concerns and wants raised by stakeholders are addressed in the *Public Airports Act*. We have heard, loud and clear, that the industry does not want an airport improvement fee. We have committed in writing that we will not impose such a fee. We will not impose such a fee, Mr. Speaker. We have heard the industry's concerns and listened.

The aviation community told us loud and clear that they want land and we have heard them there too. They need lease space and hangar space, and it is just not available to them right now for the reasons I outlined a few minutes ago. It is not available to them currently because, as I said, the government amended the *Land Titles Act* in 2015 and it negatively impacted airport land. This is almost like one of those flapping of butterfly's wings causing unintended consequences in Sri Lanka, but it happened.

Leases could no longer be registered until lots were individually surveyed and leasehold titles established. That needs to change. Clearer processes will also help to resolve this operationally debilitating problem. There has been a need for this legislation since the transfer of public airports from the federal to territorial government in the mid-1990s — so 22 years we have spent trying to “MacGyver” how we do our public aviation assets. I have outlined a few of the problems from this “MacGyvery.”

The interim approach used since the transfer to the Yukon government has limited the ability of the Department of Highways and Public Works to operate the public airports in the most effective manner. It has limited our ability to do that. I’m going to give you a few more colourful examples.

Yukoners love animals; they love their pets. What do we do when someone brings their pet to an airport and that pet creates a safety hazard or causes damage? Right now, I have no idea — can’t fix it. What happens when an airline company like Delta — an international flight like Delta comes in and damages some of our airport infrastructure? How do we get that money back? Well, currently we can’t do that. We have no idea how to do that. There are no rules — no clear rules — on that type of thing. When our facilities are used and, as I said, damage is done, who pays for the repairs? Is it the public? Do we pay for it, or does the company? Which act do we use to obtain recompense — I don’t know — have no idea. It’s not clear — it hasn’t been clear for 22 years. There is no clear process for that.

Signage is another example. When the previous government increased fees for parking at the airport — a change that was made with no consultation — it was just forced through, through a Management Board decision, and then transferred into a regulation with no talk. They had to put up signs. They did tell people it was going to happen in a sign. “Hey, you didn’t have any input to it; but hey, your fees are going up.” How did they get the signs up? The Highways minister couldn’t put them up. They had to go to the Minister of Energy, Mines and Resources to do it because they didn’t have the authority on their own airport to put up a sign. It’s ridiculous. Think of the red tape and the waste to government of doing that.

Since then, they have fixed it a little bit, I guess. That authority now rests with the Department of Finance. I would guess now that if I want to put up a sign I should go to Finance and get their permission. Again, that doesn’t seem like a good use of time. Imagine the processes — two departments trying to figure this whole thing out so I can get a sign up — ridiculous.

If you’re going to put up a sign would you go to the *Financial Administration Act*, or to the Finance ministry? No. Why would it be put there? It doesn’t make any sense, but that’s where it is. Really, it would make a lot more sense to put it in a public airports act, which we didn’t have.

What do we do when somebody establishes a business at the airport but refuses to abide by the same procedures and policies that other airport operators are following? How do we

ensure fairness and that the same treatment is applied equally to all? I can tell you, we don’t.

The *Public Airports Act* will allow us to put policies in place to better manage, control and promote business opportunities at the airport, but right now it’s a free-for-all.

As the aviation world continues to grow, it is our responsibility to ensure that we have the proper legislation in place to support this growth. We have a *Highways Act*, we have a *Motor Vehicles Act*, and yet there is no existing legislation pertaining to another critical piece of our Yukon transportation network — airports. As the expansion in the industry continues, many issues related to the day-to-day activities at Yukon airports have become more difficult to address and resolve using the existing Byzantine patchwork of provisions previous governments have cobbled together over the years.

There are all sorts of things that we have to consider. I spoke earlier about the war on aviation in the Yukon when I first came to the portfolio. I was doing research, familiarizing myself with my new department and I was told there was a website where people were complaining about how atrocious the management of airports was in the territory, both from the federal side and the territorial side. I read it and there were about 50 pages of material there, compiled by somebody who was talking about all sorts of things from leases to sewage treatment on the site, sewage pipes and where cars can park and not park and the whole bit.

If you listen to this individual who compiled all this information, it was very useful to me. It was clear to me that he had some really, really serious and pressing concerns that needed to be addressed with the way airports are managed. It showed me where some of the fault lines were and there were some things he was bringing up that were not so serious. They were relatively minor, but he was frustrated. The individual was frustrated and you could see the frustration, and it was because he had been ground down by the inconsistent application of rules on the site for so long. He was so threadbare that every little thing was really a big deal and I can’t help but think that part of the problem here is the fact that we have all these conflicting pieces of legislation scattered all over the place — policies and regulations. How can anybody actually make sense of it?

It causes no end of problems, constantly grating among people in the industry. We have to — one of the things I resolved to do was to help service this industry better. When I found out there was no legislation in place, I was astounded — astounded — in almost 22 years, 21 and change, no legislation.

This is the 21st century. The lack of the legislation goes back to the 20th century — well into the 20th century. So here we are running a modern airport in the aftermath of all the things that have happened in the air industry since September 11 — the whole bit — all of that complexity that has been added to this global industry and we don’t even have a piece of legislation to govern it. It’s staggering to me. It really is.

So how do you bring this critical piece of infrastructure into the modern era? It's a little bit like our old driver's licence. It's that haggard. It's a piece of legislation that resembles our old driver's licence, the one that looked like a library card.

So something has to be done, Mr. Speaker. It has been a long time. It has been a long time coming and quite frankly, we've been talking about consultation a lot and it's important. We want to hear from people and we have heard from the industry. I got an e-mail from one individual who is thankful for the explanation of the history and why we got here. They said that the policy or procedures that we're applying to the flying public really should be put into actual regulation. They wanted us to make sure that when we're implementing the regulations, that the government departments and agencies will consult with interested parties who will be affected by the regulations. Well, that's absolutely essential. I think that's a great suggestion. As a matter of fact, I think it's a necessary suggestion — that we should consult with interested parties who are affected by the regulations.

There is always room for improvement. I have no doubt that things could be done better. I know that the department is currently reviewing its consultation plans and improving it. We're learning. We're going to make it better — more robust and broader for people going forward.

This individual also wanted us to examine non-regulatory alternatives. That only makes sense. We don't want to over-regulate an industry. We think that would be ridiculous. My goal is to make this industry more economically viable, stronger economically and also safer. If we can do it without regulation, I would be more than happy to do that. We're being asked to identify the potential costs and benefit to businesses and the public resulting from the proposed regulations — absolutely. Again, this is an industry that — I've heard from many in the aviation industry that this is a business that runs on very slim margins. We have to be cognizant of that.

We have to do the right thing. We have to be aware that our actions have an impact on this industry and we don't want it to negatively impact this industry. It's a good industry, it's important to the territory, and it's our lifeline to the south in so many different ways. It provides us a competitive advantage in the territory. Businesses can come here and they can get to downtown Vancouver within three hours. A two-hour flight, half an hour on the bus or the SkyTrain, and you're in downtown Vancouver. That's access that even places in the interior of BC would sing for. They would love it. Well, it's the competitive advantage for us — one that we have to be aware of and make sure that we don't impede in any way, shape or form.

We have to ensure that the new regulatory measures are written in plain language. Plain language is near and dear to my heart. I want to make sure that what we do is clear.

I thank that person for their feedback; I take it to heart. I'm more than happy to try to accommodate them.

When we went out with our draft legislation to — I think it was to more than 40 individuals and businesses. Some of

them are national carriers, some of them local, some of them individuals, some of the small planes, helicopter companies, rotary and fixed-wing aircraft companies. We told them that, as promised, attached was the draft Yukon *Public Airports Act* as well as the cover document for it. I also attached the NWT act, previously provided, for reference and the Yukon regulatory code of conduct, which details the process for regulation development that we are obliged to follow. Let me read that again: "... which details the process for regulation development that we are obliged to follow." Some of you will have seen this already, as you are already on another e-mail chain started by COPA, but I wanted to make sure you received it as members of the Yukon Aviation Advisory Group as well.

The main differences between the Yukon and NWT acts, beyond drafting style, are that we chose to give authority to the Commissioner in Executive Council — Commissioner through Cabinet, I guess would be the way to do it — instead of the minister, as they did in the NWT. This is a check and a balance, Mr. Speaker. It means a check on the powers of the Highways and Public Works minister so they just can't go and impose fees willy-nilly. We don't want them to do that; we want the entire Cabinet to be involved in these things and in these decisions. Something the NWT act doesn't have is a check on the power of the highways minister that this act does have, Mr. Speaker.

We also wanted to formalize the Yukon Aviation Advisory Group in the *Public Airports Act*. Again, that's something that the NWT act doesn't have. It's a check and a balance on power. It gives the industry a say in the way that legislation and regulations are handled; it doesn't exist in the other act. It's an improvement. It's actually an improvement that came out of a phone conversation, and it's an important improvement. It's part of the DNA that a group provided to us, and we took it to heart and listened to that advice — that sound advice. It was great advice and we got a better act for it.

It clarifies the application of the Yukon *Motor Vehicles Act*. Originally, the NWT act had its own clauses in relation to motor vehicles and these were repealed over time. We're actually going to learn by that example as well and make sure that the *Motor Vehicles Act* is referred to in our act.

We didn't include all the lost property provisions in the NWT act. Instead we are going to formalize those processes under regulations because we thought when people were looking for their winter hats and mitts, it should not be in the legislation itself, it should be part of the regulations. It just seems like that sort of really minor stuff really doesn't belong in the legislation. The act will not come into effect until the first few regulations are enacted. We anticipate the first regulations will be: First, the listing of the public airports covered by the act — essentially everything currently in the public system — all of the airports in there now will continue to be in there. I know there was some concern about us shutting airports down — not going to happen. We are going to make sure that they are all there.

Second, rates and fees — this is an interesting one. This will be transferring the relevant portions, Schedule C of the

existing transitional regulation, from the *Financial Administration Act* to the *Public Airports Act*. These are the fees and charges that the previous government passed in sort of a flurry of anxious legislative activity because they messed up and actually didn't have any authority to anything on the airports for a period of time and, holy smokes, that must have really been a hair-raising time for the members opposite. They cobbled something together and we have those fees, as we have told the industry — those fees from 2014 will be the ones that we take from the existing spot in the *Financial Administration Act* and we are just going to port them over to the *Public Airports Act*. We have told industry that is what we are going to do. It provides certainty that nothing is going to change, and that is what we are doing.

The last thing, Mr. Speaker, won't come into effect until the regulations are enacted. The first regulation will be land management leases. Leases, we have heard from the industry, are vitally important. People want to build aerodromes. They want to build sand sheds. There are all sorts of things people want to build on our airports across the territory. I have heard of issues in Kluane, in Dawson and in Whitehorse, of course. There are lots of companies just waiting to expand their flight operations with new aerodromes and all sorts of infrastructure that will be good for this territory in terms of construction costs and the whole bit. Well, right now, they can't because the way the act was managed in the past actually collapsed the entire ability to issue leases, and we are going to have to rebuild it. That is taking a lot of time and effort because we lacked the legislation.

We are hoping to get that going soon. I was just talking to my officials this morning, and they are working on it. We hope to have leases available for the industry in a very short period of time. I am hoping it is not going to be two years like this two-year shadow we have had on the industry now. I think we have to clear this up quickly, and I am hoping to do it reasonably soon. The intent was to table the act — this was sent on September 13 — in the Fall Sitting of the Yukon Legislative Assembly in early October. If there are any questions, just let me know and I am happy to meet with you to review the documentation if you wish. Thanks again for your interest and continued participation. That was sent out on September 13, and does everything that it can. It says here are the differences between the two acts. It provides it as a nine-page document. It is a fairly short piece of legislation. It is concise. It is fairly good reading. I encourage all members to take a look at it. It is just a skeleton.

The meat will start to come when we put the regulations into place, which will be the most important part of this whole process, and the consultations on that will be robust. I have heard the concerns from industry that they want to be part of this process and I am really happy for that. I am listening to what they had to say. If they bring concerns to me — today, tomorrow, going forward — I would be more than happy to address them, as I have to date, with things like this phantom airport improvement fee that had everybody worried — needlessly worried, as it turns out — but they were worried

and we had to listen to them and I'm glad we did. I think it's better and I think we provided some certainty there as well.

As I said, on Tuesday, July 25, I met with COPA and another airline. I met with them at the Erik Nielsen Whitehorse International Airport up the road there. I was introduced. We had discussions around the Yukon aviation system review. The proposed airport act draft round table discussion happened — good. The airports act draft was introduced. The purpose of the act is to bring authority for the management of Yukon aerodromes under the Minister of Highways and Public Works. The act provides a broad framework for management and gives the minister the ability to draft regulations, which will then deal with specific aspects of airport operations.

The present draft is based on the NWT *Public Airports Act*, which has been in place since 2006. So this isn't some off-the-cuff piece of legislation. It's a piece of legislation we modelled after. It has been in place for a long time — tried and true. Some of our airline companies — our aviation participants — have actually used the legislation. They are flying into the NWT sometimes and that is the act that they're using. We heard that this act had deficiencies from the industry during our consultation process. We actually listened to what was said and we used that information to tweak and improve the legislation that we're bringing forward and I think we have done a good job. I think we have a much stronger piece of legislation with advisory committees that weren't there before with sort of diffused power.

The Minister of Highways now has to consult with his colleagues in Cabinet. I think that is a useful check on power and authority and should give industry a measure of comfort that the fee structure is not going to change on the fly without any consultation. Not only that, but the committee that we're putting in place will also have some influence over those changes — over any potential changes I guess is a better way of putting it. That's good. These are all improvements in our act that weren't in the act before and aren't in our sister territory's legislation. I think that is positive. That was that meeting and it was good.

We have been waiting for this for 22 years, Mr. Speaker. It has been a very long time coming. We have taken the very preliminary and very beginning step. There is a lot more to go. A lot more important pieces of this puzzle will have to be brought into clarity. I look forward — I really and truly do — to the partnership with industry. I look forward to hearing their concerns. I look forward to hearing from members of the public as well and industry groups like the Tourism Industry Association and the chambers of commerce.

I know a lot of people are concerned about fees and rates and these types of things. We on this side are very, very cognizant of those concerns. It's one of the reasons why we reduced the business taxes for people here so that local businesses had a little bit more money in their pockets and their enterprises are a little bit more competitive and a little bit better off than they were before we took office. It has been an improvement, and I know I have heard lots of people applaud us for that and I'm glad.

We are going to continue down that road. This side is very aware of the financial implications of small changes to the bottom line of our local businesses. I have heard that from industry over the last eight months. I have heard about what their concerns are on a variety — from procurement as well, to the airline industry, and how we actually make sure that this thing runs better.

There is a lot to do here. We have an international airport up here in Whitehorse. We have just done some improvements to the runway. Again, it was important for us to get that done, but this is another improvement that we need to make on the legislative side to ensure that it is running smoothly and efficiently.

Part of our Financial Advisory Panel — the independent Financial Advisory Panel that we commissioned, that the Premier commissioned as Finance minister and has been doing a lot of work on what the financial future of this territory is. It has revealed that, for every new dollar that we brought into this territory, we have spent about \$1.50, and so that has landed us in some financial straits that we have all spoken about.

Part of the thing that we keep hearing about from the public in light of the findings of this panel is that we have to do better. We have to be more efficient. We have to get more out of this government. We have to do things better, faster and smoother, and one of the things that we can do is fix this Byzantine collection of rules, directives, and this act and that act, and actually consolidate it into one neat little package so that we can actually manage this critical piece of transportation infrastructure for the benefit of all people in the territory — the public and industry. They're clamouring for it. They have been clamouring for it for months. They have wanted an improvement here. They have wanted clarity of rules. They don't want to go to Barry on Thursday and get one answer and go to John on Friday and get another answer. It doesn't make any sense to them.

I think that one of the things we can do is streamline the rules — make them solid and comprehensive and in one place, so you don't have to go to 16 different places to find out what the heck is going on. When you are transitioning to new people in the department, it will simplify the learning curve and make it easier for everybody to know what the rules are and where they lie. You can just imagine the efficiencies that we'll be able to achieve, just through this one simple act.

I have given an introduction as to the whys and wherefores of this nine-page piece of legislation. I believe it's nine pages — that was the number I had this morning. I should check that.

Some Hon. Member: (Inaudible)

Hon. Mr. Mostyn: It is nine. My colleague has just confirmed it is nine, so I thank him for that.

Mr. Speaker, I think that is probably where we will wind up. We believe this act is a critical piece of missing legislation that will make Yukon's aviation industry safer for everyone. We were the only jurisdiction in the country without this legislation. After 22 years of making it work and "MacGyvering" these laws, it is time to help make things

more clear and transparent — something purpose-built for the aviation world.

I want to thank you for your time today, Mr. Speaker, and for your consideration and review of this important piece of legislation. I look forward to hearing the members opposite comment on this and any other questions and comments you might have.

Mr. Hassard: I rise today to speak to Bill No. 6, which, of course, is the *Public Airports Act*; however, I would just like to begin by announcing my disappointment, I guess, that this Liberal government is trying to use their majority to ram this bill through today.

As you know, Mr. Speaker, the Liberals have spectacularly failed on doing robust and meaningful consultations on the *Public Airports Act*. They didn't hold any public consultation. They didn't hold consultation with municipalities, and they, of course, didn't hold consultation with the tourism industry. These are just a few and this is disappointing.

On top of all of that, they barely held any consultation with the aviation industry. The little amount of so-called consultation they did have, in no way allowed the industry to provide adequate input. The results of this have been that many in the industry have asked for this bill to be put aside until the Liberals can properly consult them.

On top of all this, the minister's response has been combative, arrogant and aggressive toward the industry representatives who have expressed their concerns.

I am very disappointed that this Liberal government would ignore concerns of industry. They did not even bother to ask the public, as I mentioned.

Some Hon. Member: (Inaudible)

Point of order

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

Hon. Mr. Streicker: I suggest to you, Mr. Speaker, that the Leader of the Official Opposition, when he refers to the Minister of Highways and Public Works as being combative and arrogant, he is imputing false or unavowed motives to another member.

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

Mr. Cathers: The Leader of the Official Opposition was not speaking to the motives of the Minister of Highways and Public Works; he was describing his behaviour.

It appears to me to be simply a dispute among members, and I think the Leader of the Official Opposition's statements about arrogance are factually correct.

Speaker: Minister of Community Services, on the point of order.

Hon. Mr. Streicker: Thank you, Mr. Speaker. If you or the members opposite don't find —

Speaker: If you're going somewhere else — are you going somewhere else?

Hon. Mr. Streicker: I'll put it to you, Mr. Speaker —

Speaker: No, we have one point of order right now for one section.

Thank you. Are there any other further points of order on Standing Order 19(g)?

Government House Leader, on the point of order.

Hon. Ms. McPhee: On the point of order, I think it's difficult to see the Member for Lake Laberge's point. This is name-calling, in my view. It's not simply describing behaviour; it's imputing a motive, which is exactly what the point of order is based on, to the minister. Again, dispute with respect to decisions or approaches — absolutely — but imputing personal characteristics or personal motives on behalf of the minister is completely inappropriate.

Speaker: Are there any further points on the point of order with respect to section 19(g) of the Standing Orders?

Speaker's ruling

Speaker: I'll provide further reasons with respect to what my interpretation is of Standing Order 19(g) with the assistance of the Clerk's office, but in my view, the comments that were made today do not fall within Standing Order 19(g). My understanding of "false or unavowed motives" is generally referring to making decisions where you receive gains — potentially financial gains in consequence of decisions that any members here make. My understanding of the legislative history of section 19(g) of our Assembly's Standing Orders is that they very rarely apply because you are imputing that there is some sort of gain that is made by virtue of, perhaps, decisions that have been made.

Like I said, I'll look into it further and I'll provide more fulsome reasons. That's my decision. There's no point of order with respect to section 19(g).

Mr. Hassard: Thank you, Mr. Speaker.

Mr. Speaker, as I was saying, I am very disappointed that this Liberal government would ignore the concerns of industry. They did not even bother to ask the public. They did not ask municipalities or the tourism industry for their input. Now, this same Liberal government is going to use their majority to force through a piece of legislation that is flawed and has not been consulted on.

Mr. Speaker, I would like to touch on the bill. The *Public Airports Act*, of course, is the very first piece of legislation like this in the territory's history. It is not a simple amendment; it's a brand new, big piece of legislation. It's a piece of legislation that is going to change the way that our airports are governed — the airports that our communities and our constituents rely on. It's a piece of legislation that is going to impact the tourism sector, so the minimal and severely flawed consultation on this piece of legislation simply is not enough.

For something such as this, government should have conducted a full consultation. They should have asked the public. The minister clearly has no regard for the opinions of the public, municipalities, the tourism industry or the aviation industry. That is his choice, but it is a shocking choice. I would have hoped that the Premier or the Deputy Premier

would have spoken up instead of letting the Minister of Highways and Public Works get his way and pick a fight with the aviation industry. I would have hoped that the Premier would have said, "No, we really should consult. Let's consult Dawson City and aviation companies in the territory." Or maybe the Deputy Premier could have stepped in and said, "You know what? We need to respect the aviation industry."

We heard the Deputy Premier today do a nice tribute on small businesses here in this House. I would have been happy if the Deputy Premier would have asked the Minister of Highways and Public Works to not disrespect these businesses. These are business people. Some of them are major employers here in our territory. They are charitable. They give back to our communities in big ways, as we heard this afternoon during the tributes. Let's listen to those businesses. They are the true experts here. The Premier and the Deputy Premier could have done this. Unfortunately, it appears that they did not. I am not sure why, but they haven't. After running an election campaign on the slogan "Be Heard" or "All Communities Matter" or claiming that they cared about businesses in the territory, the decision of the Premier and the Deputy Premier to stay silent on this issue certainly is disappointing.

On the consultation, Mr. Speaker, for such a major piece of legislation that is going to impact all Yukoners, I really believe that this Yukon Liberal government should have consulted all Yukoners. At the very least, they could have actually properly consulted industry, but they didn't. The minister is fond of saying that we have been waiting for this piece of legislation for 22 years, but what he hasn't been able to explain is the urgency. Things seem to have been going along just fine for the last 22 years. We have asked him for a list of any major issue of why he needs this piece of legislation, and he has been unable to provide us with this.

Certainly, I think everyone can agree that safe air travel is very important. But my colleague asked the minister earlier to explain one legitimate safety issue that Yukon is currently dealing with that this piece of legislation will address — again no answer. That is surprising. We would have expected him to be ready to answer any and all questions on this act. What is the rush, Mr. Speaker? Why rush a piece of legislation that there does not seem to be a pressing need for? Why rush it so fast that you won't even consult the industry affected? Why rush it so fast that you can't ask the public? I would like to point out that, over the past summer, this government was launching web surveys left and right on numerous different topics and pieces of legislation. Why did they not do this with the *Public Airports Act*? They could not bother themselves to ask the public for their thoughts on the *Public Airports Act* — very interesting.

Again, what is the rush? If there is no urgency, why not just withdraw the bill, take a few months, do proper consultation and move forward in the spring? It seems like a good idea; certainly one for which we would support the government, especially considering that's what the industry is asking this government to do. Unfortunately, this Liberal government does not appear to be listening to industry. I'm

not sure who they're listening to, but it is clear it is not the industry that is concerned about the impacts of this bill. We have heard from four different groups that say that they were not properly consulted. These groups have said that they are concerned, but that doesn't seem to bother this government. It appears that it's their way or the highway.

With the lack of a reason to explain the urgency, it makes us wonder if there is something else afoot. The Liberals appear to have snuck a clause into this piece of legislation that gives them the power to bring in an airport tax. I suppose we shouldn't be too surprised; after all, these are the Liberals that want to bring in all sorts of taxes — a carbon tax, sales tax. Let's not forget the broken promise to small businesses in our territory to eliminate the small-business tax. These are all proposals that concern industry and businesses in the territory, so maybe we shouldn't be too surprised that this Liberal government is once again using their majority to ram through a policy that industry is opposed to.

Like I said, this *Public Airports Act* gives the Liberals the ability to bring in an airport tax. They claim they don't want one; however, they also claimed that Yukoners would be heard and that all communities matter, but we have seen with this piece of legislation that they don't seem to care what Yukoners think.

They say they don't want a tax; however, they have written a piece of legislation that specifically allows them to implement an airport tax, so why would you want that clause? If they truly don't want an airport tax, they shouldn't need that power, so it makes you wonder, why do they want it? Do they want to use it? If they don't want to use it, then simply remove it. Amend the bill so that there is no power to implement an airport tax — very simple. The minister can commit to this in the House today — that he will remove this clause. At the end of the day, the minister can send as many letters to the editor as he wants to claim that he doesn't want a tax, but he's literally putting into law the ability for him to charge one.

I'm sorry, but a piece of legislation carries a lot more legal and authoritative power than a letter to the editor. If the minister and the Liberals want to prove to Yukoners that they don't want an airport tax, then simply remove that section. Of course, the high-tax Liberals don't appear to want to do that. Having the ability to charge a new tax is an important element to this bill for them. The minister's press release highlights that the bill is about safety. In fact, in his quote in his press release, one of the two sentences was focused on safety. However, when we asked the minister to explain how Yukoners will be safer as a result of this bill, he was unable to. That is because a major element of this bill isn't safety. It's to give the Liberals the ability to bring in a tax.

It is this section of the bill that gives the Liberals the power to bring in a new tax. That's the reason they're refusing to do more consultation on this legislation than one might think. They know that Yukoners don't want a new tax, so maybe they don't want to ask them what they think of it because they will be told something that they don't want to hear. Certainly, they have heard from members of industry that they don't want this new tax. We've heard industry say

that an airport tax will hurt the territory and hurt our economy — again, another reason why we need consultation on this piece of legislation.

Nothing has gone out to the public and it affects everyone in this territory. Indeed, there is a lot at stake here — not just the fact that the minister and this Liberal government have completely ignored industry and their concerns on this file, but that they are proposing to use their majority to ram through a new piece of legislation that allows them to bring in a new tax. Really, the lack of consultation and such a power is a major concern.

As members opposite know full well, control of the public or the taxpayers' purse is long rooted in history, democracy and, of course, consultation. That is, if a government wants to tax its citizens, then it should consult its citizens. This goes back at least as far as 1215 — over 800 years — when King John of England agreed to the Magna Carta. Now, I'm not going to bother reading the Magna Carta into this Chamber, because I know you're all very familiar with it. But I do want to mention clause 12.

Of course, as the minister is aware, clause 12 reads — just to quote a very brief section of that: “No scutage or aid is to be imposed in our kingdom except by the common counsel of our kingdom...” Of course, scutage is what we would call taxes today. So why is this important? Well, no tax without common counsel — common counsel, or as some would call it, consultation. As we have said, consultation is the key here. As we have established, this is a new piece of legislation. A big piece of the new legislation allows the government to tax Yukoners. So we need to talk about the consultation that did or, in this case, that did not take place.

At its core, clause 12 of the Magna Carta is about consultation as it relates to the ability of the government to tax. This is the core of our entire democratic society. If the government is looking at ways to impose new taxes or fees or ways to make life more expensive for its citizens, then consultation is key — not just key, but it is necessary.

There are also other examples of how we must ensure our democratic process is respected as the government considers new pieces of legislation that allows them to bring in new taxes. The members are no doubt aware of the phrase “no taxation without representation”. This phrase of course has roots in the English Bill of Rights from 1689 which forbids putting a tax on citizens without them having representation in Parliament.

At the core of it, the phrase is meant to suggest that citizens should be able to engage with their elected representatives with respect to their legislative authority — legislative authority that would allow them to do things such as create new taxes or give themselves the power to create new taxes.

What the Liberal government is doing here by skipping a public consultation on a piece of legislation that will allow them to bring in a new tax on Yukoners — they are skipping this engagement between elected representative and constituent, and I really don't know why they would do this, but for whatever reason they are. On this topic, I would

certainly urge them to reconsider — to consider the ideals of consultation that I mentioned above. The principles of consulting with constituents in matters of taxation are important, and I would hope that all members here today would agree with me.

But it's not the only reason this bill needs to be consulted on. As I stated earlier, this bill concerns our airports and our aerodromes. These are essential to all Yukon communities. Our communities rely on our airports. They need to have their voices heard and considered on this matter. We have reached out to some communities and they weren't even aware that this piece of legislation was before the House. In fact, they weren't even told the government was working on a public airports act, and that is very concerning. The government really needs to reach out to communities to hear their voices on this. The legislation certainly would be better as a result of their input as well.

Of course, as I mentioned, airports are important to all Yukoners. Yukoners use them to go on vacation, for medical travel, or to go off to further education. They will have experiences and views on anything affecting the airports. That is why I think it is essential that they are asked for their thoughts, and let's not forget that we have heard major concerns from industry — not tiny concerns. These are very significant concerns.

First off, they don't feel they have been consulted. Indeed, some members of industry have even gone as far as to say that the government has completely misrepresented their engagement altogether. Shockingly, we have seen members of industry say that the government has put out a misleading press release, suggesting that they were consulted when they were not. Further, the minister in charge has been unable to answer simple questions about the level of consultation he has undertaken on this piece of legislation. That's incredible. Simple questions about when and whom he met with and what input he heard have perplexed the minister and caused him to come up with many different answers every day. We would have hoped that the minister would have been familiar enough with his consultations to have answered these questions, but unfortunately he has not been.

Why this Liberal government would want to use their majority to shove an act into the territory's aviation industry without properly consulting them is beyond me.

As I said before, it's aggressive, it's combative and it certainly smacks of arrogance. Unfortunately, these are starting to become hallmarks of this government in their dealings with industry. It's too bad, and I think it will be bad for the territory in the long term. When industry has valid concerns, the government should be willing to listen. They should be willing to take their input and allow for a genuine and thoughtful conversation.

Unfortunately a pattern is emerging where, when industry expresses concerns, they dig in their heels and blame others. I don't think that's constructive, and unfortunately what happens is we end up with pieces of legislation like this where industry is telling us that it is flawed. If the minister and this government were willing to actually work with industry, to

listen to industry, then I believe that we could come up with a good piece of legislation and I think that we would all be better off because of it.

The same can be said with the public. Why the Liberals, who claimed Yukoners would be heard during the election, have chosen to completely ignore the views of all Yukoners, except for apparently one who the minister read an e-mail out from today — and, by the way, it would be nice to have that e-mail tabled, just out of curiosity. Why they've completely ignored the views of all of those Yukoners by not holding a public consultation on this *Public Airports Act* is beyond me. The cynic in me says it is because they only campaigned on that slogan because it sounded nice but they weren't worried about what Yukoners actually thought. I won't jump to that conclusion just yet, Mr. Speaker.

I will let the Liberals try to explain why consultation wasn't necessary in the case of the *Public Airports Act*, which allows them, as I mentioned before, to bring in an airport tax. But luckily, we are at a point where it is not too late. It's not too late for this government to do the work, to work with the opposition parties, work with Yukoners and do proper consultation on this bill. This piece of legislation could still be salvaged if they go back to the drawing board. If they drop their plan to use their majority to ram through a bill without public and industry consultation, I believe that we truly could end up with a good piece of legislation, and I certainly hope that they see that.

I hope that the Premier, as the MLA for Klondike, realizes that this act would be improved if Dawson City was consulted.

I hope that the Deputy Premier is able to convince his colleague, the Minister of Highways and Public Works, that the best way to encourage growth in our aviation and business communities isn't to lash out in the media; it's to work with them, it's to listen to them and to truly consult them and get their ideas, incorporate them and truly listen. I think the Deputy Premier understands this — or at least I hope he does — so I hope that he can explain it to his Cabinet colleague, as I hope that the MLA for Vuntut Gwitchin asked the minister to ensure that the territory's one community that is a fly-in-only gets properly consulted.

I also hope that the MLA for Mayo-Tatchun is able to make the case that the communities in his riding deserve to be consulted on a piece of legislation that is going to drastically change how the airstrips and aerodromes in his riding are covered. I know his communities will have views, so I hope that he is able to advocate on their behalf so that they are consulted. Having spoken with a lot of members of the municipalities in these communities, I know that they are important pieces of infrastructure that they rely on and they certainly would want to have a voice on this.

I hope that the MLA for Mount Lorne-Southern Lakes is able to make the case that the Association of Yukon Communities, as well as all municipalities, are properly consulted on this piece of legislation.

As he knows, the communities are the backbone of this territory and would most certainly have important views on

this piece of legislation. I would hope that the MLA for Mountainview would be advocating for the tourism sector by asking the Minister of Highways and Public Works to pull this legislation until such time as the tourism industry is properly consulted on it. As you know, Mr. Speaker, our airports are important pieces of our tourism infrastructure and any changes to the way they are governed could have impacts on the tourism sector as a whole.

I also hoped that the MLA for Mountainview would be advocating that the minister conduct proper economic analysis of this piece of legislation on the tourism industry. These are just some of the important issues related to this bill. I hope that the Liberals take note of the concerns already raised by industries and take efforts to actually consult on this legislation. I would hope that none of them want a flawed piece of legislation to go through because an overexcited and aggressive minister decided to ram it through without proper consultation. For the government to use —

Some Hon. Member: (Inaudible)

Point of order

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

Hon. Ms. McPhee: I raise a point of order pursuant to section 19(i) of the Standing Orders. The member opposite, and some of his colleagues actually, continue to use what I would consider abusive and insulting language in describing not only the current Minister of Highways and Public Works, but a number of people with respect to this conversation on this side of the House. It is just not appropriate. There is no need for it. Challenge the ideas, but don't challenge the integrity of an individual.

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

Mr. Cathers: From my perspective, I don't believe that the Leader of the Official Opposition has contravened the Standing Orders. In fact, statements such as he has made have been made in this House before in describing actions of others. The member's reference was to the actions of the government, not to the character of — and in fact, I believe a review of past Hansards would show that the language was not substantially stronger than the Member for Klondike himself has used on a number of occasions in this Assembly.

Speaker: Are there any other submissions on this point of order with respect to section 19(i) of the Standing Orders?

Order, please. Order in the House. Thank you. Government House Leader, on the point of order.

Hon. Ms. McPhee: I appreciate that often the submission made to you by the Member for Lake Laberge is that: "Well, we did it here all the time before, so we should be able to do it now." I am suggesting that it is not an appropriate use of language, and I am asking for your ruling on it.

Speaker: I have almost heard enough now. The Member for Lake Laberge, on the point of order.

Mr. Cathers: I hope the Government House Leader isn't suggesting that freedom of speech in this Assembly

should be further curtailed during this Legislative Assembly than in the past 30-some years.

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

Speaker's ruling

Speaker: I will review Hansard, and will likely come back, but what I would say is first of all, I agree with the opposition's comments that a characterization of a government's approach is likely more to be a dispute among members. I would agree with the Government House Leader, however, that one should try to avoid personalizing comments.

You potentially can reach a conclusion as to the conduct of the government in general. I don't believe that the words used were abusive. I don't think they fall into an abusive category. One could argue that they were mildly insulting. But in any event, I will review Hansard and return, if necessary. Thank you.

We're still with the Leader of the Official Opposition in his reply.

Mr. Hassard: As I was saying, this has been a very flawed consultation process. Some industry representatives have even taken the unprecedented step of pointing out that the government has misrepresented their position altogether. The minister assured us that industry has been consulted, but we are hearing contradictions to that.

There are substantial legislative changes in this act. There are substantial changes, and they need to be scrutinized. They need to be given the full spotlight of proper consultation. They need to go out for the public to comment.

There are things in here such as the ability to bring taxes, as I've mentioned before. The Liberals need to ask the public what they think about that. They need to ask communities what they think about this. The list goes on and on. This needs to go out for a broader consultation that includes the public.

So with that, I would like to propose an amendment.

Amendment proposed

Mr. Hassard: I move

THAT the motion for second reading of Bill No. 6, *Public Airports Act*, be amended by adding the following:

"and that it be referred to a select committee of the Assembly established for the purpose;

THAT a Select Committee on Legislation Pertaining to the Management and Use of Public Airports be established;

THAT the honourable member Stacey Hassard be the chair of that committee;

THAT the honourable members Paolo Gallina, Don Hutton, Ted Adel, Hon. Jeanie Dendys, Hon. Ranj Pillai, Scott Kent, Brad Cathers, Patti McLeod, Liz Hanson and Kate White be appointed to the committee;

THAT the committee conduct public and stakeholder consultations for the purpose of receiving views and opinions and prepare a report making recommendations on the need for new legislation pertaining to public airports;

THAT the committee report to the House its findings and recommendations respecting Bill No. 6, *Public Airports Act*, including:

(1) whether Bill No. 6, *Public Airports Act*, should be proceeded with in its current form, amended, or not further proceeded with; and

(2) amendments to Bill No. 6, *Public Airports Act*, including amendments that would amend other statutes;

THAT the committee have the power to call for persons, papers and records and to sit during intersessional periods,

THAT the committee shall solicit feedback and hold hearings for the purpose of receiving the views and opinions of stakeholders, including:

(1) all First Nations;

(2) all municipalities;

(3) all local advisory councils;

(4) aviation groups, including Northern Air Transport Association and the Canadian Owners and Pilots Association;

(5) aviation companies;

(6) Yukon Chamber of Commerce;

(7) Yukon Chamber of Mines;

(8) Klondike Placer Miners' Association;

(9) Yukon Prospectors Association;

(10) Tourism Industry Association of Yukon;

(11) Wilderness Tourism Association of the Yukon;

(12) Yukon Convention Bureau;

(13) Yukon Outfitters Association;

(14) individual pilots;

(15) local tourism companies; and

(16) the general public;

THAT the committee have the power to seek information from experts and to be able to call and hear these experts as witnesses;

THAT all testimony provided to the committee shall be a matter of public record;

THAT, if the House is not sitting at such time as the committee is prepared to present its report, the committee transmit its report to all members of the Legislative Assembly and then, not more than one day later, release the report to the public; and

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the committee."

Speaker: Do all members now have a copy of the amendment to the motion for second reading of Bill No. 6?

Some Hon. Members: Yes.

Speaker: I have conferred with the Clerk and I can advise that the motion is in order.

It has been moved by the Leader of the Official Opposition:

THAT the motion for second reading of Bill No. 6, *Public Airports Act*, be amended by adding the following:

"and that it be referred to a select committee of the Assembly established for the purpose;

THAT a Select Committee on Legislation Pertaining to the Management and Use of Public Airports be established;

THAT the honourable member Stacey Hassard be the chair of that committee;

THAT the honourable members Paolo Gallina, Don Hutton, Ted Adel, Hon. Jeanie Dendys, Hon. Ranj Pillai, Scott Kent, Brad Cathers, Patti McLeod, Liz Hanson and Kate White be appointed to the committee;

THAT the committee conduct public and stakeholder consultations for the purpose of receiving views and opinions and prepare a report making recommendations on the need for new legislation pertaining to public airports;

THAT the committee report to the House its findings and recommendations respecting Bill No. 6, *Public Airports Act*, including:

(1) whether Bill No. 6, *Public Airports Act*, should be proceeded with in its current form, amended, or not further proceeded with; and

(2) amendments to Bill No. 6, *Public Airports Act*, including amendments that would amend other statutes;

THAT the committee have the power to call for persons, papers and records and to sit during intersessional periods,

THAT the committee shall solicit feedback and hold hearings for the purpose of receiving the views and opinions of stakeholders, including:

(1) all First Nations;

(2) all municipalities;

(3) all local advisory councils;

(4) aviation groups, including Northern Air Transport Association and the Canadian Owners and Pilots Association;

(5) aviation companies;

(6) Yukon Chamber of Commerce;

(7) Yukon Chamber of Mines;

(8) Klondike Placer Miners' Association;

(9) Yukon Prospectors Association;

(10) Tourism Industry Association of Yukon;

(11) Wilderness Tourism Association of the Yukon;

(12) Yukon Convention Bureau;

(13) Yukon Outfitters Association;

(14) individual pilots;

(15) local tourism companies; and

(16) the general public;

THAT the committee have the power to seek information from experts and to be able to call and hear these experts as witnesses;

THAT all testimony provided to the committee shall be a matter of public record;

THAT, if the House is not sitting at such time as the committee is prepared to present its report, the committee transmit its report to all members of the Legislative Assembly and then, not more than one day later, release the report to the public; and

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the committee."

Mr. Hassard: This amendment, I believe, goes a long way toward addressing a lot of concerns that we have with this piece of legislation, chief among them, the concerns

regarding the lack of consultation. As we have already mentioned, the Liberals have completely dropped the ball on the consultation of this bill. As I have said, they have not consulted the public, they have not consulted municipalities, not consulted local advisory councils, First Nations, tourism industry, and it is starting to sound like they maybe they didn't even consult the aviation industry.

What this has resulted in, in my opinion, is a flawed piece of legislation that many in the territory have concerns with. These are legitimate concerns, so how do we address those concerns?

Well, as I have already identified, the government should address them by pulling the legislation and going back to do proper consultation; however, they seem unwilling to do this, so our amendment here today would certainly help address that. This amendment would allow for a select committee to conduct consultation. This would be a broad-ranging, public and open consultation. This committee would be able to meet with the groups and the public on this consultation and get their views. They could ask important questions, like whether or not the government should be given the power to implement an airport tax. I'm pretty certain that Yukoners, municipalities, tourism companies and others across the territory are going to have strong views on this.

Why wouldn't we work together in this House to go out and get those views? So far, this government doesn't appear to have shown much interest in knowing those views. They are more content to use their majority to ram this legislation through, rather than consult. But, by sending this to a select committee to conduct consultations, they will be able to report back to this House, report back with the views and input of a wide range of Yukoners, and those views certainly would help improve the legislation. It could also address the public relations train wreck that this minister seems to have gotten his government into.

As you know, this so-called consultation has resulted in a number of groups now coming out to suggest that they have been misrepresented. This speaks to why this amendment was necessary. We need a select committee to go out and conduct proper consultation. In the amendment, I have listed a number of groups that I think would be good to consult on this legislation. However, if other members of this House think we should expand on that list, of course I am open to that. I am sure there are a number of groups out there that we could consult. As we know, the government appears to have only consulted themselves, so we could certainly add people to that list.

The committee would be able to look at a whole host of important questions with respect to this piece of legislation. They would be able to examine questions like the impact this act would have on the tourism industry. In fact, we have asked that question. Unfortunately, the government has not been able to provide us with an answer. So we think it would be really good to understand how this legislation would impact the industry. That's good and that's responsible.

As legislators, we should ask these important questions and we should get these important answers. This will

ultimately help us get a good piece of legislation. I think that in this House, that is what we should be concerned with. Industry is telling us it is bad legislation. The government needs to listen. They need to listen to these very legitimate concerns from industry. They need to listen to Yukoners who are saying they don't want the Liberals to have a piece of legislation that gives them the power to bring in an airport tax and so far, they have not been heard.

They have put in writing the ability to bring in an airport tax. That's quite incredible, considering there was no consultation. So we are left wondering: Who told this government that the legislation needs to give them the power to bring in an airport tax? These are issues that the committee could look into. We could get Yukoners views on this. It's too bad that we're at a point where we need a select committee to do the work that the minister should have already done, but here we are.

It's quite shocking that the minister didn't ask: How will this impact the cost of food in Old Crow? How will this impact the cost of an airline ticket? How will the tourism industry be impacted? It's shocking, Mr. Speaker. The government that claims that they are committed to evidence-based decision-making didn't even both to ask, or if they did ask, they have not been very forthcoming with the information. Now, without this information, they attempt to use their majority to ram this legislation through.

Mr. Deputy Speaker, the amendment that we have put forward would also allow for a select committee to work with the industry associations. There is still time. We have time here to fix this broken piece of legislation and that's encouraging. We can do what's good for Yukoners and improve this legislation through proper and meaningful consultation.

I certainly hope the members opposite will see the importance of this amendment. I certainly hope that they won't vote against consulting the public; that they won't vote against consulting their communities; that they won't vote against consulting industry; that they won't vote against consulting First Nations, the tourism sector or the Chamber of Commerce. I hope that they don't vote against consulting the placer miners or the outfitters or the prospectors.

These are all important elements, groups and sectors of our territory. I really, really do hope that this government doesn't use their majority to shut down consultation with all of these groups because it would certainly be disappointing to see them do that.

I look forward to what others have to say and I certainly will be listening closely. I hope that this government is willing to listen to our amendments.

Hon. Mr. Silver: Where to begin? I will start with this: It is very rich that the Yukon Party is so worried about consultation. We could sit here and talk about 14 years of consultation and we could start talking about how many times either I or members of the Third Party got up and talked about the consultation stage with Yukon Party in the last five or 10 years, but you know what? I'm not even going to go down

that road, because the previous record on consultation should not be a model and we shouldn't be looking at that for a model of consultation.

Should we do better for consultation? Always — I think we should always as a government be doing better to make sure that we're consulting with stakeholders, with NGOs, with other governments. I think we should always be trying our best to improve that, absolutely.

I think that the problem that I have here is that the Yukon Party can't have it both ways. Already in this Legislative Assembly, this session, this Fall Sitting, we have been accused of having too much consultation this summer.

We were told: "With all the consultation that you're doing out there, you're not giving Yukoners an opportunity to give their point of view." Now we're being told there is not enough consultation. So it's hard to keep track of the narrative coming out of the Yukon Party's office on this.

Here's the bigger concern for me: Where is the beef on this one? I think what the Yukon Party is missing is what specific parts of this legislation — what specific parts are we talking about that they feel, based upon their conversations with constituents, with aviation — are the big issue? From what I'm hearing, it's the airport improvement fee. I think they're calling it a tax now. They love to call fees taxes. So we've already committed — we have already said we're not going to do that. We've actually even put it in writing.

We also know that with or without this legal legislation — and it's a legal reason why we're doing it — the Yukon Party has already imposed fees at the airport. So even if there wasn't this legislation, those fees still could have been — and they were — millions of dollars. Over \$1 million was raised by the Yukon Party on fees — we won't call it a tax; we will call it a fee — in the absence of this legislation.

So again, I'm trying to find the part of this bill that is in draft right now and that we're debating right now that the Yukon Party is afraid of. I think they're afraid of us increasing an airport improvement fee. We keep on hearing it over and over again. So we went to the industry —

Some Hon. Member: (Inaudible)

Point of order

Deputy Speaker: Mr. Cathers, on a point of order.

Mr. Cathers: In suggesting that the Yukon Party is afraid of something, the Premier appears to be in contravention of Standing Order 19(g), imputing false or unavowed motives to another member. In fact, as the Premier knows full well, we're simply the only ones who are actually listening to the legitimate concerns of airline companies.

Deputy Speaker's ruling

Deputy Speaker: On the point of order, I think the word "fear" is not a motive. So I'll call this a dispute among members. Let's continue.

Hon. Mr. Premier.

Hon. Mr. Silver: I appreciate that. Again, what I'm saying is — I'm asking, "What are they afraid of?" I'm not

imputing anything. I'm asking. It's a simple question that I'm sure the member, when he gets up to his feet, will be able to explain.

So again, this is draft legislation, which is my point. In draft legislation, now is the time to discuss the parts of this bill — right now and in Committee. Right now, as it's in draft, is the time to bring to the floor of the Legislative Assembly what parts of this bill the opposition is worried that we're going to be moving forward on — because I think we've done a good job. I think the Minister responsible has done a fantastic job of alleviating those concerns.

Now, when we talk about consultation on a national level, with the national organization — there's a reason we're looking into that right now, because we are looking at that and saying, "Well, maybe that wasn't enough consultation on the national basis." But here's the thing, Mr. Speaker, on a local basis — and today, the Minister responsible spoke about the dates, the times and the agenda and was very forthcoming, very open, about when the industry knew what and when the industry had the legislation. So if there are concerns that are legitimate from the industry — absolutely, now is the time for us to be debating that. Now is the time to bring those concerns forward. We're going to be doing that.

This is draft legislation that we're working on now. A select committee? This is new for the Yukon Party. This is new for the Yukon Party — a select committee. In 14 years, I'm not really too sure how many select committees on legislation came forth. We had the Select Committee Regarding the Risks and Benefits of Hydraulic Fracturing — and we know where that went, Mr. Speaker.

So here is the time where we should be talking about this legislation. It's right now. It's during Committee. It's during second reading. So if we could have the conversations today, if we could have the conversations during Committee of the Whole, then we'll have those conversations. If there is input specifically that we haven't already addressed, then I would like to hear it from the Yukon Party, as opposed to — well, this is the one thing they have brought up in the last couple of days — over and over again — over and over again. We have dealt with the issues that the industry had brought forward. I believe the minister is continuing to work on these issues that the industry has brought forward. For those reasons alone — and I will let my colleagues get up as well and to speak about their opinions about where we are right now and whether or not we should have a select committee to move forward.

But the question of consultation from the Yukon Party is a rich conversation to be had. I will park that for a second and I will say that the issues that have been asked by the industry have been addressed by this team. If the members opposite can give us some more — tell us what else, other than the airport improvement fee, which doesn't exist — if there is another fee or another part of this bill specifically, other than what we have already discussed, we will consider it today.

Ms. White: I will of course be speaking to the proposed amendment. Just for clarification's sake, I believe that the bill in front of us is no longer in draft form, as it has been tabled in

the Legislative Assembly, but I would like to point out and congratulate the Minister of Justice for the amendment that she moved to the *Missing Persons Act*, which means that there is still room and still time to make changes. I am going to acknowledge that to start.

I am also going to say that past select committees have included those for whistle-blower legislation, hydraulic fracturing in the Yukon, safe use of ORVs, human rights legislation, landlord tenant act and of course the smoke-free places — when that was all happening. These were territory-wide issues that did require a lot more feet-on-the-ground consultation time.

My concern with this amendment is that — from my perspective — it's flawed. It's throwing an awful lot of resources toward something, which I think — to be perfectly honest, it pains me to say that I have heard the Yukon Party asking for this to be put off until spring and it's really hard for me to say that I can agree to that point. They have definitely put out the case and I hear that and it pains me to say that.

It does not pain me to say that I don't support the motion. Eleven people on the committee and the resources that are required for this because the Select Committee on the Risks and Benefits of Hydraulic Fracturing — that was a big process and that was a costly process. I am looking forward to speaking to the bill after, but right now, on the amendment, I believe that there are other avenues than developing a select committee to deal with the issue of airports.

Hon. Mr. Streicker: On the amendment, I note that we have introduced — tabled — nine acts and two appropriation bills this session. Of those, this is the one that the opposition has expressed concern about and is proposing a select committee on.

At the same time, when the opposition was briefed on this very act, my understanding is that they had no questions. They stayed for five minutes. If there were concerns, why not take the time to express those concerns?

I'm going to talk for a moment about an airport improvement fee, but before I get there, let me talk — I think that the Leader of the Official Opposition suggested that I should know that communities are the backbone of this territory and I think that's a great comment. I agree. I think they are the backbone of this territory and I'm happy to stand up and say that. I do think all communities matter and I will talk a little bit about consultation with respect to communities in a moment.

One of the questions that he posed when he spoke to the amendment was: How will this impact the cost of goods in Old Crow? That's a great question. That's a terrific question. That's the sort of question that we care about; I think all of us should care about it here in the Legislature. What do we think will be the impact? Zero, because we're not proposing any additional charges and fees. What we're suggesting is that we will take the charges and fees, which were created a few years ago, without an airport act, and brought in — like parking in Whitehorse at the airport. That's the sort of thing that this act will allow. It does so as it brings it in.

There have been many times today — I lost count of how many times the Leader of the Official Opposition referenced an airport improvement fee/tax, it was many times. Each time it was raised, I thought to myself: “Yes, although we have tabled, here in this Legislature a commitment not to bring in an airport improvement fee.” So if that is the big issue, I think that is dealt with. Hence, I don't think that we need a select committee to deal with it, and I will get to the point about that sort of consultation in a second.

The point that I want to try to make here first is that when those fees were introduced several years ago, we didn't talk to all First Nations. The Yukon Party government didn't talk to all municipalities before they brought in those fees. They didn't talk to local advisory councils, aviation groups — or not that I know of. Those fees came in.

If I'm wrong, please, by all means, let me know how that consultation process went. By the way, did you create a select committee? Did the members opposite create a select committee in order to bring in those fees? No. They did not. We just heard from the Member for Takhini-Kopper King. She listed off all the instances of select committees over the past decade or so. There was no mention, at that point, of a select committee introduced to discuss these very important issues that are being raised about the fees. Because we're not proposing to change the fees, there is no change to what the cost of goods will be for Old Crow; hence, we're not concerned about that at this moment.

I don't want to talk about clause 12 of the Magna Carta. I would actually like to talk about clauses within the act that is in front of us, that is tabled. For example, I would like to talk about clause 21 of the — and I take the point of the member opposite, of the legislation or the proposed legislation.

In clause 21, it refers to setting up in place through regulations — through Cabinet — the ability to introduce charges, things like the cost of parking in Whitehorse. Those charges, then, will come through under regulations, and that is what is here. What the Minister of Highways and Public Works stood up and said repeatedly is that we will consult with the public — and I thank the members opposite for their list of all these great groups to have a conversation with — about those regulations which is where the issues that they seem to be raising will be addressed. Not only that, but here within the legislation — again, not the Magna Carta — if I refer to clause 17, I see that we are proposing in the legislation itself to have an advisory committee.

I wonder how many pieces of legislation have that written in, but it is great that it is here — that is terrific.

Under this clause, we have a Yukon airport advisory committee, and this is the moment where we can turn to these important groups and seek their input. Hence, I would love to hear from the members opposite that, if they have concerns with this piece of legislation, let's hear it. That is what we are supposed to be doing at this moment. What I have heard is about suppositions that we have attempted to address by stating, through a written submission by the minister himself, that we will not be going toward an airport improvement fee.

Finally, Mr. Speaker, let me just reference a little bit to communities and our ability to consult with them. I have now, as the Minister of Community Services, made it to every Yukon community, and I am just about on my second trip to every community. I have sat with every one of those communities and listened to community leaders, and I have invited them to set the agenda for me. I have always raised issues with them. I have said, "Here are some things..." As soon as I was aware that it had passed through the process to allow for dialogue broadly on airports, I have freely been sharing with communities that this is a topic. I have had only two communities raise it with me as an issue for them — Carcross and Pelly Crossing. I will speak to this later when I speak to the main motion. I think it is important to listen to our communities. I think it is critical.

I recall being at an Association of Yukon Communities meeting last month in Carmacks, and I listed off a range of areas that we are consulting on, including which, of the several bills that are going to be up in front of us — I recall talking about the *Act to Amend the Dental Profession Act (2017)* because that is my act. I recall mentioning that we were bringing forward post-traumatic stress disorder and the *Act to Amend the Workers' Compensation Act and the Occupational Health and Safety Act (2017)*. I recall referencing the airport act. There were many topics that were of importance to the Association of Yukon Communities that day; that was not one of them. What we talked about was cannabis. What we talked about was the comprehensive municipal grant. We talked about many issues, but that was not the one that they raised. I believe that, as elected officials, all of us here should always remain open to listening to constituents, members of the public and those concerned.

I will say that I, in particular, will make a strong effort to ensure that, if there are concerns raised by municipalities, I am completely open to hearing those. I will take those and I will work to ensure — if the issues that are being raised are about fees, then that is about the regulations. We have an opportunity to consult, and I thank the members opposite for raising this as an issue, to say that we want that sort of consultation — well done. Great.

I have also heard my colleague, the Minister for Highways and Public Works, stand up in this Legislature and say that, absolutely, we will have that dialogue with Yukoners and, in fact, we will introduce it in the text — or it is introduced in the text of this act to ensure that it isn't just there on a whim. It is there in a legislated fashion.

Mr. Deputy Speaker, on the amendment, I don't want to have a select committee on this. I would rather that we choose select committees for issues that seem to be of broader importance. However, if the members opposite have specific things that they didn't choose to raise when they introduced fees several years ago, or if they have specific issues that they didn't choose to raise when they were briefed, as the opposition, then, by all means, please stand up here and tell us what those specific issues are.

This act, by the way, which is nine pages — and I was able to tell my colleague that, quietly, as he was speaking in

his opening remarks — I re-read it in the first five minutes of his opening remarks on second reading. It is that brief. It is simply a framework. It is a framework on which we will legitimize the work that is going on. It is a framework on which we will help to build tourism here in the territory. It is a framework with which we help to increase the economic development of this territory. It's great to get in. The concerns that I have heard so far are on regulations. Let's hear if there are other concerns. Let's not go to a select committee until we have heard such a thing, and let's see how we prioritize this against so many other critical issues that we face as a territory.

Mr. Kent: Just in speaking to the amendment brought forward by my colleague from Pelly-Nisutlin, obviously I will be supporting it. It doesn't sound like members opposite will be supporting it, which is disappointing, and it's also disappointing that we had to get to this point where we had to bring in an amendment at second reading, essentially asking members of this Legislature to do the job that the Minister of Highways and Public Works should have done in the first place, and that is to consult Yukoners on a new piece of legislation. It is not an amendment to an act where there is targeted consultation. It's a new piece of legislation. The minister himself has said that it has been a number of years since we have had control of our airports. This is brand new legislation being brought in.

Maybe to just take a step back to just before this Fall Sitting of the Assembly started, when the Government House Leader provided me and the Third Party House Leader with a list of acts that would be tabled this fall — I believe there was a government news release later that day that outlined the acts as well that the government would be bringing in.

Obviously, one that caught my eye as a brand new piece of legislation was the *Public Airports Act*. I reached out, as opposition members are supposed to. I reached out to individuals, constituents and people I know who are active in the aviation industry — just to ask them their thoughts. I reached out to people who are currently leasing at the airport — leasing not only at the Erik Nielsen Whitehorse International Airport, but also leasing land at the Dawson airport. I talked to them and I asked them what their thoughts were on this piece of legislation. A disturbing trend started to emerge for me and other colleagues who talked to stakeholders throughout the territory, and that was that there didn't seem to be any meaningful consultation with individuals who are involved here on the ground in the Yukon on this piece of legislation.

The Department of Highways and Public Works, through the minister, is undertaking other reviews when it comes to aviation. Obviously, the broader system review was undertaken, which recommended the closure of some airstrips throughout the territory. Aviation industry folks were quite concerned about those potential closures.

There's another exercise that's going on right now — the Erik Nielsen Whitehorse International Airport 2040 visioning document. Some of the people whom I talked to confused those issues with this *Public Airports Act*. They just didn't

hear about it, and there were concerns. Obviously we brought these concerns up through a series of questions last week and today with the minister. We've heard how the minister has been portrayed with respect to the consultation with respect to this act. I'm not going to use any of those adjectives; I don't want to be called on a point of order, but I think we're all well aware of some of the adjectives that are being tossed around with respect to the minister and the government as to how they conducted this public consultation.

My colleague for Pelly-Nisutlin referenced the Liberal tagline in last year's election, and that was "Be Heard". Well, it certainly didn't apply to this piece of legislation, and it's unfortunate. The Minister of Community Services, the Member for Mount Lorne-Southern Lakes, said, "What are your problems? Bring them forward now." We rely on industry people; we rely on those who are going to be affected by this legislation to tell us what their problems are, but they weren't consulted. They weren't consulted on this piece of legislation.

We saw the letter last week from the Northern Air Transport Association executive director that was tabled here today, asking the minister to remove their name from the press release that was put out saying that they were consulted on this legislation. They mentioned in this same letter that, on August 2, they received a phone call from a senior HPW official: "A discussion on a variety of issues took place, including a very quick discussion on a proposed public airport act. While input was provided on the issues associated with the current GNWT Public Airport Act, the conversations were of a general nature as there was no draft legislative document to reference. This short conversation in no way can be construed as 'consultation' and the reference to NATA in the Press Release needs to be removed."

Now the Premier, in his remarks on this amendment, said that it is a national organization — it's the Northern Air Transport Association. There are a significant number of Yukon members and they are holding their annual meeting here next year. It's my understanding from the executive director that they had hoped that discussions around a *Public Airports Act* could be on the agenda for those meetings that are going to be held here in Whitehorse in the spring. That was relayed to either government officials or the minister — I can't recall which — but he did relay those thoughts to members of the government. Unfortunately they fell on deaf ears.

We heard today from the Canadian Owners and Pilots Association Yukon that they're concerned with the *Public Airports Act* currently being debated in the Yukon Legislative Assembly. In that news release, they outlined a number of key dates throughout late July into August where there was some back-and-forth between them and senior government officials. I look forward to receiving the minutes that the minister promised during Question Period today of the July 25 meeting that he said was with COPA. It will be interesting to see who actually at that meeting and what was said and what was arrived at. I have already heard some conflicting accounts of that meeting, but I will leave it to the minister to get back to

us and let us know exactly what transpired. He did commit to tabling the minutes, so I look forward to seeing that document so that we can get a better understanding of who was there.

Again, I think one of the initial concerns that we had with this legislation is that of the airport improvement fee or the airport tax that this legislation allows the government to bring in. The government has sent a letter to the editor saying that they're not going to bring in an airport improvement fee, and I asked in the House if the minister would be willing to amend the legislation to rule that out, but again we saw stubbornness by the minister last week. Perhaps things are softening a little bit this week and he is open to making some of those changes at Committee of the Whole when this gets there.

I guess, what's flawed with this piece of legislation — we've heard a lot about consultation on the regulations and how important that will be and that's where the rubber hits the road and that's where there will be meat on the bone, but many of the people I have talked to in industry see this entire process as flawed. They are concerned that, with a flawed process to develop the legislation, how will that lead to solid regulations with respect to this? There are concerns out there that we're hearing.

We're not here saying things that have not been legitimized by major groups like COPA, like NATA, like some of the larger airline companies that are active here in the territory. Many of the groups and organizations are listed in this amendment that the Member for Pelly-Nisutlin tabled here today, but as he mentioned, there could be some that we're missing and we would certainly like to hear from them as well.

Again, the big problem with this is with respect to the consultation. It was essentially non-existent. The claims by the minister have been refuted by industry leaders here in the territory, by associations that represent the industry — major associations that represent aviators and the industry here in the territory. As others have said, this is an incredibly important industry for the economic future of the territory and it's unfortunate that the Liberal government did not apply their "Be Heard" promise when it comes to this piece of legislation because, again, we would like to see the minister reach out to these aviation groups — NATA and COPA — with this piece of legislation that is before the House at second reading today. Before it comes to Committee, press the "pause" button. That is what we would like to see. That is what we've heard from industry associations. Press the "pause" button.

Again, when it comes to this amendment, I would rather not see a select committee dealing with this, but we brought forward this amendment because the minister didn't do the proper consultation. He didn't authorize the proper consultation during the development of this piece of legislation. It would be interesting to hear some of the responses to questions that I raised in the House and colleagues raised in the House last week and today.

For instance, on October 10, I asked the minister to provide a "what we heard" document, which is something that is customary with pieces of legislation that are newly developed. Again, I also wanted him to describe how the

consultation on this piece of legislation was undertaken. The earliest date — and I stand to be corrected from the minister — that he has mentioned is July 25 and then, here we are, just over two months later, and there is a brand new piece of legislation that was introduced on the floor of the House, again without talking to not only those stakeholders who are directly impacted, but also the public. I guess I would be interested to see how the Liberal government determines when there should be public consultation on something versus when there shouldn't be.

Again, I commend the Minister of Community Services for opening up the amendments to the *Dental Profession Act* to public consultation. It is something that I would have expected on this bill and that is another reason why we were quite surprised when this bill was on the fall legislative agenda because we did not see a news release with respect to the beginning of a defined public consultation phase. We didn't see a news release saying that there would be targeted consultations. We have some dates from the minister and, in his closing remarks here at second reading, I'm hoping that he can provide some defined timelines.

Again, he has mentioned a couple of open houses from early August. It would be interesting to see how many people were at those, who they invited and what was said. These are all questions that we have that have so far gone unanswered.

When it comes to what the Minister of Community Services mentioned about the Yukon Aviation Advisory Group — it exists now. The minister has referenced that group, saying that he consulted with that group, so that group exists. You're formalizing that group in the legislation, but one of the problems I have with that — I was going to speak to it in my main second reading speech — but it is that the minister "may" create this group — why not the minister "shall" create this group? That is what is in the *Economic Development Act* with respect to the Yukon Minerals Advisory Board. It is a mandated board. The minister "may" — that is great, but it already exists, so it is already in place. Why not mandate something like that?

The Premier is laughing over there, but this is not a laughing matter to the aviation industry. He is making light of something that is extremely important that hundreds of Yukoners rely on for their livelihood. He can laugh all he wants, but it is not a laughing matter to those who go to work in this industry each and every day — those who are the experts in this industry — that is who we want to hear from. That is what is flawed with this process, and I thank the Member for Takhini-Kopper King for agreeing with us that the government needs to push "pause".

I am not holding out a lot of hope. I think the minister in remarks in the media last week said that this legislation would be passed this session, so it seems to me that they are going to be using their majority to ram this piece of legislation through, which is unfortunate, before organizations like NATA and COPA — large employers that are active here — the public, municipalities — all of these organizations that are mentioned in the Member for Pelly-Nisutlin's amendment get a chance to be heard. That is what we are looking for. We are looking for

the Liberals to live up to their campaign commitment that Yukoners will be heard when it comes to this type of thing.

When the Liberals launched their campaign, they said it would be a balanced approach with transparency in government. Unfortunately, it appears that "being heard does not apply" is the stamp that the Liberals put on this bill, and it is really unfortunate that we have gotten to a point where we have to introduce an amendment to a second reading motion to ask to establish a standing committee to do the job that the minister should have done in the first place. I am very disappointed to be at this point, but we will be supporting the motion introduced by the Member for Pelly-Nisutlin and look forward to further comments with respect to the amendment as well as the bill at second reading.

Hon. Mr. Pillai: There have been some great points raised today by both my colleagues and a couple of good points from the Member for Pelly-Nisutlin. Certainly, there is so much to take in today that has been mentioned as we talk about consultation and reprisals and reviews from our election platform and how we actually got to that point. I think I will just touch upon a few points that maybe we need to focus back on.

I think it is important to talk about consultation because I love the spirit, and I think one thing that has happened — and I commend my colleagues for that — is that we went through a vacuum of many years. At least that is the prerogative of some — that we were in a position where there was a lack of consultation that existed and certainly that lack of consultation led to uncertainty for the economy. It led to conflicts between groups that really shouldn't have conflict.

I think what we're starting to see at least from this motion, which I appreciate today, is that, as the Member for Pelly-Nisutlin has put forward, the opposition is starting to come to an understanding of the importance of consultation. That's important. If, in our time here, we change the tone of what legislatures believe and respect when it comes to consultation in the Yukon government, then we have done good work.

The challenges that I deal with on a daily basis, as the great people who work in Economic Development and the great people who work in Energy, Mines and Resources — the challenges they grapple with on a daily basis because of decisions that were made by the now-opposition provide us with some of the biggest hills that we have to climb, almost on a daily basis.

I don't think I need to name specific members — probably two or three would have direct contact with some of these issues, but I'll just leave that. When we think about things like the wetlands policy — I'll start there. The challenge becomes, when you build these policies — regulation draft policies — and then you start to implement them without any conversation with — if you have two stakeholders at work — in this, you may have placer miners and then you would have the First Nation governments in place. What we saw was an alarming trend, especially over the last five years, of situations where the language would be put

together, the implementation would begin, but only one group of individuals would be talked to.

What would happen, and what we would see would happen, is a complete destabilization of these industries based on the fact that groups didn't have an opportunity to work together to come up with solutions that work for both parties.

I think the reason that we used a slogan of "Be Heard" and the reason that we're out listening is because we knew that it resonated because, generally, Yukoners, whether they had been a supporter of the Yukon Party or supporter of the NDP or whoever they supported, the one thing that resonated with the majority of Yukoners was that our friends across the way really have this approach where they didn't feel they had to listen to anybody. They wanted to move things forward, and that really led to one of the biggest downfalls of them in government, which then, of course, led them to opposition. The strategy becomes today — which we've had this last week and today, and last week we dealt with it — how do we and how do the opposition — it's intriguing — build this strategy, and we're going to paint anyone, other than ourselves, with this brush that we don't consult and we don't listen.

As my colleague said, nine separate pieces of legislation coming forward — I commend the people of Yukon government who are working so hard to ensure that the legislation vacuum of the last number of years gets right-sided. I appreciate that. It doesn't go without understanding that the people who are drafting the legislation, the legal teams, the bureaucracy beyond the daily work they do — how much work is going into this, and striving to meet the goals and benchmarks of our consultation.

As the Premier touched upon, we've been in this scenario where people — I've heard it from all sides: "You're not consulting enough"; "You consulted too much"; "You have consulted with a survey and you shouldn't consult with a survey." Really, all we're trying to accomplish is that we have an opportunity to get the proper feedback. We all believe in that. We understand that. We've worked in different arenas before where we know how important that is.

I think about the placer occupancy work that was done — again, another scenario where we have groups pitted against each other because the language gets drawn together and then it starts to get implemented. We're then bound to this — essentially not bound, but now we're in the steps of walking back 10 steps to try to come up with a solution, and then it is pitting placer miners against the lands departments of First Nations and, once again, it's causing this conflict about which people had said, "Enough". They were done with that. Once again, that's what happened in the election last year. People said, "Enough" to that. Once again, there was no consultation — or at least only one side was consulted. We have the wetlands, we have the placer occupancy — they are just a few.

Outfitters are named here, and I know the Member for Klumane has probably worked with outfitters and knows a lot of outfitters. How absolutely unfair to the outfitters to start to draft and consult with the outfitters but, once again, leave out

the First Nation governments with traditional territories — all the while leading to what will inevitably become a legal disaster.

Once again we talk about consultation, but we see that we have this long history of problems that were in place. It was touched upon again by the Minister of Community Services. The Premier said there's a fee — I'll call it a fee — or we could call it — I'll translate but, in my translation, I'll use the Yukon Party translation for this one. When you go to schedule C of airport rates and fees — and this is very important for the record — as the Member for Lake Laberge would say, for all those who are listening here today and all those who are tuned in — to understand that these are the taxes that were put in, in 2014 — the taxes that were unilaterally implemented without speaking to — I don't believe, and I will stand corrected if there's the case, that First Nation governments, I don't believe the municipalities, I don't believe all local advisory councils, I don't believe the aviation groups, I don't believe the Yukon Chamber of Commerce, I don't believe the Yukon Chamber of Mines, I don't believe the Klondike Placer Miners' Association, I don't believe the Yukon Prospectors Association — maybe we can be told — and I don't believe the wilderness tourism or the Yukon Convention Bureau — especially I would like to see, when you're talking about these taxes that were put in place by the opposition, what the feedback was from the tourism operators, the Yukon Conservation Society or the Yukon outfitters, individual pilots.

The taxes were as follows: there was the car rental kiosk tax that was put in place unilaterally; the airline counter, office and fee/tax; the baggage makeup area tax; the industrial tax; the groundside sand storage tax — and I don't think there was any consultation completed on any of those items. An OIC is how it was completed — it was an OIC that was put through — 2014/217. There was the parking tax, there was the parking tax for the daily maximum, there was just the daily parking tax, and then, of course, depending on what time of year, there was the tax that was put in; and if you wanted electrical service, there was that tax, and then one without electrical service — so one, two, three, four, five, six, seven, eight, nine, 10, 11, 12, 13 taxes that were put into place in 2014.

The industry, through conversations with my colleague — and I think that, as he touched upon today, there's an opportunity to always improve on consultation. "When can we get this right?" — I think that is what was said by the Leader of the Official Opposition, and I think the opportunity to improve — I don't think anything was done wrong, but to improve as we move into the regulation piece of this work.

But it's a tough day when you actually try to fix the flaws of your predecessors, where you have these pieces of language that sit in a multitude of places, and as you build very basic legislation — nine pages; I mean, very simplistic — and you do it to try to improve the system and right-side the work that was done by the predecessors, they take the whole thing and it is turned into a political strategy. In my mind, that is what we're seeing today.

Mr. Speaker, this is what a disservice is. If you're really concerned about private business, a disservice is wasting the time of private business. So when you stand — if you walk into the Legislative Assembly — and the game, as we've seen it is two-pointed. It's a two-point game. The first thing is, there is a statement that is made, so a statement is made and whether it's somewhat accurate — a statement is made such as "You've put a system in place for an airport improvement fee." My colleague responds and says, "No, and actually, I'll take it one step further. I'll put it in writing that we're not going to do that."

Then the Yukon Party's social media campaign comes up, so private business people then reach out to me and say, "Yeah, I saw this on social media." Then I have to tell them, "No, we actually tabled a letter in the Legislative Assembly. That's not what the focus was. The focus was to take the set of fees that were put in place by the Yukon Party — we need to move them over into the piece of legislation." When you tell them that, the one thing that you get back from the private business sector is that they don't like people wasting their time. When you are feeding in information that has already been clarified in the Legislative Assembly — in my mind; only my perspective; I could be wrong; it's only my perspective — you are using up people's valuable time.

I know that the Leader of the Official Opposition, in his days as a successful private business person, if I was legislator and I called him up or spoke to him knowing full well that there was information documented here in the Legislative Assembly and I had him riled up or I gave him information that I knew I could probably more effectively explain — and I'll touch on that — and in the end, his emotions, his concern, his time was spent dealing with something that really had no place to spend or waste his time — that angers private business people.

What is upsetting today is that if we're going to stand up for the private business sector, then let's stand up for the private business sector. Okay? If they've said that there is a series of documents and patched-together policy and regulation that, if it was unified and put into something that was simplistic, it would improve the industry and it would be an opportunity to expand the economy. Certainly it would alleviate conflict.

So once again, we're talking about consultation here, it's just upsetting. I'm sorry that I've sort of veered, but I'm listening to this and thinking to myself, this one-two approach on everything that we're going to see over the next number of weeks and days where, you know, you throw something out and what could have been an easy solution is for the members — I know the Member for Copperbelt South said that just after the House Leaders' meeting, they took the opportunity to reach out to people just to see how they felt about it and to see if they had been consulted.

Certainly that same avenue — those same relationships — it would have been fantastic for the member to say, you know, we put some stuff through in 2014. We put these 13 different policies into place. Actually what they do is they're put in place to provide fees, but they're over here in the

Financial Administration Act. Formerly, when I was in a position where I was the Minister of Highways, this was something that was a problem that was tabled because there was one thing that was touched upon. The member said, "We count on industry to tell us what the problems are." I believe that anyone who has carried on the role of Minister of Highways has likely had people and stakeholders around this industry tell them that there are some problems. So certainly for anybody who has been in this role, they know that a proper, appropriate framework is a long time coming and also the fact that we're the only place in the country that doesn't have it, one would come to understand.

So if you truly are going to listen to industry and you're trying to work with industry, give them a fulsome conversation about what has transpired, talk to them about the fact that in 2014, there was some patchwork and fees put in in an OIC and maybe that's the best place for them. If the framework of the legislation gives the ability to then move that work over into a unified document, that can actually be helpful for industry and it can help to modernize the activities at the airport. As many groups look to expand, they would have that opportunity.

I remember in my days in municipal government, when we were doing the OIC and we were going through a process of trying to define expansion and look at infrastructure spent and conversations with the industry, we were wanting to modernize and try to secure the leases and look to put infrastructure in place, so that they could have more appropriate infrastructure that they owned and so that their investment into their assets were solid and secure and that they could have this clarity.

So once again, one suggestion might be — as we go into the next stage of the process, which will be to talk about regulation — that I think that all of these groups, every one of them, are groups that we should consult with. I appreciate the Member for Pelly-Nisutlin — I think it's great — and we could even go through it.

I think all three parties can review this and if there are people on this list, including the general public, that we have missed, let's all do the best that we can to represent our constituents and the stakeholders we represent and let's make sure that we have the most extensive, exhaustive list that we possibly can of individuals to look at this.

I can remember, going right back to the first conversation on I had on anything to do with this was one of the owners of one of our most successful entities in the airline industry, who came up to me before I even looked at the piece of legislation and said, "Please, whatever you do, don't ever put an airport improvement fee in place." He said, "Thank you. This is just something that our industry can't shoulder."

With that being said, thank you. Of course, I can't support this; it is political gamesmanship, but I certainly look forward to great consultation in the next stage of the work that we're doing here.

Mr. Cathers: It's very disappointing that we're seeing — on the heels of the Minister of Highways and Public

Works' statements that respected members of the Yukon business community and organizations representing pilots have said are factually incorrect after those members have taken issue with the minister's approach and after the minister's absolute failure to manage the relationships with this key sector of the economy and instead, ended up in a fight with them publicly — it's unfortunate that we're seeing his colleagues so far backing him up. I hope that they will reconsider the error of their ways.

I'll point out a few things to my esteemed colleagues across the floor. While one of the members spoke — actually a couple of the members have said they put out a letter in writing, saying they're not going to introduce an airport tax, even though they've brought in legislation that specifically empowers them to do just that. Now one minister offered the excuse that existing fees that are authorized under the *Financial Administration Act* via order-in-council had to be moved over to a different piece of legislation. In fact, Mr. Speaker, that is not factually accurate. They are currently lawful in their existing form and if the current Minister of Justice and attorney general believed that they were not lawful, the Liberal government should have immediately stopped collecting them upon taking office and being made aware of that issue. But in fact, they were legally authorized and there is absolutely no need to move them over under a different piece of legislation.

I'm not going to spend a lot of time talking about the parking fees, but the members, unless they're having selective memory, know full well that's a ridiculous deflection. The increase to parking fees at the airport was in fact in response to complaints from the business community and the public about the problem of people misusing long-term parking at the airport and parking there because it was by far the cheapest place in town that many had access to. In response to that, one of the solutions that emerged was raising the fees to still make them low in comparison to other airports, but in an attempt to discourage people from leaving a vehicle there for six months or in some cases — and members can refer back to past media transcripts for this — there were documented cases of people abandoning vehicles there with expired plates because there was simply no penalty for leaving them there long term.

Mr. Speaker, again, as my colleague, the Leader of the Official Opposition and my colleague, the Member for Copperbelt South, noted in their remarks, this was not our preferred approach. The formation of a select committee and the proposed amendment of the motion for second reading is a response to the fact that the Minister of Highways and Public Works didn't do his job. The minister failed to consult with industry that is directly affected by this. In response to respected Yukon members of the business community and the two largest airline companies in the territory — one of them, I believe, in fact, the largest private sector employer in the territory — when they came out and said that they wanted government to do more consultations and they did not feel that they had been consulted on it, the minister's response to that was effectively that everyone was wrong but him.

What I would point out to the members is that the aviation sector is a vital sector of the Yukon economy. There are a number of others that depend in whole or in part on the aviation sector — that includes the tourism sector of the economy, the convention sector of the economy — all depend on a functioning air travel system, and low and competitive airline rates are an important part of the functioning of that segment of the economy.

It should also be noted that, in addition to Air North — the largest airline and, again, I believe if the latest numbers I have heard are still correct, the largest private sector employer in the territory — they have come out requesting more public consultation. Alkan Air — another long-respected member of the business community and, in fact, the company that provides life-saving medevac services to Yukon citizens — has also said more consultation is necessary. It appears that, because the minister has already made up his mind and already said words he is not willing to back away from — that the Liberal government is prepared to ignore their voices, ignore the statements that have been made by members of the aviation community, including — again, quoting from a *Whitehorse Star* article on October 11, a quote from the president of one of these companies who said: "It's going to cut into their tourism industry, it's going to hurt their economy, and we don't want to be doing something just because they're doing it... In fact, we should be taking advantage of perhaps a competitive advantage and keeping ourselves lean and mean."

That was in reference to the comparison of the NWT's model that the government saw somehow as a solution. In fact, the legislation that the minister based this on — that tabled in the NWT — includes introducing an improvement fee for the Yellowknife airport this year. The ministers can stand all they want and say, "Well, the minister wrote a letter saying we are not going to introduce a new fee." The question that we and many Yukoners are asking is: If you don't intend to introduce new fees when the existing fees are already lawfully authorized by Cabinet and the Commissioner, then what is the need to bring in the power under a new act to create new fees, unless you actually intend to do so?

While the minister put that statement in writing, the Liberal Party also put "Be Heard" in writing and campaigned on it in the last election. We are hearing from many Yukoners who do not feel that they have lived up to that commitment.

I will just briefly reference the minister's question about why there weren't more questions asked at the briefing of the legislation with officials. In fact, we have read through this legislation and we don't need to ask questions that we already know the answers to. We have seen non-answers from ministers today on questions that we did not know the answers to in this House that any Yukoner listening would see as reasonable ones, but instead we hear deflection. We hear the best-possible excuse that the Minister of Highways and Public Works can seem to offer for his refusal to consult is a desperate attempt to claim that the previous government had a worse record on that. It still does not justify his decision to

dismiss the legitimate concerns of Yukon businesses that are affected by this legislation.

We proposed this amendment simply because the minister failed to do his job and, from the statements we have heard recently from Yukon companies, it's dubious whether any of them will have confidence that the minister would listen to them a second time, since his initial response to their comments was to basically point out that everything they had said to the media was, according to him, just wrong.

Mr. Speaker, it should also be noted that this legislation — by the Minister of Highways and Public Works' own admission, he is identifying this as something that has been, in his view, needed for almost 22 years. There is no sense of urgency in this area. The minister keeps claiming that people have been asking him for this legislation, perhaps even begging for it, but in fact he has yet to provide the proof of his statements.

What he has done is create conflict with the private sector and failed to recognize the fact that, when you're dealing with companies that collectively employ hundreds of Yukon citizens, if there is even a potential impact on the viability of companies, such as Air North and Alkan Air, as well as other smaller aviation companies, government should be listening. If there are elements within the legislation that threaten the viability of those companies, or reduce their viability, those are things that government should be treating seriously, instead of taking the "batten down the hatches and charge forward, damn the torpedoes" approach we have seen from the Minister of Highways and Public Works.

What a number of ministers seem to be missing in their comments on this legislation, and the Premier in his remarks seems to be not understanding, is the fact of the cost of red tape, the cost of administrative burden — the fact that, even if the government actually did live up to its promise not to implement an airport tax, there are many other ways that legislation can make it tougher for small businesses and large businesses to operate. They are asking us to provide the full list of them. In fact, in some areas, we're still receiving that information from the private sector, because they're scrambling to respond to the government's *Public Airports Act*. They were not properly consulted. They have said very clearly that there are red flags in this legislation. We have seen Northern Air Transport Association take the unusual step for an organization in the territory in the past 20 years of demanding that government remove its name from a press release, because they are saying that the statement made in that press release by the Minister of Highways and Public Works is not factually correct.

It seems the government today has simply made a decision to ignore all concerns, to dismiss them, to try to paint them as somehow being unfounded or unreasonable and to plow forward with this legislation. This legislation is largely a solution to a problem that doesn't really exist. They failed to consult with municipalities, they failed to consult with the tourism sector, they failed to consult with individual pilots, and they failed to consult with Yukon aviation companies, both fixed-wing and rotary.

They failed to recognize that the aviation sector of the economy is not only a sector that employs many Yukoners, but other sectors of the economy depend on its functioning to run their own businesses. Those included, as I mentioned, the tourism sector of the economy, they include wilderness tourism, and they include prospectors as well, big-game outfitters and a great many other people who depend on the airlines for everything from flying food into Old Crow to flying food and supplies into hunting camps, wilderness fishing camps and other remote locations. Everyone who is employed by the mining exploration sector of the economy requires air service. All of the major exploration and development camps that currently exist in the Yukon, including properties such as Casino and Kaminak and, of course, the Minto mine — all of these companies depend on air service and air access into Whitehorse and into their properties. We see what I think can best be described as a father-knows-best attitude from the government.

The Minister of Highways and Public Works, the Premier and their colleagues have yet to present a single, coherent reason why this legislation must be proceeded with right now.

We've heard industry, including the Northern Air Transport Association, ask for this legislation to be delayed so that they can talk about it at their spring meeting, and what really has been missed by the government in all of this is — we hear trite lines from members opposite about claiming that we on this side either asked them to consult less or consult more, but one thing that we've heard from Yukoners — and the members should know it by now if they're listening to Yukoners — is that summer is a very difficult time to get people to engage in public consultations. This government has had a number of public consultations in the summer.

We've been critical of — and will continue to be critical of — their changes to methodology on consultation. In the past, people were required to put their name down in filling out a form, and their name would be protected in accordance with the privacy provisions of ATIPP. But instead, government has chosen to eliminate the requirement for a name, which does allow someone to deliberately fill out a form multiple times from the same computer or from separate computers or from their phone, and in fact skew the consultation numbers because either the government or individual citizens or groups are choosing to comment in a way that skews public consultation results. It has lost the integrity that the public consultation process used to have.

Moving on to another area, in addition to the companies that have stepped out and called on government to do the right thing and delay this legislation — in addition to NATA, we see as well the two-page letter released today by COPA, the Canadian Owners and Pilots Association — Yukon Flight 106. They are expressing their concerns with the draft *Public Airports Act* as well as with the comments made by the Minister of Highways and Public Works regarding COPA's involvement in that legislation's drafting. This letter has been tabled as well in the Assembly, so I trust members won't ask me to table it again.

On October 10, there were references by the minister in this Assembly stating that he met with COPA. COPA says — and I quote from their letter: “This statement is incorrect. COPA has never met with the minister or with representatives of the Yukon government to discuss the PAA.” PAA, of course, is short for *Public Airports Act*.

Mr. Speaker, I won’t read from the entirety of the letter but I would in fact encourage Yukoners to look at it. It does make reference to the chronology of events, to the fact that, while there was a reference, at an official level, to the president of COPA, the government planned to move forward with airports legislation. There were in fact concerns expressed that a briefing might make sense, but I’ll quote from the letter again: “It would be helpful to understand what change, ergo, precipitated the need for the new Yukon airports act legislation, given that Yukoners appear to have done without it to date.”

Mr. Speaker, again what I point out here — the government is trying to portray the Official Opposition’s objections to their approach on the *Public Airports Act* — the government is trying to brush that off and claim that we’re just playing politics or playing some political strategy or some such thing. But the people who are stepping forward to express concerns with the government are people and companies that don’t normally step out in a very public forum to criticize government because they do depend on the ability to work with the government of the day. These companies — the fact that they’ve been driven to this extent makes it very clear to anyone paying attention — it’s because the minister has turned a deaf ear to what those companies and associations have said. He has in fact, according to those companies and according to aviation organizations, said things in the public domain that, according to them, are not factually correct.

In the case of the Northern Air Transport Association, they took the unprecedented step of demanding that the minister remove their name from the news release. As of earlier this afternoon, the best answer that the minister could offer to their concern was that he claimed the government is reviewing the press release. Well, Mr. Speaker, again, another platitude, another non-answer from this minister. What does “reviewing” mean? You’ve had an organization saying they should not have been referenced in the press release; they were not consulted with, and they requested, on October 11, that they be removed from that press release. Yet we see here again — it’s October 16 — five days later and no response from the minister, but instead they decide they want to ram through the *Public Airports Act* before even more people actually read the legislation and stand up against this Liberal government’s combative, aggressive and dismissive approach on this legislation.

Mr. Speaker, I would note as well that the all-parties, despite the characterizations made by the Premier, have been used successfully in the past. The select committees include, as the Member for Takhini-Kopper King referred to, the committee on smoke-free places and on off-road vehicles, and I won’t go through the entire list since my time to speak is

running shorter. But I would point out that on the two select committees that I personally served on — not only do those committees work, but the committee reached unanimous agreement by all parties on what steps should be taken. In this case, because the Minister of Highways has so badly bungled consultation and refused to admit he made a mistake, refused to back down from his public statements and utterly dropped the ball, we’re calling for a select committee to be created to allow other members of his caucus and members of both the Official Opposition and the Third Party to hear directly from Yukoners on this important area, because this is an important matter — no matter the laughter from the other side of the floor or the claims that they have made. This is an area that is vitally important to a number of Yukon companies and citizens, and government needs to take this seriously.

Ms. McLeod: I’m rising in the House today, of course, to speak in support of the amendment. There has been some discussion about those folks who maybe have never sat on a select committee, thinking there is something wrong with the process, but having been a member of select committees for maybe five times, I can say that it’s very effective and it gets all parties involved and we can all walk away from the table with, I guess, a joint decision and it is far easier to justify to Yukoners, I know for a fact.

I think the Liberal approach to this entire bill has been dismissive, largely, of any concerns that are being brought forward, and their willingness to use their majority to push this bill through without an appropriate consultation period, I think, enforces this idea that I have of what they’re doing. I think this amendment will help to fix that. It will get that discussion happening throughout the Yukon as it should have happened in the first place.

I believe that the establishment of the Select Committee on Legislation Pertaining to the Management and Use of Public Airports, particularly for the use of properly consulting and receiving the views of affected stakeholders across the territory — which, I will tell you, is every Yukoner in the territory — can offer a very valuable perspective for this government and I hope the government wants to hear this perspective, but that’s not quite the message I’m getting here.

We’ve heard many times that so far the minister has not consulted with municipalities, and this is a shame. I feel like I need to remind the minister that Watson Lake has an airport and it is an alternate airport for Whitehorse. The rules that are being put into place for the Whitehorse airport are going to affect every airport.

I know that my community has not been consulted. The Town of Watson Lake has not been consulted. The Chamber of Commerce has not been consulted. The First Nation has not been consulted. The public has not been consulted. So far, we’ve been absolutely ignored in this whole conversation. I know that the town has done a lot of work in an effort to boost some economic activity, and the airport has been part of their plans and their general discussions around economic activity.

They don't know — the minister doesn't know — what this bill will do to the work they've done and how it might affect their plans.

To say that this bill is really about one clause that has the potential to have an immediate effect is not entirely the only thing we need to talk about. We need to talk about everything else that the bill is contemplating and how it affects people, and this government has not had that conversation.

Watson Lake recently was the beneficiary of an excellent business decision, in my opinion, by Alkan Air to resume scheduled air service into Watson Lake. We rely on that, and with the advent of Greyhound stopping passenger service — I haven't heard the government supporting any movement to keep Greyhound running; however, I'm going to leave that as a business decision for Greyhound, for sure — we rely even more on air service. The air service being provided is something that the people of Watson Lake are coming to rely on more and more. However, it's not a money-maker. Any added cost has the potential to stop service. I'm betting that conversation has never come up.

The service offers the citizens of Watson Lake and the surrounding area the ability to get to Whitehorse for health appointments, business meetings and connecting flights down south without having to make that drive — because, frankly, not everybody has a car, and not everybody is comfortable driving when it's 30 below or 40 below, and neither should they be. That's a long road between help if you need it. The airline runs, so we really depend on that air service now.

I know what we've heard several times, not just today, is, "Well, let's just pass the bill and then we'll have a conversation about what's wrong with it." I just can't follow that whole line of reasoning, I'm afraid. Once it's a bill, when is this coming back for discussion? I'm not getting any sense that it'll ever come back for discussion. The problem will arise when we put everything into regulation that the minister wants to think about. I'm not convinced that there will be any better type of consultation in the future about those regulations before they come into effect.

There has been talk today about a cost-benefit analysis of the regulations themselves, but no mention of when this would happen, whether or not it would be shared with Yukoners before the regulations are enforced and, when we talk about cost-benefit analysis, this government is pretty short on that. I haven't seen any on any of the upcoming taxes coming forward and they're a more certain thing than perhaps an airport improvement fee, which the government says it won't do, but will leave to future governments to do if they wish. If that's what this bill was about, then why not let future governments take the flak for putting that sort of thing into a bill? I'm not sure why this government would want to take all the backlash for even suggesting it when they don't want to do it. They don't want to suggest that they are going to be increasing fees and taxes for airlines and air users, so I'm sorry, I just can't fathom why it's in the bill at all. Clearly, this has been ongoing for 22 years. It does not have to be introduced and passed in October.

One thing I did hear the Minister of Energy, Mines and Resources mention when he was speaking was that he was of the opinion — or this is what I heard anyway — that the discussion regarding the bill and the concerns that we're bringing forward is a waste of time. It is a waste of the Legislature's time, a waste of the public's time. I take issue with that because, yes, businesses are busy, yes, I've even heard businesses say, don't talk to me about something you're never going to do or don't talk to me about what my opinion is if you don't really care. That's a waste of time to business. We all know that. I don't believe that this discussion is a waste of time. I don't believe my time here is a waste of time.

I have heard many times from this government about what we should talk about when we're here. You know what? I will talk about what's important to my people — those Yukoners who I represent — and those Yukoners say that they have not been consulted in any way, shape or form on this bill. That's why, because of my in-depth experience with select committees, I think that if the government doesn't want to involve Yukoners in this decision when they have no idea how this is going to affect them, I think a select committee is the way to go.

Mr. Istchenko: It's a privilege to rise today to speak to the amendment.

The reaction from across with many respects to this amendment is a little bit disappointing. We raised the topic of lack of consultation in the House and we gave the government numerous opportunities to clear the air surrounding their consultation, or lack thereof. Those industry players who are opposed to the idea of this bill being pushed through without consultation or amendment — they're still coming forward — and this government is prepared to push this bill through nonetheless.

The thing about consultation is generally there is an open dialogue occurring between two parties. This government has been granted power based on democracy, and it sold two concepts to those who voted them into power. First of all, the government promised transparency and it is not transparency for this government to push through a bill without consultation. Along with consultation comes the standard practice of the government divulging the results of the consultation. Given that the minister has not produced a "what we heard" document or any other results of consultation, one can accurately say, I guess, that adequate consultation has not taken place.

This leads into the second promise of this government — to govern based on evidence-based decision-making. Unfortunately, the only evidence to come out of this whole fiasco is that there has not been the consultation that the minister has outlined. In fact, as long as industry is still coming forward in opposition to consultation having taken place, the government should spend some time working on making the necessary changes, and that is why we put this amendment forward so that we can try to get it right. There is no transparency and no evidence.

I want to just comment a little bit on a couple of things that I have heard from the members opposite. One of them is about the airport fees. Like my colleague from Lake Laberge said, there are many ways to deal with things, and I remember the airport fees — listening to the tow truck drivers, listening to people saying, “You know there are vehicles there without any insurance, licence or anything on them.” There were Yukoners telling me on the street: “Fix it, fix it.” We fixed it. We looked at other jurisdictions. I remember looking at the price — and we are half the parking price of the Northwest Territories, I believe — at \$5 a day. The Northwest Territories is the next cheapest. We found that now you can actually find parking. If you go there and you have to spend the lunch hour there or you have to whip in and pick somebody up, the senior citizen doesn’t have to walk from the gravelled far end of the long-term parking to go and pick up their grandchild from the plane.

There are ways to deal with these issues. I don’t remember on the doorstep — I did hear lots of complaints and I am sure we all did. I have heard everyone say it on this side that when you are banging on doors and you talk to an airplane pilot or a helicopter pilot, they are going to complain. They are going to tell you their issues. Maybe they are not complaining, but just highlighting issues, but they didn’t finish it with, “That is why we need the airport act.” Those issues, as they came forward, we tried to deal with them.

I am concerned about rural Yukon and that is why I think we really need to look at what is in the amendment here and go back to the drawing board. The Minister of Highways and Public Works said that what the previous ministers did — and I like humour a lot — would have been a “hair-raising time” — come on. The other thing that popped up quite a bit is safety. Airline safety is one of the most highly regulated in Canada. It is a safe industry. It is one of the safest ways to travel. I am not sure what the safety issues are, and I am not sure what the minister saying — that they wanted it and have been waiting. Where is that, “Hey, bring it to us, bring it to us.” I don’t remember it being a topic of conversation during the election that we need to get this done.

I think the biggest concern for the industry is what will come out of this. What will come out of the regulations? If it is not vetted at the legislative oversight committee to the government of the day and they don’t watch what the bureaucracy is bringing forward, there could be some undue things that we don’t know that could happen.

Something happened the other day — I got a call from a constituent who is with airports — the airport is locked. I was going to pick up a client to drop a client off, but it’s locked. How do I get on there with my pick-up? So something to look into to try to help your constituent.

One of the other things that the Minister of Economic Development said, “I know the Member for Kluane” and I can tell you what I know is that I had the opportunity to go and be a presenter when we were in government at the Transportation Museum, and Jack Stalberg received the Order of Polaris — this will be interesting for the Minister of Economic Development. This goes back to my grandma as the MLA,

way back in the day. Jack received the Order of Polaris because he built the airport in Beaver Creek on his own time, with his own equipment with no government money. Then my grandma proceeded to create a bunch of undue certainty and charge him and the government got involved — oh my god. So my grandma had a lot of talking to do and dealing with stuff. Consultation is kind of cool — a guy needs to do it. I have talked to Jack’s daughter and she told me about that. I didn’t know about it. I sure wish my grandma was around, so I could dig her for ideas to move forward.

It’s not going to hurt to go back to the drawing board with this and I sure hope the members opposite vote in favour of this amendment. We can sit down and do this right. We have all talked to many in the industry. There is always something that is going to be coming up.

We get worried about what the placer miner is going to do when he tries to land at a small airport at the end of the season, or he is trying to get parts in for maybe his dredge or maybe his trammel so he can keep working, but something that came out of the regulations creates an opportunity that makes it hard on him.

Anyway, those are my thoughts on this today and I thank my fellow colleague, the Member for Pelly-Nisutlin, for bringing this amendment forward and I look forward to hearing other comments and voting on this.

Ms. Van Bibber: It is my turn. I rise to support the amendment that a select committee of the Assembly be established for conducting public and stakeholder consultations on the *Public Airports Act*, Bill No. 6.

As the tourism industry is an important portion of our economy and brings us approximately 338,000 visitors through the Erik Nielsen International Airport — that was listed in 2016. We on this side of the House feel that the input of the tourism industry is vital and necessary.

We must ensure that all stakeholders have a say in how the outcomes of such a major act happens to end users. If our price margin goes above and beyond a certain point, our destination — Yukon — becomes less attractive. We are in a global market for customers, so let’s make sure we don’t leave the opportunity for forthcoming and yet-to-be-made regulations to have the ability to raise fees.

Along with the carbon tax, which the government says is a given; that is, it is a federal tax and Yukon has no authority or influence over federal policies, and with even the suggestion by the Financial Advisory Panel that we might have a sales tax, any airport fees will certainly make visitors and travellers second-guess their travel plans.

I believe that a select committee will help expand the consultations on this legislation and will result in a better piece of legislation. I think that stakeholders and Yukoners would appreciate this very well. As the MLA for Porter Creek North, I would like my constituents to be able to have the opportunity to be consulted on this issue. Many of my constituents, as well as all Yukoners, rely and use the airports in this territory, and this bill will affect them, so they need to be heard and have their views listened to, if they so choose.

Mr. Speaker, I also note concerns — again mentioning Air North and Alkan Air — about the legislation. As you know, they are important private sector employers in this territory, and they are essential contributors to our tourism sector. They have said that this piece of legislation needs to be properly and fully consulted on — and that's really important. These are big and significant companies in our territory and they have said we need to take a closer look.

As an MLA, we need to take those concerns seriously. We should slow down and take another look. These companies wouldn't make these concerns public unless they were serious. I think this amendment would allow us to do this. A select committee will meet with these companies and discuss their concerns, but we should also be able to meet with other companies and other groups, and all Yukoners, to hear their views. I don't think anybody can deny that by doing this we will end up with an improved bill. This would be a bill that everyone has been consulted on and hopefully everyone will be happy with. That would send a strong signal to Yukoners that their MLAs are working together to get a better piece of legislation. Working together would send a great signal to everyone that we want to make lives better for Yukoners.

Mr. Speaker, I support this amendment. I think it's a good amendment that will result in a better *Public Airports Act*. I would strongly advise the minister to go back to the drawing board and pull this out for further consultation and get some much-needed advice from stakeholders.

Thank you, Mr. Speaker.

Hon. Ms. Dendys: Thank you for the opportunity to speak to the amendment that has been put before the House today. There has been a lot of discussion and I'm hoping to discuss this after we get past this amendment stage to talk more about the impacts and the importance of airlines in our Yukon Territory for tourism. We know that. It's vitally important. As a matter of fact, it's a very big part of my mandate to increase tourism in Yukon, to diversify our economy.

Part of my mandate is to market and help grow Yukon tourism, while protecting and promoting Yukon's rich cultural heritage, its history, and the diverse forms of artistic expression. Those are areas within my mandate. Again, I really look forward to having a more fulsome discussion.

It's really interesting to me, as Minister of Tourism and Culture — I'll just go through a few of the facts. We have only heard about fees. That's all we've heard about in this act. Yukon government is the only major airport operator in Canada without legislative authority to manage activities on airport lands. That's a fact. So even though the Yukon Party put in fees in 2014 under the *Financial Administration Act* — these are fees that we now pay — all of us Yukoners; every single one of us pay every time we go on a flight anywhere. Those are fees that the Yukon Party put in place.

Over the last five years, air arrivals at Erik Nielsen Whitehorse International Airport have grown by 19 percent. The first-quarter performance for this year is 14-percent higher than the five-year average in 2012 to 2016. That's a

fact. That means that over 7,000 more passengers arrived in Whitehorse in the first three months of 2017 than in the same period in 2012.

So the second quarter — what we know is that it's going to be even stronger. We'll be in a position to share those figures within the next few months. I really look forward to doing that within this House.

Some more interesting statistics and facts about air travel to the Erik Nielsen Whitehorse International Airport — seven of the last 10 years have set records for air arrivals — seven of the past 10 years. Twelve of the past 17 years have set records for air arrivals. Since 2000, air arrivals have grown by 124 percent. That's almost 94,000 additional passengers.

What I want to point out again — and I know that my colleagues have done this for the past several hours — just pointing out the fact that we are the only airport in Canada without legislative authority to manage activities on our airport lands. That is a huge risk. We are all legislators within this Legislative Assembly.

I think that our Minister of Highways and Public Works has been very, very clear that he has no intention of putting in fees. In fact, he has put that in writing. I don't know how much clearer that can be. He has stated it over and over. We all have. That's not the intent of this legislation. The intent is to bring ourselves into the modern reality of Canada. We need legislation to govern our airports. That's a fact.

I really look forward to talking more about tourism and how much it has grown and how much it will continue to grow under this government and under our mandate. I really look forward to further discussions around this.

Hon. Mr. Mostyn: It's nice to be on my feet again before this House speaking about this bill that we're bringing forward for consideration this afternoon and the amendment from the good members on the opposite side of the House. I do appreciate their interest in this piece of legislation.

It's curious, the motion that has come forward. It's some sort of — nobody seems to really be in favour of it. It's sort of like a motion they're doing to make a point. I understand the maneuverings and reasons why they're bringing it forward. I will note that the select committee that they have suggested come into force actually has six members of the Official Opposition — or the opposition — and five government MLAs. We would actually be a minority on this this special committee.

That's an interesting constitution, an interesting makeup of this body. I don't think we on this side will find it that palatable, but the spirit behind it is absolutely correct. It's about outlining who will be heard. I have been as clear as I could possibly be. I want to hear from people. I want to hear from the members opposite. I've taken notes on their conversation and their points this afternoon. They have been engaging a lot more this afternoon than they have in the past, and I think that's tremendously useful for me. I appreciate their insight and their concern for my well-being, the well-being of this government and its act, and for championing the interest of industry.

What is maybe — hopefully not — getting lost in all of this conversation about the importance of consultation — and it really is important, Mr. Speaker. It's tremendously important to this government; it's tremendously important to the people of the territory; it's one of the reasons why we're here, because the people of the territory did not feel like they were being heard. I've heard that a lot. I want to do better. I'll speak more about that in a few minutes.

The Yukon government, as my colleague has noted, is the only major airport operator in Canada without the authority to manage activities on airport lands — the only one — which means that any air carrier flying to another jurisdiction is actually using an airports act in making money and carrying on their business affairs in a profitable manner. The fear — the concern being that when we bring our act in, it's going to tip the scales and potentially harm — perhaps failing all these operators in the territory — I want to reassure the members opposite and the people of the territory that it is the furthest thing from my mind. I do not want to harm any businesses in the territory, especially not our aviation industry, which is so vitally important, as I mentioned earlier, to this territory — very, very important.

I have been tasked to try to make our airports economically viable, to refresh them, to make them better, to help them. They are already excellent and are doing a tremendous job in this territory. The members opposite have noted this, and I can't do anything but agree with them. The industry in this territory is innovative, resourceful and efficient, and they're doing all these fine things, and we see it in our airfares every day. They're lower and we have more flights and we have more passengers coming in every year on year. It's tremendous. We on this side of the House are loath to do anything that would hurt that. Why would we? It's ridiculous. We have no intention at all of doing anything to harm this progressive, resourceful, efficient and tremendously valuable industry in the territory.

As a matter of fact, this government wants to diversify our economy and build industries. This is one of them that we want to see flourish. We want to see it do way better than it ever has in the past. I want to see it add value and continue to expand as it has recently.

One of the things that I have heard over the seven months of speaking with people in this industry is that there are issues with our airports. I had people who want land, who want to be able to put up an aerodrome — I have said this before — and do all these things. They have told me this, and I totally agree. Fixing this piece of legislation is one step toward making their dreams become a reality. We want to expand in Dawson City and build new airport infrastructure there. Well, right now, the authority for me to do that is suspect. It is not even that solid, and that is concerning to me. I have a lot of work to do in Mayo, Dawson, Carcross and Watson Lake — to the member opposite's points. These are important things that we have to get on. The piecemeal approach was supposed to be temporary and it hasn't been. It has become permanent. The members opposite oversaw this for 14 years, but it is not just the members opposite; there have been plenty of governments

before them as well that did nothing. They didn't address this problem, and it has now come to a head and we're going to do something about it.

The bill provides transparency and clarity for operators and the airport branch, and it is going to make things clearer, easier, more consistent so that when operators of the public go to the airport they will get — the goal is that, when they face an issue, they get a consistent answer and that Jeremy gets treated the same as Betsy. That's what we want. We want to make sure that the rules are clear and they are applied equally to all. Right now that's impaired because of this patchwork quilt, this ad hoc, this "MacGyvered" situation we have up at our airport that is really and truly not working for anybody. We'll gather the rules and procedures in one place.

We spoke to a lot of people through July and August. We spoke to people in industry and reached out through July and August and held open houses on August 3 and 7, as we said before. We invited interest groups to one-on-one meetings to discuss the act in detail, and we heard concerns about what the act means and how stakeholders would be impacted. There was an awful lot of angst and anxiety, and after they came out of those meetings, they felt better, actually. They said: "Well, I'm really glad you came forward with this information. I'm really glad that you're taking the time to actually address our concerns and to try to help our industry."

We heard concerns about the inability of the aviation industry to lease land. I mentioned that before. That comes up again, and again, and again.

We heard about the need for clear and fair processes and the need to protect the airport land from intrusions. We see this down in Carcross with everything from wildlife to ATVs using the airstrip as a conduit for travel — as a path. People are concerned about that and they want that addressed. Right now it is difficult for us to manage that land because there is no legislation, and we are hoping to fix that.

The industry wants clear rules, but it doesn't want unnecessary regulations. That is clear, so in our legislation and in my commitments to this House and to the industry in our conversation, I have told them that they will be involved in the consultation process going forward and that they will have a voice. They will actually be involved in the drafting of these regulations. There won't be anything coming at them from left field. Right now, we consider this legislation a stick-built house. We have some sort of frame up, but we haven't got any cladding on it. We haven't got any insulation in or a roof on it or furniture inside it. That is what is going to be coming later on with the regulations — all the details. That will be done in consultation with industry. The members opposite have sent me messages. They said that I didn't do my job.

Some Hon. Member: (Inaudible)

Point of order

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

Ms. White: It has been a long afternoon, but right now I believe we are speaking to — I am calling a point of order

on Standing Order 19(b)(i) “speaks to matters other than the question under discussion”. Right now we are discussing the motion, not the bill, not previous experience — sorry, the amendment — so 19(b)(i).

Speaker: Speaks to matters other than the question under discussion — yes.

Government House Leader, on the point of order.

Hon. Ms. McPhee: I take the point of the member opposite, but we have heard at least five members of the Official Opposition speak on the amendment and, in my submission to you, Mr. Speaker, they brought up all the matters that are currently being addressed by the minister. As a result, I submit to you that they have been, and the minister currently is, speaking to the actual amendment before this House.

Speaker: Any further submissions on that point of order?

Hon. Mr. Mostyn: Just to note that I am literally a heartbeat away from addressing the consultation question.

Speaker’s ruling

Speaker: I think we’re a heartbeat away from something else happening here shortly too. What I would say is that the amendment proposed — put forward by the Leader of the Official Opposition — is very substantial and it’s very comprehensive and it covers all manner of topics with all manner of consultation proposed. It would be difficult — although I take the Member for Takhini-Kopper King’s point — that the Minister of Highways and Public Works was probably not as topical as he could be. Given that the amendment is so far-reaching, it would be difficult in my view for a Chair to find basis to — there is so much area of debate I think with respect to that proposed amendment.

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

Debate on the motion for second reading of Bill No. 6, and the amendment, accordingly adjourned

The House adjourned at 5:30 p.m.

The following sessional paper was tabled October 16, 2017:

34-2-32

Financial Accounting Report — Government of Yukon — for the period of April 1, 2016 to March 31, 2017 (Silver)

The following legislative return was tabled October 16, 2017:

34-2-60

Response to oral question from Mr. Istchenko re: water and sewer upgrades in Haines Junction (Streicker)

The following documents were filed October 16, 2017:

34-2-18

Yukon Airports Act, letter re (dated October 11, 2017) from Glenn Priestley, Executive Director, Northern Air Transport Association, to Hon. Richard Mostyn, Minister of Highways and Public Works (Hassard)

34-2-19

City of Whitehorse Infill Lot Development, letter re (dated August 10, 2017) from Scott Kent, Member for Copperbelt South, to Hon. Ranj Pillai, Minister of Energy, Mines and Resources and Hon. John Streicker, Minister of Community Services (Kent)

34-2-20

City of Whitehorse Infill Lot Development, letter re (dated September 8, 2017) from Hon. Ranj Pillai, Minister of Energy, Mines and Resources, to Scott Kent, Member for Copperbelt South (Kent)

The following written question was tabled October 16, 2017:

Written Question No. 19

Re: Infill lot development in Copperbelt South (Kent)